

TANEY COUNTY COMMISSION RECORD



JANUARY 9, 2006 THE 1ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate Circuit Courtroom II at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda to go into closed session at the end of the meeting pursuant to RSMo 610.021 (12).

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROAD VACATION RUSSELL W. COOK

Russell W. Cook explained that the reason there were two petitions for Newbury Road was because the original petition was submitted by Great River Engineering to move the road and then it was discovered that the road must be vacated first and therefore the petition was resubmitted.

Bob Paulson, County Counselor, added that the road petition was for Newbury Road and that the road's location had moved, emphasizing that the petition was not for a move, it was for a vacation.

Randy Haes, County Road and Bridge Coordinator, stated that the original entrance was not going to change and added that the road also served a fire station.

Commissioner Herschend stated that the abandonment of the road would begin north of the fire station and added that he was in favor of the property owners and developers being involved in the process. Commissioner Herschend expressed that since the road served a development that was new to sell property, he felt it did not meet the 40-year requirement. A general discussion ensued.

Counselor Paulson read the following road vacation for Newbury Road: COME NOW, the undersigned residents of the Branson Township through which the road described on Exhibit A and commonly known as Newbury Road (the "Road") currently runs, hereby petition the County Commission to vacate the Road, in as much as the Road is useless to the public and the repairing of the Road is an unreasonable burden upon the County. WHEREFORE the undersigned residents of Branson Township petition the County Commission to vacate the Road under the provisions of Section 228.110 R.S.Mo. A tract of land lying in Section 26, Township 24 N, Range 22 W, Taney County, Missouri.

Commissioner Strahan asked about the two residents living on the road. Russell Cook clarified that clients had purchased the properties and there were no longer any residents along the road.

Commissioner Herschend stated that a ridge had been bought and they were realigning the road to make more sense for the development. Commissioner Herschend added that the developers had been very cooperative.

Commissioner Pennel asked if the county maintained the road. Russell Cook stated that the County maintained the road but it had not been platted. Randy Haes added that MoDOT requested the County do the permit for the entrance of Newbury Road.

Commissioner Herschend made a motion to table the petition for the vacation of Newbury Road until the first Monday in April, beginning the April Adjourn Term.

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Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GREAT RIVER ENGINEERING SECOND READING

Counselor Paulson read the following petition from Great River Engineering:

IN THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

PETITIONS TO ENCLOSE AND VACATE ROAD DUE TO ROUTE CHANGE PURSUANT TO SECTION 228.160 RSMO

COMES NOW Petitioner and pursuant to Section 228.160 RSMo hereby petitions The County Commission of Taney County, Missouri for permission to enclose a road running through Petitioner's land and in support states as follows:

1. That portion of Newbury Road (160-30) that runs through Petitioners property and that Petitioner wants to enclose is fully described in Exhibit "A" attached hereto and incorporated herein as if fully set forth.
2. The request to enclose that portion of Newbury Road described in Exhibit "A" is made in connection with the relocation of the route of the said road to the location of a site more fully described in Exhibit "B", the Plat for Hickory Ridge Subdivision, attached hereto and incorporated herein as if fully set forth.
3. The new location of Newbury Road as set forth in Exhibit "B" should be the official public road instead of the portion described in Exhibit "A" because the portion in Exhibit "A" will be abandoned upon the completion and acceptance by Taney County Road and Bridge of the proposed road improvement set forth in Exhibit B.
4. Petitioner has provided to Taney County, Missouri a Plat with 50' of right-of-way the location of the proposed changed route of Newbury and is described in Exhibit "B" hereto.
5. The proposed new road route increases the right-of-way from 40ft. to 50ft.
6. The proposed new road route improves the existing single lane dirt road with no ditches to a 20ft. wide gravel surface with drainage ditches and engineered culverts
7. The proposed new road route location does not injure the public and instead inures to the benefit of the public.
8. The Road and Bridge Administrator has already viewed the proposed change and has determined that the change is not only practical but is also advantageous to the public.
9. The proposed relocated portion of Newbury Road only serves property owned by the petitioners.

WHEREFOR Petitioner prays that this Honorable Board of Commissioners consider the facts alleged herein and take appropriate action as follows:

1. At a regular term of The Taney County Commission, after proper notice has been given and after the new road location is open to public use, that The Taney County Commission enter its order:
 - a. Finding that the Road and Bridge Administrator/County Engineer has filed the required report: that all statutory conditions have been met; and,
 - b. Permitting Petitioner to enclose the land described in Exhibit "A";
 - c. Ordering the Road and Bridge Administrator/County Engineer to view the road location/route change and file a report on the practicability of the proposed change, and distances and situation of the ground, and proposed changes at the first term of the Commission after the filing of this petition;
 - d. Ordering that the proposed changed route described in Exhibit "B" be accepted as a part of the public road known as Newbury Road,
 - e. Order the portion of Newbury Road described on Exhibit 'A' vacated;
2. At the first day of the term immediately following the filing of this petition that The Taney County Commission confirm its previous orders made pursuant to paragraph number 1 .a-c. of this prayer.

Respectfully Submitted,
By the Petitioner;
Jonathan Lee, Member Gary Winans, Member

Commissioner Strahan made a motion to table the petition, stating that he had concerns on the property vacation of the road and would like to look into it a little more.

Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BID RESULTS TRESSA LUTTRELL

Tressa Luttrell, County Administrator, stated that bids were in for a Skid Steer Loader. Randy Haes added that there were three bidders and he recommended going with the Van Kepple Bobcat Brand. Randy Haes explained that the County currently owned one of the same

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brand and the same attachments could be used for both. Randy Haes further explained that all of the bids had a universal hookup, but pricing for the Van Kepple was considerably lower than the others.

Commissioner Strahan made a motion to accept the bid from Van Kepple.

Commissioner Pennel seconded the motion.

Commissioner Herschend expressed that Van Kepple is 60% less than the highest price for base equipment and asked Haes if he had compared them by equipment type instead of total price? Haes stated that he called and confirmed the bids and that they were all for the same equipment.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ROAD PETITION COUNTRY VILLAGE DRIVE

Presiding Commissioner Pennel read the following road petition for Country Village Drive: Township 23 N, with a 16 feet width. Base rock gravel is needed, road is in fair condition with one ditch on southeast of road, shallow, needs to be cleaned, seven dwellings, and narrow with no turnaround. Recommendation is to take Country Village Drive in as a Class 5 if additional right-of-way and turnaround are required. Not a through road.

Commissioner Strahan stated that he hasn't had a chance to review this petition and explained that he does not like to table things however, sometimes it is necessary. Commissioner Herschend added that he also feels it is prudent to table this petition in order to get the proper information. Herschend further stated that the 35 feet right-of-way and 16 feet width are both issues for him.

Commissioner Strahan made a motion to table the road petition for Country Village Drive until further review. Commissioner Herschend seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECORDS DISPOSITION DONNA NEELEY

Donna Neeley, County Clerk stated that the following list of records have met the proper retention schedule and are ready for disposition:

RECORDS DISPOSITION

County: Taney
Office: County Clerk
Date Sorted & Pulled: January 3, 2006

The following records have met their retention schedule and are recommended for disposal under RSMo 109.230 subsection 4. The officeholder with jurisdiction over these records may elect to take the following action: store the records, destroy the records, or de-accession the records. If the records are destroyed or donated to a local historical agency the action should be recorded in the minutes with the record series and inclusive dates.

Record Series	Inclusive Dates	Retention
Payroll	1998 & 2000	5 yrs.
Accounts Payable	1999 & 2000	5 yrs.
Treasurer Receipts	1999 & 2000	5 yrs.
Treasurer Jury Warrants	1999	5 yrs.
Bids	1990 thru 1999	5 yrs.
Insurance Receipts	1999	5 yrs.
Election Information	1999	22 mos.
Voter Cards	2001	22 mos.
Change of Address Cards	2004	1 yr.
Road & Bridge Receipts	1994	5 yrs.
Poll Books & Election Information	Nov 02 & Nov 03	22 mos.
County Budget	2000	5 yrs.
PSR's	2000	5 yrs.
Delinquent Tax Sale Notices	2000	5 yrs.

ACCOUNTS ALLOWED

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Commissioner Strahan made a motion to approve accounts payable warrants # 92700-92749 and manual warrant # 4440. Commissioner Pennel seconded the motion.

Presiding Commissioner Pennel stated that one of the bills is a payment charge from the Branson Meadows TIF which has never been resolved and that he is not happy about a bill coming to the county with a balance that we have never paid.

Rick Findley, Auditor explained that the county has a balance with the TIF so it is not a bill. Findley clarified that the issue was whether or not the charges were before or after 1999 and since there is a discrepancy they might not ever carry the counties balance off of their books. A general discussion ensued.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to reimburse Commissioner Danny Strahan for phone charges. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from January 3 and 4, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yes), Herschend (abstain), Strahan (yes).

CODE OF CONDUCT

Commissioner Strahan stated a code of conduct regarding gift giving to employees needs to be discussed and asked if it could be put on the agenda for next Tuesday's meeting.

TRANSFER STATION

Commissioner Pennel informed Commissioner Herschend that the purchase of a new printer was approved for the Transfer Station at last weeks meeting and has already been installed. Pennel added that there was also some discussion about new software and suggested getting with Gary Morgan, IS Administrator for more details.

Commissioner Herschend stated that the Transfer Station would be closed from Saturday to Monday this weekend for some major renovation.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (12).

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

PAYCHECK RONNIE ARMER

Commissioner Strahan made a motion to approve whatever it takes to fulfill Ronnie Armer's paycheck totaling 80 hours. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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CONTRACT CITY OF BRANSON

Commissioner Herschend made a motion to reject the City of Branson's contract and support the rescinding of the board member seat as the county has been unable to operate in good faith with this entity.

- a. No other entity has cost the county more time and money to receive funds.
- b. They have taken a seat on the board without any contribution.
- c. They will give us 1/5 of the funds on the end of the 3rd year according to the agreement and by the nature of the agreement it cannot be fulfilled.
- d. The contract expires on the very day the County can submit the invoices.
- e. Not a realistic expectation to be in a good working relationship.

Commissioner Pennel seconded the motion to reject. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Donna Neeley and Hillary Bargman



JANUARY 11, 2006 THE 2ND DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 8:55 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100237-100238, 100243-100285
Road & Bridge Trust Warrants	100213-100234, 100239
Assessors Fund Warrants	100235-100236
Transfer Station Warrants	100240-100242
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4441-4442
Accounts Payable Warrants	92750-92767

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable warrant # 92768 and manual warrant #4445. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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Note: Commissioner Herschend reimbursed the cigarettes paid for by John Lavender for prisoners because it is an unauthorized account expense.

Minutes taken via telephone and typed by: Hillary Bargman



JANUARY 12, 2006 THE 3RD DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 3:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

COMPUTER SERVER

Presiding Commissioner Pennel made a motion to approve the purchase of a computer server for the Sheriff's Office due to an unforeseen event. Pennel added that \$3,000 would be taken from the Sheriff's 800 accounts with a balance of approximately \$3,000 from the Commission Equipment Line. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Tressa Luttrell and typed by Hillary Bargman



JANUARY 17, 2006 THE 4TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Jeff Reynolds followed by the pledge.

BUILDING CODE ORDINANCE BOB PAULSON

Bob Paulson, County Counselor presented the Commission with ballot language, letters, and an ordinance to be approved and signed in order to certify putting the building code issue on the ballot for the April 4, 2006 Municipal Election. Paulson added that he the following is the proposed language pursuant to RSMo 64.170.

Shall Taney County have the authority to create, adopt, and impose a county building code?

Commissioner Herschend made a motion to accept this ordinance #06-0117-01 as proposed. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan asked who would write the codes if this issue passes? Bob Paulson answered that pursuant to RSMo 64.180 "The County Commission...shall appoint a building commission consisting of five members, residents and tax payers of the county, one of whom shall be a member of the county commission, to be selected by the county commission..." Paulson further stated that pursuant to RSMo 64.196 "...any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such a code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

Commissioner Strahan then asked what would happen if they didn't want to follow a nationally recognized building code, for instance like putting a dollar amount on whether a structure has a building code or not? Bob Paulson clarified that there may already be a code that

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fits into that category. Commissioner Herschend added that there are probably different codes that apply to commercial or public use. Commissioner Strahan expressed that pole barns and structures of that nature should be exempt.

Commissioner Herschend asked what the implementation of the codes would cost as far as inspections? Bob Paulson expressed that these questions do not have to be addressed unless the building code issue passes on the April Ballot. A general discussion ensued.

Presiding Commissioner Pennel stated that there are a lot of questions both positive and negative regarding this issue. Bob Paulson explained that the county does not have to implement the codes they are just getting a feel for what the public would like to see done.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend expressed that the next step is to set up a work session to further educate the Commission and the public.

BOYS CAMP ROAD ORDINANCE BOB PAULSON

Commissioner Herschend made a motion to approve the Boys Camp Road Ordinance #06-0117-02.

Bob Paulson, County Counselor explained that the county is attempting to purchase the side of the cliff for safety reasons and make the road wide enough to prevent accidents. Commissioner Herschend added that the ordinance is for an additional right-of-way to take out a bluff that is causing people to swerve into oncoming traffic and that it is not cost effective to take property off the other side of the road to re-direct Boys Camp Road.

Commissioner Strahan stated that two property owners have cooperated and settled with the county. Bob Paulson added that the property owner on the other side of the road wouldn't respond so they have not been able to reach an agreement. Commissioner Herschend asked about a good faith offer? Commissioner Strahan clarified that an offer was made per square foot on that certain grade of road. Herschend added that it would be easy for them to come back and say that it was not a good offer and expressed that the county has been consistent and fair with their offer.

Commissioner Strahan stated that because of urgency, the offer was above what is normally offered and that this situation needs to be fixed as quickly as possible. Commissioner Herschend added that this is not to be taken lightly and that it is a matter of public safety.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SALUTE TO LEGISLATORS COUNTY BOOTH - QUILT DONATION

Bob Paulson, County Counselor stated that at the IDA meeting it was suggested to have a drawing for a quilt to bring people to the county booth at the Salute to Legislators on January 25, 2006. Paulson added that he would have to fill out the proper forms with the Missouri Ethics Commission declaring that the county will be taking donations

Commissioner Herschend made a motion to fill out all forms needed to accept donations for a quilt to use in the drawing at the Salute to Legislators County Booth. The motion died for the lack of a second.

Wiley Barnes, Chamber of Commerce expressed that she appreciated the thought but added that none of the coalition members have ever done give a ways. Barnes then suggested that the Commission speak with the coalition members before moving forward with plans for the drawing. Bob Paulson explained that the IDA thought it would be a good idea because it has never been done before. Barnes said that they have already had their meeting last week but she will look into how the coalition would feel about it. Paulson clarified that it is not a matter of competition. Herschend suggested having sign ups at all booths.

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Wiley Barnes explained that this is a welcome to both old and new legislators, and is used to discuss legislative priorities. Herschend expressed that last year 150 people came to the dinner and about 25 of those made it to the booths and was thinking this would be a good way to bring people to the booths. Barnes stated she would be more than happy to discuss it with the coalition and get back to the Commission as soon as she got their opinion. A general discussion ensued. No motions were made and no votes were taken.

SEMI-ANNUAL REPORT AND RETENTION HELEN SOUTEE

Helen Soutee, Treasurer presented the Commission with the following semi annual report pursuant to RSMo 54.150:



County of **TANEY** State of Missouri

TANEY COUNTY TREASURER
P. O. BOX 575 • FORSYTH, MO 65653
Office: (417) 546-7207 • Fax: (417) 546-4215
E-mail: helen@scc.taneymo.us

FINAL SETTLEMENT AND INVESTMENT REPORT OF TANEY COUNTY TREASURER

HELEN SOUTEE

AS OF DECEMBER 31, 2005

Total Budget Funds	\$46,558,647.87
Total Treasurer's Funds	\$ 712,019.61
Grand Total All Funds	\$47,270,667.48

The attached report illustrates detailed fund balances, with the far right hand column, (Year to date) providing the breakdown of each fund. Beginning with balances as of January 1, 2005, revenues and expenditures and ending balances per fund as of December 31, 2005. This report is per RSMO 54-150 regarding the semi-annual settlement delivered to the Taney County Commission.

Investments and breakdown of cash on hand by the County Treasurer's Office as of December 31, 2005 are as follows:

Total Cash in Bank Cash Account	\$ 1,825,973.36
Certificates of Deposit	\$ 8,914,162.74
U. S. Agency Investments	\$36,530,531.38
Total All Cash	\$47,270,667.48

Helen Soutee

Helen Soutee
Taney County Treasurer

OFFICE OF HELEN SOUTEE - COUNTY TREASURER



Taney County For the Twelve Months Ending December 31, 2005

	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
FUND BALANCES		
GCR FUND BALANCE		\$13,154,890.79
GCR REVENUES	1,143,008.44	10,693,558.20
EXPENDITURES	1,210,492.10	9,836,068.08
TOTAL GCR	(67,483.66)	1,401,280.91
ROAD & BRIDGE FUND BALANCE		6,673,957.30
ROAD & BRIDGE REVENUES	104,893.79	1,294,468.45
EXPENDITURES	42,057.48	501,961.05
TOTAL ROAD & BRIDGE	62,836.31	7,466,464.70
ROAD & BRIDGE TRUST FUND BAL		8,980,798.03
ROAD & BRIDGE TRUST REVENUES	750,946.09	6,281,767.89
EXPENDITURES	2,517,532.45	9,183,827.67
TOTAL ROAD & BRIDGE TRUST	(1,766,586.36)	6,078,738.25
ASSESSMENT FUND BALANCE		19,815.20
ASSESSMENT REVENUES	37,414.21	558,598.36
EXPENDITURES	84,568.54	558,548.04
TOTAL ASSESSMENT	(47,154.33)	19,865.52
ELECTIONS FUND BALANCE		42,943.67
ELECTION REVENUES	151.80	7,083.48
EXPENDITURES	1,935.62	6,120.31
TOTAL ELECTIONS	(1,783.82)	45,906.84
TRANSFER STATION FUND BALANCE		512,938.96
TRANSFER STATION REVENUES	44,183.45	486,214.75
EXPENDITURES	62,686.68	452,835.80
TOTAL TRANSFER STATION	(18,503.23)	546,299.91
LEPC FUND BALANCE		18,323.47
LEPC REVENUE	24.40	5,270.64
EXPENDITURES	262.18	13,046.89
TOTAL LEPC	(237.78)	10,547.22
LAW ENFORCEMENT FUND BALANCE		1,300.78
LAW ENFORCEMENT REVENUES	475.58	9,774.67
EXPENDITURES	40.00	7,287.56
TOTAL LAW ENFORCEMENT	435.58	3,787.89
COUNTY INSURED FUND BALANCE		271,508.27
COUNTY INSURED REVENUES	564.12	6,274.22
EXPENDITURES	8,234.59	76,380.7
TOTAL COUNTY INSURED	(7,670.47)	201,401.72
PROSECUTING AU TRAIN FUND BAL		6,189.36
PROSECUTING AUTRAIN REVENUE	136.07	1,867.83
TOTAL PROSECUTING AU TRAINING	136.07	8,057.19
FUND BALANCE		1,422,209.59
REVENUES	83,125.52	594,772.01

Taney County TOTAL TANEY COUNTY TREASURER'S FUNDS For the Twelve Months Ending December 31, 2005

	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
FUNDS ACTIVITY		
PROSECUTING ATT/BCF - FB		\$125,198.55
REVENUES	5,942.81	52,475.59
EXPENDITURES	508.00	3,369.86
TOTAL PROSECUTING ATT/BCF	5,434.81	174,304.28
LAND SALES SURPLUS - FB		67,174.80
REVENUES	238.32	72,296.10
EXPENDITURES	13,270.15	47,198.38
TOTAL LAND SALES SURPLUS	(13,031.83)	92,272.52
UNCLAIMED FEES FUND BALANCE		8,812.82
REVENUES	30.25	4,963.31
EXPENDITURES	30.25	383.00
TOTAL UNCLAIMED FEES	30.25	13,324.13
LLBEG GRANT TRUST FUND BAL		210.08
REVENUES	0.21	4.78
EXPENDITURES	84.69	214.65
TOTAL LLBEG GRANT TRUST FUND	(84.48)	0.21
RAILROAD & UTILITIES FUND		
REVENUES		
EXPENDITURES		
TOTAL RAILROAD & UTILITIES		
FLOOD CONTROL FUND BALANCE		
REVENUES		61,806.84
EXPENDITURES		61,806.84
TOTAL FLOOD CONTROL		
COUNTY FINES (DSF) FUND BAL		
REVENUES	14,871.55	33,213.00
EXPENDITURES		186,670.30
TOTAL COUNTY FINES (DSF)	14,871.55	169,957.81
AMBULANCE FUND BALANCE		
REVENUES		49,925.49
EXPENDITURES		
TOTAL AMBULANCE		
RSCF FUND BALANCE		
REVENUES	223.25	1,615.67
EXPENDITURES		4,027.14
TOTAL RSCF	223.25	5,642.81
CENTRAL FIRE FUND BALANCE		
REVENUES		
EXPENDITURES		
TOTAL CENTRAL FIRE		
WESTERN FIRE FUND BALANCE		
REVENUES	2,293.23	2,301.86
EXPENDITURES	2,293.23	2,301.86
TOTAL WESTERN FIRE		

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EXPENDITURES	<u>8,989.37</u>	<u>571,504.79</u>
TOTAL911	<u>74,136.15</u>	<u>1,445,476.81</u>
COUNTY SEWER FUND BALANCE		10,330,399.01
COUNTY SEWER REVENUE	766,387.85	7,104,263.20
EXPENDITURES	<u>416,515.28</u>	<u>1,863,118.04</u>
TOTAL COUNTY SEWER	<u>\$349,872.57</u>	<u>\$15,571,544.17</u>
SEWER DESIGNATED FUND BALANCE		895,442.76
DESIGNATED INTEREST REVENUE		<u>30,007.08</u>
EXPENDITURES		
TOTAL SEWER DESIGNATED FUNDS		<u>925,449.84</u>
SHERIFF FUND BALANCE		58,842.49
SHERIFF REVENUE	174.15	53,094.72
EXPENDITURES	<u>4,827.34</u>	<u>38,641.68</u>
TOTAL SHERIFF	<u>(4,653.19)</u>	<u>72,295.53</u>
TAX MAINTENANCE FUND BALANCE		163,669.73
TAX MAINTENANCE REVENUE	1,519.80	101,879.5

**Taney County
TOTAL TANEY COUNTY TREASURER'S FUNDS
For the Twelve Months Ending December 31, 2005**

	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
ROCKAWAY ROADS FUND BALANCE		
REVENUES		
EXPENDITURES		
TOTAL ROCKAWAY ROADS		
RECORDER FUND BALANCE		
REVENUES	17,041.03	336,125.75
EXPENDITURES	<u>26,533.89</u>	<u>208,264.30</u>
TOTAL RECORDER	<u>(9,492.86)</u>	361,138.21
USE TAX FUND BALANCE		
REVENUES		
EXPENDITURES		
TOTAL USE TAX		
PROSECUTING AU DELINT FUND		
REVENUES	113.46	5,276.87
EXPENDITURES		784.11
TOTAL PROSECUTING AU DELINQUENT	<u>113.46</u>	<u>6,060.98</u>
STATE CRIMINAL FUND BALANCE		
REVENUES	1.26	169.62
EXPENDITURES		353,063.43
TOTAL STATE CRIMINAL	<u>1.26</u>	<u>352,661.25</u>
APP NATIONAL FOREST REVENUES	22,540.37	571.80
EXPENDITURES	22,540.37	239,803.12
TOTAL APP NATIONAL FOREST		1.14
NATIONAL FOREST REVENUES		
EXPENDITURES		
TOTAL NATIONAL FOREST		
HEALTH CENTER REVENUES	908.49	913.31
EXPENDITURES	<u>908.49</u>	<u>913.31</u>
TOTAL HEALTH CENTER		
CERF FUND BALANCE		
REVENUES	44,808.13	693,397.86
EXPENDITURES	<u>44,808.13</u>	<u>693,397.86</u>
TOTAL CERF		
DRUG FUND BALANCE		
DRUG REVENUES	2.58	1,214.91
EXPENDITURES		27.76
TOTAL DRUG	<u>2.58</u>	<u>98.90</u>
SHERIFF'S REVOLVING FUND BAL		
REVENUES	202.58	1,143.77
EXPENDITURES		5,497.81
TOTAL SHERIFF'S REVOLVING FUND	<u>202.58</u>	<u>2,022.75</u>
DEPT OF JUSTICE VEST GRANT		
REVENUES	4,855.61	7,520.56
EXPENDITURES	<u>9,689.15</u>	<u>4,770.33</u>
TOTAL DEPARTMENT OF JUSTICE		4,962.53
VEST GRANT	<u>(4,833.54)</u>	<u>9,689.15</u>

**Taney County
TOTAL TANEY COUNTY TREASURER'S FUNDS
For the Twelve Months Ending December 31, 2005**

	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
HANDICAPPED REVENUES	\$586.24	\$589.34
EXPENDITURES	586.24	589.34
TOTAL HANDICAPPED		
CITICS FIN INT REVENUE	3,502.83	3,529.98
EXPENDITURES	3,502.83	3,529.98
TOTAL CITICS FIN INT		
TOTAL TANEY COUNTY TREASURER'S FUNDS	(6,562.97)	712,019.61
TOTAL ALL FUNDS		
TOTAL FUND BALANCES	(1,425,515.95)	46,558,647.87
TOTAL TREASURER'S FUNDS	(6,562.97)	712,019.61
TOTAL ALL FUNDS	(1,432,078.92)	47,270,667.48
TOTAL CASH		
CASH IN BANK	(1,433,016.42)	1,825,973.36
CASH - CERTIFICATES DEPOSIT SEWER		
CASH * CERTIFICATES DEPOSIT		8,914,162.74
AGENCY - INVESTMENT ACCOUNT	937.50	36,530,531.38
CASH - SWEEP ACCOUNT		
TOTAL CASH	(1,432,078.92)	47,270,667.48
PAYABLES		
ACCOUNTS PAYABLE		
FEDERAL WITHHOLDING		
FICA EMPLOYEE		
FICA EMPLOYER		
FUTA		
EMPLOYEE SEP		
MEDICARE EMPLOYEE		
EMPLOYEE MED		
MEDICARE COMPANY		
EMPLOYEE SAV		
STATE WITHHOLDING		
LOCAL WITHHOLDING		
SUTA	(1,809.20)	(29,408.46)
LAGERS PAYBACK 20% TAXES IRS		
DENTAL INS PAYABLE		
MEDICAL INS PAYABLE		
OTHER INS PAYABLE		
LAGERS PAYABLE		
DEFERRED COMP PAYABLE		
CHILD SUPPORT PAYABLE		
OTHER DEDUCTION PAYABLE		
CONTRA SUTA PAYABLE (1XX)	1,315.91	19,269.58
CONTRA SUTA PAYABLE (250)	437.40	8,220.99
CONTRA SUTA PAYABLE (355)	55.89	1,503.19
CONTRA SUTA PAYABLE (460)		262.33
CONTRA SUTA PAYABLE (675)		152.37
TOTAL PAYABLES		

Presiding Commissioner Pennel asked how the sales tax came out and Soutee responded that it is 7% of what it was this time last year.

Commission Herschend explained that the GCR Fund Balance is \$13 million but \$10 million of that will be drawn from the fund to go towards the \$23 million courthouse. Herschend further explained that the Sewer Fund would be used for the Bee Creek Project and other major projects. Herschend then asked what the average maturity is? Helen Soutee answered the best rate is between 12 to 24 month period.

Helen Soutee further stated that she presented to the County Clerk, documents from 1997 to 2004 that have met her retention policy. Donna Neeley, County Clerk explained that she has a different set of statutes and must hold them for five whole years. No motions were made and no votes were taken.

PRIOR MINUTES

Commissioner Herschend made a motion to table the minutes from October 24 and 31, December 29, 2005, and January 5, 11, 12, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable warrants #92769-92876 and manual warrants #4447 & 4448. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**AGREEMENT
JIM TRAVIS**

TANEY COUNTY COMMISSION RECORD

Donna Neeley, County Clerk stated that she faxed the agreement with Jim Travis to the Commission Office for their review and that it is the same agreement that Sheila Wyatt, Collector has.

Presiding Commissioner Pennel asked if it is a one-year term? Sheila Wyatt answered that the contract is new and that the county usually pays him as he does work for them. Donna Neeley confirmed that the contract is for a one-year term. Pennel then asked why the county is changing from pay as we go to a contract. Wyatt explained that they have no choice and that other counties have to pay a great deal more for programming services. Wyatt added that the county normally pays \$150 travel time to Jim Travis. Commissioner Pennel asked if there is any big change with the contract? Wyatt responded that there is a little of an increase but not a big difference.

Commissioner Strahan expressed a concern about allotting the full time per trip. Wyatt stated that his trip charge is now \$160 and that she doesn't schedule him unless it is for a full days work. A general discussion ensued.

Commissioner Herschend requested that Sheila Wyatt contact the other office holders who utilize his service to see if they also need him prior to scheduling Travis for a trip. Herschend expressed that if he is needed for more than one day's work he would rather pay to put him up in a hotel for a night, than end up having to pay for two trip charges. Wyatt expressed that Mr. Travis has been her programmer since 2000 and has never stayed overnight. Herschend clarified that it says in the contract that he will stay overnight. Wyatt expressed that she purposely does not contact the other office holders because when she calls him she knows he will be needed in her office for the whole day. Herschend asked Wyatt if she would contact the Clerk and Auditor to inform them that Travis is coming. Wyatt stated that she would if she did not have a full days work lined out for Jim Travis. A general discussion ensued.

Commissioner Herschend made a motion to table the contract until further clarifications are made on the terms. The motion died for the lack of a second.

Sheila Wyatt stated that she would not change programmers this year. Commissioner Pennel expressed that he doesn't understand why the Commission doesn't just approve this agreement now. Herschend stated that he needs clarity so the other offices can know when Jim Travis is coming down. Donna Neeley suggested adding to the contract that the other offices are to be informed when Jim Travis is coming to Taney County.

Commissioner Strahan made a motion to approve the contract contingent upon amending the contract to say that the other offices are to be contacted when Mr. Jim Travis makes a trip to Taney County. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MONTHLY BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor stated submitted that following monthly budget report:

TANEY COUNTY BUDGET 12-31-05 FUND BALANCES

	PERIOD TO DATE	YEAR TO DATE		PERIOD TO DATE	YEAR TO DATE
GENERAL COUNTY REVENUE			PROS ATT TRAINING FUND		
BEGINNING BALANCE	0.00	13,154,890.79	BEGINNING BALANCE	0.00	6,189.36
REVENUES	<u>1,143,008.44</u>	<u>10,693,558.20</u>	REVENUES	<u>136.07</u>	<u>1,867.83</u>
TOTAL REVENUES GCR	<u>1,143,008.44</u>	<u>23,848,448.99</u>	TOTAL PAT REVENUES	<u>136.07</u>	<u>8,057.19</u>
TOTAL GCR EXPENDITURES	<u>1,210,492.10</u>	<u>9,836,068.08</u>	TOTAL PAT FUND BALANCE	136.07	8,057.19
TOTAL GCR FUND BALANCE	(67,483.66)	14,012,380.91			
ROAD & BRIDGE			COUNTY INSURED FUND		
BEGINNING BALANCE	0.00	6,673,957.30	BEGINNING BALANCE	0.00	271,508.27
REVENUES	<u>104,893.79</u>	<u>1,294,468.45</u>	REVENUES	564.12	6,274.22
TOTAL RB REVENUES	<u>104,893.79</u>	<u>7,968,425.75</u>	TOT COUNTY INSURED REV	564.12	277,782.49
EXPENDITURES	<u>42,057.48</u>	<u>501,961.05</u>	EXPENDITURES	<u>8,234.59</u>	<u>76,380.77</u>
TOTAL RB FUND BALANCE	62,836.31	7,466,464.70	TOT CNTY INS FUND BAL	(7,670.47)	201,401.72
ROAD & BRIDGE TRUST					

TANEY COUNTY COMMISSION RECORD

BEGINNING BALANCE	0.00	8,980,798.03	911 FUND		
REVENUES	<u>750,946.09</u>	<u>6,281,767.89</u>	BEGINNING BALANCE	0.00	1,422,209.59
TOTAL RBT REVENUES	<u>750,946.09</u>	<u>15,262,565.92</u>	REVENUES	<u>83,125.52</u>	<u>594,772.01</u>
EXPENDITURES	<u>2,517,532.45</u>	<u>9,183,827.67</u>	TOTAL 911 REVENUES	<u>83,125.52</u>	<u>2,016,981.60</u>
TOTAL RBT FUND BALANCE	(1,766,586.36)	6,078,738.25	EXPENDITURES	<u>8,989.37</u>	<u>571,504.79</u>
ASSESSMENT FUND			TOTAL 911 FUND BAL	74,136.15	1,445,476.81
BEGINNING BALANCE	0.00	19,815.20			
REVENUES	<u>37,414.21</u>	<u>558,598.36</u>	SEWER FUND		
TOTAL AF REVENUES	<u>37,414.21</u>	<u>578,413.56</u>	BEGINNING BALANCE	0.00	10,330,399.01
EXPENDITURES	<u>84,568.54</u>	<u>558,548.04</u>	REVENUES	<u>766,387.85</u>	<u>7,104,263.20</u>
TOT ASSESS FUND BAL	(47,154.33)	19,865.52	TOTAL SEWER REVENUES	<u>766,387.85</u>	<u>17,434,662.21</u>
ELECTION FUND			EXPENDITURES	<u>416,515.28</u>	<u>1,863,118.04</u>
BEGINNING BALANCE	0.00	42,943.67	TOTAL SEWER FUND BAL	349,872.57	15,571,544.17
REVENUES	151.80	7,083.48			
TOTAL ELECTION REVENUES	151.80	50,027.15	SEWER DESIGNATED FUND		
EXPENDITURES	<u>1,935.62</u>	<u>6,120.31</u>	BEGINNING BALANCE	0.00	895,442.76
TOTAL ELEC FUND BAL	(1,783.82)	43,906.84	REVENUES	0.00	30,007.08
TRANSFER STATION FUND			TOTAL SEWER REVENUES	<u>0.00</u>	<u>925,449.84</u>
BEGINNING BALANCE	0.00	512,938.96	EXPENDITURES	<u>0.00</u>	<u>925,449.84</u>
REVENUES	<u>44,183.45</u>	<u>486,214.75</u>	TOTAL SEWER FUND BAL	<u>0.00</u>	<u>925,449.84</u>
TOTAL TS REVENUES	<u>44,183.45</u>	<u>999,153.71</u>	TOTAL ALL SEWER FUNDS	349,872.57	16,496,994.01
EXPENDITURES	<u>62,686.68</u>	<u>452,853.80</u>			
TOTAL TS FUND BALANCE	(18,503.23)	546,299.91	SHERIFF CIVIL FUND		
LEPC FUND			BEGINNING BALANCE	0.00	58,842.49
BEGINNING BALANCE	0.00	18,323.47	REVENUES	<u>174.15</u>	<u>52,094.72</u>
REVENUES	<u>24.40</u>	<u>5,270.64</u>	TOT SHERIFF CIVIL REV	<u>174.15</u>	<u>110,937.21</u>
TOTAL LEPC REVENUES	<u>24.40</u>	<u>23,594.11</u>	EXPENDITURES	<u>4,827.34</u>	<u>38,641.68</u>
EXPENDITURES	<u>262.18</u>	<u>13,046.89</u>	TOT SHERIFF CIVIL FUND BAL	(4,653.19)	72,295.53
TOTAL LEPC FUND BAL	(237.78)	10,547.22			
LAW ENFORCE TRAIN FUND			TAX MAINTENANCE FUND		
BEGINNING BALANCE	0.00	1,300.78	BEGINNING BALANCE	0.00	163,669.73
REVENUES	<u>475.58</u>	<u>9,774.67</u>	REVENUES	<u>1,519.80</u>	<u>101,879.55</u>
TOTAL LET REVENUES	<u>475.58</u>	<u>11,075.45</u>	TOT MAINTENANCE FUND REV	<u>1,519.80</u>	<u>265,549.28</u>
EXPENDITURES	<u>40.00</u>	<u>7,287.56</u>	EXPENDITURES	<u>379.59</u>	<u>113,117.91</u>
TOTAL LET FUND BAL	435.58	3,787.89	TOT MAINTENANCE FUND BAL	1,140.21	152,431.37

TRANSFER STATION

Commissioner Herschend stated that the work at the Transfer Station is complete and that six men stayed and did an excellent job working.

HOSPITAL ROAD

Commissioner Herschend asked about the status of Hospital Road? Commissioner Strahan responded that there has not been any contact regarding the issue. Commissioner Pennel stated that there have been concerns mentioned from the public.

Commissioner Strahan suggested meeting with the Hospital Board before making any decisions. Strahan expressed a concern about the lack of interest from Branson Landing who were the ones who created the problem in the first place. Herschend expressed that everyone has concerns but encouraged the Commission to keep moving forward on the project.

Commissioner Pennel added that everyone needed to start communicating. A general discussion ensued.

Commissioner Herschend suggested going to the entire board and clarifying the counties concerns. Commissioner Pennel suggested writing to the City of Branson to clarify what they are, and are not willing to do in regards to this project.

RECESS

10:55 a.m.

RECONVENE

11:00 a.m.

TANEY COUNTY COMMISSION RECORD

HOSPITAL ROAD – CONTINUED

Commissioner Pennel expressed that he would like a more thorough explanation as to what exactly is needed. Bob Paulson suggested the three Commissioners get on the Hospital Board's Agenda to further discuss these issues. Commissioner Strahan added that he would like the Hospital to know where the county, City of Branson, and the public stand concerning this matter. A general discussion ensued. No motions were made and no votes were taken.

Note: It was decided that the Ambulance District would be called to see if anyone contacted them in regards to this project.

INDUSTRIAL DEVELOPMENT ASSOCIATION

Bob Paulson, County Counselor explained that the IDA is entering into an agreement with Dawn Erickson. A general discussion ensued.

Presiding Commissioner Pennel asked what the Commission would be satisfied with at the end of the two years? Commissioner Herschend responded that he would like to see results such as the creation of more jobs. Commissioner Strahan expressed that he is not interested in funding something without having any results. A general discussion ensued. No motions were made and no votes were taken.

RECESS

Commissioner Herschend made a motion to recess the County Commission meeting. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



JANUARY 19, 2006 THE 5TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 2:55 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BOARD APPOINTMENT PLANNING AND ZONING COMMISSION

Commissioner Strahan made a motion to appoint Keith Davis to the Planning and Zoning Commission for Swan Township. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman



JANUARY 23, 2006 THE 6TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

AGENDA AMENDMENT

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel made a motion to amend the agenda to include bids. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

BID RESULTS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she received three bids for a paver from Van Keppel Co., Victor Phillips Co., and Berry Tractor. Luttrell added that the lowest bid was from Van Keppel for a Bomag/Gilcrest Propaver Model #413 in the amount of \$33,442.00.

Commissioner Strahan added that this machine would be big asset to the county for repairs. Randy Haes, Road and Bridge explained that this machine would help to lay asphalt with more uniform work, that it could be towed behind current county trucks, and that it should speed up the patchwork process.

Note: Commissioner Herschend entered the Commission meeting at 9:05 a.m.

Commissioner Herschend commented that the county has been doing small patchwork pieces and that the process is inefficient. Haes stated that the base rock aggregate is also used with this machine.

Art Beck asked if it lays cold or hot mix? Haes responded that it is not self-propelled but will to everything a big machine will do.

Commissioner Herschend made a motion to accept the bid from Van Keppel Co. in the amount of \$33,442.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from January 17 and 19, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes)

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #92877-92954 and manual warrant #4449. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BUILDING CODES

Mike Rankin, City of Branson stated that he wanted to publicly applaud the efforts being put forth by the Commission for building codes. No motions were made and no votes were taken.

RECORDER'S OFFICE MOVE

Bob Dixon, Recorder of Deeds informed the Commission that recording will be shut down this Friday, January 27 and that the Recorder's Office will be moved over the weekend to its new location in the old Post Office. Dixon added that his office should be up and running by next Monday morning. No motions were made and no votes were taken.

RECESS

Commissioner Herschend made a motion to recess and go into Board of Equalization. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



TANEY COUNTY COMMISSION RECORD

JANUARY 25, 2006 THE 7TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:17 a.m. pursuant to adjourn with Ron Herschend, Western District and Danny Strahan, Eastern District present. Chuck Pennel, Presiding was absent. The following proceedings were had and made a matter of record.

TEMPORARY PRESIDING

Donna Neeley, County Clerk swore Ron Herschend in as Temporary Presiding Commissioner in the absence of Chuck Pennel.

BUCHANAN ROAD RIGHT-OF-WAY

Commissioner Strahan made a motion to pay \$1500 to Robert Gloyd for a right-of-way off of Buchanan Road and \$3000 to Cassie Daniels for property for a right-of-way off of Buchanan Road. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

9:19 a.m.

RECONVENE

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100287-100289, 100318- 100319, 100324-100367
Road & Bridge Trust Warrants	00291-100315, 100320
Assessors Fund Warrants	100290, 100316-100317
Transfer Station Warrants	100321-100323
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4450 & 4451
Accounts Payable Warrants	92955-92974

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

BUDGET AMENDMENT

Commissioner Herschend made a motion to amend the 2006 Budget for the Prosecuting Attorney's Office to remove the allocation for staff raises, both for seniority and merit, that were budgeted but were not being allocated among all the staff as agreed by the Prosecuting Attorney. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

Minutes taken by Donna Neeley and typed by Hillary Bargman



JANUARY 30, 2006 THE 8TH DAY OF THE JANUARY ADJOURN TERM

TANEY COUNTY COMMISSION RECORD

The County Commission met in Associate II Circuit Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

AGENDA AMENDMENT

Commissioner Pennel made a motion to amend the agenda to add Flood Control under Donna Neeley, County Clerk on the agenda. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Note: Commissioner Herschend entered the Commission meeting at 9:04 a.m.

TITLE III DONNA NEELEY

Donna Neeley, County Clerk addressed the Commission in regards to Title III Monies. Neeley stated that she only received one application that met all the requirements which was from Cedar Creek Fire Protection District in the amount of \$8,000. Neeley added that it has been published and the public has had 45 days to comment on the project. Neeley read the following Title III request from the Cedar Creek Fire Protection District Radio Repeater Project: "Our district is bordered by the Mark Twain National Forest and Federal Corp of Engineers land (lake shore). The Fire Prevention and County Planning category, item (b) would seem to qualify for our project. In addition, our project will include improved communications for the Protom Fire Department, as they will be able to hit our repeater and better communicate with Taney County dispatch.

Bill Jones, with the Cedar Creek Fire Protection District presented the Commission with a revised statement that reflects a lower dollar amount. . Jones explained that the new amount Cedar Creek is requesting is \$5,269.64. Jones added that the tower would greatly enhance operations and that homeland security is encouraging them to finish the tower in case of an emergency.

Commissioner Strahan asked if this is an amendment to the original request? Jones clarified that this is not a project amendment merely a reduction in the dollar amount requested because Cedar Creek has received new quotes to finish the project.

Commissioner Herschend made a motion to approve the distribution of Title III Funds to Cedar Creek Fire Protection District to receive the requested amount of \$5,269.64. Commissioner Strahan seconded the motion.

Commissioner Herschend explained to Jones that Cedar Creek would need to submit proper documentation showing expenditures of their project as a condition of future access to these funds. Jones stated that he would make a note and send the proper documentation of the projects expenditures.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

FLOOD CONTROL LEASE DONNA NEELEY

Donna Neeley, County Clerk explained that traditionally 11% was taken out of Flood Control Lease Receipts for Road and Bridge and that the remainder was distributed by percentage to schools based of the percentage of land in the Flood Control areas. Neeley asked since Road and Bridge no longer have a levy, if the county would continue taking out 11% or should it be distributed differently?

Commissioner Strahan expressed that he felt this would be an opportunity to distribute more money to the schools by not having to include the Road and Bridge levy. Bob Paulson, County Counselor stated that RSMo 12.100 says, "The county commission of each county receiving any such moneys shall use the funds to aid in maintaining the schools and roads and for defraying any of the expenses of the county in accordance with the provisions set forth in

TANEY COUNTY COMMISSION RECORD

section 12.070 and 12.080. The county commission shall allow to the school districts and for roads an amount based upon their respective levies equal to that which would ordinarily be allowed to them out of taxes from property owned by the United States if the property were privately owned before using any of the moneys for defraying other expenses of the county.” Paulson summarized that whatever taxes the roads would have gotten out of the levy, has to go to roads first however, there is no longer a road levy.

Commissioner Herschend asked if that includes the disability board. Paulson clarified that the statute is just for roads and schools. Commissioner Strahan stated that if the county wanted to only distribute to schools it would be beneficial since Road and Bridge no longer has a levy. Commissioner Herschend expressed a concern that if 11% is still being distributed, would the county have enough to pay the levy that otherwise would have been earned? Commissioner Herschend further expressed that he did not want to make a decision without knowing how much the money would have been. A general discussion ensued.

Commissioner Herschend made a motion to table this issue in order to address these questions and concerns. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TITLE III AWARENESS

Commissioner Strahan addressed the Commission regarding Title III Funds stating that it is the same problem as before with entities expressing a need for monies but failing to follow the proper procedures. Strahan added that it has been discussed at Commission meetings so there are records in the minutes and notices in the newspapers, but he is still getting calls from entities expressing a need for money. Donna Neeley stated that many entities applied but only one met all of the requirements and that they have been informed to reapply by June 1, 2006.

Commissioner Pennel expressed that he has the same concern and suggested asking for a meeting to invite the State Representatives, Senator, and any other entity that is willing to come and try to resolve some of these issues. Neeley reminded the Commission that Title III Monies are federal not state funds.

Commissioner Herschend asked Helen Soutee, Treasurer if the entities are getting more money now? Soutee stated that whenever the 16% was not held out the county had \$25,000 to distribute among all entities. Soutee added that she feels they all know the requirements to apply for Title III Monies.

COUNTY ROAD EASEMENT

Commissioner Strahan stated that back in November, Commissioner Herschend brought up a conversation about 40 feet and 50 feet easements. Strahan explained that there was a discussion about the county requiring a 40 feet easement to take in a county road but a 50 feet easement is required for subdivisions. Strahan further expressed that he wants something more stable and proposed getting the 50 feet easement requirement changed to a 40 feet road easement plus a 10 feet utility easement. Strahan added that the county is taking people’s property when there is no need for it and that the property owners are still maintaining the property even though it is a county easement.

Commissioner Strahan made a motion go to the Planning and Zoning Commission with a proposal to change their 50 feet easement requirement to a 40 feet road easement and a 10 feet utility easement. Commissioner Herschend seconded the motion.

Presiding Commissioner Pennel asked for clarity on the proposal? Commissioner Strahan explained that the county requirement for taking in a road is a 40 feet easement however; subdivisions need a 50 feet easement and that he wants to set a standard to go by for consistency. A general discussion ensued.

Commissioner Herschend added that it sends a funny message when the county requires a 40 feet easement to take in a road and Planning and Zoning requires a 50 feet easement to Platte a road. Herschend added that no one has told him why a 50 feet easement is needed.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel clarified that the county has two different requirements because the 40 feet requirement is for roads that have already been built while the 50 feet requirement is for new roads. Commissioner Herschend asked why the extra 10 feet are needed in a subdivision? Pennel stated that in some cases without a 50 feet easement some houses would not have been built.

The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes). Commissioner Pennel expressed that there is a reason for the 50 feet easement requirement.

PRIOR MINUTES

Commissioner Herschend made a motion to table the minutes from November 7, 2005.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Herschend (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants # 92975-93076. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

WILEY BARNES

Wiley Barnes, Chamber of Commerce addressed the Commission regarding the Salute to Legislatures reception that took place last week. Barnes explained that she was at the capital the following day and heard several comments about how great the event was and expressed her appreciation for the counties booth.

BOB DIXON RECORDERS OFFICE

Bob Dixon, Recorder of Deeds stated that the Recorders Office was moved and everything is up and running. Dixon expressed his appreciation to all those who helped with the move.

MINCY PARK

Commissioner Strahan stated that someone volunteered to put up a fence around Mincy Park bordering his property lines. Strahan explained that holes for a fence have been dug but the work as not been finished yet. Bob Paulson, County Counselor expressed a concern about safety issues. Commissioner Herschend suggested discussing this issue further in Executive Session.

FEBRUARY 7, 2006 ELECTION ANNEXATION ISSUE

Commissioner Herschend stated that he would like to personally put an ad in the newspaper stating how the annexation would affect residents. Donna Neeley expressed that there might be some forms to fill out for the Ethics Commission depending on how much money he plans to spend. Neeley reminded Herschend that he would have to use his own money. Robert Paulson, County Counselor stated that he could put the ad in the newspaper as long as he spent his own money. Herschend explained that he would just be laying out the facts and would like to share what he has learned from going to various meetings.

Commissioner Pennel expressed his appreciation for Herschend's willingness to share his plans with the Commission because what the Commissioners do individually reflects on the Commission as a whole. Commissioner Strahan stated he has had several calls from citizens wanting to know if they could vote on the issue, so publicizing the issue would not be a bad idea. Commissioner Herschend added that it is fair for folks to understand how they will be impacted. Donna Neeley stated that she would look at the laws about informing/advertising and would advise the Commission later today.

RECESS

TANEY COUNTY COMMISSION RECORD

10:00 A.M.

RECONVENE

10:08 A.M.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



FEBRUARY 6, 2006 THE 9TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

PHONE SERVICES AND DATA SHARING GARY MORGAN

Gary Morgan, IS Administrator stated that he received a request for a telephone bid from TSG Communications concerning long distance and in state rates. Morgan presented a schedule to the Commission and explained that TSG Communications charges 3.9 cents for in state and 3.5 cents for out of state call and that the county is currently paying 5 cents for both. Morgan added that there would be no binding contracts and TSG will cover switchover fees. Morgan further explained that he has talked to several other counties and Branson Schools who use their services and he heard no complaints.

Commissioner Strahan asked if there would be a penalty if it doesn't work out and the county goes back to Century Tel? Morgan stated that he would have to look into it. Rick Findley, Auditor expressed that if Century Tel wanted the county back badly enough they would take care of the fees. Strahan asked if the county would have to bid these out? Findley stated that it is a service so he didn't know. Tressa Luttrell explained that it would depend on the service and that the process is different from bidding supplies.

Gary Morgan stated that by going with TSG there would be a 20 to 22% savings. Findley expressed that in the past Century Tel has matched competitors and suggested talking with them first. No motions were made and no votes were taken.

TRANSFER STATION SOFTWARE

Gary Morgan, IS Administrator addressed the Commission regarding new software for the Transfer Station. Morgan stated that the Department of Revenue has needed more detailed reports and that Melissa Trotter has suggested writing a database to run a system parallel to their system. Morgan added that there would be no cost for that except for Melissa's time. No motions were made a no votes were taken.

DIGITAL DATA PRICING

Gary Morgan, IS Administrator stated that he and Bob Paulson, County Counselor have been discussing a change in GIS pricing for digital data. Morgan informed the Commission that the website has had about 90,000 hits so far this year and at one time they had designed a licensing program and are requiring a license agreement. Morgan presented the following summary from the GIS website:

TANEY COUNTY COMMISSION RECORD

Taney County, MO

Summary

Application Name TaneyCountyMO
Date Monday, February 06, 2006 8:38:46 AM
Date Range 12/31/2005 12:00:00 AM - 2/6/2006 8:38:36 AM
Total Hits 90,447
Avg Hits Per Day 2,444.51
Total Visitors 1,445
Avg Hits Per Visitor 62.59

Disclaimer: Taney County makes every effort to produce and publish the most current and accurate information possible. This data is provided as is without warranty or any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability, and fitness for or the appropriateness for use rests solely on the requester.

Taney County makes no warranties, expressed or implied, as to the use of the data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and is in a constant state of maintenance, correction, and update.

Last Updated: 12/19/2005 5:03:23 AM

Note: Commissioner Herschend entered the Commission meeting at 9:10 a.m.

Gary Morgan explained that he has revised the pricing schedule based on what sort of average is for the state and added that if the county received this pricing structure they would recover cost. Morgan further expressed that it is a reasonable price for what they are getting as far as digital data. Morgan then presented the following price list and concepts for consideration:

2006 Taney County GIS and Digital Data Price List

2002 OrthoPhotography; 100, 200, and 400 scale MrSID	85.00
2002 Tif OrthoPhotography	4.00 per Tile
Lake and Stream Lines	20.00
Water Districts	10.00
City Boundaries	20.00
County Index Map	50.00
School Districts	10.00
Commission Districts	10.00
Townships	10.00
Ambulance Districts	10.00
Fire Districts	10.00
Voting Precincts	20.00
Road Centerlines	200.00
Parcel Polygons or Lines (\$1.00 sq mile) or	500.00
Parcel Annotation	500.00

Files copied to CD or DVD as requested, minimum charge of \$15.00 per CD, \$35.00 per DVD.

GIS data will be released at no charge except for cost of media and duplication to approved state and local government agencies and municipalities, and approved 'not for profit' agencies.

For commercial purchasers, data will include conditions for re-release, and pricing for such release. All data sets will include disclaimer.

Gary Morgan explained that they have increased the charges on CD's and DVD's produced. Morgan added that they researched other counties and found that this schedule falls more in line with what other counties are doing around the state.

Commissioner Strahan asked James Strahan, Assessor if the Assessor's Office charges for work done? James Strahan, Assessor explained that they charge for any commercial vendor but if a landowner comes in with a dispute there is usually no charge for a map. James Strahan added that if it involves property purchases or bringing in an appraisers they charge for that and that his employees continually update this information.

Gary Morgan stated that he has had several requests for digital data and that the website gets around 2,444 hits per day. Commissioner Strahan explained that he is trying to establish what services Taney County provides to citizens verses what cost needs to be recouped. A general discussion ensued.

Commissioner Herschend made a motion to accept the price schedule and concept of charging as presented. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

FLY OVER BID

Commissioner Pennel explained that the fly over bids came in Friday. Tressa Luttrell clarified that seven bids came in and have been submitted for review. Pennel asked if there would be a cost savings? Gary Morgan stated that there could be a discounted price if they do both Taney and Stone at the same time. Luttrell expressed that the bid has not been specked that way. Pennel added that he talked to the Presiding Commissioner in Stone County to see if there could be money saved. No motions were made and no votes were taken.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from January 23 and 25, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #93077-93177 and manual warrant #4453. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

CORONERS OFFICE

Kevin Tweedy, Coroner informed the Commission that the Coroners Office is trying to change their image by going to the different schools and talking about accident prevention. Tweedy expressed that he hopes this will shed a more positive light on the Coroner's Office.

CONSTRUCTION FEES

Commissioner Herschend expressed his excitement to learn through the Taney County Times that the City of Branson will not charge school districts for construction fees.

CITY OF BRASON ANNEXATION

Commissioner Herschend addressed the Commission in regards to the City of Branson Annexation Issue stating that Cannon Ball Loop is a two million dollar project with the Sewer District. Herschend further explained that the county has never gone inside a municipality to help fund a project with county sewer funds and asked if the annexation passes what the Commission would do?

Commissioner Pennel asked if the county is getting close to getting the revised engineering done. Herschend explained that it is almost done and that Bob Paulson, County Counselor is trying to work with the City of Branson to get the proper documents.

Bob Paulson, County Counselor expressed that the city didn't see any problems with the changes he made to the documents and agreed with the counties position.

Commissioner Pennel suggested meeting with the Sewer Board and getting their opinion on the issue.

Commissioner Herschend further expressed that this annexation could change the nature of the project right in the middle of it. Commissioner Pennel reminded the Commission that they do not have as good of a relationship with the City of Branson as they would like and suggested talking to them about it. No motions were made and no votes were taken.

RECESS

Commissioner Herschend made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECONVENE

TANEY COUNTY COMMISSION RECORD

The County Commission reconvened in the County Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BID RESULTS SCANNER

Commissioner Strahan made a motion to approve the bid from MAS for a Cannon DR 9080 high-speed scanner. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS SERVER

Commissioner Strahan made a motion to approve the bid from Dell in the amount \$4,308. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS TRUCK BIDS

Commissioner Strahan made a motion to approve the purchase of three trucks in the amount of \$64,902 for the Sheriff's Department. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS GO DEALS

Commissioner Strahan made a motion to use Go Deals as the online for the sale of surplus property. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS SECURITY SYSTEMS

Commissioner Strahan made a motion to deny all bids on security systems. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Tressa Luttrell and Hillary Bargman



FEBRUARY 8, 2006 THE 10TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 8:54 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100391-100392, 100397-100442
Road & Bridge Trust Warrants	100368-100388, 100393, 100443-100444
Assessors Fund Warrants	100389-100390
Transfer Station Warrants	100394-100396
911 Warrants	None

TANEY COUNTY COMMISSION RECORD

Payroll checks (cont.)

Manual Warrants	4456 & 4457
Accounts Payable Warrants	93178-93196

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (absent), Herschend (absent), Strahan (yes).

Minutes were taken via telephone by Donna Neeley and typed by Hillary Bargman



FEBRUARY 13, 2006 THE 11TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

SHERIFF JIMMY RUSSELL NEW DRUG DOG

Jimmy Russell, Sheriff introduced the Sheriff's department's new drug dog. Russell stated that he plans on taking the new dog to the schools and introducing her to all of the kids. No motions were made and no votes were taken.

Note: Commissioner Herschend entered the Commission meeting at 9:07.

ROAD VACATION

Tressa Luttrell, Administrator stated that this road vacation was first brought to the Commission in October of 2005 regarding the Russell's and that a second reading took place on January 9, 2006 but there was no proof of publication at that time. Luttrell added that she has acquired the proof of publication and presented the Commission with a typed order from Tom Motley.

Commissioner Strahan stated that Tom Motley brought this road vacation to the Commission and that there are at least three or four homes on the other side of the road that would be affected. Strahan added that another property owner says his house lays in the easement, under contract. Strahan expressed that there are several questions to be answered on this road and that he is not sure what to do with the vacation. Strahan then asked Bob Paulson, County Counselor how the law reads as far as taking action on this issue.

Bob Paulson answered that a finding must be made that the road is useless to the public in order to vacate it or they must prove that it is an unnecessary expenditure to maintain the road. Paulson added that without a remonstrance there is nothing preventing the county from making this finding without having a hearing. A general discussion ensued.

Commissioner Strahan expressed that he would like to hear both sides of the story before making a decision to vacate the road.

Commissioner Herschend made motion to table the road vacation and requested that a notice be sent to the petitioners and Tom Motley, to attend the meeting next week in order to answer some of the questions surrounding this issue. Paulson added that he doesn't see a problem, since there is no remonstrance on this road vacation. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BRANSON SPORTS CLUB PAM DAPPRICH

TANEY COUNTY COMMISSION RECORD

Pam Dapprich, Branson Sports Club addressed the Commission regarding a letter of support for tax credits to aid the Branson Sports Club. Dapprich explained that one of the grants they would be applying for is the Youth Opportunity Program to help with the construction of their new building. Dapprich further explained that they are all volunteer's who work with the kids in the local area and that the program is designed to influence and develop children in several areas of life. Dapprich added that the new facility is off of Buchanan Road and that the sewer system is already complete.

Presiding Commissioner Pennel asked what kind of money she is hoping to get? Dapprich answered that this the Youth Opportunity Program grant has a tax credit cap of \$200,000 and that they estimate the new facility will cost around \$600,000.

Commissioner Herschend asked if the Sports Club is applying for the same tax credits as the Boys and Girls Club and the YMCA? Dapprich responded that she is not sure and that they try to apply for as many grants as they can. Commissioner Herschend stated that he appreciates what they do with the kids however, expressed a concern about starting new programs when there is only so much grant money available. Herschend added that sometimes it could turn into a competition of dollars, which impacts existing programs. Dapprich responded that there is a lack of quality programs and that often the other local programs fill up so fast that there is a constant need in the community for youth programs.

Commissioner Pennel asked Dapprich if she felt the Branson Sports Club is in competition with other local programs? Dapprich stated that she felt there was no competition; rather they were complimenting each other. A general discussion ensued. Commissioner Pennel suggested tabling this issue in order to have time to talk to the Boys and Girls Club to make sure there are no problems and to follow up on some questions.

Commissioner Strahan expressed that he is in total support of anything that has to do with children and community involvement. Strahan stated that he is trying to work in that direction with the Park Board and that he can't see the harm in applying for grants. Dapprich added that they are great kids who do various community service projects that put back into the community.

Commissioner Herschend stated that he is all for kids and clarified that he just wanted the Commission to understand that there is a "fixed pie" of available grant money for all not for profit organizations in the area. Herschend explained that he would not vote for going forward until he knows how it will impact the community but clarified that he wouldn't vote against it either. Herschend then asked how many not for profit organizations is the county going to support?

Commissioner Pennel made a motion to table this issue in order to talk to the Boys and Girls Club and other organizations then bring it up again next week. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ROAD PETITION LIVE OAK LANE

Tressa Luttrell, Administrator explained that this petition was tabled in 2004 in order to discuss the road with the engineer. Luttrell further explained that it was originally for two roads, Yates Avenue and Live Oak Lane. Luttrell added that Yates Avenue was denied and that Live Oak was tabled in both July and September of 2004.

Randy Erhardt, Property Owner stated that when the petition was originally brought before the Commission in 2004 it was decided that they would wait until the subdivision filled in a little more before bringing it back before the Commission. Erhardt stated that they only have one lot left to fill in the subdivision. Erhardt explained that Yates Avenue was turned down because there are only two homes on Yates and they didn't want to extend that portion. Erhardt further stated that on Live Oak there are eleven dwellings and that they were going to change a culvert across Hampton. Erhardt added that the subdivision is located about ½ a mile past the Hwy 248 and Hwy 160 intersection right before the Reeds Spring junction about one mile before the fire station.

Commissioner Herschend made a motion to approve taking Live Oak Lane in as a Class 6. Commissioner Pennel seconded for discussion and asked Randy Haes, Road and Bridge to tell

TANEY COUNTY COMMISSION RECORD

property owners what else needs to be done before their road is taken in. Haes stated a culvert still needs to be put in and that there are a few shallow ditches at Hampton and Life Oak and added that the road is in decent shape. Herschend stated that the road surface is 18-20 feet road and that everything else appears to be in good shape. Herschend added that the petitioners/owners have been extremely patient during the course of this process.

Greg Altom expressed his appreciation to Randy Haes for his cooperation and added that some of the shallow ditches have been already been worked on. Herschend clarified that the chip and seal will not be immediate however, the county will be responsible for maintaining the road.

Commissioner Herschend then amended his motion to take Live Oak Lane in as a Class 5.

Commissioner Pennel asked Haes if snow removal would put too much of a burden on Road and Bridge? Haes stated that it would not. Pennel explained that there is a schedule for chip and seal and clarified that other roads are before Live Oak on the list but it would eventually be chipped and sealed.

Commissioner Pennel then amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

9:55 a.m.

RECONVENE

10:00 a.m.

SMOKE SHACK

Commissioner Herschend stated that the Smoke Shack was shut down last week and that he re-opened it. Herschend explained he had gotten phone calls from employees wanting it opened back up and asked what the Commissions' thoughts were on the issue. Herschend expressed that he feels it is a benefit for employees since the county is now smoke free it gives them a place to go when it is cold outside.

Jimmy Russell, Sheriff clarified that he shut it down because he was having time issues with his people visiting and taking 30 to 45 minute breaks. Russell stated that he will keep it shut to his people and added that another reason is so they won't smell when having to deal with the public. Russell further explained that he didn't realize other departments were using the Smoke Shack or he wouldn't have locked it and if other departments want to use it then he is fine with that.

Commissioner Strahan expressed his appreciation for Russell's "strong stance" on the issue and added that if other departments don't want to handle the situation then the Commission will leave it open. Herschend added that non-smokers take extended breaks as well and that it is up to the office holder to supervise their staff no matter where they are. Pennel stated that he is okay with leaving the smoke shack open. No motions were made and no votes were taken.

JIM TRAVIS CONTRACT

DONNA NEELEY

Donna Neeley, County Clerk stated that Jim Travis contacted her and requested that the last line stating he will contact the other office holders when he is making a trip to Taney County be taken off of the contract. Neeley added that Travis doesn't think it is a good use of his time and does not feel it is his responsibility.

Presiding Commissioner Pennel expressed that the contract needs to be completed and the county needs to get Jim Travis paid. Commissioner Pennel made a motion to take the amendment off of the contract, that states Jim Travis will contact the elected officials to let them know when he is coming down and get the issue taken care of.

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Commissioner Herschend stated that he stands on his opinion that all elected officials need to agree to contact each other when they will be having Jim Travis come to Taney County so the county can fully utilize Travis's service.

James Strahan, Assessor explained that Jim Travis is "under the gun" and has many counties under contract to use his program. Strahan stated that Travis may have misunderstood the amendment and suggested having the amendment read that if an office holder contacts him then they will let the other office holders know he is coming to Taney County. Herschend expressed that Jim Travis is an asset and would be happy to second Pennel's motion if all three office holders who use Travis's program would agree to contact one another when Travis is making a trip to the county. A general discussion ensued. The motion died for lack of a second.

Shelia Wyatt, Collector stated that as an office holder she is not going to go on record as agreeing to contact the other office holders when Jim Travis is called to come to the county. Wyatt further stated that she works with the other office holders very well and that the Clerk's Office only uses him for levy's one time a year and things like Railroad Utilities throughout the year. Wyatt then added that at the first of March she would like the Collector's Office to start making the adjustments after the Board of Equalization approves the abatements, which would decrease the use of Jim Travis's program in the Clerk's Office. Wyatt further expressed that she feels it is not the Commissions duty to tell the office holders whom to call and contact and that the citizens elected them to do their jobs, which is what she will continue to do.

Donna Neeley, County Clerk stated, in response to the abatements, that she is, by statute, the secretary of the BOE and expressed that she does not see how it is the Collector's place to adjust the tax books.

Chuck Pennel stated that two different topics are going on here and made his motion again to take the amendment off of the contract. The motion died for the lack of a second.

PRIOR MINUTES

Commissioner Herschend made a motion to approve minutes from January 30 and February 8, 2006.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable warrants #93197-93294 and manual warrant #4458. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

JANUARY BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor presented the following January 2006 Budget:

	Taney County for the Month Ending January 31, 2006				
	2004	2005	2006	2006	ACTUAL %
FUND BALANCES					
GCR FUND BALANCE	12,085,208.18	13,154,890.79	14,012,380.91	14,012,380.91	100.0%
GCR REVENUES	9,750,639.56	10,693,558.20	12,646,988.52	1,537,354.53	12.2%
EXPENDITURES	8,680,956.95	9,836,068.08	26,168,828.52	740,478.59	2.8%
TOTAL GCR	13,154,890.79	14,012,380.91	490,540.91	14,809,256.85	3019.0%
ROAD & BRIDGE FUND BALANCE	6,067,562.78	6,673,957.30	7,466,464.70	7,466,464.70	100.0%
ROAD & BRIDGE REVENUES	1,303,563.49	1,294,468.45	1,252,850.00	133,007.24	10.6%
EXPENDITURES	697,168.97	501,961.05	8,655,986.13	10,214.30	0.1%
TOTAL ROAD & BRIDGE	6,673,957.30	7,466,464.70	63,328.57	7,589,257.64	11983.9%
ROAD & BRIDGE TRUST FUND BAL	9,760,872.22	8,980,798.03	6,078,738.25	6,078,738.25	100.0%
ROAD & BRIDGE TRUST REVENUES	6,053,087.51	6,281,767.89	6,138,000.00	634,926.60	10.3%
EXPENDITURES	6,833,161.70	9,183,827.67	13,516,157.38	375,768.03	2.8%
TOTAL ROAD & BRIDGE TRUST	8,980,798.03	6,078,738.25	(1,299,419.13)	6,337,896.82	(487.7%)
ASSESSMENT FUND BALANCE	21,810.20	19,815.20	19,865.52	19,865.52	100.0%
ASSESSMENT REVENUES	545,319.19	558,598.36	748,354.00	234,115.59	31.3%

TANEY COUNTY COMMISSION RECORD

EXPENDITURES	547,314.19	558,548.04	768,219.52	45,537.22	5.9%
TOTAL ASSESSMENT	19,815.20	19,865.52	0.00	208,443.89	0.0%
ELECTIONS FUND BALANCE	19,383.89	42,943.67	43,906.84	43,906.84	100.0%
ELECTION REVENUES	24,514.99	7,083.48	10,700.00	3,514.16	32.8%
EXPENDITURES	955.21	6,120.31	54,606.34	0.00	0.0%
TOTAL ELECTIONS	42,943.67	43,906.84	0.50	47,421.00	9484200.0%
TRANSFER STATION FUND BAL	488,453.07	512,938.96	546,299.91	546,299.91	100.0%
TRANSFER STATION REVENUES	428,015.72	486,214.75	406,900.00	51,828.11	12.7%
EXPENDITURES	403,529.83	452,853.80	953,199.91	52,768.23	5.5%
TOTAL TRANSFER STATION	512,938.96	546,299.91	0.00	545,359.79	0.0%
LEPC FUND BALANCE	12,734.70	18,323.47	10,547.22	10,547.22	100.0%
LEPC REVENUE	12,162.28	5,270.64	6,275.00	1,685.36	26.9%
EXPENDITURES	6,573.51	13,046.89	16,822.22	1,458.85	8.7%
TOTAL LEPC	18,323.47	10,547.22	0.00	10,773.73	0.0%
LAW ENFORCEMENT FUND BAL	0.00	1,300.78	3,787.89	3,787.89	100.0%
LAW ENFORCEMENT REVENUES	8,656.37	9,774.67	8,820.00	891.19	10.1%
EXPENDITURES	7,355.59	7,287.56	12,607.89	2,183.86	17.3%
TOTAL LAW ENFORCEMENT	1,300.78	3,787.89	0.00	2,495.22	0.0%
COUNTY INSURED FUND BAL	334,358.51	271,508.27	201,401.72	201,401.72	100.0%
COUNTY INSURED REVENUES	6,054.63	6,274.22	5,200.00	528.11	10.2%
EXPENDITURES	68,904.87	76,380.77	206,601.72	3,718.22	1.8%
TOTAL COUNTY INSURED	271,508.27	201,401.72	0.00	198,211.61	0.0%
PROS ATT TRAIN FUND BAL	4,623.22	6,189.36	8,057.19	8,057.19	100.0%
PROSECUTING ATT TRAIN REV	1,566.14	1,867.83	2,060.00	240.85	11.7%
EXPENDITURES	0.00	0.00	10,117.19	0.00	0.0%
TOT PROS ATTY TRAINING	6,189.36	8,057.19	0.00	8,298.04	0.0%
FUND BALANCE	1,488,912.08	1,422,209.59	1,445,476.81	1,445,476.81	100.0%
REVENUES	513,176.93	594,772.01	518,000.00	44,870.44	8.7%
EXPENDITURES	579,879.42	571,504.79	1,963,476.81	413,624.44	21.1%
TOTAL 911	1,422,209.59	1,445,476.81	0.00	1,076,722.81	0.0%
COUNTY SEWER FUND BALANCE	8,155,176.95	10,330,399.01	15,571,544.17	15,571,544.17	100.0%
COUNTY SEWER REVENUE	6,147,992.89	7,104,263.20	14,509,592.00	703,771.36	4.9%
EXPENDITURES	3,972,770.83	1,863,118.04	30,081,136.17	130,295.03	0.4%
TOTAL COUNTY SEWER	10,330,399.01	15,571,544.17	0.00	16,145,020.50	0.0%
SEWER DESIGNATED FUND BAL	881,303.28	895,442.76	925,449.84	925,449.84	100.0%
DESIGNATED INTEREST REVENUE	14,139.48	30,007.08	0.00	0.00	0.0%
TOT SEWER DESIGNATED FUNDS	895,442.76	925,449.84	925,449.84	925,449.84	100.0%
SHERIFF FUND BALANCE	62,009.87	58,842.49	72,295.53	72,295.53	100.0%
SHERIFF REVENUE	98,333.13	52,094.72	51,000.00	544.84	1.1%
EXPENDITURES	101,500.51	38,641.68	123,295.53	1,580.13	1.3%
TOTAL SHERIFF	58,842.49	72,295.53	0.00	71,260.24	0.0%
TAX MAINTENANCE FUND BAL	86,775.73	163,669.73	152,431.37	152,431.37	100.0%
TAX MAINTENANCE REVENUE	90,623.86	101,879.55	128,000.00	3,121.18	2.4%
EXPENDITURES	13,729.86	113,117.91	280,431.37	110,030.00	39.2%
TOTAL TAX MAINTENANCE	163,669.73	152,431.37	0.00	45,522.55	0.0%
TOTAL BALANCE FUNDS	42,553,229.41	46,558,647.87	179,900.69	48,021,390.53	26693.3%

Commissioner Strahan expressed his appreciation to Findley for presenting the budget to the Commission. No motions were made and no votes were taken.

RECESS

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECONVENE

The County Commission met in the County Commission Office at 4:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

MISSOURI HIGHWAY AND TRANSPORTATION AGREEMENT

Presiding Commissioner Pennel made a motion to approve the following agreement with the Missouri Highways and Transportation Commission. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION BLUEPRINT FOR SAFER ROADWAYS PROGRAM AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the
City of _____, a municipal corporation in the State of Missouri (hereinafter, "City"); OR
County of Taney, (hereinafter referred to as "County"); OR
Department of _____, a department within the executive branch of the government of the State of Missouri
(hereinafter, "Department"); OR
_____, a recognized vendor with the State of Missouri (hereinafter, "Vendor")

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) **PURPOSE:** The Commission has authorized State Road Funds to be used to support regional Blueprint for Roadway Safety activities. The purpose of this Agreement is to grant the use of such State Road Funds to the County.

(2) **ACTIVITY:** The State Road Funds, which are the subject of this Agreement, will support the following activity to further Missouri's Blueprint for Roadway Safety: Taney County Sheriff Jimmie Russell will host a three day post certified class that will qualify officers to conduct BAC testing on a Datamaster.

(3) **INDEMNIFICATION:** To the extent allowed by law, the County shall be responsible for injury or damages as a result of any services and/or goods rendered under the terms and conditions of this Agreement. In addition to the liability imposed upon the County on the account of personal injury, bodily injury (including death), or property damage suffered as a result of the County performance under this Agreement, County assumes the obligation to save harmless the Commission, including its agents, employees and assigns, from every expense, liability or payment arising out of such wrongful or negligent act or omission, including legal fees. The County also agrees to hold harmless the Commission, including its agents, employees and assigns, from any wrongful or negligent act or omission committed by any subcontractor or other person employed by or under the supervision of the County for any purpose under this Agreement, and to indemnify the Commission, including its agents, employees and assigns, from every expense, liability, or payment arising out of such wrongful or negligent act or omission.

(4) **AMENDMENTS:** Any change in this Agreement, whether by modification or supplementation must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the County and the Commission.

(5) **COMMISSION REPRESENTATIVE:** This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) **NONDISCRIMINATION CLAUSE:** The County shall comply with all the provisions of Executive Order No. 94-03, issued by the Honorable Mel Carnahan, Governor of Missouri, on the fourteenth (14th) day of January 1994, which executive order is incorporated herein by reference and is made a part of this Agreement. This Executive Order promulgates a Code of Fair Practices for the Executive Branch of Missouri Government and prohibits discrimination against recipients of services, and employees or applicants or employment of state contractors and subcontractors, on the grounds of race, color, religion, national origin, sex, age, disability, or veteran status. The County shall also comply with all state and federal statutes applicable to the County relating to nondiscrimination including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(7) **ASSIGNMENT:** The County shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(8) **LAW OF MISSOURI TO GOVERN:** This Agreement shall be construed according to the laws of the State of Missouri. The County shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(9) **CANCELLATION:** The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the County with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the County.

(10) **ACCESS TO RECORDS:** The County and its Contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the County receives reimbursement of their final invoice from the Commission.

(11) **REIMBURSEMENT:** With regard to work under this Agreement, the County agrees that funds to implement Blueprint activities shall only be available for reimbursement of eligible costs which have been incurred by County. The County shall supply to the Commission copies of all bid information; purchase orders; invoices; and name, date, hours worked, and rate of pay (on Program Agreements that include salaries) Any costs incurred by County prior to authorization and notification to proceed from the Commission are not reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments. The Commission shall not provide more than one thousand six hundred fifty dollars (\$1,650) for this Blueprint safety project.

(12) **INSPECTION OF IMPROVEMENTS AND RECORDS:** The County shall assure that representatives of the Commission shall have the privilege of inspecting and reviewing the work being performed per this Agreement. The County shall also maintain all financial documents, reports, papers and other evidence pertaining to costs incurred in connection with this Program Agreement, and make such materials readily available for review at reasonable times and at no charge during this Agreement period and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission or any authorized representatives of the State of Missouri; copies shall be furnished, upon request, to authorized representatives of the Commission or State.

(13) **VENUE:** It is agreed by the parties that any action at law, suit in equity, or other judicial Proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of

TANEY COUNTY COMMISSION RECORD

Cole County, Missouri.

(14) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The County shall refund any overpayments as determined by the final audit.

(15) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the County.

(16) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

Minutes taken and typed by Donna Neeley and Hillary Bargman



FEBRUARY 14, 2006 THE 12TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 2:10 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

INDEMNIFICATION AGREEMENT TABLE ROCK ACRES

Commissioner Herschend made a motion to approve the indemnification agreement concerning the Table Rock Acres project. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Tressa Luttrell



FEBRUARY 15, 2006 THE 13TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 2:10 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

CONOCO PHILLIPS PAYMENT

Commissioner Pennel made a motion to approve accounts payable warrant # 4459 for the payment to Conoco Phillips in the amount of \$16,209.76 and warrants #4460 and 4461 for payments to the Sheriff's and Clerk's Office. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman



FEBRUARY 21, 2006 THE 14TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BACKWOODS ROAD PETITION

Presiding Commissioner Pennel read the following road petition for Backwoods Road: in Big Creek Township, 12 registered voters, traffic count is 15 to 20 cars per day, no known easement, 14 to 15 feet width, and 2.35 miles in length. Road is in poor condition, dirt, one

TANEY COUNTY COMMISSION RECORD

culvert in fair condition, 3 dwellings. Road and Bridge comments: road is rough and narrow, there are no ditches present, and the surface has ledge rock showing in several place. The road needs to be widened and ditched, with surface graded, and four to six inches of aggregate added, in addition to a turnaround constructed and a right-of-way will need to be obtained to make these improvements.

Roy Baker, Petitioner stated that he has lived on Backwoods Road since 1996 and the road extends down to Arkansas so there are more than three dwellings on the road. Baker also stated that they have a first responder for the fire department and that it is difficult to get out in bad weather. Baker also explained that the school bus attempted to back down the road and couldn't make it, so now the children must walk a mile or more to the end of the road in order to ride the bus.

Commissioner Strahan stated that Randy Haes, Road and Bridge told him that Backwoods Road would have to be completely rebuilt in order to make it decent and the proper easements would need to be required. Baker explained that all of the property owners would give the county whatever was needed. Strahan expressed that rebuilding a road is very expensive for only three dwellings and it is difficult to consider the petition without having traveled to road. Strahan added that the county would need the easements dedicated for the road or something in writing. Baker explained that he was unaware of the Commission needing something in writing or else he would have brought something. Strahan clarified that the county sometimes takes in roads off of a verbal commitment for easements but usual several people must be present to agree. Baker stated that Barton Road only has three dwellings and the county took it in as a county road.

Commissioner Herschend made a motion to deny the petition for Backwoods Road due to the cost ratio and expressed a concerned about the county taking on too many roads stating, "we are not ready to digest what we have eaten." Herschend expressed that rebuilding a road to serve two or six homes isn't the best way to spend the Road and Bridge Fund. Baker clarified that they are just asking for the road to be taken in to the children not the whole road. Herschend stated that to his knowledge the county has never taken in a road with a 14 feet width.

Commissioner Strahan seconded the motion for now and stated that he would look at the road on a later date.

Roy Baker asked if the Commission would contact him when they drive the road. Commissioner Pennel expressed that he would like to see the petition tabled rather than denied. Pennel added that Randy Haes said four to six inches of rock is needed to get the road workable and suggested asking the property owners to do some work to the road and then bring it back to the Commission to be taken in. A general discussion ensued.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

GRADER BLADE BIDS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she received three bids for grader blades for the Road and Bridge Department from Van Kepple, Fabick, and Barry Tractor. Luttrell further stated that Randy Haes, Road and Bridge is recommending the Commission accept the bid from Fabick in the amount of \$11,542.00.

Commissioner Herschend made a motion to table the bids for grader blades and explained that on Sunday two mechanics and a foreman expressed concerns about one of the blades that were previously purchased. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TRANSFER OF FUNDS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she has a request from the Treasurer for a monthly disbursement in the amount of \$33,104.48 from the Road and Bridge Fund to General County Revenue as per the 2006 Budget. Luttrell added this is for the salary and expenses paid from the county Road and Bridge to the Sheriff's Patrol

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve the transfer of funds. Commissioner Pennel seconded the motion. Commissioner Herschend requested that the Sheriffs Patrol submit to the Commission documents of time spent and tickets written sometime within the week. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PARKING POLICY FOR AIRPORT TRESSA LUTTRELL

Tressa Luttrell, Administrator presented the Commission with a parking policy that was approved by the Airport Board for them to review and give input before it is passed on to Bob Paulson, County Counselor. Luttrell added that the airport wants to start this policy by April 1, 2006.

Commissioner Herschend asked about the rates for long term and short term guests? Luttrell explained for yearly parking it is a dollar a day so they took the average and set the monthly price at \$35.

Commissioner Pennel asked how they plan to regulate the new parking policy? Luttrell explained that the airport would use color-coded permits printed on different card stock and that dates would be checked regularly.

Commissioner Strahan expressed a concern about someone flying somewhere for an extended weekend or holiday and coming back to find that their vehicle has been towed. Luttrell explained that guest permits are good for up to two weeks. Strahan asked how they would regulate that? Bob Paulson, County Counselor stated that they would probably post a sign and have airport workers ask everyone about their vehicles before they get on the plane.

Commissioner Herschend clarified that the Commissions role is to offer input and if they are not comfortable with car being towed then something should be said. Herschend also expressed that they should charge \$250 dollars a year for parking. Luttrell stated that she would take the Commissions input back to Mark Parent.

BRANSON SPORTS CLUB

Presiding Commissioner Pennel stated that he spoke with Margie Barry at the Boys and Girls Club, OACAC, and Max Lytle and none of them had a problem with the Commission supporting the Branson Sports Club. Pennel further stated that Jennifer Hewitt with the YMCA had a problem with it but the general consensus from the others was that it is up to those entities to lobby the funds and that the Commission is only showing support.

Commissioner Strahan clarified that Margie Barry felt that it isn't in the Commissions hands to decide whether the entities receive tax credits or not, that is in the Commissions hands to either show support for it or not.

Commissioner Herschend explained that if the Reeds Spring Boys and Girls Club were to fail, there is a parent organization that would receive the tax dollars. Herschend asked what would happen to the grant money if this private 501 3C fails? Commissioner Pennel added that Jennifer Hewitt expressed a problem with getting grants because the Hollister YMCA is tied to the Springfield YMCA. Pennel asked what would happen five years from now if the Branson Sports Club went a different direction? Bob Paulson, County Counselor explained that those funds would go to different places but not to the private entity. Pam Dapprich, Branson Sports Club stated that assets would go to another 501 3C.

Commissioner Herschend made a motion to approve the request from the Branson Sports Club for a support letter. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Herschend made a motion to approve the minutes from February 13, 14, and 15 as amended.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants # 93295-93318 and # 93320-93399 and manual warrant # 4462. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SIGN AT THE FORSYTH METHODIST CHURCH

Tressa Luttrell, Administrator stated that someone from the Forsyth Methodist Church is inquiring about one of their signs that has been taken down by the county. Luttrell explained that the Church has a permit from MoDot to put the sign at the location and that they are asking if the county is going to relocate their sign or will they need to go back to MoDot for another permit to put it somewhere else?

Commissioner Pennel asked if it was on MoDot property? Luttrell said it was on the right-of-way where the county was clearing. Commissioner Herschend stated that if the sign was on MoDot property then we don't have a say but if it is on county property then why is MoDot giving permission to put signs there?

Commissioner Strahan explained that the sign was in the brush where you couldn't see it and John Lavender contacted someone at the Methodist Church before the sign was removed. Strahan added that Lavender has taken the sign to the Methodist Church.

Tressa Luttrell clarified that David Arms from the Methodist Church wants to know if they can put the sign back up or does it need to go to another location. A general discussion ensued. Commissioner Pennel suggested that the Commission give them temporary permission to put it back up until further clarity as to whether it is on county property or MoDot property.

SNOW REMOVAL

John Simperts, Western Fire Station # 11 complimented and thanked the Road and Bridge crews for their hard work over the weekend with removing the snow and ice. Simperts added that it made it easier for engines to respond when needed. Commissioner Herschend asked Simperts how the roads were? Simperts stated they were a little icy after the second storm but the mixture that was dropped made them drivable.

Commissioner Strahan also complimented the Road and Bridge crew and stated that there were only a few complaints from citizens about clearing the county roads.

SELLING OF VEHICLES

Rick Findley, Auditor stated that he has had two calls from people wanting to know about details on the vehicles being sold. Tressa Luttrell explained that a contract was approved last week and sent out, so as soon as they hear back they will get started.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session in regards to the Airport Contract and Branson TIF. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



**FEBRUARY 22, 2006 THE 15TH DAY OF
THE JANUARY ADJOURNED TERM**

The County Commission met in the County Commission Office at 8:32 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron

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Herschend, Western District was absent. The following proceedings were had and made a matter of record.

BID RESULTS GRADER BLADES

Commissioner Strahan made a motion to approve the bid from Abick for grader blades. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS
8:35 a.m.

RECONVENE
8:53 a.m.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100445-100447, 100475-100476, 100481-100522
Road & Bridge Trust Warrants	100449 -100472, 100477, 100523
Assessors Fund Warrants	100448, 100473 - 100474
Transfer Station Warrants	100478 - 100480
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4463 - 4466
Accounts Payable Warrants	93400 - 93419

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman



**FEBRUARY 23, 2006 THE 16TH DAY OF
THE JANUARY ADJOURNED TERM**

The County Commission met in the County Commission Office at 9:25 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

CONTRACT TOMELLERI PROPERTY

Commissioner Strahan made a motion to instruct Bob Paulson, County Counselor to initiate a contract for the Tomelleri property in the amount of \$50,000.00 with a down payment of \$1,000.00 and remainder at closing. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 3:50 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny

TANEY COUNTY COMMISSION RECORD

Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BID RESULTS AERIAL FLYOVER

Commissioner Strahan made a motion to accept the bid for the Aerial Flyover from Sanborn in the amount of \$56,810.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS LIDAR

Commissioner Herschend made a motion to accept the bid for LiDAR (Light Detection and Ranging) from Sanborn in the amount of \$71,000.00 out of the Road & Bridge Trust Fund. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AMENDMENT SEPTAGON CONSTRUCTION

Commissioner Herschend made a motion to approve the following Amendment as submitted by Septagon Construction. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AMENDMENT TO THE CONSTRUCTION MANAGEMENT AGREEMENT

Due to the delays and the revised definition of a project around \$26,000,000 with completion scheduled in 2008, the following changes are agreed to by both the Owner and the Construction Manager:

- 1) Paragraph III.4 shall be replaced with the wording, "The fee to be paid to the Construction Manager (the "Management Fee") shall be based on 2.5% of the total Construction Costs, but shall not be less than \$650,000."
- 2) III.3.a. shall be modified as noted:
 1. Construction Manager at \$8,600 per month.
 2. Assistant Construction Manager at \$40/hour not to exceed 45 hours in any one week.
 3. Temporary office trailer with computer and fax machine at \$825/month.

NOTE: These costs shall remain at these levels through September 2008.

This shall amend the CM Agreement dated September 22, 2003.

AGREEMENT PIPER JAFFREY

Commissioner Herschend made a motion to approve the following agreement with Piper Jaffrey. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

UNDERWRITING AGREEMENT between TANEY COUNTY, MISSOURI and PIPER JAFFRAY & CO.

Piper Jaffray is pleased to present this Agreement to serve as investment banker for Taney County, Missouri (the "County") for its Law Enforcement Project (the "Financing"). We pledge all of our energy and expertise to serving the County in a professional manner and on a timely basis. The following is the scope of services to be provided:

I. Planning and Development

Piper Jaffray will:

- A. Prepare** multiple debt models which include cash flow requirements, issuance costs and escrow requirements, if any.
- B. Analyze** each proposed financing, including funding alternatives, to determine methods of strengthening marketability, and recommend the best method of marketing consistent with current economic and market conditions, and rating agency criteria.
- C. If** desirable, assist the County in obtaining the most favorable rating or bond insurance possible by directing preparation of appropriate information and/or by accompanying County representatives in meeting with rating agencies or insurance companies. Analyze the County's credit with reference to standards, national trends, etc.
- D. Coordinate** the work of other professionals providing information in connection with the proposed financing.

TANEY COUNTY COMMISSION RECORD

- E. Provide assistance in soliciting proposals and in making recommendations concerning paying agent selection.
 - F. Review all outstanding debt on a timely basis and, when appropriate, recommend refinancing.
 - G. Assist staff in preparation of studies, reports, and other special projects as requested by the County.
- II. Marketing**
- A. Coordinate the preparation of documents with bond counsel, and distribute the necessary materials, authorizing resolutions and other documents involved in the sale.
 - B. Prepare an official statement on behalf of the County and with the cooperation of the County. Advise the County of the requirements of Rule 15c 2-12 and conformance thereto. Coordinate review and revision with County staff and bond counsel. The official statement shall be subject to final review and approval by the County prior to issuance.
 - C. Advise on the timing of the bond sale, taking into consideration such factors as changing economic conditions, other sales, current and projected market trends and convenience to the County.
- III. Bond Closing**
- A. Direct, coordinate and supervise bond closing details in conjunction with bond counsel.
 - B. Furnish prompt recommendations for the investment of bond proceeds to maximize earnings.
 - C. Direct, coordinate and supervise origination of the transcript, and provide the County with bond and interest records showing required semi-annual payments and other useful information.
 - D. Meet with the County to critique the transaction and to determine what, if any, changes should be made to effect future quality and procedural improvements or changes.
- IV. Work Products.** Provide the following work products for each debt offering:
- A. Pre-sale analysis,
 - B. Offering statement,
 - C. Postsale analysis, and
 - D. Such other analysis, including analysis of funding alternatives, cash flow projections and materials necessary for financial planning and bond sale purposes.
- V. Other Services**
- A. Meet with County staff and/or the County Commissioners regarding the capital requirements of the County.
 - B. Conduct such investigations and prepare special studies or reports as are requested by the County staff and/or the County Commissioners.
 - C. Provide technical assistance in connection with each transaction concerning arbitrage restrictions and other tax law matters.
 - D. Development of a comprehensive cash management policy. Solicit bids on investment of idle funds, if requested by the County.
- VI. Fees for Services.**

Piper Jaffray's fee for the scope of services outlined herein will vary depending upon the size, structure, amortization, complexity and method of sale of any proposed financing and will generally be as follows:

A. <u>Underwriting Fee</u>		
<u>Issue Size</u>	<u>Underwriter's Discount</u>	<u>Average</u>
Less than \$1,000,000	1.00% to 1.50%	1.46%
\$1,000,000 - \$4,999,999	1.00% to 1.30%	1.24%
\$5,000,000 - \$9,999,999	0.75% to 1.10%	1.02%
\$10,000,000 and over	0.60 to 1.00%	0.79%

The underwriting discount shall cover all out-of-pocket expenses which Piper Jaffray incurs except those expenses, if any, related to out-of-state travel, such as those for a rating agency presentation. All such expenses shall be pre-approved by the County. We will be glad to share cost estimates for any particular bond issue, including all related costs of issuance. It is understood that no compensation is due to Piper Jaffray unless and until a bond issue is completed.

It is understood that no compensation is due to Piper Jaffray unless and until a financing is completed. This agreement will be in effect until December 31, 2008 or until the bond issue is completed, whichever is sooner. Either party may terminate this agreement by providing written notice 60 days in advance of the termination date.

Respectfully submitted for your approval,

TANEY COUNTY, MISSOURI

Chuck Pennel, Presiding Commissioner, Ron Herschend, Western District Commissioner, Danny Strahan, Eastern District Commissioner

ATTEST:

Donna Neeley, County Clerk

BID RESULTS SIX TRUCKS

Commissioner Pennel made a motion to accept the bid for six trucks for road & bridge from Pinegar Chevrolet. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BID RESULTS GUARDRAIL

Commissioner Herschend made a motion to accept the bid for guardrail from Thompson Culvert. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Tressa Luttrell and typed by Hillary Bargman

TANEY COUNTY COMMISSION RECORD



FEBRUARY 27, 2006 THE 17TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Ron Herschend followed by the pledge.

TANEY COUNTY FINANCIAL STATEMENT DONNA NEELEY

Donna Neeley, County Clerk presented the Commission with the following financial statement that is needing approval so that it can be published in the newspaper.

FINANCIAL STATEMENT - 2005

Taney County, Missouri

COUNTY FUNDS	BALANCE 1/1/2005	RECEIPTS & TRANSFERS IN	DISBURSEMENTS & TRANSFERS OUT	BALANCE 1/1/2001
General County Fund	\$13,154,890.79	\$10,693,558.20	\$9,836,068.08	\$14,012,380.91
Road & Bridge Fund	\$6,673,957.30	\$1,294,468.45	\$501,961.05	\$7,465,464.71
Road & Bridge Trust Fund	\$8,980,798.03	\$6,281,767.89	\$9,183,827.67	\$6,078,738.25
Assessment Fund	\$19,815.20	\$558,598.35	\$558,548.04	\$19,865.52
Elections Fund	\$42,943.67	\$7,083.48	\$6,120.31	\$43,906.84
Transfer Station Fund	\$512,938.96	\$486,214.75	\$452,853.80	\$546,299.91
LEPC Fund	\$18,323.47	\$5,270.64	\$13,046.89	\$10,547.22
Law Enforcement Training Fund	\$1,300.78	\$9,774.67	\$7,287.56	\$3,787.89
Prosecuting Attorney Training Fund	\$6,189.36	\$1,887.83	\$0.00	\$8,057.19
County Insured Fund	\$271,508.27	\$6,274.22	\$76,380.77	\$201,401.72
911 Fund	\$1,422,209.59	\$594,772.01	\$571,504.79	\$1,445,476.81
Use Tax Fund	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Fund	\$10,330,399.01	\$7,104,263.20	\$1,863,118.04	\$15,571,544.17
Sewer Designated Fund	\$895,442.76	\$30,007.08	\$0.00	\$925,449.84
Sheriff Fund	\$58,842.49	\$52,094.72	\$38,641.68	\$72,295.53
Tax Maintenance Fund	\$163,669.73	\$101,879.55	\$113,117.91	\$152,431.37
TOTAL COUNTY FUNDS:	\$42,553,229.41	\$27,227,895.05	\$23,222,476.59	\$46,558,647.87
Bonded Indebtedness:				
Bee Creek SRF		\$15,590,000.00		
Rate levied by County Commission for County/Road & Bridge purposes for year ending Dec. 31, 2005		\$0.00		

Total amount of Delinquent Taxes for all funds for years	Personal	Real Estate	Total Delinquent Taxes
2001		10,002.18	10,002.18
2002	144,156.20	1,297.35	145,453.55
2003	165,308.24	12,704.19	178,012.43
2004	189,697.28	583,097.07	772,794.35
Total	499,161.72	607,100.79	1,106,262.51

We, Chuck Pennel, Presiding Commissioner, Ron Herschend, Western Commissioner, and Danny Strahan, Eastern Commissioner, duly elected commissioners of the county commission of Taney County, Missouri, and I, Donna Neeley, County Clerk of Taney County, certify that the above and foregoing is a complete and correct statement of every item of information required in section 50.815, RSMo, for the year ending December 31, 2005, and we have checked every receipt from every source and every disbursement of every kind and to whom and for what each disbursement was made, and each receipt and disbursement is accurately, included in the above and foregoing totals.

NON-COMMISSION FUNDS	BALANCE 1/1/2005	RECEIPTS & TRANSFERS IN	DISBURSEMENTS & TRANSFERS OUT	BALANCE 1/1/2006
County Fines (DFS)	\$33,213.00	\$186,670.30	\$169,957.81	\$49,925.49
Domestic Violence Shelter	\$1,615.67	\$4,027.14	\$0.00	\$5,642.81
Land Sales Surplus	\$67,174.80	\$72,296.10	\$47,198.38	\$92,272.52
Prosecutor's Bad Check	\$125,198.55	\$52,475.59	\$3,369.86	\$174,304.28
Prosecutor's Delinquent Tax	\$5,276.87	\$784.11	\$0.00	\$6,060.98
Sheriff Federal Drug Forfeiture	\$1,214.91	\$27.76	\$98.90	\$1,143.77
Unclaimed Fees	\$8,812.82	\$4,963.31	\$382.00	\$13,394.13
Flood Control	\$0.00	\$61,806.84	\$61,806.84	\$0.00
National Forest	\$0.00	\$0.00	\$0.00	\$0.00
Taney County Health Center	\$0.00	\$913.31	\$913.31	\$0.00
Criminal	\$169.62	\$353,063.43	\$352,661.25	\$571.80
Cities	\$0.00	\$3,529.98	\$3,529.98	\$0.00
Central T.C. Fire Dist.	\$0.00	\$0.00	\$0.00	\$0.00
Western T.C. Fire Dist.	\$0.00	\$2,301.86	\$2,301.86	\$0.00
Taney County Ambulance Dist.	\$0.00	\$0.00	\$0.00	\$0.00
Day. Disabled Center	\$0.00	\$589.34	\$589.34	\$0.00
CERF	\$0.00	\$693,397.86	\$693,397.86	\$0.00
Schools-All	\$0.00	\$239,804.26	\$239,803.12	\$1.14
Recorder of Deed Users Fund	\$336,125.75	\$233,276.76	\$208,264.30	\$361,138.21
LLBEG Grant	\$210.08	\$4.78	\$214.65	\$0.21
Sheriff Revolving Fund	\$5,497.81	\$2,022.75	\$0.00	\$7,520.56
Justice Vest Grant	\$4,770.33	\$4,962.53	\$9,689.15	\$43.71
CDBG Grant (Powersite)	\$5.00	\$0.33	\$0.00	\$5.33
TOTALS	\$589,285.21	\$1,916,918.34	\$1,794,178.61	\$712,024.94

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve the financial statement. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Pennel made a motion to table the minutes from November 14, 2005, February 22 and February 23, 2006.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #93420-93484. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RENTAL SPACE DONNA NEELEY

Donna Neeley, County Clerk requested that the Commission approve the rental space for voting equipment at All Certified for another two months.

Presiding Commission Pennel suggested approving it for one month, which will cover the storage of voting equipment until the first of April. Commissioner Strahan expressed that the Commission might as well approve it for a second month so that it will be approved through the April 4, 2006 Election and that will prevent the Clerk's Office from having to move the equipment multiple times.

Commissioner Herschend made a motion to approve the rental of storage space at All Certified for one month and one week and asked that Donna Neeley see if All Certified will work with the county since it will only be needed up to April 4, 2006. Commissioner Pennel seconded the motion.

Commissioner Herschend asked if the cost of the rental is outside the budget? Commissioner Pennel explained that it comes out of the construction fund just like the funds for the storage at Branson Underground.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AFFIDAVIT

Donna Neeley, County Clerk explained that she has an affidavit that needs to be completed and asked Commissioner Herschend if he could please identify the expenses on the account numbers that he submitted because the statutes require it? Neeley added that she went to Rick Findley, Auditor to see if he could help identify the expenses and he could not.

Commissioner Herschend asked Findley if he could identify the receipts that he turned in and was compensated for? Rick Findley, Auditor stated that he could not find them but he didn't look very hard and that it might just be listed as a reimbursement so he would have to do some digging for it. Herschend then asked if it would have been paid without a receipt being submitted? Findley stated that he doubts it would have.

Commissioner Herschend explained that he submitted his form exactly the same way he has been submitting it for the past five years and that he believes it meets the requirements. Herschend added that if it doesn't the State would notify him. Neeley clarified that it is not the States responsibility it is her responsibility to make sure the form is completed. Herschend expressed that the form is complete. Neely explained that it does not list the expense just the account code, which does not identify whether it was for meal, travel, or etc. Herschend responded that the account coded does relate to travel. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend stated that he is requesting Neeley to submit the form exactly how it was submitted to her. Neeley stated that she is advising him to identify his expenses and that she will have to act pursuant to statute.

FLOOD MONEY DISTRIBUTION

Tressa Luttrell, Administrator informed the Commission that Helen Soutee, Treasurer has asked several times for a work session regarding flood money to determine which way the Commission wants the distributions to go.

Donna Neeley, County Clerk clarified that the Commission needs to decide whether to give Road and Bridge the money that the county has been giving them in the past or not to give it to them since there is no levy for Road and Bridge anymore.

Commissioner Strahan asked how many years the county has given the have distributed to Road and Bridge? Donna Neeley stated that it has been submitted the same way for the past 20 years.

Commissioner Strahan made a motion to distribute the flood money to Road and Bridge as previously done for the last 20 years. Commissioner Pennel seconded the motion.

Commissioner Herschend asked where the money would go if it is not distributed to Road and Bridge? Helen Soutee, Treasurer answered that it would go to the schools. Herschend asked what the total is? Soutee stated that she believes it is \$69,000 and if the Commission decided to give 11% for Road and Bridge, then the 11% would come out of the before going to the schools. Herschend requested that the Commission consider passing that money through to the schools since the county has such a surplus and economic engine in Road and Bridge.

Commissioner Strahan explained that the amount that goes to each school has to be percentage out to all the schools and even though all the schools need it, the distribution doesn't work out in a fair proportion. Donna Neeley added that the distribution has to do with the percentage of land owned by the school.

Commissioner Strahan withdrew his motion. A general discussion ensued. Commissioner Pennel withdrew his second.

Commissioner Herschend made a motion for the 2006 money the Commission pass the 11% through to the school districts and ask Bob Paulson, County Counselor's review as to whether or not the Commission can allocate that distribution or if it is on a fixed formula. Commissioner Pennel seconded the motion and suggested getting the figures from Donna Neeley, County Clerk. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIRD ROAD

Commissioner Herschend informed the Commission that at a public hearing for the TIF, it was mentioned by the attorney of the developer that they were going to relocate Bird Road. Herschend explained that he told them Bird Road is a county road and that the Commission needed to be contacted first. Herschend added that they have not contacted the Commission to date and was wondering what is prudent in the way of communication to address not only Bird Road but also eleven other roads inside the city limits. Herschend asked what the Commissions position is going to be before the demolition is started on a county road?

Commissioner Strahan expressed that they better not start demolition on a county road unless they contact the County Commission.

Commissioner Herschend suggested sending them a letter expressing a desire to sit down and establish ownership of roads. Commissioner Strahan clarified that it would be a courtesy letter and that the Commission is not bound to contact them, it is there duty to contact the county if they plan on doing something with a county road.

Presiding Commissioner Pennel expressed that he is in favor of sending a letter. Herschend stated that he would draft a letter to Tery Dody.

TANEY COUNTY COMMISSION RECORD

FRUIT FARM ROAD

Commissioner Herschend requested support of communication from the media in regard to the widening, straightening, and safety of citizens on Fruit Farm Road. Herschend explained that after four years in office and multiple public hearings on Fruit Farm Road, the Commission has not been able to reach a consensus and expressed that there is a need to take some action to with the growing traffic count is has become necessary to protect the public and take action. Herschend further explained that a survey was done and it was concluded that there are over 157 trees that are currently in the right of way and that some places have less than eight feet lane width when the county normally requires a nine or ten foot lane width for each direction. Herschend added that while the county does not want to damage the beauty of the Ozarks they must put the safety of the public foremost. Herschend stated that the county has gone and measured Fruit Farm allowing for a 10 feet travel lane and a two feet shoulder and will be clearing approximately forty trees, plus relocating 300 yards of fence to provide for a wider travel surface and shoulder. Herschend explained that the trees that would be taken out are marked with a white dot. Herschend invited the public to go out and look at it and if there were any questions the county would be willing to go and look at any spot.

John Simperts, Taney County Times asked if there would be a time limit for the public to go and look at Fruit Farm Road? Herschend stated that the public would have 30 days from today.

Commissioner Pennel explained that he went out with Randy Haes, Road and Bridge to look at Fruit Farm because he had some calls and expressed that he there was a happy medium of addressing the safety issue without destroying the beauty of the road. Pennel further stated that he has considered going out there and sitting at the entrance with sign for questions.

Art Beck asked who would be responsible if someone has an accident and gets into the trees on the right-of-way? Beck added that there are not supposed to be trees or fences in right-of-ways. Herschend explained that has long as a fence isn't causing a safety issue it can be in a right-of-way. A general discussion ensued. No motions were made and no votes were taken.

COPY OF DOCUMENT

Commissioner Herschend requested that Donna Neeley, County Clerk give him a copy of the document that was addressed earlier including the address where to send it and he would send it himself. Neeley explained that she does not send the form to the state that she complies the information into another form, which is a sworn affidavit. Neeley added that she would get him the information he requested.

AUCTION GITHENS AND GRANT HOUSES

Commissioner Strahan informed the Commission that an auction would be held to sell some of the doors and windows at both the Githens and Grant houses. Strahan stated that it is tentatively scheduled for this Saturday at 9:00 a.m. and that once items are sold the people will have ten days to remove what they bought before demolition is started.

Rick Findley, Auditor stated that usually two weeks are required before having an auction. Findley added that he has an auction both this coming Saturday and the next but he would be more than happy to help and suggested having it this Friday instead. A general discussion ensued.

Presiding Commissioner Pennel stated that the purpose for the auction was because several citizens have shown an interest and the Commission would have to see something good be thrown away. It was decided that the auction would take place this Friday the 3rd of March at 4:00 p.m. and that the people would have ten days after the auction to collect their purchases.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

RECONVENE

The County Commission met in conjunction with the Board of Adjustments and Planning and Zoning in Associate II Circuit Courtroom at 7:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

COUNTY MASTER PLAN DIANE MAE

Diane Mae, Southwest Missouri Counsel of Government spoke to the issue of revising Taney County's Master Plan. No motions were made a no votes were taken.

RECESS

Commissioner Pennel made a motion to recess. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Chuck Pennel and Hillary Bargman



FEBRUARY 28, 2006 THE 18TH DAY OF THE JANUARY ADJOURNED TERM

The County Commission met in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

AUTOMOBILE RENTAL CONCESSION AGREEMENT

Commissioner Herschend made a motion to approve the Automobile Rental Concession Agreement for the Taney County Airport. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

The County Commission met in the County Commission Office at 4:40 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

SPRINGFIELD UNDERGROUND DATA SERVICE CONTRACT

Commissioner Herschend made a motion to approve a one-year contract with Springfield Underground for data service and backup for the county. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

Minutes taken and typed by Tressa Luttrell and Hillary Bargman



MARCH 2, 2006 THE 19TH DAY OF THE JANUARY ADJOURNED TERM

The County Commission met in the County Commission Office at 9:35 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

MEMO OF UNDERSTANDING BRANSON AIRPORT

Commissioner Herschend made a motion to approve the MOU (Memo of Understanding) as presented on February 27, 2006 by Branson Airport and then revised on March 2, 2006. Commissioner Pennel seconded the motion. The motion passed: Pennel (yes), Herschend (yes), Strahan (no).

Minutes taken and typed by: Tressa Luttrell



MARCH 6, 2006 THE 20TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

UPDATE ON BRANSON TECHNICAL COLLEGE JEFF IRELAND

Jeff Ireland, Human Resources Director, updated the Commission with a report about the new Branson Technical College campus off of Bee Creek Road. Ireland explained that two nursing classes have already started for both RN and LPN programs. Ireland further stated that this April a Medical Administrative Assistant course is starting along with Spanish classes. Ireland added that they hope to add computer, digital camera, and EMT classes and that they look forward to long and prosperous relationship with Taney County through partnership with the Taney County Ambulance District.

JIM BLANSIT TAXATION JAMES STRAHAN

James Strahan, Assessor addressed the Commission in regards to a taxation problem over \$8.20 for Jim Blansit. Strahan explained that he measured the house that went onto the wrong parcel and the bill was sent to Jim Blansit when it actually belongs to his neighbor. Strahan added that once the error was discovered they started the process of getting the tax bill straightened and due to a clerical error, Mr. Blansit's owned acres and land classification didn't change in that taxation year. Strahan stated that there were two abatements processes and now an \$8.20 abatement can't be generated. Strahan expressed that he would like to get it all straightened out.

Commissioner Herschend asked what the process is? James Strahan explained that an order for a second abatement to agriculture needed to be done. Donna Neeley, County Clerk expressed that the abatement is still out there and is in the stack that has been pulled since November. Strahan clarified that it is also a Jim Travis computer problem for the second abatement. Neeley stated that this one is still needing to be abated before the Board of Equalization. Strahan expressed that this was his mistake and he would do whatever needs to be done to correct it.

Commissioner Herschend stated that the current stack of BOE that he has, is still from two weeks ago and that he has been unable to find the abatements that Neeley says he has in his possession. James Strahan suggested printing another one and continuing on with the process.

Commissioner Herschend made motion to approve the abatement for Jim Blansit for the amount of \$8.20. The motion died for the lack of a second.

The Commission decided to take care of the issue during the Board of Equalization

BOYS AND GIRLS CLUB SUPPORT LETTER

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel stated that he has a support letter for the Boys and Girls Club that would be approved later in the day at a work session.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from December 22, 2005, February 21 and 28, 2006.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #93485-93497 and #93574-93648, void #93498-93573, and manual warrants #4468-4470. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACACIA CLUB

Property Owners from Acacia Club Road presented the Commission with a petition for speed bumps to slow some of the traffic down on the road.

Commissioner Herschend explained that the Commission is anxious to provide for public safety, but they have to do that through the Sheriff. Herschend added that there is a person hired to patrol and there is a log of the last 90 days saying how many times he has been in that area. Herschend further stated that he went as far as the state on this issue and expressed that it is a tough situation because when something is put in the road that can cause cars to lose control, then liability becomes an issue.

Phyliss suggested putting in a radar trailer for \$11,000 that would take a picture as well as capture the dates and times and is as good as having an officer 24 hours a day. Phyliss added that it has become a very residential area and something is going to happen if something is not done.

Commissioner Herschend stated that his heart is to protect and do what can be done. Herschend added that he didn't know they had a trailer that could take a picture and before making a decision on it, he would like to make sure our prosecutor would prosecute someone just by a picture.

Commissioner Strahan expressed that he sympathizes with them and would like to work forward to solve the issue.

Commissioner Herschend encouraged them to go back to Sheriff and ask if the traffic officer can be in place more.

Presiding Commissioner Pennel suggested that the Commission have the Sheriff sit down with them and the Prosecutor and do some follow up on this issue to see what is feasible.

MEMORANDUM OF UNDERSTANDING JAMES STRAHAN

James Strahan addressed the Commission in regards to a Memorandum of Understanding with the airport. Strahan expressed his disappointment that tax payer dollars will be spent to pay someone to come to Taney County in order to have airport ownership. Strahan further expressed that there are several things in the MOU that go against what he considers to have been passed by the voters of Taney County. Strahan clarified that there is a portion stating that Road and Bridge money will fund the building of this airport and that his major concern is if bonds are sold using this letter of commitment, then there is no action that can be taken if it is based on this document. Strahan further stated the he feels the county would be committed to the operation of an airport that is "going under with Federal assistance." Strahan added that if this document means "nothing," then the Commission should not have signed the Memorandum of Understanding.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend clarified that the money being committed to the airport are those incremental tax dollars that would be generated when someone from another place gets off an airplane. Herschend further explained that those dollars would be calculated with their spending and what the county is generating because of that visit. Herschend added that the Memorandum of Understanding is not to build and operate the airport; it is to build the road to the airport because it is out of Road and Bridge. Herschend further clarified that the incremental tax would be generated for Road and Bridge and the county would commit one million dollars a year for ten years if they generate that much money.

Commissioner Herschend went on to state that Strahan challenged the document with broad terms and asked what specific issue he has with the MOU? James Strahan stated that no tax dollar leaves Taney County on payment of anything that is not his tax dollars because it is operated off of sales tax and that Road and Bridge is tax dollars. Strahan clarified that the document does not just talk about Road and Bridge money it talks about soft money and sewer money. Strahan added that once a bond is sold it is binding to this county.

Bob Paulson, County Counselor clarified that the document is just a Memorandum of Understanding that two out of three Commissioners voted to support in concept the theory on that paper and that no obligations have been made to any funds. James Strahan expressed that his concern is what this document really means. A general discussion ensued.

Commissioner Herschend stated that the incremental tax would be taxes brought into Taney County that the county would not have if there were not an airplane. James Strahan asked how they plan on keeping track of taxes being spent from people getting off of the airplanes? Herschend responded that they would have the number of people on board the airplane and then could statistically keep track.

James Strahan then asked the Commission if a public hearing has been held regarding this issue? Herschend explained that a Memo of Understanding isn't a contract, but that is what they are working toward. A general discussion ensued.

Presiding Commissioner Pennel stated that Jerry Henry, Silver Dollar City originally met with the three Commissioners and answered questions about determining how many new visitors would be brought to Taney County as a result of the airport. Pennel added that he met with Henry a second time, one on one, for further questioning. A general discussion ensued.

Commissioner Pennel then asked James Strahan about the Branson Regional Airport going under? James Strahan stated that he heard it from a good source. A general discussion ensued.

Commissioner Pennel expressed that this was not an easy decision and was not taken lightly and that he has spent many hours investigating. James Strahan stated that MOU should have been signed at a Commission meeting. Commissioner Herschend stated that the Commission is not required to have a public hearing and expressed that this would prove to be a positive thing for the citizens.

Commissioner Herschend explained that they sought out the opinions of some of the best minds in the business community from both the east and west sides of the county. Herschend added that none of it was done behind closed doors and that nine out of nine along with the Sewer Board said this concept is a great deal.

Bob Paulson explained if this gets off the ground that the runway would belong to Taney County however, there would be an operational lease and that they would not be in the profit making business. Paulson added that the county would own the property 40 years from now.

Commissioner Strahan expressed that he voted against it because it is a Memo of Understanding that he doesn't understand. Strahan added that the Commission has talked about this before but there has always been a catch or statement in question and that he was a "no vote" for a long time because of the people involved. Strahan expressed a concern about this being the first time in the United States that this type of contract has been considered. Strahan added that he is not against an airport in Taney County that would produce money but that he is against the people involved.

TANEY COUNTY COMMISSION RECORD

Rick Findley, Auditor asked why the Memorandum of Understanding is needed? Herschend explained that they would go forward with the contract as long as they understand that the county is not bound to the MOU. A general discussion ensued.

Commissioner Pennel clarified that Bob Paulson; County Counselor said this memo does not obligate the county in any way. Commissioner Herschend further clarified that if the airport doesn't deliver incremental passengers, then the county owes nothing and that there are many safe guards for the county.

TITLE III MONIES PROTEM FIRE PROTECTION DISTRICT

Donna Neeley, County Clerk stated that the Protem Fire Protection District has provided her with invoices and will be able to receive Title III contributions in the future.

RECESS EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (12). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS RECONVENE

The County Commission reconvened in the County Commission Office at 11:48 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

SUPPORT LETTER BRANSON BOYS AND GIRLS CLUB

Commissioner Herschend made a motion to approve a support letter to the Branson Boys and Girls Club. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

COMP HOUR EXTENSION

Commissioner Herschend made a motion to deny the request to extend the maximum amount of comp hours accumulated from 80 to 120 hours. Commissioner Strahan seconded the motion to deny. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes). Minutes taken and typed by: Hillary Bargman



MARCH 8, 2006 THE 21ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record. Accounts Allowed

Commissioner Strahan made a motion to approve the following payroll warrants including a check for the Circuit Clerk.

General County Revenue Warrants	100550-100551, 100556-100597
Road & Bridge Trust Warrants	100524-100547, 100552, 100554
Assessors Fund Warrants	100548-100549
Transfer Station Warrants	100553, 100555
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4471 & 4472
Accounts Payable Warrants	93662-93681

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

SHADOW ROCK TRAIL

Commissioner Herschend made a motion to approve the contract with MoDot and Great River Engineering for the paving of the Shadowrock Trail and the engineering services for the same. At a not to exceed rate of \$35,000 “out of pocket” expense from R&BT. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Note: This contract will not be signed until Commissioner Herschend has the opportunity to look at the ballot language for RBT and talk with Great River regarding additional questions.

AERIAL FLYOVER

Commissioner Herschend made a motion to approve the contract with Sanborn to conduct the Aerial Flyover. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

OFF SITE BACKUP

Commissioner Herschend made a motion to approve the contract with Springfield Underground to provide back up services for the Recorder for one year. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EMPIRE DISTRICT ELECTRIC PROPOSAL

Commissioner Strahan made a motion to approve the proposal from Empire District Electric and that all the funding will be paid with the airports \$100,000.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

WAGE INCREASES

Commissioner Herschend made a motion to increase Christy Teel’s wages 50 cents per hour as well as adding the 20-cent an hour increase as given to all employees for the fuel costs. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to increase Liz Hudson’s wages by 25 cents per hour as well as adding the 20-cent an hour increase as given to all employees for the fuel costs. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to inform the Auditor to raise the base pay from \$8.50 an hour to \$8.70 an hour reflecting the 20-cent fuel costs and to report to the Commission of anyone below 8.70. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Donna Neeley and Hillary Bargman

TANEY COUNTY COMMISSION RECORD



MARCH 9, 2006 THE 22ND DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:35 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

INDEMNIFICATION AGREEMENT TABLE ROCK ACRES PROJECT

Commissioner Strahan made a motion to approve the Indemnification Agreement for the Table Rock Acres Project with the Taney County Regional Sewer District and the City of Branson. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

NUSIANCE ORDINANCE LETTERS

Commissioner Pennel made a motion to instruct the County Counsel to send letters to the following five property owners pursuant to the Nuisance Ordinance: Cronister/Baker, Myers, Harding/Evans and Fred Bush. Pennel added that if it were not corrected it would go to the Prosecutor for prosecution and if the Prosecutor does not take the case then the County Counselor would proceed with civil action. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken by Tressa Luttrell and typed by Hillary Bargman



MARCH 13, 2006 THE 23RD DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Gary Groman, which was followed by the pledge.

YEAR-END SETTLEMENT SHEILA WYATT

Sheila Wyatt, Collector presented the Collector's Year-End Settlement to the Taney County Commission, according to Statutes in Chapter 139. Ms. Wyatt first addressed the delinquent tax book and told the Commissioners that they could look at the book in the Collector's office, or she could bring the book to them. Ms. Wyatt explained that the delinquent book needed to be entered into record and be accepted by the Commission, in order for the Collector to be able to continue with other items, as the delinquent items are on her books, and she will otherwise be charged back for those items. Ms. Wyatt added that if there are errors, the Commission could have the Assessor write abatements to correct those items, detailing how the abatement process works. Ms. Wyatt further explained that after the Commission accepts it, the Clerk would send the totals on to the Department of Revenue, and reported that 92% of the real estate taxes and 89% of the personal property taxes were collected.

Note: Western Commissioner Ron Herschend entered the meeting at 9:10 am.

Presiding Commissioner Pennel informed Ms. Wyatt that he would like to review the book, but not during this meeting and asked her how these collection numbers compared to other years? Ms. Wyatt responded that this was about average and explained that her report also included a list of back taxes and add-ons, as well as other services for which the Collector is responsible such as merchant licenses, which were down as of February 28, 2006. Ms. Wyatt

TANEY COUNTY COMMISSION RECORD

also shared that at the close of each month the Collector distributes to each political subdivision, files a report that shows from where the money was collected, files a special report with the Department of Revenue, files audit reports from the majority of the audit firms of the political subdivisions for which they collect, and the process of how this occurs. Ms. Wyatt noted that Personal Property amounts change daily, as they are reported.

Presiding Commissioner Pennel asked for clarification about the interest reported on page three, with the Collector confirming it is the interest that accumulates on delinquent taxes.

Commissioner Herschend requested that the Collector indicate the reasons the county cannot generally collect 100 percent of the taxes in regards to real estate, bankruptcy, or a disinterest in property that results in delinquent tax sale sales, which all can account for an inability to collect. Commissioner Herschend further explained that delinquent taxes for real estate go with the property, while responsibility for delinquent taxes on personal property remain with the individual who owned the property when the taxes became delinquent.

Sheila Wyatt explained that as for personal property, driver's license renewal helps with the collection, but falls short when someone moves out of state and with business personal property due to the fact that a different government body, not the county, usually issues the licenses. Ms. Wyatt added there is not a law requiring past personal property taxes to be collected when businesses sell explaining that even when the Collector's Office has filed for and received a judgment against a business, if it sells, the county cannot collect the back taxes from the closing of the sale.

Commissioner Herschend made a motion to approve the Collector's Year End Settlement. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Sheila Wyatt stated that upon the Commission's acceptance of the Collector's Settlement, she would ask that the clerk immediately certify the amounts to the Director of Revenue, in accordance with the statutes in Chapter 139.

MEMO OF UNDERSTANDING JAMES STRAHAN

James Strahan, Assessor addressed the Commission in regards to a matter from last week explaining that he asked a couple of attorneys, Bob Paulson, County Attorney being one, about the Presiding Commissioner seconding certain matters. Mr. Strahan reported that he was incorrect about this issue and apologized to Mr. Pennel for the misunderstanding. Mr. Strahan went on to state that there was no posting of a meeting last week and stated there was a motion made on February 21st, during a closed, Executive Session, which he wanted to read. Strahan further expressed his concern about how the Commission had dealt with the Memo of Understanding, the posting of meetings, and the Transportation Development District (TDD). A general discussion ensued.

Bob Paulson, County Counselor stated that it is good advice to always post meetings at least twenty-four hours in advance, with Commissioner Herschend adding that the Commission has requested Mr. Paulson to review their procedure for posting meetings, and in particular, Executive Sessions matters.

RECESS

RECONVENE

MEMO OF UNDERSTANDING

Gary Groman commented that he did not agree with the way the Commission posts for meetings, suggesting that if they would be more specific in their posting, they would have less conflict with the community. Mr. Groman asked specifically how a member of the community could have been present to discuss a possible ten million dollar project without proper posting?

Commissioner Herschend apologized for not having the meeting (in question) posted, adding that he had explained the situation, and would be more careful in the future to follow the

TANEY COUNTY COMMISSION RECORD

letter of the law. Mr. Groman replied that while he didn't necessarily agree with Mr. Strahan about what was done, he did agree with him as to the way things were done.

Dick Clark asked which parts of the land in the Transportation Development District would be exempt from taxes or if only the airstrip and the land under it would be exempt? Mr. Clark further expressed that he believes the airport can greatly enhance the value of the surrounding area. Commissioner Herschend clarified that he believes there is a parking lot that was purposely exempted from the TDD, in case of fix-based operators, and would be outside of the Transportation District. Bob Paulson added that a TDD is a different economic tool than a TIF and stated that an oversimplification is they get the tax themselves, as they tax those who use the property.

John Simpers, Taney County Times asked for clarification of the location of the road? Commissioner Herschend explained that it would connect the Patch Development, by the water tower, to the airport adding that the developer would build the road and could only be reimbursed by the county if the passengers exist to create that revenue. Commissioner Herschend further explained that the reimbursement would be based upon the performance.

Commissioner Strahan relayed that the public has asked him why he didn't understand the Memo of Understanding after a year and explained that there was always something different, each time the Commission met with them. Commissioner Strahan stated that he was not against an airport, but that concerns kept arising for the Commissioners. Commissioner Strahan further explained that the Commission spent a great deal of time to come to an understanding and that he voted 'no' because he still did not understand and believes that the friction between the Commissioners can be overcome. Commissioner Herschend acknowledged that there have been communication issues all along.

Wiley Barnes, Branson Chamber of Commerce expressed that the Branson Lakes Area Chamber of Commerce is in support of the airport project, as they believe it will increase tourism in the area.

EMORY CREEK ROAD PETITION TRESSA LUTTRELL

Presiding Commissioner Pennel read aloud the following information from the Emory Creek Road review: three dwellings, no school bus route, good sight distance, three entrances off of this road-two with culverts, gravel surfaces are rough in places, .53 miles in length, fourteen to sixteen feet wide, dead-end road. The signatures are attached.

Commissioner Strahan suggested tabling, as he is not certain the signatures are from the correct area residents.

Commissioner Herschend made a motion to table the Emory Creek Road Petition. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PARK BOARD REPORT DANNY STRAHAN

Commissioner Strahan shared that thirty members attended the park board meeting, with enthusiasm and support about what has been done and what is planned for the future. Commissioner Strahan added that each of the individual municipal park boards have set up agendas and calendars for their communities.

Commissioner Herschend made a motion to ratify the decision for Road & Bridge to roll the soccer field for the Hollister Park Board. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ABANDONED VEHICLES & BUILDING CODES CHUCK PENNEL

Presiding Commissioner Pennel announced that there would be a couple of public meetings, on Thursday evening, March 23rd, at 7 p.m., at Kirbyville Middle School, and on

TANEY COUNTY COMMISSION RECORD

March 24th, at 10 a.m. at the Taney County Airport, to participate in discussion on these issues. Commissioner Pennel further expressed that the building code ballot issue would be eligible for voting for people who live in unincorporated areas only.

PLANNING & ZONING BEAVER CREEK TOWNSHIP

Commissioner Strahan made a motion to table this issue, as he has not had an opportunity to discuss this with Commissioner Herschend. Commissioner Herschend seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to approve the minutes from March 8 and 9, 2006.

Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #93649-93791 and warrant #4473 with the exception of one turned in by Curtis Bennett, which needs further review with the contractor. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FRUIT FARM ROAD

Commissioner Herschend brought up a request to have a public meeting to discuss Fruit Farm Road. This meeting is scheduled for April 4, 2006 and a letter has gone out to the homeowners in this area.

ROAD RELOCATIONS

Commissioner Herschend stated that he has a request for two road relocations and explained there would be public hearings for Quebec Road, Table Rock Acres, and Bird Road. Commissioner Herschend clarified that the owners of Ozark Country Campground would like to relocate Quebec from the middle of their development, to the edge of their property, at their expense, as it would keep the rest of the public from driving through their campground, and would allow the road to be straightened.

Commissioner Herschend further explained that the second relocation is for Bird Road and that a developer has requested a part of the road be relocated, at the developer's expense, and would not affect the intersection. Commissioner Herschend wanted to verify if all of the surrounding property owners have been notified.

Commissioner Herschend then shared that Commissioner Strahan had the foresight to fuel the county trucks the evening before (the storm), and that otherwise, the storm would have prevented the ability to do this.

BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor asked that this month's budget report be entered into the minutes, adding that cash flows and expenditures are going as expected. Presiding Commissioner Pennel added that sales tax revenue is still about five percent above average.

TANEY COUNTY COMMISSION RECORD

TANEY COUNTY FUND BALANCES 2-28-06

	PERIOD TO DATE	YEAR TO DATE		PERIOD TO DATE	YEAR TO DATE
GCR			PROS ATTORNEY TRAIN FND		
BEGINNING BAL	0.00	14,012,380.91	BEGINNING BALANCE	0.00	8,057.19
REVENUES	<u>672,573.24</u>	<u>2,209,927.77</u>	REVENUES	<u>151.67</u>	<u>392.52</u>
TOT REV GCR	<u>672,573.24</u>	<u>16,222,308.68</u>	TOTAL PAT REVENUES	<u>151.67</u>	<u>8,449.71</u>
TOT GCR EXP	<u>1,306,779.91</u>	<u>2,047,258.50</u>	TOTAL PAT FUND BALANCE	151.67	8,449.71
TOT GCR FND BAL	(634,206.67)	14,175,050.18			
ROAD & BRIDGE			COUNTY INSURED FUND		
BEGINNING BAL	0.00	7,466,464.70	BEGINNING BALANCE	0.00	201,401.72
REVENUES	<u>125,770.24</u>	<u>258,777.48</u>	REVENUES	<u>642.15</u>	<u>1,170.26</u>
TOT RB REVENUES	<u>125,770.24</u>	<u>7,725,242.18</u>	TOT COUNTY INSURED REV	<u>642.15</u>	<u>202,571.98</u>
EXPENDITURES	<u>73,302.92</u>	<u>83,517.22</u>	EXPENDITURES	<u>2,411.94</u>	<u>6,130.16</u>
TOT RB FUND BAL	52,467.32	7,641,724.96	TOT CNTY INSURED FND BAL	(1,769.79)	196,441.82
ROAD&BRIDGE TRUST			911 FUND		
BEGINNING BALANCE	0.00	6,078,738.25	BEGINNING BALANCE	0.00	1,445,476.81
REVENUES	<u>421,368.10</u>	<u>1,056,294.70</u>	REVENUES	<u>43,907.10</u>	<u>88,777.54</u>
TOT RBT REVENUES	<u>421,368.10</u>	<u>7,135,032.95</u>	TOTAL 911 REVENUES	<u>43,907.10</u>	<u>1,534,254.35</u>
EXPENDITURES	<u>342,301.67</u>	<u>718,069.70</u>	EXPENDITURES	<u>9,415.98</u>	<u>423,040.42</u>
TOT RBT FUND BAL	79,066.43	6,416,963.25	TOTAL 911 FUND BALANCE	34,491.12	1,111,213.93
ASSESSMENT FUND			SEWER FUND		
BEGINNING BAL	0.00	19,865.52	BEGINNING BALANCE	0.00	15,571,544.17
REVENUES	<u>39,507.52</u>	<u>273,623.11</u>	REVENUES	<u>349,375.69</u>	<u>1,053,147.05</u>
TOT AF REV	<u>39,507.52</u>	<u>293,488.63</u>	TOTAL SEWER REVENUES	<u>349,375.69</u>	<u>16,624,691.22</u>
EXPENDITURES	<u>52,210.81</u>	<u>97,748.03</u>	EXPENDITURES	<u>140,634.67</u>	<u>270,929.70</u>
TOT ASESMNT FND BAL	(12,703.29)	195,740.60	TOTAL SEWER FUND BAL	208,741.02	16,353,761.52
ELECTION FUND			SEWER DESIGNATED FUND		
BEGINNING BAL	0.00	43,906.84	BEGINNING BALANCE	<u>0.00</u>	<u>925,449.84</u>
REVENUES	<u>(200.65)</u>	<u>3,313.51</u>	TOTAL SEWER REVENUES	<u>0.00</u>	<u>925,449.84</u>
TOT ELECTION REV	<u>(200.65)</u>	<u>47,220.35</u>	EXPENDITURES		
EXPENDITURES	<u>10,624.87</u>	<u>10,624.87</u>	TOT SEWER FND BAL	<u>0.00</u>	<u>925,449.84</u>
TOT ELECTION FND BAL	(10,825.52)	36,595.48	TOTAL ALL SEWER FUNDS	208,741.02	17,279,211.36
TRANSFER STATION FUND			SHERIFF CIVIL FUND		
BEGINNING BALANCE	0.00	546,299.91	BEGINNING BALANCE	0.00	72,295.53
REVENUES	<u>46,959.98</u>	<u>98,788.09</u>	REVENUES	<u>7,914.88</u>	<u>8,459.72</u>
TOTAL TS REVENUES	<u>46,959.98</u>	<u>645,088.00</u>	TOT SHERIFF CIVIL REV	<u>7,914.88</u>	<u>80,755.25</u>
EXPENDITURES	<u>24,243.83</u>	<u>77,012.06</u>	EXPENDITURES	<u>1,391.95</u>	<u>2,972.08</u>
TOTAL TS FUND BALANCE	22,716.15	568,075.94	TOT SHERIFF CIVIL FND BAL	6,522.93	77,783.17
LEPC FUND			TAX MAINTENANCE FUND		
BEGINNING BALANCE	0.00	10,547.22	BEGINNING BALANCE	0.00	152,431.37
REVENUES	<u>34.89</u>	<u>1,720.25</u>	REVENUES	<u>12,106.82</u>	<u>15,228.00</u>
TOTAL LEPC REVENUES	<u>34.89</u>	<u>12,267.47</u>	TOT MAINTNNCE FND REV	<u>12,106.82</u>	<u>167,659.37</u>
EXPENDITURES	<u>0.00</u>	<u>1,458.85</u>	EXPENDITURES	<u>2,465.56</u>	<u>112,495.56</u>
TOTAL LEPC FUND BALANCE	34.89	10,808.62	TOT MAINTNNCE FND BAL	9,641.26	55,163.81
LAW ENFRCMNT TRAIN FND					
BEGINNING BALANCE	0.00	3,787.89			
REVENUES	<u>520.09</u>	<u>1,411.28</u>			
TOTAL LET REVENUES	<u>520.09</u>	<u>5,199.17</u>			
EXPENDITURES	<u>50.00</u>	<u>2,233.86</u>			
TOTAL LET FUND BALANCE	470.09	2,965.31			

RECESS

11:30 a.m.

Commissioner Herschend made a motion to recess. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENE

2:00 p.m.

The County Commission reconvened in County Clerk's Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the accounts payable warrant #4474 to Bennett Heating and Cooling. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: In an effort to save money, the County Commission has directed that the units located in the existing buildings be relocated to areas that are being remodeled, as the units are only two years old and still have warranties. Because of this effort, there were no companies that will take the used equipment and relocate to the new space therefore bids were not taken.

Minutes taken by Marla Pierce and typed by Lisa Owen

TANEY COUNTY COMMISSION RECORD



MARCH 14, 2006 THE 24TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

PLANNING AND ZONING BOARD APPOINTMENTS

Commissioner Strahan made a motion to appoint Randall Cummings to the Planning and Zoning Board to represent Beaver Township. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1)(2)(3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Tressa Luttrell and typed by Hillary Bargman



MARCH 17, 2006 THE 25TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

BRIDGET COLLINS TRANSFER TO ROAD AND BRIDGE

Commissioner Strahan made a motion to transfer Bridget Collins from Bob Paulson, County Counselor's Assistant to Road and Bridge at her current pay rate. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

JASON DENT FULL TIME

Commissioner Strahan made a motion to move Jason Dent in the Road and Bridge Department from a part time to a full time employee, affective next pay period. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

GARY COLEMAN APPRAISER

Commissioner Strahan made a motion to employ Gary Coleman, Appraiser to appraise the David Plummer property on Powell Road. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Note: It was agreed that Randy Haes, Road and Bridge would give Journigan the go ahead to both Spring Meadows and Country Club Road

TANEY COUNTY COMMISSION RECORD

DAVID PLUMMER PAYMENT

Commissioner Strahan made a motion to pay David Plummer the appraised value of his property after Gary Coleman reports the areas where Powell Road encroaches on his property. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

CARTER STREET IMPROVEMENT

Commissioner Strahan made a motion for Randy Haes, Road and Bridge to go forward on the Carter Street improvement. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



MARCH 20, 2006 THE 26TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

BIRD ROAD RELOCATION

Presiding Commissioner Pennel stated that he has heard concerns from citizens in regards to a newspaper article on Bird Road expressing opinions in opposition to the county going forward with the road's relocation.

SAFETY VESTS

Presiding Commissioner Pennel explained that he received a call about law enforcement officers not wearing safety vests at night and was concerned about not being able to see officers in dark uniforms. Presiding Commissioner Pennel stated that he would mention this issue to Sheriff Jimmy Russell and that he believed the caller had reasonable concern about an important issue.

Commissioner Strahan informed that Road & Bridge (R&B) had a quarterly meeting last week, which he attended and shared that it was a good meeting with seven or eight new employees in attendance and several safety issues were addressed. Commissioner Strahan added that R&B has taken on the responsibility of having quarterly meetings, that the R&B staff routinely wear safety vests, and take safety seriously.

John Simperts stated that Western Taney County Fire Department are required to wear safety uniforms at all times and that a failure to do so, is the quickest way to get suspended.

PLANNING AND ZONING CODE AMENDMENT

Presiding Commissioner Pennel stated that for a third time at Board of Adjustments (BOA), it has been mentioned that Planning and Zoning (P&Z) is not using the point system spelled out in the county's development code.

Bob Paulson, County Counselor explained attorneys have raised that as an issue.

Presiding Commissioner Pennel relayed that Kurt Larson has spoken to another county regarding their practices and will present an amendment to the code at the P&Z meeting tonight. Commissioner Pennel added the code would specify that the county could decide whether or not to use the point code in a particular case.

Note: Commissioner Herschend entered the meeting at 9:07 a.m.

TANEY COUNTY COMMISSION RECORD

LETTER TO PLANNING AND ZONING COMMISSION

Presiding Commissioner Pennel expressed a concern about Planning and Zoning meetings, which he has discussed with the chairman. Commissioner Pennel added that he believes the voting; the concept, and the hearing parts of Planning and Zoning meetings are being used as a platform, to attempt to get the counties procedures looked at or changed. Commissioner Pennel explained that a number of comments have been made during these parts of the meetings, suggesting that the Commission does not have the ability to question projects before them or add requirements to projects and asked the County Commission to write up a short letter to Planning and Zoning asking them to leave those kinds of comments out of the regular (P&Z) Commission meetings. Commissioner Pennel further expressed that he feels it is a detriment to what the (P&Z) Commission is doing and would like to see them hold those comments until the end of the meeting. Additionally, Commissioner Pennel stated that he would like the (P&Z) Commission to ask the County Commission to be there for those meetings, so they can be present for comments, as it is the County Commission that would be responsible for change. Commissioner Pennel then presented a list of examples of the kind of comments to which he was referring.

Commissioner Strahan stated that he is in favor of talking to them about comments that have been made during meetings, adding that the County Commission appoints them to serve as advisors.

Presiding Commissioner Pennel shared comments in which the chairman stated that they serve the County Commission and advocated for a new Master Plan. Commissioner Pennel expressed frustration at hearing the same thing over and over, and that the comments seem to be influencing the rest of the (P&Z) Commission to think that they cannot make requirements of developers without a Master Plan.

Commissioner Herschend suggested that rather than a letter stating what can and cannot be discussed, to have Bob Paulson get the County Commission and the Planning and Zoning (board) together for a class stating what they can and can't do. Commissioner Herschend further expressed that it could be an educational issue and he believes there are some areas that the county's code does not clearly address and there are several law suites testing this.

Commissioner Strahan said that he now better understood the Presiding Commissioner's concern and furthermore, doesn't believe that the chairman or the members of the Planning and Zoning Commission should be making statements to cause an attorney to pursue a case. Commissioner Strahan added that he honors those people who have a personal heart felt duty and serve, but perhaps a few members are having an unfair influence on other members and the public, and possibly encouraging litigation.

Presiding Commissioner Pennel agreed with Commissioner Herschend's idea to have training, which has been suggested before and expressed that he feels it would be helpful for the board to turn to the county counselor to ask what options are available.

Kurt Larson, Planning and Zoning Administrator, entered the meeting, and Presiding Commissioner Pennel invited him to participate in the discussion.

Presiding Commissioner Pennel read statements from the chairman and said that the chairman seems to make it sound like the Commission has done nothing.

Kurt Larsen, Planning and Zoning emphasized that the particular change referred to, came from the Planning and Zoning office, not the Commission. Mr. Larson then presented a draft of a revision for a performance rating system, which was an attempt to clarify the system.

Bob Paulson asked how Planning and Zoning would evaluate a piece of property that is incompatible with a certain neighborhood, and therefore prohibited, from one that is compatible, suggesting that if there is no point or performance system, then is there anything that can be disapproved, even if it uses maximum buffers.

Commissioner Herschend expressed a concern about the county maybe or maybe not applying this numbering system, questioning if this would be more subjective and less analytical.

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Commissioner Herschend encouraged the Commission to look at the criteria upon which the projects are rated. A general discussion ensued.

Commissioner Herschend recommended having Mr. Paulson weigh in today, in regards to the revision, before the county presents it this evening.

Mr. Paulson recommended that the county either use or repair the point system.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from January 9, February 27, 2006.

Commissioner Herschend seconded the motion. The motion carried by vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #93792-93897 and manual warrant #4475. Commissioner Herschend seconded the motion.

Presiding Commissioner Pennel reported that the county has a bill from the City of Branson on the Branson Meadows TIF. Commissioner Pennel expressed that he has made an issue of us having a balance, and to his eyes there is no balance, adding that someone else at the city is working on it.

Rick Findley, Auditor informed that Carl Garrett has been working on this for the city, since the first of the year. Commissioner Strahan reminded that the auditor advised the county not to take that into consideration. Mr. Findley clarified that next month the county should probably be getting bills from Branson Hills.

The motion passed by vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

EMORY CREEK ROAD PETITION

Commissioner Herschend brought up Emory Creek Road, which had been tabled last week and stated that the county has verified the petition signatures. Commissioner Herschend added that he has inspected the road.

Commissioner Herschend made a motion to take in Emory Creek Road to the –Y- if the petitioner can show that they have a forty-foot right-of-way, as a Class 6 road.

Commissioner Strahan asked how many residents are past the –Y-? Commissioner Herschend replied that there are two on the uphill side and four on the downhill side, adding that past the line, the road becomes expensive to upgrade.

Commissioner Strahan seconded the motion.

Bob Paulson, County Counselor recommended rescinding the motion, because it was not posted, even though it had been tabled from the week before.

Commissioner Herschend rescinded his motion.

CANNON BALL LOOP

Commissioner Herschend wanted to address something for public information and explained that over the weekend, several citizens on Cannon Ball Loop called about a rumor that the Commission has met with developers and are advising property owners to sell their homes to a developer. Commissioner Herschend stated that he would like the record to reflect that he and Sewer Administrator, John Soutee, met with a developer, at the developer's request, a few weeks

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ago to discuss the number of connections and the sewer load. Commissioner Herschend further explained that the developer agreed to pay \$2500 to Archer Engineering to study Bee Creek Project and the load that this developer would be putting on this system, adding that he wanted to squelch that rumor.

Presiding Commissioner Pennel and Commissioner Strahan both expressed that they had not had a meeting with a developer. Commissioner Herschend empathized about the emotion that goes with the thought of eminent domain, and giving up one's home.

Presiding Commissioner Pennel stated that he did receive a call from a property owner concerned that an entrance would be brought through the property owner's neighborhood. Additionally, Commissioner Pennel relayed that the caller commented about how twice school buses have had to back up because of heavy equipment being unloaded, and that the pavement has been torn up, adding that caller didn't want extra traffic through his neighborhood.

Commissioner Herschend expressed that he doesn't believe they can make a road off of a county road. Presiding Commissioner Pennel added that he believes there are regulations concerning this.

BUILDING CODE MEETING

Commissioner Strahan gave notice to the media that there will be a meeting about county building codes on March 24, 2006, at the Kirbyville Middle School, at 7 pm and the next morning at the county airport at 10:00 am.

Presiding Commissioner Pennel apologized for missing a soil and water meeting.

ARCHER ENGINEERING DOUG FABION

Doug Fabion, Surveyor with Archer Engineering, informed the Commission that Dave Altis came into his office about a neighbor who recently purchased some property and who is building a fence across a road. Mr. Fabion presented the Commission with documents and surveys.

Commissioner Herschend asked if it is a county road? Mr. Fabion answered that it was determined it is a public road, but not a county road. Commissioner Herschend then asked why the Commission was hearing this matter, suggesting that it might be a matter for the sheriff. Commissioner Herschend asked Mr. Paulson what statute gives the Commission authority to hear this, over the Sheriff's Office taking action.

Bob Paulson, County Counselor responded that if the Sheriff is confident that they are putting a fence across a public road, then they could tell them to take it down, to get a fence taken off of a public road.

Note: The Commission handed the issue over to the Sheriff Jimmy Russell.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

The commission recessed at 9:50 a.m.

RECONVENE

The County Commission reconvened in the County Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

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ANCHOR FENCE BID

Commissioner Strahan made a motion to accept the bid as offered by Anchor Fence, as they were the low bidder, and to add to the alternate upgrade. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken by Marla Pierce and typed by Lisa Owen



MARCH 21, 2006 THE 27TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 11:40 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

WATER WELL AGREEMENT

Commissioner Strahan stated that this matter needed to be addressed with little or no notice and there are reasons for not posting and waiting 24 hours. Strahan further explained that Mary Howe is selling the property that is the subject of the purposed Water Well Agreement and that the agreement needed to be signed today or the opportunity for the well would be lost. Strahan added that the sale of the property is closing today between Howe and her buyer, who is leaving the country tonight.

Commissioner Strahan made a motion to approve the Water Well Agreement between Howe and the county for the Mincy Park with the understanding that any costs of using the well would be paid by the Mincy Park Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PROPERTIES FOR COURTHOUSE CONSTRUCTION

A general discussion ensued concerning properties necessary for courthouse construction, specifically the Masonic Lodge property.

Commissioner Herschend made a motion to present a second option by letter to the Masonic Lodge Trustees offering \$142,000 for the lodge building, \$40,000 for the lot, and for the county to do the site preparation and pave the parking lot for the new judicial facility. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DONATIONS ANIMAL CONTROL FACILITY

The Commission discussed setting up a separate account for donations made by the public for the extra care of animals impounded at the county animal control. It was decided that one of the Commissioner's would seek advice from an outside auditor concerning setting up the account. No motions were made and no votes were taken.



MARCH 22, 2006 THE 28TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding via telephone and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

Commissioner Strahan made a motion to approve the following payroll warrants.

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General County Revenue Warrants	100598-100600, 100627-100628, 100633-100674, 100675
Road & Bridge Trust Warrants	100602-100624, 100629, 100631
Assessors Fund Warrants	100601, 100625-100626
Transfer Station Warrants	100630, 100632
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4476-4479
Accounts Payable Warrants	93898-93921

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 1:05 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

EXECUTIVE SESSION

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (14). Commissioner Pennel seconded the motion. The motions passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECONVENE

3:26 p.m.

The County Commission reconvened in the County Commission Office at 3:26 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

MISSOURI DIVISION OF WORKFORCE DEVELOPMENT LETTER OF SUPPORT

Presiding Commissioner Pennel made a motion to send a support letter to the Missouri Division of Workforce Development for funding support to aid with career training and development for health care professionals. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Tressa Luttrell and typed by Hillary Bargman



MARCH 23, 2006 THE 29TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

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JOHN LAVENDER COMP TIME

Commissioner Strahan made a motion to approve the payment of comp time for John Lavender. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened at the Kirbyville Middle School at 7:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Bobby Fausett followed by the pledge.

BUILDING CODES

Presiding Commissioner Pennel opened up discussion for the building code issue that will be on the ballot at the April 4, 2006 Municipal Election of Taney County. The public was then given the opportunity to express their opinions and concerns regarding the issue. A general discussion ensued. No motions were made and no votes were taken.

Ordered that the Commission recess.



MARCH 27, 2006 THE 30TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

COUNTRY CLUB HEIGHTS ROAD

Commissioner Strahan stated that Country Club Heights Road was to be taken in as a county road contingent upon the completion of the water drainage problem. Strahan added that according to the Road and Bridge Department the road is ready to go.

Commissioner Strahan made a motion to table the road until Randy Haes can present the petition to the Commission. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Commissioner Pennel explained that he received notice about another grant being available for that type of work.

TOWER LEASE AGREEMENT BOB PAULSON

Bob Paulson, County Counselor explained that a new contract for the Tower Lease Agreement is needed for the Sheriff Department's repeater with updated dates so the bill for the year can be paid. Paulson explained that it costs the county \$500 per year for the repeater.

Commissioner Strahan made a motion to approve the new Tower Lease Agreement Contract. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

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CITY OF BRANSON AIRPORT CONTRACT TRESSA LUTTRELL

Tressa Luttrell, Administrator explained that the contract for the M. Graham Clark Airport has been reviewed by Bob Paulson, County Counselor and that they reached an agreement.

Bob Paulson explained that there is no line for the auditor. Luttrell added that the contract was approved by the Airport Board contingent upon the Commission's signatures.

Commissioner Strahan made a motion to approve the Airport Contract. Commissioner Pennel seconded the motion.

Commissioner Pennel explained that this agreement states that the City of Branson will contribute \$10,000 per year, for up to five years, for airport improvements as needed.

The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Commissioner Strahan informed the Commission that Mark Parent said the month of February was one of the largest, as far as revenue, and that March looks good as well. Strahan added that a building code meeting would be held at the airport facility and encouraged citizens to attend.

PRIOR MINUTES

Commissioner Strahan made a motion to table minutes from February 6, March 2, 8, 9, 17, 21. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants # 93922-93998 excluding the reimbursement for his phone bill. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

9:15 a.m.

RECONVENE

9:20 a.m.

JUSTIN WINTERS BIRD ROAD RELOCATION

Justin Winters addressed the Commission regarding the issue of realigning a portion of Bird Road. Commissioner Herschend stated that they are coming to request the approval of the Commission for a public hearing in regards to this issue.

Justin Winters presented the Commission with plans for the Branson Hills Shopping Center Phase 2 and 3 of the development. Winters explained that Phase 1 was where the new Target is located and that the new phases will include a Super Wal-Mart and several other retail stores. Winters showed the Commission the path of Bird Road to illustrate the need for the relocation of the road.

Commissioner Strahan asked Bob Paulson, County Counselor if any of the TIF is involved with this area? Bob Paulson answered that the area where the road is going through is part of the proposed amended TIF area.

Commissioner Herschend stated that there are seven roads inside the City of Branson that are county roads and explained that he has been working to determine whether or not the county should continue to maintain them. Herschend added that Bird Road is one of those roads and asked if the county should establish ownership of the county roads before the realignment is

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done? Herschend also asked what message it would send if the Commission approved the relocation for this development while they are in litigation concerning a TIF issue?

Commissioner Pennel asked Bob Paulson if there is a legal process to this, then why is it being presented to the Commission? Paulson explained that a law firm called on this issue and that according to the statutes there are deadlines and times where the Commission can hear vacations. Commissioner Herschend clarified that a road vacation is separate from the relocation. Paulson explained that he is asking to vacate the road and there is a procedure for it.

Justin Winters stated it was his understanding that he needed to come before the Commission first and ask for a public hearing. Commissioner Herschend added that he told Winters they wouldn't go forward with a public hearing to even consider it, without having the Commission hear the question and respond to it first. A general discussion ensued.

Commissioner Strahan expressed that roads having been relocated and vacated in the past were not in TIF districts and if it is a TIF project he is against it, because it takes away from county dollars. Herschend clarified that the TIF has not yet been approved by the City of Branson. Herschend further expressed that he agrees with Strahan and if it were a TIF, then the county would be paying themselves out of tax money to relocate the road, in which case, it should not be done. A general discussion ensued.

Justin Winters explained that the City of Branson is supposed to vote on the Platte for this tonight and they can't finalize or approve the Platte without some indication as to where the county is on the relocation of Bird Road. Winters requested that the Commission write a letter as to where they stand in this process for the meeting tonight. A general discussion ensued.

John Logan expressed his appreciation for Mike Rankin's work. Logan then stated that the City of Branson did away with a public street in front of a small business despite the business's request to keep it open. Logan expressed a concern about the Commission doing away with a street at the request of a big business when the small business's request was denied. Logan stated that he feels it is situational ethics by taking action one way for a situation and taking a different action for another situation, which is wrong. Logan also stated that he likes Wal-Mart, but dislikes heavy handedness and bullying techniques adding that the land is not blighted. Logan further explained that Wal-Mart does not need school tax money, tourism tax money, or TIF money and should not get a road that belongs to the people of Taney County.

Commissioner Herschend stated that he agrees with Logan however, asked him to consider two things. First, that he was invited today not because the Commission is considering giving away a road, stating that he wouldn't close it even for construction, rather the relocation of a 400 foot section of a road, which is different than abandoning. Secondly, the TIF hasn't been voted on yet in that area. Therefore, at this time, it is unclear if the TIF will even be an issue with this development. A general discussion ensued.

Larry Gardner stated that he lives on Bird Road and asked if there is access to the shopping center from the road. Winters explained that there is access. Gardner added that it is one of the better county roads and when the TIF is amended they took two new taxes the jail tax and tourism tax. Gardner expressed that he is not so firmly opposed to relocating the road however; he is opposed to having a hammer and considering giving it away. A general discussion ensued.

Commissioner Strahan stated that he is against giving a county road to a private developer. Strahan added that if the county is in any form of litigation, they should not even be considering it.

Commissioner Herschend stated that the purpose of having a public meeting is to hear concerns and bring issues to the Commission's attention. Commissioner Pennel explained to Justin Winters that they couldn't give him a letter at this time. No motions were made a no votes were taken.

BUILDING CODES

Presiding Commission Pennel explained that there have been two public meetings and stated that he has written a brief report in regards to building codes. Pennel requested that the

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other two Commissioners look at the report and explained that the public will be voting on this issue at the April 4, 2006 Municipal Election.

Commissioner Strahan clarified that just because he is on the building code board does not mean he is in support of it and expressed that he requested to be the Commissioner who sat on the board in order to help use common sense regarding this issue. Commissioner Herschend added that he supports Strahan being a representative if the issue passes on the ballot, because he brings common sense to what could potentially get out of hand. Herschend further commented that there are seventeen different codes that the county could adopt.

Commissioner Pennel stated that he is neither in support nor not in support of these codes and that it is the voters decision whether they want them or not.

John Logan added that there is always the risk of people abusing these laws.

James Strahan expressed a concern about taking certain sections out of a nation wide code and molding it to what the county wants. Commissioner Pennel shared the code could be amended to be more strict, but it could not be made weaker. A general discussion ensued.

Dick Clark stated that codes are not laws and when they are declared laws they may be amended from time to time however, they will not become a law until the Commission makes it a law. No motions were made a no votes were taken.

CITY COUNCIL METTINGS

Commissioner Herschend shared that it is his intent to go to both Bull Creek and Merriam Woods and purpose a reimbursement out of their sewer money to Rockaway Beach for the value of their sewer plant that has become a regional plant, benefiting several entities. Herschend added that Rockaway Beach is still paying the debt service on the plant that everyone is enjoying and would like to see them paid back.

Angela Leist, Merriam Woods Village Clerk stated that for twenty years Merriam Woods has been told that they are separate and are in no way under the control of the county and does not benefit from county money. Leist explained that the last time the Merriam Woods Board came to the Commission with something, they were sent home and therefore will not be very receptive to the proposal. Commissioner Herschend explained that he might bring representatives from Rockaway Beach and added that he is not making a request for the Commission. Leist expressed that it might be more productive for Rockaway Beach to come. No motions were made and no votes were taken.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion for the phone bill reimbursement for Danny Strahan. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

FRUIT FARM ROAD

Commissioner Herschend stated that as of Friday the President of the Homeowners Association asked if the Commission could move the meeting to April 14, 2006. Herschend added that one person is already taking trees out at his own expense.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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MARCH 29, 2006 THE 31ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 8:40 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

CARTER STREET ROAD IMPROVEMENT GREAT RIVER ENGINEERING

Note: Commissioner Strahan explained that this is a non-posted meeting because of the urgency to hire Great River Engineering to work on a road project that needs to be started right away.

Commissioner Strahan made a motion to hire Great River Engineering for the Carter Street Road Improvement for storm water drainage. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission met in the County Commission Office at 10:35 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

CRAWLER DOZER

Commissioner Strahan made a motion to award Potter Equipment to bid for a Crawler Dozer with the buyback option. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TYPE 1 AMUBULANCE

Commissioner Herschend made a motion to award Arrow Manufacturing the bid for a Type 1 Ambulance. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

JAIL SUPPLIES

Commissioner Herschend made a motion to award Bob Barker and Missouri Vocational the bid for jail supplies. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

JAIL FOOD

Commissioner Strahan made a motion to award Glens Supermarket and Springfield Grocer the bid for jail food. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

COLD MILLING

Commissioner Strahan made a motion to approve Jounagan to start milling for the Country Club Project. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EXTENSION UTILITIES

Commissioner Herschend made a motion that the Missouri University Extension Office is a stand-alone entity and therefore should pay its own utilities. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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MILEAGE RATE

Commissioner Pennel made a motion to increase the mileage rate to .415 effective July 1, 2006. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



APRIL 3, 2006 THE 1ST DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The followings were had and made a matter of record. The prayer was led by Danny Strahan followed by the pledge.

NEWBURY ROAD VACATION

Presiding Commissioner Pennel explained that he has talked to Randy Haes, Road and Bridge, and everything is in order regarding the vacation of Newbury Road.

Commissioner Herschend clarified that there is a single owner on this road and they would like to vacate the portion owned by the county in order to improve the road to their new subdivision. Commissioner Herschend added that it is not land locked and there is no remonstrance against the vacation. Commissioner Herschend then asked for proof of publication to ensure that the public was notified and had time to respond.

Tressa Luttrell, Commission Administrator, explained that an affidavit of publication was submitted and a copy of the notarized certificate of service will be submitted at a later date.

Commissioner Herschend made a motion to approve the vacation of Newbury Road. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

REVISIT NORTH EMORY CREEK ROAD PETITION

Commissioner Herschend reminded the Commission that the North Emory Creek road petition was tabled four weeks ago, and stated that the property owners have been asking about the status of the petition. Commissioner Herschend added that the rest of the road is in fair shape, and the property owners are requesting that the county blade it and keep it drivable. Commissioner Herschend further explained that there is a rock that needs to be taken out.

Commissioner Herschend made a motion to take North Emory Creek Road in, to the Y, as a Class 6 road. Commissioner Strahan seconded the motion.

Presiding Commissioner Pennel suggested taking in the whole road and only maintaining it to a certain point. Commissioner Herschend explained that it is easier for him and Randy Haes, Road and Bridge to only take in the portion that will be maintained by the county.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HPL CONTRACT

Presiding Commissioner Pennel stated that the contract for the jail health provider needed to be renewed, adding that everything is fine, as far as Jimmy Russell, Sheriff, is concerned.

Bob Paulson, County Counselor, informed the Commission that his copy of the contract was a fax, that he requested a clean copy, and therefore has not had a chance to check every word to make sure they match. Mr. Paulson added that on page seven, they have changed something that was negotiated out last year, and they added it back in this year.

Commissioner Strahan asked if the county is legally bound to provide health care as soon as someone is arrested? A general discussion ensued.

Jimmy Russell, Sheriff explained that there are instances where our insurance wouldn't cover.

TANEY COUNTY COMMISSION RECORD



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Jimmy Russell, Sheriff explained that there are instances where our insurance wouldn't cover.

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Commissioner Strahan expressed a concern about the amount of transfers that take place. Commissioner Herschend added that according to the language, if you take someone from here to Ozark County, you are taking her/him to or from and visa versa and he doesn't see how, given this language, the Sheriff's Department could move anyone anywhere.

Commissioner Herschend made a motion to table this until Mr. Paulson can answer more questions. Presiding Commissioner Pennel seconded the motion to table. Presiding Commissioner Pennel said that they are going to work on this later today and get it done.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OZARK BEACH SEWER IMPROVEMENTS/ENGINEERING AGREEMENT JOHN SOUTEE

John Soutee, Sewer District Administrator, presented an Engineering Agreement, in regards to the Ozark Beach sewer improvements project to begin at the end of the city services. Mr. Soutee added that \$500,000 is the amount of the contract easements preparation.

Presiding Commissioner Pennel asked Mr. Soutee if he had a rough idea as to what the project will cost? Mr. Soutee responded that it was estimated to cost \$12 million.

Commissioner Herschend informed that the Sewer Board has approved this project. Mr. Soutee confirmed that the board has approved and signed the agreement. Commissioner Herschend added that even at the new total cost, the project is less and the total scope of work for the Y Highway project includes construction services. Commissioner Herschend further commented that Great River has been very professional and efficient on the work on Table Rock Acres. Commissioner Herschend expressed that he feels the citizens are getting a good value.

Bob Paulson, County Counselor observed that this is a standard contract with Great River Engineering.

Commissioner Strahan stated that this project is way overdue. Commissioner Herschend agreed.

SIGNAGE OF CONTRACT JOHN SOUTEE

Commissioner Herschend made a motion to approve the contract with Great River Engineering as presented. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Presiding Commissioner Pennel thanked Commissioner Herschend, Mr. Soutee, and the citizens who serve on the sewer board.

PRIOR MINUTES

Commissioner Strahan made a motion for approval of the minutes for February 6, 2006.

Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants # 93999-94109 and manual warrants # 4480, 4481, and 4482.

Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

IOWA COLONY

Commissioner Herschend informed the Commission about a request from a property owner at Iowa Colony, who owns one and half lots and was under the impression that the platted road was his because he had used it for ten years and had a driveway there. Commissioner

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Herschend reported that the property owner is requesting that the other Commissioners confer with him, should they receive any related calls. Commissioner Herschend added that the Sheriff's Department was called on him for parking in that area.

COUNTY CLEAN UP

Commissioner Herschend read an announcement regarding the county clean up taking place this weekend. Commissioner Herschend stated that on Thursday, Mr. Van Gilder, from Branson Public Works, asked for support for Branson's clean up and it was agreed if they bring their trash like any other resident, it would be fine.

Art Beck asked if it would be possible to have an area on the eastern side for cement collection? Presiding Commissioner Pennel explained that anything except tires could be dropped off this weekend. Mr. Beck clarified that he would like to see a collection site available throughout the year. Presiding Commissioner Pennel replied that the county could look into it.

MAPLE STREET

Presiding Commissioner Pennel discussed Maple Street, in Hollister, where the new intersection is going. Commissioner Pennel explained that the developer is paying for it, and moving the Maple Street intersection to the right, at the Branson Creek interchange. Commissioner Pennel added they have totally blocked the road and that the state inspector came out and the developer was instructed to put up signs and on Sunday they still were not up. Commissioner Pennel expressed that the county was not aware the road was going to be completely closed and the State Patrol was going to see that it was done.

Commissioner Herschend clarified that he was aware of the new intersection, but remarked that the county always insists that the public not be burdened by having a road closed.

RECESS

Presiding Commissioner Pennel made a motion to recess. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken by Donna Neeley and typed by Lisa Owen



APRIL 5, 2006 THE 2ND DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 10:52 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100705, 100707-100748
Road & Bridge Trust Warrants	100676-100699, 100706
Assessors Fund Warrants	100700-100701
Transfer Station Warrants	100702-100704
911 Warrants	None
Manual Warrants	4483 & 4484
Accounts Payable Warrants	94110-94128

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman

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APRIL 6, 2006 THE 3RD DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Also present at the meeting were: Airport Board Chairman, Dave Woolery, Airport Manager, Mark Parent, County Counselor, Robert Paulson, and County Clerk, Donna Neeley. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

WINGS OF THE OZARKS LEASE AGREEMENT

The matter of a lease agreement with Wings of the Ozarks, Inc. was discussed and it was decided that Wings of the Ozarks, Inc. will lease space at the airport and it will conduct charter services, flight training operation, and other flight related services.

Commissioner Strahan made a motion to approve the Lease Agreement with Wings of the Ozarks, Inc. as amended to replace the earlier contract which by this motion is no longer in effect. Commission Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken by Bob Paulson and typed by Hillary Bargman



APRIL 10, 2006 THE 4TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Larry Lawman followed by the pledge.

SURPLUS GOODS

Presiding Commissioner Pennel addressed the Commission in regards to the counties surplus goods. Pennel expressed that space is limited and the Commission needs to make a decision either to have an auction or use another method to dispose of the surplus goods.

Note: Commissioner Herschend entered the Commission Meeting at 9:07 a.m.

Commissioner Herschend stated that if the Commission were going to have an auction, then they should wait for other vehicles. Commissioner Herschend suggested moving forward with the on-line assets and whatever is left put in the auction.

Rick Findley, Auditor stated that he can put a minimum bid on the on-line items but expressed that he needs more guidance.

Commissioner Strahan expressed that the county has quite a bit of equipment that could benefit the community by getting it back into the economy. Findley stated that the county could have an auction and get those back into the economy, if the Commission wants them on-line. Strahan requested that Findley go ahead and put the larger equipment on the Internet to get rid of it, and then to get with Eugene at Road and Bridge to handle what is left.

Commissioner Herschend made a motion to request that Rick Findley, Auditor move forward to quickly put those items on-line and to empower him to establish a value that he feels is fair.

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Commissioner Strahan asked if this is a bid process? Rick Findley explained that there would be a minimum bid but expressed that he has no way of knowing what it is worth. Commissioner Herschend explained that any banker could give him a blue book of prices. Findley then asked if the price in the blue book is what he needs to base the prices on?

Jimmie Russell, Sheriff expressed that Findley might have problems putting it on the Internet because of parts that have been taken out or are not running, plus there are other counties who aren't paying taxes in Taney County.

Commissioner Pennel asked about giving the public the opportunity to send in sealed bids? Jimmie Russell responded that the county could do sealed bids however, expressed that he feels they would get better results with an auction.

Commissioner Herschend stated that he would like to try the Internet and that the county probably won't sell the equipment that doesn't run however, they could get \$4,000 or \$5,000 for selling a car on-line that might only get \$1500 at an auction. Findley expressed that he feels the county would get better results at an auction. Commissioner Strahan added that he talked to other counties who have sold items on-line and that they sold two to three times more than what would have been sold at an auction.

Commissioner Strahan seconded the motion.

John Simpers, Taney County Times asked if there would be any liability if the customer were not satisfied with their purchase? Bob Paulson, County Counselor answered that he doesn't know how the government does it. Tressa Luttrell explained that you have to disclose the information and that they have the right to refuse. Commissioner Strahan expressed that the county can have an auction later on and that Taney County is fortunate to have good equipment and can replace things that need to be replaced.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

JUSTICE CENTER

Presiding Commissioner Pennel stated that Nick Smith called and wants to set a bid date for May 25, 2006.

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve payable warrants #94130-94229 and manual warrant #4487. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

GARY GROMAN

Gary Groman explained that he checked the notices of meetings and he did not notice a posting for the meeting with the Tax Enhancement Board and therefore missed the meeting. Groman stated that the Commission holds two posted meetings a week, one of which is on Monday and the other usually on Thursday for administrative functions. Groman suggested that the Commission take the extra requests and with the exception of an emergency, tell those people to wait until the following Monday to present their issues. Groman expressed that it looks like only the people who they want at meetings are in attendance.

Commissioner Strahan expressed that he feels it was posted 24 hours in advance. Commissioner Pennel clarified it was put on the agenda for 10:00 a.m. which was 22 or 23 hours in advance. Commissioner Herschend added that there was a conflict and he was leaving so the Commission could have either held the meeting with 22 hours notice or held it without him there and expressed that he was interested in what everyone had to say in regards to the issue.

Gary Groman asked what the emergency was that could not wait until Monday to allow the public to participate in the process? Groman further expressed that he just wanted to ask that the Commission schedule issues during the normal public sessions. A general discussion ensued.

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Commissioner Herschend asked Gary Groman if he knows what the next TIF meeting is about? Groman stated he believes it is about the revised redevelopment plan however; he has not received any materials regarding the issue. Herschend then asked Groman if the county is looking at another TIF at Mutton Hollow? Groman expressed that the TIF era in Branson is not over.

Commissioner Strahan stated the Commission is pursuing options as to where they can hold meetings more than once a week. Commissioner Pennel stated that the county has an airport that could be used for meetings throughout the week. Commissioner Herschend expressed that he would prefer if the Commission look at the Presbyterian Church or another church that would have room to prevent people from driving 20 to 25 minutes each way to Branson. A general discussion ensued. No motions were made and no votes were taken.

MONTHLY BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor presented the following monthly budget report for March 2006 to the Commission:

TANEY COUNTY BUDGET FUND BALANCES 3-31-06									
	PERIOD TO DATE		YEAR TO DATE			PERIOD TO DATE		YEAR TO DATE	
	ACTUAL	ACTUAL	ACTUAL	ACTUAL		ACTUAL	ACTUAL	ACTUAL	ACTUAL
GENERAL COUNTY REV					PROS ATRNEY TRAIN FND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	14,012,380.91			REVENUES	0.00	8,057.19		
TOTAL REVENUES GCR	716,048.49	2,924,897.60			TOTAL PAT REVENUES	64.45	456.37	6,272.18	21,171.20
TOTAL GCR EXPENDITURES	716,048.49	16,937,278.51			TOTAL PAT FUND BALANCE	64.45	8,513.56	6,272.18	195,475.48
TOTAL GCR FUND BALANCE	845,276.71	2,892,535.21			TOTAL FUND BALANCE	64.45	8,513.56	0.00	1,086.00
	(129,228.22)	14,044,743.30						6,272.18	194,389.48
ROAD & BRIDGE					COUNTY INSURED FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	7,466,464.70			REVENUES	0.00	201,401.72		
TOTAL RB REVENUES	97,701.36	355,926.06			TOTAL CNTY INSURED REV	357.09	1,512.91	0.00	361,138.21
EXPENDITURES	97,701.36	7,822,390.76			EXPENDITURES	357.09	202,914.63	20,622.33	61,275.43
TOTAL RB FUND BALANCE	2,729.83	86,247.05			TOTAL CNTY INSURED FUND BAL	5,344.79	11,474.95	20,622.33	422,413.64
	94,971.53	7,736,143.71				(4,987.70)	191,439.68	17,127.75	42,753.11
ROAD & BRIDGE TRUST					911 FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	6,078,738.25			REVENUES	0.00	1,445,476.81		
TOTAL RBT REVENUES	456,809.41	1,512,642.48			TOTAL 911 REVENUES	40,696.28	129,395.40	0.00	6,060.98
EXPENDITURES	456,809.41	7,591,380.73			EXPENDITURES	40,696.28	1,574,872.21	91.27	235.42
TOTAL RBT FUND BALANCE	491,718.95	1,209,788.65			TOTAL 911 FUND BALANCE	52,419.52	475,459.94	91.27	6,296.40
	(34,909.54)	6,381,592.08				(11,723.24)	1,099,412.27	91.27	6,296.40
ASSESSMENT FUND					SEWER FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	19,865.52			REVENUES	0.00	15,571,544.17	0.00	0.21
TOTAL AF REVENUES	6,127.77	279,735.70			TOTAL SEWER REV	474,871.88	1,526,842.98	0.00	0.21
EXPENDITURES	6,127.77	299,601.22			EXPENDITURES	474,871.88	17,098,387.15	0.00	0.21
TOT ASSEMENT FUND BAL	36,181.97	133,930.00			TOTAL SEWER FUND BAL	135,532.80	406,462.50		
	(30,054.20)	165,671.22				339,339.08	16,691,924.65		
ELECTION FUND					SEWER DESIGNATED FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	43,906.84			TOTAL SEWER REVENUES	0.00	925,449.84	0.00	62,682.89
TOTAL ELECTION REVENUES	1,220.14	4,530.19			EXPENDITURES	0.00	925,449.84	0.00	62,682.89
EXPENDITURES	1,220.14	48,437.03			TOTAL SEWER FUND BAL	0.00	925,449.84	0.00	62,682.89
TOTAL ELECTION FUND BAL	0.00	10,624.87			TOTAL ALL SEWER FUNDS	0.00	925,449.84	0.00	1,143.77
	1,220.14	37,812.16				339,339.08	17,617,374.49	2.09	8.44
TRANSFER STATION FUND					SHERIFF CIVIL FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	546,299.91			REVENUES	0.00	72,295.53	2.09	1,152.21
TOTAL TS REVENUES	48,480.71	147,229.08			TOTAL SHERIFF CIVIL REV	7,533.40	15,987.93	0.00	7,520.56
EXPENDITURES	48,480.71	693,528.99			EXPENDITURES	7,533.40	88,283.46	572.56	1,049.05
TOTAL TS FUND BALANCE	35,209.05	112,221.11			TOT SHERIFF CIVIL FUND BAL	6,207.45	9,179.53	572.56	8,569.61
	13,271.66	581,307.88				1,325.95	79,103.93	572.56	8,569.61
LEPC FUND					TAX MAINTENANCE FUND				
BEGINNING BALANCE					BEGINNING BALANCE				
REVENUES	0.00	10,547.22			REVENUES	0.00	152,431.37	473.68	8,470.73
TOTAL LEPC REVENUES	19.64	1,739.11			TOTAL MAINT FUND REV	9,351.03	24,575.71	0.00	43.71
EXPENDITURES	19.64	12,286.33			EXPENDITURES	9,351.03	177,007.08	1,709.92	1,710.19
TOTAL LEPC FUND BALANCE	92.77	1,551.62			TOTAL MAINT FUND BAL	4,502.65	116,998.21	1,709.92	1,753.90
	(73.13)	10,734.71				4,848.38	60,008.87	1,709.92	1,753.90
LAW ENFRCEMNT TRAIN FND									
BEGINNING BALANCE									
REVENUES	0.00	3,787.89							
TOTAL LET REVENUES	213.38	1,624.48							
EXPENDITURES	213.38	5,412.37							
TOTAL LET FUND BALANCE	272.80	2,506.66							
	(59.42)	2,905.71							

Commissioner Herschend expressed a concern about the budget report reflecting the correct information and suggested bringing attention to any line item within the budget over a certain percentage. Rick Findley clarified that when a department makes a purchase and sticks it to a particular line item that is over or close to being over budget, then he does draw attention to it. Findley added that statutorily he has to control the bottom line not line items and that he could run a line item report but it would be huge. Findley then suggested instead of printing the report to just make a note when line items are over budget and submit it to the Commission. Herschend

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stated that would be fine and clarified that he is just looking for a simple report that would show when an office has exceeded the set parameter. A general discussion ensued. No motions were made and no votes were taken.

COUNTY CLEAN UP

Commissioner Strahan stated that the trash pick up was huge success. Strahan expressed that there were a few issues with hazardous materials, in which they had to send items back with them. Strahan suggested having one day a year to collect hazardous materials. Commissioner Herschend stated that he would see about getting the drums and holding them on the sight until the fall clean up. Commissioner Pennel expressed a concern about the Department of Natural Resources. No motions were made and no votes were taken.

TANEY COUNTY TIMES ARTICLE

James Strahan, Assessor expressed his disappointment in the airport figures that were given in a Taney County Times article. Strahan added that he was disturbed in the "sugar coded figures" and stated that ten million dollars was never mentioned, just the one million dollar figure.

John Simperts, Taney County Times clarified that the article was a letter to the editor, which was the personal opinion of the author. No motions were made and no votes were taken.

SALES TAX HELEN SOUTEE

Helen Soutee, Treasurer stated that the sales tax the county received this month is up 6.804% over this same time last year. Soutee added that by the end of the year the county usually levels out to 2%.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into executive session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



APRIL 12, 2006 THE 5TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 3:51 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

WIDENING OF BUCHANAN LAFETTE REED

Commissioner Herschend made a motion to offer up to \$20,000 to Lafette Reed for 1.6 acres of the southeast quarter of Hwy 248 and Buchanan for the purpose of widening Buchanan Road. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken via telephone via telephone and typed by: Hillary Bargman

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APRIL 17, 2006 THE 6TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The followings were had and made a matter of record.

Chuck Pennel led in prayer, followed by the pledge.

TANDEM TRUCKS BID RESULTS

Tressa Luttrell, Commission Administrator announced that four bids were received for the 13-foot Tandem dump truck and Randy Haes, Road & Bridge, recommended the Jenkins 2007 Sterling at a cost of \$252,212 which includes an option for a 1" hitch plate.

Presiding Commissioner Pennel made a motion to accept the bid for two 13' Tandem dump trucks from Jenkins 2007 Sterling. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Tressa Luttrell further stated that four bids were received for a 15-foot Tandem and Randy Haes, Road & Bridge recommended the Jenkins 2007 Sterling for \$515,936, including 1' hitch plate.

Commissioner Strahan made a motion to accept the bid for four 15' Tandem dump trucks from Jenkins 2007 Sterling. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ROAD TRACTOR BID RESULTS

Tressa Luttrell, Administrator then presented the bids for a Road Tractor. Ms. Luttrell stated that four bids were received and Randy Haes, Road & Bridge, recommended the Jenkins, diesel powered, 2007 Sterling LT9500 470hp, with wet kit (to be installed by Bus Andrews) for a total cost of \$79,828.

Commissioner Strahan made a motion to accept the bid for a LT9500 470 hp Road Tractor from Jenkins 2007 Sterling. Presiding Commissioner Pennel seconded the motion.

Commissioner Strahan commented that this is the most used piece of equipment for the county. Mr. Haes informed that it is similar to another recent county purchase, and can be used with several trailers, adding that it is not the cheapest, but he believes it will best serve the county's needs.

The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RIP RAP TRAILER BID RESULTS

Tressa Luttrell, Administrator explained that two bids were received for a Rip-Rap Trailer and that Randy Haes, Road & Bridge, recommended Debow & Scheen Equipment's Debow REM BMT400 rip rap trailer with an 18" I-beam for a total cost of \$30,795.

Commissioner Strahan made a motion to accept the bid for the REM BMT400 rip-rap trailer from Debow & Scheen Equipment's Debow. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: Commissioner Herschend entered the meeting at 9:13 a.m.

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Commissioner Herschend commented that although he was not here for the bids, he is in total agreement with the need to purchase the equipment.

PARK BOARD UPDATE DANNY STRAHAN

Commissioner Strahan gave the Commission an update on the Park Board and noted that it is an enthusiastic group of forty to fifty people, wanting to do something for Taney County. Commissioner Strahan went on to state that the county has finished the Protem Park, and is just waiting on the picnic tables, which have been shipped. Commissioner Strahan added that the Board members selected Hilda to be the next park project and assured that everything has been going well, and is an opportunity to see communities working together. Additionally, Commissioner Strahan recognized Herman Lumber's for the donation of all of the building materials, for the Protem Park, while Table Rock Asphalt donated all of the concrete. Commissioner Strahan explained that the labor was deducted from Park Board line item.

Commissioner Herschend complimented both Commissioner Strahan and the Park Board, for creating places where the community can come together and have a sense of belonging, and giving the Park Board a sense of ownership, by making each community responsible for the park once it's completed.

Presiding Commissioner Pennel commented that he has received reports of the facilities being used.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #94330-9449 and manual warrant #4488. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT JAMES STRAHAN

Assessor Strahan commented on an article, suggesting that he isn't doing his job as the Assessor, which he found upsetting and wanted to make a brief comment, as he believes that several points of fact are wrong. Mr. Strahan stated that the article was trying to address a TIF (Tax Incremental Financing) and part of the article that addressed the assessor, quoted figures that he noted are not accurate. Mr. Strahan went on to state that the statement made about Taney County being 'dead last', was a comment made from a report sent down from the state, which had no basis and added that he met with the school superintendents last week and the thirty-five samples were pulled without equal draws from all areas. Mr. Strahan reported that he took the superintendents certified state sales in school districts and he is fine on the statutes, and has no knowledge of the reporting newspaper contacting his office to verify any information. Assessor Strahan further explained the system saying that (the county) is certified at 33.3 %, if it can get above 27.8% and claimed that this is not covered in the statute because the State Tax Commissioner, Mr. Davis, felt that 90% would work, rather than the 95% that is stated in the statute. Assessor Strahan commented that his office went this morning and requested a list from the City of Branson of all of the aldermen, and the addresses for them and the mayor, and will be checking their properties to make sure that they are correct for 2007, adding that they are kind of requesting a 30% increase. Mr. Strahan described one of them as a motel owner, supporting an increase, while motels have been a constant battle for the assessor, wanting their taxes lowered, appearing year after year at BOE, to the point of going to the State Tax Commission. Mr. Strahan further expressed that he is disgusted with the article and believes it was inappropriate.

Commissioner Herschend offered that he took offense as well, not only for the Assessor, but also for the other folks that, he believes, were slandered. Commissioner Herschend said that he was fascinated as he keeps asking about cannibalization, where you take sales from K-mart and it moves to Target, but Target is in a TIF district. Commissioner Herschend further explained that he has been told this doesn't happen, that these are new sales and in this article, Mr. (Terry) Dody said that when Lowe's went in, that 14% of Branson's retail sales went to Hollister, which is a figure that should be checked. Commissioner Herschend believes the article may be wrought with misinformation.

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James Strahan further expressed his opinion that TIF's are a destruction of county government, and small town America, and have lost their original purpose and further commented on the use of the word 'blighted'.

John Simperts, of the Taney County Times, commented that it was not an article, but a paid advertisement.

Commissioner Strahan asked if it was a paid advertisement by the City of Branson? Mr. Simperts said Jerry Adams paid for it, adding that it was the alderman who paid for it, although he was unsure if it was paid through the city.

Commissioner Herschend asked Mr. Simperts to verify who paid for the ad? Mr. Simperts clarified that it was a paid ad, not an article.

John Logan quoted a political science professor, Charley Westgate, saying that at the basis of all law is reason and purpose and went on to say that the TIF has gone beyond all reason and all purpose. Mr. Logan expressed that the TIF is to protect truly blighted, urban areas that need the taxpayers help and remarked that the area is not blighted; he doesn't care what the attorneys say. Mr. Logan added that other attorneys say that is not true and that the piece of property has a couple of half-million dollar buildings and a good road on it; that during annexation of that area, the City of Branson described it as being in the corridor of development; and that it can not be a good area to capture and blighted. Mr. Logan reminded that the tourism taxes were promised to go only to tourism promotion, and jail taxes were promised to go to jails and he encouraged the Commissioners to hang in there on Bird Road, because it seems to be the only lever the people have to protect themselves from corporate welfare.

Commissioner Herschend wanted to point out that he has received all kinds of comments from people and explained the Taney County Commission isn't saying they don't want part of their revenue, but rather that the tourism tax and the jail tax were not approved for the developer. Commissioner Herschend expressed that he thinks it is important to remind folks that the Commission is trying to protect those taxes that came after the TIF.

Mr. Logan told the Commission he has sold millions of dollars of commercial property in Branson, Missouri, without any taxpayer money involved in those sales. Mr. Logan commented that he remembers owners, setting higher prices, noting that if a person wants to come, they will buy the property and if they don't want to come, they won't come. Mr. Logan added that if Wal-Mart wants to purchase that property they will, and if not they will go somewhere else.

Commissioner Strahan explained some things people read are not true, and they need to know that.

Rick Findley, Auditor reported, in regards to cannibalism, the county is paying on the Branson Meadow TIF and when he went to look at businesses in a new center there, he was told that seventy percent of the businesses in there came from Highway 76, illustrating that there is cannibalism on that TIF, giving him concern about other areas.

Commissioner Herschend expanded by saying that means the county is giving up real tax dollars, as the county is giving up half when it goes to a TIF.

MAPLE STREET CONSTRUCTION

Presiding Commissioner Pennel received a call on Saturday from an upset resident about the Highway 65 and Maple Street construction. Commissioner Pennel explained he was in that area Saturday morning and reviewed the construction, adding he is unhappy about the construction of the project, as it is weeks behind schedule and is difficult to travel through there, due to rock and clay and narrowness of the street

Commissioner Strahan clarified that while people may think that Commissioners have a five-day a week job, they have meetings and other work that takes up weekends and other time. Commissioner Strahan further stated that he was out at 6:00 this morning checking on a park issue and believes some may have a misconception that this is an easy job.

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RECESS

10:30 a.m.

Commissioner Strahan made a motion to recess. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken by: Marla Peirce and typed by Lisa Owen.



APRIL 19, 2006 THE 7TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100750-100752, 100783, 100785-100827
Road & Bridge Trust Warrants	100754-100776, 100784
Assessors Fund Warrants	100753, 100777-100779
Transfer Station Warrants	100780-100782
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4489-4492
Accounts Payable Warrants	94424-94449

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission met in the County Commission Office at 12:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Also present at the meeting were Thom Harrow, Stephen Peet, and Renita Mollman. The following proceedings were had and made a matter of record.

BRANSON AIRPORT

The Commission discussed whether or not to have a public hearing in regards to the agreement with the Branson Airport. The Commission voiced concerns over the ownership of the road being built to the Airport by Taney County.

Presiding Commission Pennel asked them to review and make changes to the following:

- 1) Ownership of the road to the airport
- 2) The 99-year lease with the Tourism Development District, can it be 40 years?
- 3) How much land has to be given to TDD (450 vs. 900)
- 4) Find a way to maintain the tax base to schools on 500 acres and pay for it
- 5) Pay for performance all coming out of Road and Bridge.

Note: No motions were made a no votes were taken.

Minutes taken and typed by Donna Neeley and Hillary Bargman

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APRIL 20, 2006 THE 8TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the in the Commission Office at 3:12 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

TRANSFER STATION CHANGE IN HOURS OF OPERATION

Commissioner Herschend made a motion to change the hours of operation for the Transfer Station to Monday through Friday 8:00-3:45 and Saturday 8:00-12:45. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).



APRIL 24, 2006 THE 9TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer the led by Art Beck followed by the pledge.

BRANSON TECHNICAL COLLEGE JEFF IRELAND

Jeff Ireland, Human Resource Director, updated the Commission in regards to the Branson Technical College. Ireland explained that they are planning on doing another set of Conversational Spanish classes this summer and that a number of employers have expressed interest in the course. Ireland expressed that if county employees are interested in the class to contact him. Ireland also informed the Commission on other upcoming classes to be offered this summer. Ireland further stated that a variety of things are going on at the campus and some final changes are being made.

Presiding Commissioner Pennel asked Ireland whom he is talking to besides the Commission? Ireland explained that he is trying to get involved in the community and has gone to several meetings such as the Chamber of Commerce, updating them on the college. Pennel suggested Ireland get in touch with the county's Workforce Development Board because they are wanting to see more people educated.

Commissioner Strahan stated that there is a growing demand for many languages especially since the influx of people from Hurricane Katrina. Ireland stated that they have students from many different states enrolled at the college.

Commissioner Herschend encouraged Ireland to get with the Chamber of Commerce and get the names of people on the Restaurant, Hotel/Motel, and Theater Associations, stating that those people can get information out to many people in the business community who might be interested in the program. No motions were made a no votes were taken.

SEWER DISTRICT CHANGE ORDER

Presiding Commissioner Pennel stated that the Sewer Board approved a contract with Kennedy Contractors that reduces the amount of the Table Rock Acres Project by more than \$800,000.

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Commissioner Herschend stated that he would appreciate the opportunity to review the contract against documents that he has from other meetings to make sure everything has been captured.

Commissioner Pennel explained that Table Rock Acres' first contractor had some problems and that a new contractor is starting on the project. Commissioner Herschend added that things are being done outside of the easements that were created in the original construction process and now the county is going back and addressing those issues. Herschend further explained there was some question about the work being done on the project and the county felt it could be done more quickly and at less cost.

Commissioner Strahan asked if this is above and beyond bonding capacity? Commissioner Herschend explained that it is above the original bond. Commissioner Herschend expresses that the people at Kennedy Construction have been very cooperative and have moved very quickly. No motions were made and no votes were taken.

CENTURY TEL RIGHT AWAY ALONG BIRD ROAD

Commissioner Herschend stated that Century Tel approached Road and Bridge with a request for an application to run poles on the county right-of-way along Bird Road in order to install a fiber line to serve the new Branson Hills Development. Herschend added that the line would be put on the outer five feet of the forty foot road easement. Herschend clarified that the poles would be put on the present road and that Century Tel would relocate the line at their own expense if the road is to be relocated.

Commissioner Pennel explained that the county normally charges for easements. Tressa Luttrell expressed that she thinks phone companies are exempt from easement charges.

Commissioner Herschend made a motion to grant an easement, as drawn, for the phone company to run fiber optic on poles on the outer edge of the Bird Road easement. Commissioner Pennel seconded the motion and asked how many poles? Herschend stated that he thinks there would be nine poles up the side of the right-of-way and that the poles will not be in a position to be a danger to the public. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Pennel made a motion to table minutes from April 5, 6, 12, and 19, 2006.

Commissioner seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks # 94450-94558.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

RESULTS OF LAKE ACCESS CLOSING

Commissioner Strahan updated that Commission about a meeting that was held with the Missouri Department of Conservation, Corp of Engineers, Highway Patrol, and the public in regards to the lake access issue. Strahan explained that there was opposition to the access closures and they wanted to bring it to the people. Strahan added that there were several good comments and points made and that they have not made a decision yet however, decided to appoint a group of individuals to help in the decision. Strahan expressed that he is against any access closings because once they are closed it is very difficult to get them reopened. Strahan further stated that a few people were in favor of it closing but most were strongly against it.

Commissioner Herschend expressed that he is also opposed to the lake access closing and stated that the Commission should work hard to maintain open access to the lake.

Presiding Commissioner Pennel clarified that the trash and ATV misuse were the two reasons for looking to close access. Pennel added that Sheriff Jimmy Russell encourages people

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to report things that they have seen and file a complaint so the Sheriff can do something about it. A general discussion ensued. No motions were made and no votes were taken.

TRANSFER STATION

Commissioner Herschend stated that he sent out a press release on Friday in regards to the Transfer Station changing its hours. Herschend explained that when he took over, the Transfer Station was running 30 to 50 tons of trash a day and now it is running on average 80 tons a day and that number is expected to increase. Herschend stated that they have looked at adding equipment and staff and have concluded that being closed on Mondays has put an artificial demand on Tuesdays. Herschend explained that the Transfer Station is now going to be opened on Mondays in the hope that it will relieve some of the rush. Herschend clarified that as a result of being open on Monday's, it will now be closing earlier on Saturday at 12:45.

Art Beck asked if anybody has looked in to getting a sludge cooker? Commissioner Pennel stated that there was a mini demo on one in Branson. Pennel added that it would be a regional operation. Commissioner Herschend stated that they needed to ensure that it is truly a local and regional asset and that the city is talking about putting one next to the Cooper Creek. No motions were made a no votes were taken.

EXECUTIVE SESSION

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (1)(2)(3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan.

RECONVENE

The County Commission met in the County Commission Office at 1:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BUCHANAN ROAD EASEMENT

Commissioner Herschend made a motion to increase the offer for the easement for the improvement on west Buchanan Road from \$20,000 to \$25,000. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DEVELOPMENTALLY DISABLED BOARD APPOINTMENTS

Max Lytle, Executive Director DDB approached the Commission in regards to the reappointments of three sitting board members. The following letter was presented:

Dear Commissioner Pennell:

As provided for in the state statutes governing the activities of Developmental Connections, the terms of service of three members of the Taney County Board for the Developmentally Disabled expire each year. Those board members whose terms have expired this year are Tracey Barton, Clint Smith and Jack Urbec.

We advertised the availability of positions on the board, as you previously instructed us, so that other county residents may submit their names for your consideration in filling these vacancies. However, there were no responses to the advertised notice of available positions this year.

Each of the three current board members has added significantly to the operations and Clint Smith future planning of services for county residents with developmental disabilities. Two of the three, Tracey Barton and Clint Smith, currently serve as officers of the board. Their unique perspectives as parents of children with a disability and community leaders have aided us greatly during the past three years.

Each of these individuals has confirmed the desire to serve again on the Developmental Connections board of directors, and we respectfully request that you re-appoint them to another three-year term of service.

Sincerely,

Max Lytle
Executive Director

Cc: Danny Strahan, Eastern District Commissioner
Ron Herschend, Western District Commissioner

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Commissioner Strahan made a motion to approve the reappointment of Tracey Barton, Clint Smith, and Jack Urbec. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DONATION OF USED COMPUTER MONITORS

Commissioner Strahan made a motion to donate two old used computers to the OACAC Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



APRIL 25, 2006 THE 10TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Auditor's Office at 11:20 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. Also present: Rick Findley, Auditor. The following proceedings were had and made a matter of record.

DEPARTMENT OF NATURAL RESOURCES

Commissioner Herschend made a motion to pay the Department of Natural Resources for a land disturbance permit in the amount of \$300.00 for the new judicial facility. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).



APRIL 27, 2006 THE 11TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in County Commission Office at 9:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District via telephone present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

GRANT APPLICATION

Commissioner Strahan made a motion to approve a grant application for an Emergency Shelter Grants Program. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



MAY 1, 2006 THE 12TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

NORTH EMORY CREEK ROAD PETITION

Presiding Commissioner Pennel explained that the motion to approve this petition was rescinded at a previous meeting due to the fact that it was not posted on the agenda.

Commissioner Herschend made a motion to take in North Emory Creek Road, to the "y", as a Class 6. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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ON-LINE AUCTION RICK FINDLEY

Rick Findley, Auditor updated the Commission about what was sold at the on-line auction, stating that the Crown Victorian's sold for \$2,025 and \$1,601 and a jeep was sold for \$2,625 making a total of \$6,251. Findley added that he looked back to what was sold two years ago and that the outcome was comparable but a little less. Findley went on to state that two of the three bidders wanted to know when others would be sold and added that the county will be paying out 7.5% of what was earned which will be about \$500.

Presiding Commissioner Pennel asked how much of a percent would be given at a live auction? Findley stated that the last time it was an \$800 flat fee. Findley suggested that the Commission decide whether to have a live auction or not and expressed that he would be happy to help. No motions were made and no votes were taken.

SIGN BID RESULTS RANDY HAES

Randy Haes, Road and Bridge presented bid results to the Commission for 911 and county signs. Haes recommended that the Commission award the bid to Hall Signs Inc for the 911 and county signs at \$50,970.74. Haes explained that others bidders either did not meet the requirements or had a different product than what was specked. Haes further stated that groups two and three on the bids were for fasteners and hardware and he recommended that the Commission go with the low bidder J & A Traffic Products. Haes added that some have already been purchased through Newman, but Hall Signs were cheaper.

Commissioner Herschend asked if the funds come out of Road and Bridge or 911? Haes explained that it would come out of both and Tammy Hagler added that \$50,000 would come out of 911 for their signs and the rest would come out of Road and Bridge.

Commissioner Herschend made a motion to approve Hall Sign Inc. as the successful bidder of signs and J & A Traffic for the post anchors and fasteners as recommended by staff. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

CULVERT BID RESULTS

Randy Haes, Road and Bridge stated that he went out for culvert bids to replenish stocks for both districts and that two bidders replied. Haes recommended that the Commission go with Thompson Culvert for \$24,319.66.

Commissioner Herschend asked how that compares to what the county has been paying? Haes clarified that it is a little higher but not much. Herschend then asked if it is steel or plastic? Haes stated that they are metal. A general discussion ensued.

Commissioner Herschend made a motion to approve Thompson Culvert for the corrugated metal pipes and bands as suggested by Randy Haes. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RICHARD ROAD

Presiding Commissioner Pennel addressed the Commission in regards to Richard Road from the Venice on the Lake road petition. Pennel explained that some of the roads in the Venice on the Lake road petition have been taken in.

Randy Haes, Road and Bridge added that there are two residents on Richard and one or two on a street named Cory. Haes further explained that one or two residents could potentially be left out depending on which loop is taken in, adding that there are some pretty severe washouts.

Commissioner Strahan expressed that someone called inquiring as to why the county hasn't taken these roads in yet. Haes stated that it might be more reasonable to take both roads in. Strahan stated that he would like to look at the roads.

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Commissioner Herschend made a motion to table Richard Road until next week and that it will be put on the agenda. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

WATSON ROAD

Presiding Commissioner Pennel reminded the Commission that when they talked about taking in Watson Road off of Victor Church, they discussed requiring the property owners to buy culverts and the county would put them in. Pennel added that the road was taken in and since then the road has been improved resulting in water now running off of the road onto some of their driveways. Pennel explained that the property owners feel they should not have to buy a culvert since it was not an issue prior to the road being improved.

Commissioner Herschend expressed if a road is taken in that the county has the right to maintain it and can cut a ditch to solve the drainage problem. Herschend added that he does not think it is the counties responsibility to buy them a culvert. A general discussion ensued.

Commissioner Strahan expressed that he would like to read the petition to see if the county created the problem before making a decision. No motions were made and no votes were taken.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from March 14 and 29, April 5, 6, 12, 19, 2006.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #94559 – 94572, #94574 – 94653, and manual warrant # 4493 with the exception of one for further review.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TAX SHARING CONCEPT

Commissioner Herschend stated that the Commission is working on a concept similar to the tax sharing with municipalities that is done out of the Sewer Sales Tax. Herschend explained that this concept would be to share a portion of the Road and Bridge Funds that are collected annually. Herschend added that every year the Commission would set a pool, which would be available in equal amounts for each municipality in Taney County. Herschend further explained that there would be a board established to approve the projects that are submitted and they plan to have something in place this summer and will be meeting with the different municipalities to get there input. Herschend expressed that this project would mean a lot to the small communities. No motions were made and no votes were taken.

FRUIT FARM ROAD

Commissioner Herschend stated that tonight at 5:00 there would be a Fruit Farm Road follow up and work will start on the road next week. No motions were made and no votes were taken.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Strahan seconded the motion.

Commissioner Herschend expressed that there were three different events in the community that were scheduled this past Saturday and suggested setting up a community

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calendar to prevent competition. Herschend stated that he would ask Gary Morgan, I.S. Administrator to explore that concept on the county website.

Commissioner Strahan added that the Park Board is planning on putting out a calendar in regards to all events specified in the parks.

Commissioner Pennel explained that the IS Department got moved over the weekend and expressed his appreciation for all of their hard work.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



MAY 3, 2006 THE 13TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 10:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100857, 100859-100899-100900
Road & Bridge Trust Warrants	100828-100851, 100585
Assessors Fund Warrants	100852-100853
Transfer Station Warrants	100854-100856
911 Warrants	None
Manual Warrants	4496-4499
Accounts Payable Warrants	94654-94673

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

NEW BEGINNINGS DEVELOPERS LETTER

Presiding Commissioner Pennel made a motion to send a letter to New Beginnings Developers in support of the low cost housing project for Taney County. Pennel added that he would write the letter. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PLUMMER ROAD EASEMENT

Commissioner Strahan stated that the county was saved thousands of dollars by moving Plummer Road up the hill and that it was moved without the property owner's permission. Strahan further explained that ½ acre lies where it can't be used. Strahan added that \$4,000 may seem like a lot, but expressed that he feels it is cheap for what the property owners could have put the county through.

Commissioner Strahan made a motion to approve \$4000 for the right-of-way for Plummer Road and the property east of the new road's right-of-way. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

STEVE REDFORD PROPERTY NEGOTIATION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Donna Neeley, County Clerk advised the Commission that they were not

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posted for Executive Session. Commissioner Herschend stated that he requested Executive Session be posted on the agenda. Commissioner Pennel clarified that there is a disclaimer at the bottom of the agenda saying the Commission could go into Executive Session. Neeley reminded the Commission that this is not an emergency session. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to go out of Executive Session. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



MAY 5, 2006 THE 14TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

COMP TIME MONTY BARCLAY

Presiding Commissioner Pennel made a motion to pay 77.38 hours of comp time to Monty Barclay with the Sheriff's Department for family needs. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



MAY 9, 2006 THE 15TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Joan Chowning followed by the pledge.

FAMILY CEMETERY DICK SCOTT

Dick Scott presented a request for the Commission to approve a piece of land to use for his families' cemetery. Scott explained that RSMo 214.090 states "Any person desirous of securing family burying ground or cemetery on his or her lands, may convey to the county commission of the county in which the land lies any quantity of land not exceeding one acre..." Scott stated that he would pay all of the expenses of putting a fence around the ½ acre of land that would be used as the cemetery. Scott emphasized that this would not cost the county anything and that he is willing to sign an affidavit that would release the county from any financial responsibility that might incur. Scott added that it is all his property and that his family would be responsible for the upkeep of the cemetery.

Commissioner Strahan asked about the possibility of the cemetery not being just a Scott family cemetery and expressed a concern about running out of room? Strahan then asked what Scott plans to do if someone else requests being buried there in the future? Scott expressed his willingness to cooperate with the county and the statute and stated that he would do whatever the Commission recommends.

Bob Paulson, County Counselor explained that RSMo 214.090 limits a private cemetery to one acre however, does not specify limitations on the operation such as how many can be buried, how far apart they need to be, etc. Paulson then read RSMo 214.250 which states "Before any new burial ground, cemetery or graveyard can be opened up, established, started or operated in any town, village, city, county, township, school district or any other political subdivision of the state, in any county of class one, it shall be necessary first to obtain a written petition,

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addressed to the county commission of the county having jurisdiction thereof, signed by a majority of the assessed taxpaying citizens and conservators of minors owning property in the township in which it is proposed..." Paulson added that it does not say whether it applies to a public or private cemetery.

Commissioner Strahan clarified that he is not in opposition to Scott's request and asked who has control over someone other than a family member? Commissioner Herschend asked what would happen if two family members disagree and are feuding as to who is going to be buried there and who would have the final say?

Dick Scott stated that he would put in his affidavit that he will operate under RSMo 214.090. Commissioner Herschend explained that he would support him if upon Scott's death the affidavit would carry over to someone else. Scott stated that their family has a board made up of his younger children. A general discussion ensued.

Commissioner Herschend requested that Scott give the Commission a letter saying that a board has been established. Scott agreed to do all of the necessary paper work.

Commissioner Strahan made a motion to table this issue in order to investigate a little more and then get back to Scott with an answer. Dick Scott stated that he would go to Planning and Zoning and clarify the issue as to whether or not a petition of all voters in Scott Township will be needed before the cemetery is established. Commissioner Herschend seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from March 22 and 27, April 20, 24, 25, and 27, and May 1, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #94674-94770 and manual warrant #4500 – 4502. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by a roll call vote:

Herschend (aye)

Strahan (aye)

Pennel (aye)



MAY 10, 2006 THE 16TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 11:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District were present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

Road Material Bids

Commissioner Pennel made a motion to accept the following road material bids: Group #1; rejected, Group #2; accepted as recommended, Group #3; n/a, Group #4 accepted as recommended, Group #5; accepted as recommended, Group #6; n/a. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

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Tressa Luttrell, Administrator expressed her concerns with the rejecting of Group 1. Luttrell stated that the invitation to bid states that the bids have to be here by opening otherwise they are rejected. Luttrell further stated that just because they failed to submit doesn't mean you should re-bid just to get their bid. Luttrell added that she did not feel that it was fair to the other bidders who took the time to follow the directions.

COMPUTER BIDS

Commissioner Herschend made a motion to accept the bid from Dell as they are compatible with the existing setup and they are well known and easily serviced. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

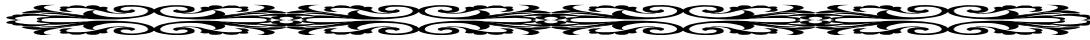
ELECTRICIAN RFQ

Commissioner Herschend made a motion to accept the qualifications of K&R Electric for the electrical work in conjunction with Empire District Electric at the M. Graham Clark Airport. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

FITNESS CENTER

Commissioner Herschend made a motion to accept a trial of three months at Bill Hagler's fitness center for those who choose to use it at no cost to the employees. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

Note: The Commission will send a memo to each employee regarding the details.



MAY 15, 2006 THE 17TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

EAGLE RIDGE ROAD PETITION

Presiding Commissioner Pennel read the following road petition: Eagle Ridge Road is located in section 7 and 18 Township 21 North, Range 17 West. The road begins at an intersection with Elbow Road approximately .9 miles west of Protem, Mo. Road extends south two miles to the Taney County line and dead ends one mile further into Arkansas but that portion is under private maintenance and is not subject to petition. Pennel added that there are five different property owners plus the road leads to Corp of Engineers property. It is recommended that the county take the road in as a Class 6. Pennel further stated that Randy Haes, Commissioner Strahan, and himself have looked at the road and it is all dirt and gravel with one cattle guard and gateposts that property owners would need to take out, if the road is taken in by the county.

Mark Ramsey, Resident stated that Eagle Ridge Road pre dates the lake and that maintenance has all been done by a private grater once a year. Ramsey added that the road as been touched up and \$10,000 has been spent on rock. Ramsey further stated that the traffic count estimate is 20 to 25 and explained all property owners have agreed to donate whatever right of way is needed to meet the 40 feet requirement. Ramsey explained that part of the residents live on the Arkansas portion of the road and clarified that they pay sales tax in Taney County and their children attend school in Taney County. Ramsey went on to state that the Protem Fire Department serves the Arkansas residents as well.

TANEY COUNTY COMMISSION RECORD

Randy Haes, Road and Bridge stated that aggregate would need to be put in a few places initially, but grater maintenance and ditch cleaning a couple of times a year is all that would be required in maintaining Eagle Ridge Road.

Commissioner Strahan asked about having to blast? Haes clarified that a few trees would need to be removed out of the ditch line for draining purposes.

Commissioner Herschend expressed a concerned that the road would require more than just maintenance and added that it might have to be rebuilt. Herschend added that the road-building schedule for the summer is already full. Haes clarified that it would be done over a period of time and this is not something that would pull Road and Bridge away from other projects. Herschend explained there is liability if trees exist between the road surface and ditch and added that if the county takes the road in today to do these improvements over time, then there would be a liability on the county if an accident occurred involving a tree in a ditch line. Herschend suggested tabling Eagle Ridge Road for six months in order to bring the road up to a better condition.

Commissioner Strahan also expressed a concern about the cattle guards and water drainage problems in a few spots that would require some culverts. Strahan added that there should be a clear understanding that if this road is taken in, the trees would need to be removed, the proper easements would need to be attained, and it would be a job done in portions instead of all at one time.

Mark Ramsey clarified that they are just asking the county to grate the road once a year for emergency maintenance. Herschend stated that the Commission has to consider public risk safety wise. A general discussion ensued.

Mark Ramsey suggested tabling the road in order to give the property owners time to get with Randy Haes, Road and Bridge so they can figure out which trees need to be trimmed and taken out. Herschend asked Ramsey to get something in writing from the property owners in regards to them dedicated the proper easements.

Commissioner Herschend made a motion to table the Eagle Ridge Road Petition until the first regularly scheduled meeting in July. Commissioner Pennel seconded the motion to table.

Al Longo, Property Owner expressed that he would trim the trees or do whatever is necessary to get the county to take the road in. Herschend expressed that he is not against taking the road in; it is just a timing issue for him. Pennel added that a turn around needed to be established at the state line.

Dave Bennett, Arkansas Property Owner explained that although they live in Arkansas they work and do their grocery shopping in Taney County.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

COUNTRY VILLAGE DRIVE PETITION

Tressa Luttrell, Administrator informed the Commission that the individuals who filed the Country Village Drive petition have inquired as to where the county is, on their road petition. Luttrell reminded the Commission that the petition was supposed to be brought up in February and it never was, so a decision needs to be made. Luttrell added that the petitioners are under the impression that the road has already been approved to be taken in as a county road.

Commissioner Herschend stated that Country Village Drive is a tenth of a mile and in fair condition with a 35 feet easement.

Commissioner Strahan expressed that a 40 feet easement would put the road very closely to the houses and that nobody seems to want to give up the footage for the easement otherwise it would have already been taken in.

Commissioner Strahan made a motion to deny the Country Village Drive Petition until they have representation present at a Commission meeting to explain the situation and give the proper easements. The motion died for the lack of a second.

TANEY COUNTY COMMISSION RECORD

Randy Haes, Road and Bridge clarified there is room to acquire the addition easement on the other side of the road. Commissioner Herschend asked if the easement issue is at the end of road? Haes added that it is all through the road and the other issue would be a turn around.

Commissioner Strahan made a motion to table the Country Village Drive Petition until someone is present at a Commission meeting to answer questions and give up the necessary easement. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AGENDA AMENDMENT

Presiding Commissioner Pennel made a motion to amend the agenda in order to move Jimmy Russell and Chris Berndt up. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

VEHICULAR REPEATER BID JIMMY RUSSELL AND CHRIS BERNDT

Jimmy Russell, Sheriff updated the Commission in regards to the vehicular repeater bid. Russell stated that Radio Phone has not delivered on their bid because the county has not received the difference that was promised on their radio bid. Chris Berndt, Emergency Management clarified that the original sales person left and now there is no interest in helping with the bid.

Commissioner Herschend asked if the county could sue for specific performance? Bob Paulson, County Counselor advised him that is not the best course of action on a practical matter. Commissioner Herschend asked if the second company would still honor their bid? Russell said they would have to check into that.

Commissioner Herschend made a motion to notify Radio Phone and cancel their bid, telling them they have ten days to deliver on their bid and pay the county the difference or the bid will be awarded to the second bidder. Paulson added that if they bid it, they should have to perform. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend then made a motion to award the bid to the second lowest bidder in the event that Radio Phone is unable to perform after the 10 days at Jimmy and Chris's discretion. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MPI GUNNER HILL ROAD IMPROVEMENT

Presiding Commissioner Pennel stated that he received a call and a letter from MPI in regards to the Gunner Hill Road Improvement. Bob Paulson, County Counselor stated that they are willing to come over and talk to the Commission and added that the letter hasn't gone out to anyone but the Commission. Paulson expressed that a decision needs to be made as to what will occur with the project. A general discussion ensued.

Commissioner Herschend made a motion to table this issue and go into Executive Session at the end of the meeting. Commissioner Strahan seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

RESOLUTION TRESSA LUTTRELL

Tressa Luttrell, Administrator read the following resolution that she drafted for Law Enforcement Week:

RESOLUTION NO. 06-0515

WHEREAS, the Congress of the United States of America has designated the calendar week of each year during which May 15 occurs as "National Police Week" and May 15th of each year to be "Peace Officers' Memorial Day"; and

WHEREAS, the peace officers are our guardians of life and property, defenders of the individual's right to be free, warriors in the war against crime, and dedicated to the preservation of life, liberty, and the pursuit of happiness; and

WHEREAS, it is known that every forty-nine hours an American Police Officer will be killed in the line of duty somewhere in the United States, and 170 officers will be seriously assaulted in the performance of their duties, our community joins with other cities and towns to honor all peace officers everywhere;

BE IT RESOLVED, that the Taney County Commissioners, do hereby proclaim the week of May 14th to May 20th to be Law Enforcement Week in Taney County and call upon all our citizens in the community to especially honor and show our sincere appreciation for the peace officers of this county by deed, remarks, and attitude. We call upon all our citizens to make every effort to express their thanks to the women and men who make it possible for us to leave our home and families in safety each day and to return to our homes knowing we are protected by women and men willing to sacrifice their lives, if necessary, to guard our loved ones, property and government against all who would violate the law.
Dated this 15th day of May 2006.

Commissioner Herschend made a motion to approve the resolution. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend encouraged the public to say something to the men and women that serve, during this Law Enforcement Week to let them know they are appreciated. Commissioner Pennel expressed that it is kind of like saying the pledge of allegiance; we don't always recognize the benefits we have.

CORP OF ENGINEERS EASEMENT TRESSA LUTTRELL

Tressa Luttrell, Administrator informed the Commission that she received an easement document from the Corp of Engineers for a desired right of way for a term of 25-years. Luttrell added that it is a county easement that is a driveway leading to one home. Luttrell presented the Commission with the proposed 25-year lease for their review. Luttrell clarified that the road in which the driveway is off of, is not a county road. A general discussion ensued

Commissioner Herschend suggested not giving the document to the County Counselor and asked if it is possible to go back to the Corp and figure out the history of this issue. Herschend added there might be something that says why the county has the easement and if it is not serving the county then maybe they can give it to the property owner. No motions were made and no votes were taken.

CONOCO PHILLIPS INSURANCE TRESSA LUTTRELL

Tressa Luttrell, Administrator informed the Commission that there was an Airport Board Meeting last week and Mark Parent gave her forms from Conoco Phillips for the Dealers Excess Liability Insurance Program and added that they will provide the Certificate of Insurance, which is required to be signed by Presiding Commissioner Chuck Pennel and attested by County Clerk, Donna Neeley. No motions were made a no votes were taken.

ROAD AND BRIDGE TRUCKS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she sent out bids for Road and Bridge trucks in February and they were awarded for 06 models however, the bidder was unable to full fill the bid. Luttrell reminded the Commission that they told her to award the bid to the next lowest

TANEY COUNTY COMMISSION RECORD

bidder however, he as also been unable to produce the 06's either. Luttrell clarified that he was able to find one for \$19,000 and added that she has not yet heard anything from Pinegar Chevrolet. Luttrell expressed that she needs to know what the Commission wants to do and added that production for 07's started today.

Commissioner Herschend made a motion to accept the second lowest bidder and ask them to order 07's at similar savings. Herschend expressed that he would rather save the four weeks of going back out for bids. The motion died for the lack of a second.

Commissioner Strahan asked how they know what the price will be for 2007 trucks? A general discussion ensued.

Commissioner Strahan made a motion to reject the original bid. Commissioner Pennel seconded the motion to reject. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to not accept the bid for 07's trucks from Pinegar Chevrolet. The motion died for the lack of a second.

PARK BOARD REPORT

Commissioner Strahan informed the Commission that the Park Board had a meeting and expressed everyone is excited about the pavilions that have been put up and the communities are getting good use out of them. Strahan added that they are presently working on the Johnson Pavilion in Hilda and that a motion was made to move on to the Merriam Woods Pavilion. Strahan further reported there was the usual good turnout and they are interested in the Commission taking care of the issue at the Beaver Creek sight of people staying there for long periods of time. Strahan added that action needs to be taken and a time limit should be set as to how long someone can spend in a park.

Bob Paulson, County Counselor stated that if it is county property, then the Commission has the right to regulate the use of the property.

Commissioner Herschend suggested passing an ordinance and stated that three to seven days is enough for a person to camp down there instead of having it turn into a homestead. Commissioner Strahan stated that the Park Board suggested simply posting a sign regulating a time limit as to how long campers can stay. Herschend clarified that without taking official action a sign is unenforceable. A general discussion ensued.

Commissioner Strahan then stated that Powersite is another community in line to get a pavilion and they have a picnic coming up. Strahan informed the Commission that the Park Board is looking into getting a community calendar together. Herschend clarified that Gary Morgan, GIS Administrator is going to get a community calendar together to put on the website. A general discussion ensued.

Art Beck asked if anyone from the City of Forsyth has approached the Commission about putting a whether warning down in the park. Commission Herschend asked why the county would purchase a siren from the city to put back in the city. Beck stated they are just asking for help. Herschend clarified that he hasn't been approached. Strahan added that he wasn't either and explained that the county is helping with the Forsyth Nature Trail. No motions were made and no votes were taken.

SALES TAX HOLIDAY ORDINANCE DONNA NEELEY

Donna Neeley, County Clerk presented the Commission with an ordinance that Bob Paulson, County Counselor wrote for Taney County in regards to opting out of the Sales Tax Holiday. Neeley added it is the same ordinance that has been used for the past two years and it needs to be approved and signed so that it can be sent to the state.

Presiding Commissioner Pennel made a motion to approve the ordinance. Commissioner Herschend seconded the motion. Herschend asked if the word "significantly" could be taken out of the sentence in the ordinance that reads, "the sales tax will significantly reduce sales taxes"?

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel amended his motion to approve the ordinance contingent upon the word “significantly” being removed. Commissioner Herschend amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AN ORDINANCE TO OPT OUT OF STATE IMPOSED SALES TAX HOLIDAY

Whereas, the Missouri General Assembly has passed and the Governor has signed, Senate Bill 11 that establishes a so-called “sales tax holiday” for the second weekend in August, 2006 and

Whereas, the legislation does not provide for the reimbursement to local governments for lost revenues, and

Whereas, the sales tax holiday will reduce local revenues, and

Whereas, counties depend on sales tax revenues to provide essential services for the citizens, including law enforcement, property assessment, roads, tax collection, et., and

Whereas, these sales taxes were approved by a vote of the people who expect the promised services, and

Whereas, the legislation authorizes local governments to opt out of the sales tax holiday by ordinance of the governing body,

NOW THEREFORE BE IT ORDAINED BY THE COUNTY
COMMISSION OF THE COUNTY OF TANEY AS FOLLOWS:

Section One. The County of Taney hereby determines that it will prohibit the provisions of Section 144.049 RSMo., 2003, from exempting sales of certain clothing, personal computers, certain computer software, and school supplies that occur within the boundaries of said County during August 4, 2006 through August 6, 2006 from local sales taxes.

Section Two. The County Clerk is hereby directed to send written notice to the State of Missouri Department of Revenue as soon as possible, but no later than June 20, 2006, of the decision to opt out of the “Sales Tax Holiday,” by forwarding a cover letter and certified copy of this ordinance.

Section Three. This ordinance shall be in full force and effect from and after the date of its passage and approval.

ADOPTED AND APPROVED THIS 15TH DAY OF MAY, 2006.

Attest:

Chuck Pennel, Presiding Commissioner

Ron Herschend, Western Dist. Commissioner

Danny Strahan, Eastern Dist. Commissioner

Donna Neeley, County Clerk

BE IT REMEMBERED that on passage of this ordinance, the roll call vote for approval was the following persons voting “Aye”

And the following voting “Nay”

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to table the minutes from May 3, 5, and 9, 2006.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants# 94772-94874.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

BOARD OF EQUALIZATION DONNA NEELEY

Donna Neeley, County Clerk made a suggestion to the Commission that BOE be done in her office from now on.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote. Pennel (yes), Herschend (yes), Strahan (yes).



MAY 17, 2006 THE 18TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	100901 – 100903, 100933, 100935 - 100974
Road & Bridge Trust Warrants	100905 – 100927, 100934
Assessors Fund Warrants	100904, 100928 - 100929
Transfer Station Warrants	100930 - 100932
911 Warrants	None

Payroll checks (cont.)

Manual Warrants	4504 - 4505
Accounts Payable Warrants	94979 - 95000

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



MAY 22, 2006 THE 19TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

SICKLE BAR MOWER BID TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that the sickle bar bids were sent out and that she received three bids back, two were no bids. Luttrell added that she spoke with Randy Haes,

TANEY COUNTY COMMISSION RECORD

Road and Bridge and they are recommending Heritage Town and Country for five sickle bar mowers in the amount of \$61,558.00.

Commissioner Strahan asked if this is the vendor with the heavy-duty mowers? Haes responded that the company who makes the heavy-duty mowers did not submit a bid.

Commissioner Herschend made a motion to approve the bid from Heritage Town and Country for five sickle bar mowers in the amount of \$61,558.00 as recommended by staff. Commissioner Strahan seconded the motion and stated that this is an emergency situation. Strahan added that they have been working on the mowers almost as much as they use them and this has been long overdue.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EXCAVATOR BID TRESSA LUTTRELL

Tressa Luttrell, Administrator then presented the Commission with a spreadsheet of bid prices for an excavator. Randy Haes, Road and Bridge explained that a total of six companies submitted excavator bids. Haes added that they bid their total price less the trade in of the current machine and added the buyback. Haes explained that he based his recommendation on the end result after the buyback and even though it would be a lot of money up front it would even out in the long run.

Presiding Commissioner Pennel asked if all of the equipment is close to being the same? Haes responded that they are all pretty close to being the same with a few exceptions as far as weight limitations and hydraulics. Haes added that the Road and Bridge supervisors have also recommended these machines.

Tracy Scott, Murphy Tractor John Deer vendor stated that their bid is structured with a buyback and it is a comprehensive bid where they are trying to arrive at a total operating cost. Scott further explained the one variable that was left out is the time value of money and that the interest the county would draw over a period of time would be more than enough to offset the initial cost. Murphy added that Murphy Tractor met all of the requirements to the bid specs with no exceptions.

Commissioner Herschend stated that he was also going to address the time value of money and explained that if the county takes the \$40,000 difference and puts it in the bank, then there is a real earning potential for the county. Herschend added that with the 4% difference it puts Murphy \$2500 less than Fabick and he appreciates the fact that there are no exceptions. A general discussion ensued.

Commissioner Strahan stated that he sat in on a meeting where the same information was presented and that the road and bridge workers had no particular preference, as far as brand, other than availability. Strahan added that the workers in attendance at the meeting expressed they would rather have Kat because of the excavator being available in one week's time as oppose to three to four weeks.

Commissioner Herschend made a motion to approve the John Deer 200 CLC because of the apparent \$2,000 to \$5,000 time value savings and the fact that the county is familiar with the John Deer maintenance. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (no).

BUCHANAN ROAD CLOSING

Commissioner Herschend made an announcement that the county is planning on starting the work on Buchanan Road the first of June, which will close Buchanan to through traffic for the summer. Herschend added that the county plans to have the job finished by the time school starts back in the fall.

SOLID WASTE RESOLUTION

Presiding Commissioner Pennel read the following resolutions:

TANEY COUNTY COMMISSION RECORD

A RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT EXECUTIVE BOARD

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, to appoint Chuck Pennel to represent the county of Taney on the Southwest Missouri Solid Waste Management District EXECUTIVE BOARD and to appoint Larry Rowland as the alternate to represent the county of Taney when the principal cannot.

A RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT EXECUTIVE BOARD

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, to appoint Larry Van Gilder to represent the county of Taney on the Southwest Missouri Solid Waste Management District EXECUTIVE BOARD and to appoint Debbie Redford as the alternate to represent the county of Taney when the principal cannot.

Commissioner Pennel then stated that these representatives have been the same for the last two years. Commissioner Herschend asked why there is a second resolution? Tressa Luttrell, Administrator clarified that one resolution is for the Executive Board and the other is for the Area Board Council.

Commissioner Herschend then asked why there are two representatives from Branson sewer? Luttrell explained that back in 2001 the Commission appointed them and it has been the same ever since. Pennel added that their by-laws have been revised and at this point Larry Van Gilder is the chairman because the current chairman did not want to serve again. Pennel further expressed that both Larry and Debbie are very active and involved and he supports the reappointment of both of them. Herschend expressed his concern about Larry Van Gilder serving on the sewer board and the potential conflict he might have working toward the betterment of Branson verses the county. A general discussion ensued.

Commissioner Pennel made a motion to appoint Larry Van Gilder and Debbie Redford as the resolution reads. Pennel then withdrew his motion and made a motion to table both resolutions until further review. Commissioner Herschend seconded the motion to table both resolutions. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIDS ON MASONIC LODGE BUILDING

Presiding Commissioner Pennel stated that he took the four bids on a metal building that the county is looking at to replace the Masonic lodge and asked them to revise the size. Pennel added that he has the new prices for the building and that Doug Faubion is going to see if a 90 or 100 feet building can be obtained at the site. A general discussion ensued. No motions were made and no votes were taken.

NO PARKING ORDINANCE

Presiding Commissioner Pennel stated that he has called some Commissioners from other counties in regards to the parking ordinance and explained that he is working towards a solution.

Commissioner Herschend clarified that some neighborhoods have called and expressed concerns about people parking on both sides of the streets which makes it difficult to get a fire truck or ambulance through and becomes a matter of public safety. Herschend added that the Commission should have something in the next 30 days and will hold a public hearing in regards to this issue. No motions were made and no votes were taken.

PHONE BID

Commissioner Herschend stated that there is a new price comparison in relationship to the Voice Over Internet Protocol or the regular landline that would be provided by Century Tel. Herschend explained that after looking at the last 30 to 36 months the cost difference drops to within \$1700. Herschend added that this is an apples to apples comparison and this is the total cost the county would be out for phone equipment and service. Herschend further clarified that Voice Over is the cheapest and has the better service.

Commissioner Herschend made a motion to approve the Voice Over IP solution from Century Tel. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve minutes from May 3, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan stated that the Commission has run into a situation in the process of moving facilities and there are questions over the percentage paid before a job is complete. Strahan added that the Commission would like to avoid this situation being stirred into something bigger.

Commissioner Strahan made a motion to approve accounts payable warrants #94875-94977 and #94978. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PROTEM PICNIC

Commissioner Strahan stated that the Protem picnic is this weekend and that one of the pavilions is completed so there will be a ribbon cutting ceremony. Commissioner Herschend added that it is a facility Taney County should be proud of.

Commissioner Pennel stated that it is also the 100-year anniversary of the Boston Center and that it is neat to see the community come together. Commissioner Strahan expressed that the small communities usually have the larger percentage of voter turnout during elections and that he appreciates the concern for what is going on in the community.

RECESS

10:02 a.m.

RECONVENE

10:08 a.m.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) for the purpose of litigation. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



MAY 25, 2006 THE 20TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in County Commission Office at 11:50 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ADDITIONAL SICK LEAVE JASON DAVIDSON

Commissioner Pennel made a motion to give three additional days of sick leave to Jason Davidson of the Road and Bridge Department. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



MAY 30, 2006 THE 21ST DAY OF THE APRIL ADJOURN TERM

TANEY COUNTY COMMISSION RECORD

The County Commission met in the Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Larry VanGilder led in prayer, followed by the pledge.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda to move Chuck Zehnder to last item, in order to give Mr. Zehnder time to get to the meeting. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FOSTER GRANDPARENT PROGRAM

Presiding Commissioner Pennel stated that he sits on the OACAC Board and OACAC is looking for volunteers to help with the Foster Grandparent Program. Commissioner Pennel asked for the public and media to get the word out and added if anyone is interested, they should contact Myrna Carlson, OACAC's Neighborhood Assistance Supervisor.

SCHOOL HOUSE ROAD

Presiding Commissioner Pennel reported that he received a call from Wayne Harding in regards to School House Road. Commissioner Pennel explained that he had written Mr. Harding a letter, but did not have the chance to send it before the call. Commissioner Pennel went on to state that he read the letter to Mr. Harding over the phone and Mr. Harding expressed he would work on the issue until he dies. Commissioner Pennel then asked the Commission to read the letter and give the issue some thought so that it could be addressed at a later time.

Commissioner Strahan asked if statutorily the issue could even be addressed? Commissioner Strahan added that Mr. Harding approached him regarding the issue and Commissioner Strahan told Mr. Harding that he didn't think the Commission could revisit School House Road until the next quarter. Commissioner Pennel clarified that he would like to look at the situation to see if it needs to be readdressed.

ROUND ABOUT PARTNERSHIP

Presiding Commissioner Pennel stated that a letter had been sent to the City of Branson and added that he heard a sound bite, which was Terry Dody saying the round about at the end of the bridge is contingent upon the county helping with the cost of it and he wanted to get the issue on the table for discussion.

David Miller, City of Branson, reminded the Commission that in the discussion back in 2003, the county agreed to pay for half of the construction costs. Mr. Miller stated that he doesn't know what the cost of construction will be but they are estimating it to be approximately \$750,000. Mr. Miller explained that when Mr. Dody discussed this issue with the JC's, they informed that the county said if it cannot be worked out, then there would be no funds from the county. Mr. Miller stated in regards to the sound bite that Mr. Dody was just restating what he had heard from the JC's. Mr. Miller reported that the ball is back in the JC's court and the city needs the JC's to come back with an agreement on costs and cost sharing.

Commissioner Herschend clarified that he has been communicating with Todd Aschler and the JC's for over two years and there is a sign that generates money for the JC's. Commissioner Herschend stated that he would be happy to work with MODOT, in securing an additional right-of-way for the JC's sign. Commissioner Herschend said that Branson has been carrying the ball on this issue, and that the Commission has been left out of the loop. Commissioner Herschend added that he could not speak for the rest of the Commission, but he would not be willing to support something that he did not believe was equitable and fair to the JC's. Commissioner Herschend further explained that the city had offered the JC's \$8,000 for a sign that generates about \$30,000 a year and expressed that the county is available and as a partner would love to be included in the process. Commissioner Herschend then expressed concern about a project that has gone from \$250,000 to \$650,000 and now \$750,000.

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Mr. Miller's stated that his understanding is the same as Commissioner Herschend's, but believes the JC's have no legal right to the property or the sign.

Commissioner Pennel asked what Mr. Miller's expectations are? Mr. Miller explained he has set up a meeting for final arrangement to bid, and could possibly bid at the end of June for construction this summer. Mr. Miller informed that the city aldermen want to move forward as soon as possible. Commissioner Herschend expressed that he would like to pick up a set of plans to share with the City of Hollister, as the plans would affect Hollister as well.

Commissioner Strahan stated that the most common question is about the condition of the Branson Bridge and wanted to know what is going to be done to the existing bridge? Commissioner Strahan further stated that he believes it should be addressed before talking about the round about cost.

Commissioner Herschend replied that MODOT is aware of the bridge issue needing to be addressed and believes they have estimated the bridge to have another ten to fifteen years of useful life. Commissioner Herschend said that the round about is just a short-term solution. Commissioner Strahan clarified that he understands the county is looking at a ten-year span from the bid to construction however it is the time span of six years instead of ten that concerns him. Commissioner Pennel said that the county needed to speak with MODOT about those concerns.

Commissioner Herschend expressed that he understood Commissioner Strahan's concern but he has also seen in the planning process that it can be three to four years. Commissioner Herschend stated he would spend the money today to give some folks relief and said that not being able to move anybody through, adds to people's rage and cutting in and out of traffic. Commissioner Herschend shared that he has been informed by Rick Ziegenfuss of the City of Hollister about a meeting with MODOT in June where the county would be able to address these issues.

Commissioner Pennel asked Mr. Miller about the construction time? Mr. Miller said that it would take six to eight months. The Commission thanked Mr. Miller for his time.

MASONIC LODGE BUILDING

Presiding Commissioner Pennel said that Bob Paulson, County Counselor, prepared a draft agreement, as the county is going to need the Masons' building before the county has a new building ready for the them. Commissioner Pennel gave the draft agreement to John Essary, along with bids on the building and the list that Commissioner Herschend and John Lavender made, so that the Masons could start looking at the details. Commissioner Pennel said that the Masons have brought the county some plans on a 40x90 with a basement area for utilities.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda in order to invite Mike Cole to address the Commission. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WATER SAMPLE MIKE COLE

Mike Cole presented the Commission with a water sample that was turned into the laboratory from the area wells. Mr. Cole expressed that he is concerned because as the new jail is constructed and rock is disturbed, there is the possibility of the local wells in the perimeter to be shaken. Mr. Cole did a demonstration to illustrate how movement can affect water clarity and said that torrential rain, subsurface water travel, and seismic activity could also play a factor. Mr. Cole said that the cheapest alternative is waiting for it to settle and if people can't wait, then the water can be filtered but filtration can be expensive. Mr. Cole went on to state that he wanted to make sure everyone realizes that this could happen and that the problem could be resolved.

Commissioner Herschend clarified that the occurrence of particles may not be from construction but from seismic waves. Mr. Cole reiterated that the sample being displayed is from water samples that were brought in by individuals. Commissioner Herschend said that the

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county could receive calls about murky water, which may not be related to what the county is doing and wanted the public to understand that.

Presiding Commissioner Pennel wanted to inform those present that Mr. Cole works through the Taney County Sewer Department, and tests well water for a ten-dollar charge. Mr. Cole added that the laboratory doesn't just take the sample and tell people the problem he also helps the people find an answer and resolve issues and problems.

Art Beck stated that he distills his water and suggested everyone else do the same.

Mr. Cole informed those present that the soldiers in Iraq don't take water rather they use a reverse osmosis machine and purify water.

Commissioner Strahan stated that everyone who has a well knows when the water table drops the well owners see a problem with rusting and asked about what is done about that? Mr. Cole explained that wells are using plastic now. Commissioner Strahan added that Mr. Cole could help people with rusting, to tell whether or not some require flushing.

PROFESSIONAL SERVICES AGREEMENT FOR GIS

Tressa Luttrell, Administrator, stated that a bid had been taken for the conversion of the GIS, and it is now time for the contract to be signed. Ms. Luttrell added that Mr. Paulson has not had a chance to thoroughly look at the contract and she is aware that the Counselor has a few concerns. Ms. Luttrell further explained that the bid has already been approved, but not the contract.

Bob Paulson, County Counselor expressed a concern about the last paragraph, stating that the terms and conditions of this agreement are subject to the laws of the State of Indiana and expressed that he would like a chance to look over the contract.

Gary Morgan, IS Administrator, stated that he spoke to the Snyder Corporation and the representative said there is an understanding that Taney County would change that part of the agreement to the State of Missouri, and the litigation would be here. Mr. Morgan further explained that the IS Department, and the 911 Board as well, want to move from Micro-Station Software to the Arc GIS World and this part of the contract would assist in conversion of data and the training of personnel.

Commissioner Herschend clarified that the software program would take all of the information that has been collected over the past four or five years and make the information accessible to 911.

Tammy Hagler, 911, added that the department is no longer going to maintain the Micro-Station Software, because the system is obsolete and the 911 Department would keep the system around for backup. Mr. Morgan said that this is the initial phase in converting the county's information into a usable format.

Commissioner Herschend asked if an additional outside contract would be needed. Mr. Morgan stated that he does not see a need at this time, but perhaps in the future there would be a need for additional scripting.

Commissioner Herschend made a motion to approve the acceptance of the bid and signature on the contract, after Mr. Paulson has had a chance to review and make appropriate changes. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

COUNTRY VILLAGE DRIVE CHUCK ZEHNDER

Chuck Zehnder addressed the Commission in regards to the Country Village Drive road petition. Mr. Zehnder explained that Kanakuk staffers live on the road, and he has asked the Post Office to allow the moving of mailboxes off of the main road however, the Post Office denied the request, saying that the road is in bad condition. Mr. Zehnder requested that the county

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repair the road so the mailboxes could be moved, as the mailboxes are right on the corner, which is a traffic hazard and added that Commissioner Herschend came and looked at the road.

Commissioner Herschend expressed that he has two issues to address about the road and explained the road needed a forty-foot easement, rather than the current thirty-five-foot easement, and it also needed a cul-de-sac or turn around at the end. Commissioner Herschend added that it must meet county requirements if the county is to maintain the road as anything other than a dirt road. Commissioner Herschend went on to state that Road and Bridge would need to be able to circle with equipment for snow removal for a one way, in, and out road and added that he believes if those two things are made available, the county could take in the road.

Presiding Commissioner Pennel clarified that the petition had been tabled to get the additional right-of-way. Mr. Zehnder reported that all of the property owners signed off to give an additional two and one-half feet for the necessary right-of-way and asked if the circular drives that exist would suffice for a turnaround, as the drives are paved? Commissioner Pennel replied that they would have Randy Haes, from Road & Bridge verify if the drives will work.

Tressa Luttrell, Administrator said that once the Commissioners have approved the petition, Mr. Haes would get the necessary easements and get the documents signed.

Commissioner Pennel emphasized that the county would need the driveway owners to sign an agreement. Commissioner Strahan added that he has driven and looked at the road and won't have a problem if all these things are agreed and accepted by Mr. Haes.

Commissioner Herschend made a motion to approve Country Village Drive as a county road, contingent upon acquiring the easement for a turnaround through an existing circular drive, as a Class Five road. Commissioner Pennel seconded the motion.

Commissioner Herschend commented that there is a list of all roads that have been approved for this year and the Commission will get Country Village Drive in the system and look at upgrading the road as quickly as possible.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ASSESSOR'S BOOKS

James Strahan, Assessor reported that he turned the books over to the County Clerk on May 15 and informed that there was a healthy growth of 4.8 % and is looking for a larger growth next year. Mr. Strahan expressed that he is concerned about the problem of determining which part of Branson Landing would be taxed, as the part that is city owned and operating cannot be taxed and he believes there may be many tax exempt areas.

Commissioner Herschend clarified in defense of the City of Branson there is a lot of privately owned property there. Assessor Strahan stated he is assuming the city owns the parking garages however doesn't know with certainty who owns what. Assessor Strahan further clarified that there might be a leasehold option on some of the property and he doesn't believe they are taxable unless private individuals own the structure. Commissioner Herschend suggested Mr. Strahan sit down with the City of Branson to help clarify these issues. A general discussion ensued.

Presiding Commissioner Pennel stated that if the Commission can do anything to help the Assessor in regards to this issue they would be happy to help.

PROTEM PICNIC

Commissioner Strahan stated that Protem had their picnic and there were approximately 335 in attendance under the new pavilion. Commissioner Strahan went on to state that it was a great picnic and everything went well adding that the park pavilions are drawing communities together.

ART BECK

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Art Beck asked if the county has so much growth and expects so much more then why are taxes increasing? Bob Paulson, County Counselor responded that the more buildings the more value. Rick Findley, Auditor clarified that the county does not get money from taxes and that they go to the schools. Mr. Paulson added the only way taxes go up is if the taxing districts increase their taxes.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from May 5 and 9, 2006.

Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (nay), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #95001-95062 and manual warrant #4508.

Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

Commissioner Herschend made a motion to recess. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

RECONVENE

11:07 a.m.

CITY OF HOLLISTER UPDATE RICK ZIEGENFUSS

Rick Ziegenfuss, City of Hollister, updated the Commission and explained that the qualifying bid was between twenty-five and thirty million dollars which was twenty-seven million, less than APAC anticipating the award.

Commissioner Herschend brought up the Branson-Hollister Round About and Commissioner Strahan asked about the bridge? Mr. Ziegenfuss replied that bridges go through inspections and reported that the concrete is deteriorating. Mr. Ziegenfuss informed there are several possible sites for a new bridge and added there are issues because Branson Landing is at the widest part of the lake. Mr. Ziegenfuss further discussed the bridge. A general discussion ensued.

Minutes taken by Hillary Bargman and typed by Lisa Owen



MAY 31, 2006 THE 22ND DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101004 - 101043
Road & Bridge Trust Warrants	100975 – 100997, 101003
Assessors Fund Warrants	100998 - 100999
Transfer Station Warrants	101000 - 101002

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911 Warrants	None
Manual Warrants	4509 - 4511
Accounts Payable Warrants	95143 – 95160

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



JUNE 5, 2006 THE 23RD DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

AGENDA AMENDMENT

Presiding Commissioner Pennel made a motion to amend the agenda to address bids for medium duty trucks, dump truck bed, dump materials-section 1, and Road and Bridge trucks. Pennel added that Pat Barnett from Kanakuk Kamps would also be addressing the Commission in regards to a crosswalk. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

HILLSIDE DRIVE ROAD PETITION

Presiding Commissioner Pennel read the following road petition for Hillside Drive: Swan Township in the County of Taney, Hillside Drive, Forsyth, Township 23, Section 8, Range 20.

Randy Haes, Road and Bridge stated that this is a short, narrow, dead end road, off of Smith Lane near the Y Hwy area, and it serves six homes. Haes added that it has old chip surface and is in poor condition. Haes further stated that if the county were to take the road in his recommendation would be to remove the aggregate, reshape the road, and work on the ditch line. Haes added that it has a platted 30 feet easement so more right-of-way would be required and there is no turn around except an existing private drive.

Commissioner Pennel stated that he has looked at Hillside Drive and clarified that the last house was not the best place for a turnaround. Haes added that the terrain was steep and the area would need a lot of fill to make a turnaround in that area. Pennel clarified that all of the property owners have signed to give a right-of-way.

Commissioner Strahan suggested letting the property owners know that a place to turnaround will need to be established before the county takes in the road.

Commissioner Pennel expressed that he would be in favor of taking Hillside Drive in, if the county can get the turnaround.

Commissioner Herschend expressed a concern about the 14 feet surface not being up to county standards. Herschend added that the two surrounding roads are not maintained by the county and they will most likely follow in the petition process because they are all part of one subdivision in which the roads were not built adequately in the first place.

Commissioner Herschend made a motion to table the Hillside Drive Petition for six months so that it can be revisited once they have better information. Commissioner Strahan seconded the motion to table. Strahan emphasized that the easements need to be acquired before the county proceeds. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TIPPING SERVICE BID TRESSA LUTTRELL

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Tressa Luttrell, Administrator requested that the Commission table the tipping service bids until later today. Luttrell explained that due to the move she was unable to complete a spreadsheet of the bids.

Commissioner Herschend made a motion to table the tipping service bids until later today. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend explained that in the past the Commission has chosen between two vendors and that one is cheaper and the other one is closer. Herschend added that for the last four or five months the county has been unable to go to the cheaper vendor because of the distance verses the amount of trash being hauled. Herschend expressed that he wanted that information to be known before the bids are approved. No motions were made and no votes were taken.

CORP EASEMENT TRESSA LUTTRELL

Tressa Luttrell, Administrator clarified that the Commission asked her to look into why there was an easement to a property past Park Place and stated that the a previous County Commission requested it and was re-approved by another County Commission for the land owner to be able to get to the properties. Luttrell added that it is a public road and the county does not maintain it. Luttrell further explained that it is a 20-year easement that needs to be renewed.

Commissioner Herschend made a motion to renew the easement with the Corp of Engineers. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MEDIUM DUTY TRUCK TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that the county took bids for a medium duty truck to replace for the concrete crew. Luttrell explained that they received two bids one from Springfield Freightliner and one from Friendly Ford. Luttrell added that Randy Hae's recommendation is for Springfield Freightliner M2-106 Chacey and Service Combo in the amount of \$57,936.00

Randy Haes, Road and Bridge explained that the other truck was a little cheaper but had a different gear ratio and expressed that he expected more bids but did not get them. Haes added that he reviewed the bids with Charlie and to meet his requirement, this truck will best fit his needs.

Commissioner Herschend made a motion to approve the bid from Springfield Freightliner in the amount of \$57,936.00 as recommended by staff. Commissioner Strahan seconded the motion and expressed that Charlie wouldn't ask for the more expensive truck if it wasn't needed. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DUMP BED TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she received two bids for two dump bodies one from Bus Andrews and one from Bedoe and Sheen. Luttrell further stated that Randy Haes is recommending Bedoe and Sheen in the amount of \$28,500.00.

Randy Haes, Road and Bridge stated that the bid is for the dump body with the hoist and attachments and added that road and bridge would do the installation and paint the bed.

Commissioner Herschend made a motion to accept Bedoe and Sheen for two dump bodies in the amount of \$28,500. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DUMP MATERIALS

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Tressa Luttrell, Administrator reminded the Commission that they approved everything for dump materials except section one, due to the fact that one vendor was on vacation and did not submit. Luttrell added that she re-bid the section one materials and one vendor still did not show up. Luttrell further stated that Randy Haes' recommendation is the same, which is to use whatever quarry is closest to the job.

Presiding Commissioner Pennel clarified that APAC is the vendor that did not show up and that they were one hour off on their deadline. Pennel added that they bid on time the first time they submitted. Luttrell stated her paperwork says it is the vendor's responsibility to be on time with their bid.

Commissioner Herschend asked if the closest quarry always works out to be the cheapest? Haes explained that sometimes it is but not always because sometimes the closest quarries do not have the proper materials. Herschend expressed his concern that the closest may not be the best price. Luttrell clarified that in this case the lowest priced bidder is the closest quarry.

Commissioner Herschend made a motion to use the net lowest of cost for material at whatever quarry that would be, depending on the job. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan expressed that they have to set a standard somewhere and stated that they can't have someone come in a day late and accept them.

Commissioner Herschend made a motion to include APAC for the rock supplier and accept their bid even though they were an hour late; they are the lowest net cost for citizens of Taney County. Commissioner Pennel seconded the motion. A general discussion ensued.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ROAD AND BRIDGE TRUCKS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she sent out a bid for six pick-ups for Road and Bridge and the bid was not fulfilled. Luttrell further explained that she did receive two bids for 07 pick-up trucks and they are actually a little cheaper than 06's.

Commissioner Herschend made a motion to approve Friendly Ford for the Road and Bridge trucks as suggested by staff. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

JACEE SIGNS

Commissioner Herschend explained that he was made aware that the information he shared at last weeks meeting was not correct and apologized for sharing what he thought were accurate. Herschend clarified that he understated the bid that they were given and that David Miller and Teri Dody were trying to find new locations for the signs.

KANAKUK CROSSWALK PAT BARNETT

Pat Barnett, Kanakuk Kamps addressed the Commission with a request for a single crosswalk at Kanakuk Kamps to link the parking lot on the east side of Lake Shore Drive to camp. Barnett explained that the county has already put in flashing lights and people have been crossing in the same area for 6 or 7 years but he is asking that the county paint a crosswalk in the area.

Commissioner Herschend made a motion to table this issue in order to get with an engineer from the state and ask for their advice. Herschend further expressed a concern that the Commission has already turned down requests from Big Cedar and Stone Croft due to the fact that crosswalks create a false sense of security, which could cause accidents. Herschend added that the public feels safe when they are not, because someone who hasn't driven the road before will not know the crosswalk is coming and suggested getting a light and stopping traffic for

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safety. Barnett explained that there is no real place where a light could be put in because most of it is private property. Herschend suggested putting in a three way elsewhere. A general discussion ensued.

Commissioner Pennel asked Barnett why a crosswalk is worthwhile safety wise? Barnett explained that he would like to think the county would recognize an area where there have been no accidents. Herschend responded that there have been no accidents because people do not yet have a false sense of security.

Commissioner Pennel seconded the motion to table.

Commissioner Strahan stated that all the lines would do is put the responsibility on the county. Barnett expressed that he understands the Commission's concern and suggested that he talk to those who operate the camp in order to figure out the best solution for everybody. Barnett added that a light, which turns red when a button is pushed, might be something to look in to. Herschend added that he would be in favor of the project if another solution were found otherwise he would like to have the state come down and advise them as to the best solution. It was decided that the Commission would come out on Wednesday to look at the area.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AUCTIONING OF REMAINING BUILDINGS RICK FINDLEY

Rick Findley, Auditor stated that he is leaving Thursday and asked if he needed to do anything for the auction before he leaves? Commissioner Strahan expressed that he would like to wait until Findley returns before auctioning off the salvageable parts from the building before it is knocked down. Herschend suggested that John Lavendar identify what he needs and what can be auctioned off. Findley clarified that he and Lavendar have already made the list.

Dick Clark asked if the Masonic Lodge would be involved in the auction and demolition. Commissioner Pennel stated that they would know more after Wednesday.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from March 23, April 10, May 10, 17, 22, 25, and 31, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #95067-95142.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MICKEY GILLEY AREA APPRECIATION

Commissioner Pennel stated that the Mickey Gilley Theater did area appreciation and someone told Mickey Gilley about the animal shelter. Pennel added that Gilley personally brought a car full of food and \$1200 was raised for the shelter. Pennel expressed his appreciation to Gilley for his service to the community.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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JUNE 7, 2006 THE 24TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 10:52 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

SITE WORK/UTILITIES BID

Commissioner Herschend made a motion to accept the bid as proposed from Kennedy Construction in the amount of \$797,000.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SURVEYING BID

Commissioner Herschend made a motion to accept the bid as proposed from Archer Engineers not to exceed \$1,000.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MATERIAL TESTING BID

Commissioner Herschend made a motion to accept the bid as proposed from Palmerton & Parrish. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRE-CAST MODULAR CONTRACT

Commissioner Strahan made a motion to approve the contract with Tindall Corporation. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SHORTY COOPER STREET RE-LOCATION

Commissioner Herschend made a motion that Bob Paulson, County Counselor write a letter to the City of Forsyth regarding the relocation of the current Shorty Cooper Street to the already platted Hill Street at a future date. **Note:** Said street will be renamed to Shorty Cooper Street. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TERMINATION BRIAN HOWE

Commissioner Strahan made a motion to terminate Brian Howe's employment. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).



JUNE 12, 2006 THE 25TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

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The prayer was led by Helen Souttee followed by the pledge.

MUSKIE AND BASS ROAD PETITION

Presiding Commissioner Pennel read the following road petition: Swan Township 50 feet width, this road is in Lakeway and is a school bus route, the name of the street is Muskie and then Bass, this would improve the bus route and Lakeway Road south and west, back to Lakeway Road.

Randy Haes, Road and Bridge clarified that the part of the road being petitioned is where Muskie connects to Bass and they are petitioning both of them, so it will be a through road. Haes stated that Muskie has had a chip and seal surface at one time and it will need to be scared off and reshaped. Commissioner Pennel added that it has 12 dwellings with a 19 feet width and 1300 feet length.

Commissioner Herschend asked when the county is going to have time to take the surface off of a road and replace nine or ten culverts and reshape it? Randy Haes stated that they wouldn't have time to get to it until later this fall. Herschend expressed a concern that if the road is taken in, then the people will want immediate results and when they have to wait several months it makes the county look like they are not doing their job. Herschend suggested tabling the Muskie and Bass Road Petition for six months until road and bridge is ready to chip and seal the hill. A general discussion ensued.

Commissioner Strahan made a motion to table the Muskie and Bass Road Petition until the end of September in order to see where the county is on the chip and seal schedule. Commissioner Herschend seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TOM STROM SALES TAX

Susan Kettlekamp, Rockaway Beach City Clerk explained that they have endeavored to receive reimbursement for the City of Rockaway Beach for the use of their sewer plant. Kettlekamp further explained that the Sewer Board approved the cities request for reimbursement with the stipulation that Rockaway acquires documentation from Taney County, Merriam Woods Village, and Bull Creek Village that they are in agreement with the decision of the Sewer Board.

Commissioner Herschend clarified that a figure of \$215,815 was calculated by Great River Engineering as to the value that these municipalities and the county got by not having to replace or reconstruct those useable parts of the Rockaway Municipal Treatment Facility, after it was expanded to be a region plant. Herschend added that even though it is a regional plant Rockaway has been paying on it and Bob Paulson, County Counselor is in concurrence with the concept of reimbursement. Herschend recommended that the Commission authorize the payment of the \$215,870 out of the 25% of the Sewer Sales Tax Fund, which has been collected and not used by these municipalities.

Presiding Commission Pennel asked about the part of the letter that states the amount necessary for this request is \$91,000? Tom Strom, Mayor of Rockaway Beach explained that Rockaway Beach also has money in the Sewer Sales Tax Fund and requested that they receive their portion of it to pay some of the back money that they have into the plant. Strom clarified that the \$91,000 would be in addition to the \$215,870 and added that Rockaway Beach has money in the fund just like Bull Creek and Merriam Woods. A general discussion ensued.

Commissioner Herschend expressed that he is not in favor of the request for the additional \$91,000.

Commissioner Herschend made a motion to direct the Treasurer, Helen Souttee to pay from the Sewer Sales Tax Fund \$215,870 representing Merriam Woods, Bull Creek and Taney

TANEY COUNTY COMMISSION RECORD

County's portion as approved by the Sewer Board and as requested by these municipalities. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend expressed his appreciation to John Lavender for volunteering his time to help with wiring the Library at Rockaway Beach on Saturday.

VOLUNTEER AGREEMENT FOR MAINTAINING HWY K PARK

Commissioner Strahan stated that he was approached by the Corp of Engineers with a suggestion to work towards opening some of the parks that have been shut down. Strahan stated that this particular agreement is for K Dock Park and he has a Skaggs Community volunteer group who are waiting for the Commission to approve the volunteer agreement of the park. Strahan expressed that the agreement has been sent to county to be signed and sent back to them so they can get started on the project.

Commissioner Strahan made a motion to sign the Volunteer Agreement for Maintaining Hwy K Park. Commissioner Pennel seconded the motion. Strahan stated that Bob Paulson, County Counselor has read it through and made a few changes.

Presiding Commissioner Pennel read from the agreement that, "nothing in this agreement shall obligate either of the parties to expend funds." Strahan added that they did away with the red tape because of the fact that it is such a benefit to the community.

Commissioner Herschend applauded Commissioner Strahan's work and asked if trash collection for the park would be done out of Road and Bridge? Strahan stated they have had some volunteer help and some of the people from the Park Board and Road and Bridge are among those volunteers.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BOB SCHANZ

Commissioner Herschend announced that Bob Schanz's mother passed away and in lieu of flowers the family is asking for donations. No motions were made and no votes were taken.

PACKADERM

Commissioner Strahan stated that there would be a Packaderm meeting on Friday with Presiding Commissioners as speakers. No motions were made and no votes were taken.

JUDICIAL FACILITY GROUNDBREAKING

Tressa Luttrell, Administrator announced that there would be major groundbreaking event at the site of the new Judicial Facility on Thursday June 15, 2006 at 1:30 p.m. No motions were made and no votes were taken.

EMERGENCY RESPONSE EXERCISE

Presiding Commissioner Pennel informed the public and media that the Taney County Health Department would be having an Emergency Response Exercise at the College of the Ozarks on Wednesday and they are asking for volunteers to be victims. No motions were made and no votes were taken.

DICK CLARK

Dick Clark asked why Fox Creek road has been blacktopped? Commissioner Strahan explained that both Savage and Fox Creek roads had accidents on them and it was a hazard, so it needed to be done. Strahan added that they are trying to do away with one-lane box culverts where two cars cannot pass. A general discussion ensued. No motions were made and no votes were taken.

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COUNTY CLERK'S OFFICE MOVE DONNA NEELEY

Donna Neeley, County Clerk informed the Commission that the County Clerk's Office was successfully moved and there are still some things in the old building that need to be moved before the demolition.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to 610.021 (1) (2) (3) for the purpose of litigation. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to go out of Executive Session. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS RECONVENE

The County Commission reconvened in the County Commission Office at 1:15 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

RIP RAP TRAILER BID

Commissioner Herschend made a motion to approve the bid as submitted by Bibeau & Schien in the amount of \$33,390.00 for a Rip Rap Trailer. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TIPPING SERVICES BID

Commissioner Herschend made a motion to accept Waste Corp as the primary and Springfield Relay as the secondary until the county purchased additional equipment, then they will utilize the 75% option from Waste Corp. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

HOT MIX BID

Tressa Luttrell, Administrator informed the Commission that without Table Rock's bid for Hot Mix, the west side will not be able to purchase material. Both Journagan and APAC are busy on other projects and are not able to provide.

Commissioner Herschend made a motion to allow the purchase of Hot Mix from Tablerock Asphalt in the event that the other two companies are not able to provide. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

GUARDRAIL BID

Commissioner Strahan made a motion to accept the letter to furnish a guardrail as submitted by Thompson Culvert. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

VEHICULAR REPEATER BID

TANEY COUNTY COMMISSION RECORD

Tressa Luttrell, Administrator updated the Commission on the previous motion made by the Commission regarding the Vehicular Repeater Bid. Luttrell stated that she has forwarded the correspondence to both Sheriff Russell and Chris Berndt that was received from Radiophone. The deadline from the Commission had passed, in which the Sheriff sent notification that they were proceeding with the other bidder.

Tressa Luttrell noted that she has voided the purchase order for Radiophone, sent a certified letter along with a copy of the voided purchase order to Radiophone, and issued a new purchase order to Radio Communication Specialists. Luttrell further explained that Radiophone has asked about the portion of the Commission's motion regarding them paying the difference between the bids. Luttrell stated that she told Radiophone the portion was out of her hands and would be forwarded to the Commission and County Counsel. No motions were made and no votes were taken.

EMERGENCY SHELTER GRANT

Tressa Luttrell, Administrator informed the Commission that they were awarded an Emergency Shelter Grant in the amount of \$10,590.00 for the Hiding Place Ministry. No motions were made and no votes were taken.

PAPER BID

Tressa Luttrell, Administrator informed the County Commission that she had received notification in that Corporate Express could not continue with the current bid for paper. Luttrell stated that according to Bret Chrismer, Taney County Representative, two paper mills had closed and paper prices are skyrocketing.

Tressa Luttrell noted that the new prices would rise June 1st and again on July 1st. However, after looking on the web at Quill Corporation, these prices were still lower.

Commissioner Pennel asked if those were sale prices or just everyday prices? Luttrell clarified that they everyday prices.

Commissioner Pennel made a motion to rescind the motion regarding paper and that the Purchasing Agent is to order all paper for all departments and keep a stockpile for better savings. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

CONSTRUCTION SIGNS BID

Commissioner Herschend made a motion to award the Construction Sign bid to Newman Signs. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

HAND HELD RADIOS BID

Commissioner Strahan made a motion to award the bid for Hand Held Radios to Continental Wireless contingent upon them being serviced in Springfield. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #95162-95267 and manual warrants # 4512-4515.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ROAD & BRIDGE SUPERINTENDENT

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Commissioner Herschend made a motion to include Jacob Rock's resume in for the Road & Bridge Superintendent's position. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



JUNE 13, 2006 THE 26TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 11:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

MOWING EXTENSION OFFICE

Commissioner Pennel made a motion for the Maintenance Department to take care of the Extension Office mowing. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



JUNE 14, 2006 THE 27TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101072,101074 – 101113
Road & Bridge Trust Warrants	101044 – 101066, 101073
Assessors Fund Warrants	101067 – 101068
Transfer Station Warrants	101069 – 101071
911 Warrants	None
Manual Warrants	4516 – 4519
Accounts Payable Warrants	95268 – 95287

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



JUNE 15, 2006 THE 28TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 4:53 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

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COMP TIME RICK LUNDT

Commissioner Pennel made a motion to direct the Auditor to pay Rick Lundt 83.5 hours of comp time. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).



JUNE 19, 2006 THE 29TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BRASS LANTERN ROAD PETITION

Presiding Commissioner Pennel read the following road petition for Brass Lantern Circle: Township 22N, Section 21N, Range 19W, Cedar Creek Township. Road review: estimated count 5 to 10, surface 10 to 12 feet, road length 1700 feet, gravel surface in poor condition, no culverts, one ditch, two dwellings. Road needs to be graded and shaped with a ditch and aggregate added on other side for draining. Pennel added that aside from the two homes the road also provides access to four or five docks and the lake.

Ray West, property owner stated that the road used to be graded but has not been graded in last 20 years. West added that when it rains the road becomes the ditch and that many people use it for fishing and to launch boats. West expressed that the road is rough to drive on and asked if he and the other owners buy rock if the county would shape the road?

Presiding Commissioner Pennel explained that county equipment couldn't be used on a road that is not a county maintained road.

Commissioner Strahan explained that the county does not build roads; they usually take roads in that are already up to a certain standard. Strahan suggested that West and his neighbors spend some time getting the road in a better condition, as it would be more feasible for the county to take in Brass Lantern. Strahan further expressed his concern about crossing Corp property.

Randy Haes, Road and Bridge stated that both sides of the road could use culverts and ditches to help with drainage. Commissioner Strahan added that a previous Commissioner had a letter from the Corp stating that a written request for permission needed to be sent in order cross Corp property. Commissioner Pennel added that he talked to the Corp and they are supposed to get in contact with the Commission to figure out how to move forward. A general discussion ensued

Commissioner Strahan made a motion to take Brass Lantern in as a county road contingent upon the property owners providing the necessary rock and culverts needed to bring it up to county standards. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

BRANSON TECHNICAL COLLEGE UPDATE JEFF IRELAND

Jeff Ireland, Branson Technical College updated the Commission on the Branson Technical College. Ireland stated that they are gearing up for the fall through their continued

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partnership with the Taney County Ambulance District. Ireland added that an EMT class will be offered in August including day and evening courses for Medical Administrative Assistant programs such as accounting and nursing assistant classes. Ireland further stated that they just finished two classes of conversational Spanish and another course will start in July. Ireland informed the Commission that they are planning an open house late in July to early August. No motions were made and no votes were taken.

FORM 11A DONNA NEELEY

Donna Neeley, County Clerk presented the following Form 11A of the assessed valuation for all of Taney County:

REAL PROPERTY	NUMBER OF ASSESSMENTS	ASSESSED VALUATION
1. Residential	21,648	\$181,903,670
2. Agricultural - Assessed Value of Vacant/Unused land is <input style="width: 50px;" type="text"/>	4,413	4,515,910
3. Commercial	1,046	45,753,220
4. Forest Croplands - No. of acres @ \$3 <input style="width: 50px;" type="text"/> No. of acres @ \$1 <input style="width: 50px;" type="text"/>		
5. TOTAL Assessed Valuation - Rural Land		\$232,172,800
6. Residential	12,035	125,955,370
7. Agricultural - Assessed Value of Vacant/Unused land is <input style="width: 50px;" type="text"/>	175	998,810
8. Commercial	2,202	267,303,090
9. Forest Croplands - No. of acres @ \$3 <input style="width: 50px;" type="text"/> No. of acres @ \$1 <input style="width: 50px;" type="text"/>		
10. TOTAL Assessed Valuation - Incorporated Town Lots		\$394,257,270
11. TOTAL Assessed Valuation - Real Property		\$626,430,070
TANGIBLE PERSONAL PROPERTY	NUMBER OF UNITS	ASSESSED VALUATION
12. Horses, Mares, Asses, Jennets and Mules	788	\$39,400
13. Cattle	11,387	643,675
14. Hogs	46	384
15. Sheep & Goats	219	2,091
16. Poultry		0
17. All Other Livestock	193	9,133
18. SUBTOTAL - Livestock (Assessed at 12%) (Sum of lines 12-17)		\$694,683
19. Farm Machinery (Assessed at 12%)	585	531,691
20. Vehicles including Recreational Vehicles	49,230	69,988,059
21. Grain and Other Agricultural Crops (Assessed at 1/2 of 1%)	0	0
22. Manufactured Homes Used as Dwelling Units (Assessed at 19%)	1,051	2,834,909
23. Historic Motor Vehicles, Historic Aircraft & Aircraft Built From Kit (Assessed at 5%)	30	2,920
24. Pollution Control Tools & Equipment (Assessed at 25%)		
25. All Other Tangible Personal Property on Assessment Book	3,074	51,889,643
26. SUBTOTAL - All Other Personal Property (Sum of lines 19-25)		\$125,247,222
27. TOTAL Locally Assessed Valuation - Tangible Personal Property (Sum of lines 18 & 26)		\$125,941,905
28. TOTAL Locally Assessed Valuation - Taxable Property (Sum of lines 11 & 27)		\$752,371,975

THIS ABSTRACT MUST BE FORWARDED TO THE STATE TAX COMMISSION BY JUNE 20.

MO870-0037 (3-06)

Total Number of Vehicles

49,230

*The total number of vehicles shown on this line should match the number of assessments reported on line 20 on the reverse side of this form. This total will automatically be entered on line 20 on the reverse side of this form.

HISTORIC MOTOR VEHICLES, HISTORIC AIRCRAFT AND AIRCRAFT BUILT FROM A KIT

Line 23 on the reverse side of this form is the total value of historic motor vehicles, historic aircraft and aircraft built from a kit. Historic motor vehicles are assessed at 5%. Please report the number of each type of historic personal property below:

Historic Motor Vehicles	30	*Must be over 25 yrs. old and owned solely as a collector's item and used or intended to be used for exhibition and educational purposes	
Historic Aircraft		*Must be at least 25 years old and used solely for noncommercial purposes and are operated less than 50 hours per year	
Aircraft Built from a Kit		*Aircraft that are home built from a kit	
Total Number of Historic Vehicles		<u>30</u>	

*The total number of historic vehicles shown on this line should match the number of assessments reported on line 23 on the reverse side of this form. This total will automatically be entered on line 23 on the reverse side of this form.

I, Donna Neeley, Clerk of the County Commission of Taney County, State of Missouri, do hereby certify that the foregoing is a true, complete and correct abstract of the taxable property in the said county, taken from the Assessment Book for 2006. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Commission of Taney County. Done at office in Forsyth, Missouri, this _____ day of _____, 2006

COUNTY CLERK SIGNATURE	TELEPHONE NUMBER	FAX NUMBER

AUCTION

Presiding Commissioner Pennel announced that the county would be having an auction this Friday June 23, 2006 at 5:00 p.m. of surplus material out of the two buildings that are being

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taken down. Pennel added that the auction at the Masonic Lodge is contingent upon getting the proper paper work before Friday. No motions were made and no votes were taken.

RECESS

Commissioner Pennel made a motion to recess. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECONVENE

The County Commission reconvened in the County Commission Office at 11:08 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from June 5, 7, 13, 14, and 15, 2006.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #95288-95384 and manual warrant #4520.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken and typed by Hillary Bargman



JUNE 26, 2006 THE 30TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BUILDING DEMOLITION

John Lavender addressed the Commission concerning the demolition schedule of the Masonic Lodge and Ingenthron buildings. Presiding Commissioner Pennel clarified that he was uncomfortable about doing anything with the Masonic Lodge property until the county owned it and added that the closing should be tomorrow or on Wednesday. Mr. Lavender shared that everything in the buildings have been sold and that the buyers have until Sunday to remove their belongings. Mr. Lavender reported that the auction brought in \$2,300.00.

Commissioner Herschend suggested taking a crew from the Table Rock Acres Project. Commissioner Herschend added that they have a track hoe with a rock hammer and could do the work with someone's supervision after which the crew could go back to Table Rock Acres. Commissioner Herschend emphasized it would not hurt the project at Table Rock Acres if this crew were used. Commissioner Strahan commented that this could be discussed tomorrow at the Road and Bridge meeting.

**ADVISE OF TIF
RICK FINDLEY**

TANEY COUNTY COMMISSION RECORD

Rick Findley, County Auditor, stated he received a letter from Gilmore & Bell and inquired as to which tax revenue's the county is required to pay to Branson Hills and Branson Landing? Mr. Findley went on to state that the letter is the only documentation he has received and they are asking for \$46,543.00 on Branson Hills and the Branson Landing is requesting \$8,848.96. Auditor Findley added that they have also requested 50% of the taxes the county brings in from the General County Revenue ½ cent tax, the Sewer ½ cent tax, the Road & Bridge ½ cent tax, and the Law Enforcement tax. Mr. Findley further explained that the voters have designated these taxes to be used for certain areas such as Road and Bridge and Law Enforcement and expressed that he believes the county has some responsibility to make sure the monies are applied in those areas. Mr. Findley then stated that he isn't going to send a bill through until he has some direction on this issue from the Commission.

Commissioner Herschend asked for clarification as to how to proceed with this issue? Bob Paulson, County Counselor referred to case law and said if the county is not going to pay those funds maybe they need clarification from court.

Commissioner Herschend made a motion to instruct Mr. Findley to pay funds that are due from the TIF on GCR and draft a letter requesting documentation from case law on the balance of the taxes that were approved after the TIF was approved. Commissioner Strahan seconded the motion.

Commissioner Strahan commented that the county feels responsible on GCR because of the TIF laws, but for the others there may be case law where the county wouldn't have to pay and it's harder to have monies returned to the county after they have been paid.

Commissioner Herschend withdrew his motion. Commissioner Strahan withdrew his second.

Commissioner Herschend made a motion to table this issue including GCR until the Commission understands where the county is starting the payments and with which month.

Bob Paulson, County Counselor read a "blurb" of the case law of the County of Jefferson vs. Quick Trip Corp regarding special use taxes. "The statute requiring 50% of additional sales tax revenue generated by public improvements, financed by tax incremental financing TIF districts. To be transferred into special allocation fund with exception to General County Sales Tax Statutes, which required revenue collected to be put into funds for capitol improvements and law enforcement. The TIF allocation statute was enacted after sales tax statutes, and neither sales tax statutes nor TIF allocations statute were more specific."

Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TRANSFER OF FUNDS TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she submitted three "Transfer of Funds" for the Commission's approval. Commissioner Pennel read the following: "The Taney County Auditor requests the Commission to order a disbursement amount of \$7,526.02 from the transfer station to GCR pursuant to budget."

Commissioner Herschend made a motion to approve the transfer of funds. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend then stated that a Transfer of Funds was submitted pursuant to the County Auditor transfer from the Sewer Sales Tax to the GCR. Commissioner Herschend added that this is allowable by statute for administrative cost in the amount of \$9,7919.86.

Commissioner Strahan added that a Transfer of Funds was also submitted for the Road and Bridge Trust requesting disbursement of \$135,964.63 to GCR.

Commissioner Herschend made a motion to approve both transfer of funds. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

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VIABLE PLAN JAMES STRAHAN

James Strahan presented the Commission with a concern about what the definition of a viable plan would consist of in reference to sewer monies. Mr. Strahan went on to state that the Village of Kirbyville became eligible for Sewer Funds about a month ago in the amount of \$675,000.00 and have not yet received those funds. Mr. Strahan added that Kirbyville School has about 400 students, and that the current sewer program at the school would go off line in the next year or so.

Commissioner Herschend explained to Mr. Strahan that when the Sewer Board budget's for the county they start in September and it is approved in December. Commissioner Herschend added that the budget is used to operate for the next 12 months and if the Sewer Board approved the plans in September of the fifth year then the village would get the monies in January of the 6th year for construction. Commissioner Herschend clarified that the Village of Kirbyville is eligible in September and they needed to submit a viable plan to be approved by the Sewer Board. Commissioner Herschend further expressed that he feels the Sewer Board has gone out of their way to facilitate Kirbyville by allocating \$30,000.00 to have an engineer draw up a viable plan. A general discussion ensued.

James Strahan suggested that the Commission go back to the Sewer Board and ask them their definition of a viable plan versus a non-viable plan. Commissioner Strahan added that the Commission needed to listen and understand the process. A general discussion ensued.

RECESS

Commissioner Strahan made a motion to recess for two minutes. Commissioner Pennel seconded the motion to recess. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EAST/WEST CORRIDOR JAY WAGONOR, ANDY MELLER, RICK ZIEGENFUSS

Rick Ziegenfuss, City of Hollister made a request for the Commission to engage and engineer to move forward with the section of the East/West Corridor Road in alignment from Maple Street in Hollister through it's eastern terminus, preliminarily asking that to be Hwy J near Kirbyville at the intersection of Hwy 76.

Mr. Ziegenfuss also reminded the Commission of the following timeline for the project:

In 1995 –1999 their was recognition that the transportation system in the southwest corner of the county would continue to be stressed with commuters and an ever growing number of people needing to transfer from the bulk of Taney County into the southwest corner either for jobs or flow of goods and services. There was the problem identification during that period of time.

In 2000 the city of Hollister committed to meet with property owners along the route and some alternate route identifications that stem from that exploration work.

In 2001 there was preliminary engineering completed by Great River Engineering, it was commissioned by the City of Hollister, and came up with 3 alternating alignments that were developed.

In 2002 initial coordination with MODOT, Great River Engineering, and the City of Hollister on the west end of the East/West Corridor Road to link it and size, scope, and interchange that would account for its traffic, as well as link it with a future interchange project. Also the City of Hollister set up public dialogue with Taney County, Kirbyville, and property owners.

In 2003 and 2004 there were ongoing concept reviews and this became a regular item in the Progress and Partners monthly meetings to talk about the East/West Corridor Road with property owners and interested parties.

In 2005 Hollister sent in the west end of the East/West Corridor Road went to design and funding its portion of the route and off-site improvements with the TIF project.

In 2006 Taney County hosted a meeting with MODOT, Taney County, Hollister, Forsyth, and interested parties including Bob Schanz.

Tasks remaining for a preliminary engineering, a traffic study, and an alignment study scoping the remainder of the East/West Corridor Road from Maple Street to Kirbyville, right away plans and acquisition, construction funding federal, MODOT, County, Hollister, and private. There would be bids, letting an award and construction of the project.

Mr. Ziegenfuss asked the Commission to consider engaging an engineering firm to complete some of the things necessary to go to MODOT and ask for their participation in a cost share program to move this particular part of the project forward.

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Jay Wagoner suggested that the first question to answer is what is going to be built as far as lanes, shoulder design, how fast the traffic should be allowed to travel, curve alignment, and access on and off of the East/West Corridor Road.

Commissioner Herschend stated that he had two questions, how much traffic is predicted to use the new road and secondly how much does the next phase of the project cost? Jay Wagoner said that MoDOT's website would establish an approximate traffic total and that the next phase would cost \$20,000 and it would build the base for the new road.

Andy Meller clarified that it is important to go ahead and proceed to the next step and they know MoDOT would be asked to participate in some way so they need to know what this project looks like.

Commissioner Herschend expressed that originally they were talking about six or seven million and now the project is almost twice that. Commissioner Herschend asked, at that kind of funding level, if this is the best option for those funds? Mr. Meller responded that of the options he has seen and discussed this is one is better if not the best. Mr. Meller added that anytime crossing a lake is avoided it is the best cost and time sensitive as far as environmental clearances. Commissioner Herschend then inquired as to widening Hwy 65 or Hwy 76 and asked if this beats those options from a cost standpoint? Mr. Meller replied that it is hard to say at this time depending on how much it would cost to purchase rights-of-way through the undeveloped areas and added they could generally be acquired at a reasonable price.

Commissioner Strahan reported that he has visited with several landowners in the area who are concerned about exits and expressed that he wants to look out for citizens. Commissioner Strahan stated the landowners are giving up an investment to get an investment and asked if the State takes into consideration at least an exit or two to get off the road. Mr. Meller informed that they don't have a set number of entrances but those things are considered and when they make the landowners an offer for property they need to have something that would provide safe passage.

Commissioner Strahan then expressed concerned about getting the work force from the eastern to western side of county and added that everyone he has spoken to has been in favor of this project and he sees it has a great advantage. Mr. Meller commented in regards to traffic on Hwy 65 that the whole route is one lane and encouraged the Commission to keep in mind that if things keep growing they might have to look at a six lane at some point in time.

Commissioner Herschend made a motion to move into a contract to take the county into the next phase. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Rick Ziegenfuss asked the Commission to please consider GCR and expressed that he appreciates the county's leadership in this matter.

PRIOR MINUTES

Commissioners made a motion to approve minutes from June 19, 2006. Commissioner seconded the motion. The motion passed by vote: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioners made a motion to approve accounts payable warrants #95385-95483 and manual warrants #4521-4522.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yea), Herschend (yea), Strahan (yea).

WATER IMPROVEMENTS AT BRANSON

Commissioner Herschend stated that he was contacted several times on Friday about the Commission not charging for water improvements at Branson and added that those improvements are part of the Public Water Supply District 3 (PWSD 3), which is its own

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municipality with its own board apart from Taney County. Commissioner Herschend added that the PWS 3 is responsible for making those decisions not the county.

ROAD REVIEWS WITHIN MUNICIPALITY

Commissioner Herschend asked Tressa Luttrell, Administrator to have Mr. Haes report after reviewing a road within a municipality and added that at least one road is being maintained by the county that is within the boundaries of a municipality. Commissioner Herschend expressed concern about not being able to properly maintain county roads if they are also maintaining roads within municipalities.

Commissioner Herschend made a motion to direct Randy Haes, Road and Bridge to review roads to make sure they are not within other municipalities and report back to the Commission. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

LETTER OF APPRECIATION

Commissioner Herschend made a motion to ratify an action taken last week and would like the Commission to send a letter of appreciation to Renee Pennel for being a volunteer at the Animal Shelter. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

MINCY PARK

Commissioner Strahan reported that the Mincy Park Board needed some lights for a baseball field and horse show arena and stated that Larry Van Gilder volunteered through the City of Branson to donate lights from their old ball field. Commissioner Strahan explained that at first he refused and did not think they were going to be usable but later found out they were usable. Commissioner Strahan added that the City of Branson's donation to the parks would have historical value and expressed his appreciation to them for their contribution to the park system.

Commissioner Herschend also expressed appreciation to the individuals who helped get them up in 24 hours. Commissioner Strahan added that they had a lot of help and it was nice to see people volunteering and contributing to something that would be used for many generations.

PROPOSED ORDINANCES

Presiding Commissioner Pennel informed the Commission that Bill Stephenson, Corp of Engineers has brought proposed ordinances for them to consider on the closing of the roads around Bull Shoals Lake. Commissioner Pennel stated that he called the Corp to follow up on the road closing issue and would like to schedule a meeting with the Corp to further discuss this matter.

Bob Paulson, County Counselor clarified that if the Corp as control it would be a resolution not an ordinance.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and edited by Hillary Bargman and typed by Stacey Clemans



**JUNE 28, 2006 THE 31ST DAY OF
THE APRIL ADJOURN TERM**

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

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ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve the following payroll warrants.

General County Revenue Warrants	101118 – 101120, 101148, 101150 - 101188
Road & Bridge Trust Warrants	101122 – 101142, 101149
Assessors Fund Warrants	101121, 101143 - 101144
Transfer Station Warrants	101145 - 101147
911 Warrants	None
Manual Warrants	4523 - 4525
Accounts Payable Warrants	95484 - 95495

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

TINA HILL COMP TIME

Commissioner Pennel made a motion to pay Tina Hill of the Sheriff's Department 27 hours of comp time. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 3:00 9.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend (via telephone), Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to 610.021 (1)(2). Commissioner Strahan seconded the motion. Motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve the following payroll warrants.

General County Revenue Warrants	101118 – 101120, 101148, 101150 - 101188
Road & Bridge Trust Warrants	101122 – 101142, 101149
Assessors Fund Warrants	101121, 101143 - 101144
Transfer Station Warrants	101145 - 101147
911 Warrants	None
Manual Warrants	4523 - 4525
Accounts Payable Warrants	95484 - 95495

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

TINA HILL COMP TIME

Commissioner Pennel made a motion to pay Tina Hill of the Sheriff's Department 27 hours of comp time. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 3:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend (via telephone), Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to 610.021 (1)(2). Commissioner Strahan seconded the motion. Motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



JULY 3, 2006 THE 1ST DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

VACATION OF ROADWAY PINEWAY ESTATES

Mike Body, Property Owner read the following Court Order for the petition to vacate Roadway in Pineway Estates:

“Comes now plaintiffs, Michael Body and Brandon Body by and through their attorneys undersigned is a petition and for their petition to vacate state and inform the County Commission of Taney County as follows: Plaintiff's are the owners of all lots adjacent to the road proposed to be vacated said street is platted road that has never been developed for use in any manner. The legal description of the road to be vacated is as follows: all that part of a 30 feet wide platted road lying south of lots 1,2,3,4,5,6 and lying north of lots 7,8,9,10,11,12 and lying north and east of lot 6 in north of lot 5 all in block 3 of Pineway Estates. Subdivision recorded in Platte book 15 page 38, official records of Taney County, Missouri. Plaintiff's desire to have the above

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described street vacated and said street vacation would be in the best interest of the property and no other persons would be damaged thereby.”

Mike Body further explained that they have gotten signatures of everyone in the subdivision. Bob Paulson, County Counselor asked if it a platted subdivision? Body then showed Paulson the description and it was determined that it is platted.

Commissioner Herschend asked which of the two statutes this falls under? Bob Paulson stated that he is not sure if it falls under RSMo 71 or 228. Herschend added that if it is under RSMo 71, then the Commission could take immediate action. Herschend then explained there are two different statutes involved in vacating a road with different requirements and it determines which legal action to take on the road.

Commissioner Strahan asked if it is all one land owner on both sides and if the landowner got the road platted? Mike Body responded that he is the landowner and he was not the one who got the road platted, it was done back in 1979. Body then presented a map of the road to the Commission.

Bob Paulson stated that if proper notice was given either in five public places or published in the newspaper and there is no opposition, then the requirements have been met and there is not need to wait. Commissioner Herschend clarified that notice was posted in the Taney County Courthouse, Save-a-lot in Forsyth, Glens Supermarket, Country Mart in Forsyth, and Casey’s General Store in Forsyth.

Commissioner Herschend made a motion to approve the vacation of Roadway in Pineway Estates as presented and added that he believes they have met all the requirements outlined in RSMo 71. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIDS STRAW BLOWER

Commissioner Herschend stated that Tressa Luttrell, Administrator opened bids and there was only one bidder for a Skid Mount Straw Blower.

Commissioner Strahan asked Randy Haes, Road and Bridge if this straw blower would have enough power to reach the desired distance and added that some of the rentals lack the power for some of the jobs requiring a longer distance? Haes explained the specs were for a distance of 40 feet from the road. Haes added that the Road and Bridge employees would rather have a skid mount because it is easier to load and unload.

Commissioner Herschend read the following from Wildcat Tool Rental Inc: We expected a 20-horse power they bid an 18-horse power. Both have low oil shut off, both have a two to three bail per minute capability, we asked for five gallon fuel they have 6 gallon fuel, we have six blades they have 8 blades, we asked for up to a 45 feet range and they have a range of 40 feet. Herschend added that they are lighter by 25 pounds and the bid price is \$6,642.00. Randy Haes clarified that he is recommending approval.

Commissioner Herschend motion to approve the bid from Wildcat Tool Rental Inc in the amount of \$6,642.00 as recommended by staff and added that it is expensive but a necessary piece of equipment. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIDS PAVEMENT MARKER

Randy Haes, Road and Bridge explained that the pavement markings bid has been put out for the past few years with the same specs for yellow and white paint for striping and added that this year the quantities were changed due to surplus supplies.

Commissioner Herschend stated that there was just one bidder, Time Striping Inc and read the following bid prices: yellow acrylic waterborne paint for \$675.95 a barrel and the county needs 60 barrels making it \$40,557, white acrylic waterborne paint for \$624.80 a barrel

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and the county needs 15 barrels making the total \$9,372, and glass beads the county needs 250 pound bags at \$23 a bag for total of \$4,600. Herschend further explained that the total bid is \$54,529 and expressed that he feels this is a qualifying bid. Haes added that he agrees.

Commissioner Strahan asked if they use it on traffic count or all county roads? Haes clarified that it is all county roads.

Commissioner Herschend made a motion to approve the bid from Time Striping Inc for a total of \$54,529. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIDS ELECTION PALMS

Commissioner Herschend stated that the next bid is from Election Administrators for election palms, which are tools to help in the elections. Herschend added that they are palm pilots with universal wireless keyboard.

Donna Neeley, County Clerk explained that this is new technology in the election process and resolves the issue of a voter having an incorrect address or is at the wrong polling place by looking the voter up at the polling place and verifying where that person needs to go vote. Neeley added that this will speed up elections quite a bit and save people from having to wait for the election judge to call the County Clerk's Office in order to determine where the voter needs to go.

Commissioner Herschend expressed that this will make the answering of questions on Election Day even better. Herschend explained that they only received one bid from Election Administrators for 16 palms in the amount \$3,040 and 16 wireless keyboards for \$880 out of the Election Fund.

Commissioner Herschend made a motion to approve the bid from Election Administration for a total amount of \$3,920. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend addressed the issue of a contract. Neeley explained they are sole source provider and she went with the 5-year contract because it was the cheapest cost to the county. Herschend asked that Neeley discuss the issue with Gary Morgan, IS Administrator before the Presiding Commissioner signs the contract.

BOB PAULSON ORDINANCE

Bob Paulson, County Counselor stated he received a call from the airport manager who is concerned about car rental contract leases. Paulson explained that one of the car rental companies wanted to do something different than what was outlined in the contract and the Airport Board said "no" informing them that they are to enter into the same contract has other vendors. Paulson added that the county gets a percentage for each lease they enter into. Paulson further explained that the vendor's response to that, was to go into the airport lobby, in uniform, writing contracts without having any form of contract with the county. Paulson added that in doing so the taxpayers are not benefiting from this use of county property for this commercial venture and it is also jeopardizing the counties relationship with the current vendor who is being disadvantaged by this competitors actions. Paulson then asked the County Commission for permission to file a law suite and read the following ordinance:

IN THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

AN ORDINANCE REGULATING USE OF TANEY COUNTY AIRPORT/GRAHAM CLARK FIELD AND DESIGNATING AIRPORT MANAGER TO SUPERVISE USE OF AIRPORT PROPERTY

WHEREAS, Taney County Airport/Graham Clark Field is owned and operated by Taney County, Missouri; and,

WHEREAS, the Taney County Commission is a Missouri county of the first classification; and

WHEREAS, Section 49.266 of the Revised Statutes of Missouri sets forth that the county commission in first class counties may by order or ordinance, promulgate reasonable regulations concerning the use of county property; and,

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WHEREAS, Section 49.270 of the Revised Statutes of Missouri sets forth that the county commission shall have control and management of the property, real and personal, belonging to the county; and,

WHEREAS, the efficient and economically prudent operation of the Taney County Airport/Graham Clark Field is in the best financial interests of Taney County, Missouri and its taxpayers; and,

WHEREAS, Taney County, Missouri enters into contracts with vendors to operate certain businesses at the airport that are normally associated with the operation of an airport; and,

WHEREAS, the proceeds from contracts with vendors help to offset the expense to the taxpayers of Taney County, Missouri in operating the airport;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, AS FOLLOWS:

SECTION 1. County Ordinances are hereby added to by the adoption of this ordinance regulating the use of certain Taney County property known as the Taney County Airport/Graham Clark Field as follows:

A. *Trespassing.*

Airport property is devoted to the use of the passengers, passenger guests, airport employees, airport tenants, and other persons who have business at the airport. No person shall enter upon airport property who does not have business at the airport. The airport manager, law enforcement personnel, or other personnel authorized by the airport manager may request any person who does not have business at the airport or who is in violation of any rules or regulations of the airport to leave airport property. Any person who fails to comply with this request to leave airport property or fails to abide by regulations on file with the county clerk shall be a trespasser.

B. *Tenants and vendors.*

Only those persons or entities that have prior written approval from the airport manager or that have a written contract with Taney County, Missouri may engage in activities on the property of the Taney County Airport. Any person or entity that is seeking to engage in business activity or is engaging in business activity on Taney County Airport property shall not be deemed to fit within the definition of those having business at the airport as set forth above in paragraph A, unless such person or entity has first obtained the written permission of the Taney County Airport Manager or entered into a written contract with Taney County, Missouri to conduct business on Taney County Airport property.

SECTION 2. *Effective date.*

This ordinance shall be in full force and effect from and after its passage.

SECTION 3. *Other remedies.*

This ordinance does not preclude or prevent Taney County, Missouri from taking all other actions available to it against trespassers or others who violate rules or regulations concerning county property.

PASSED AND SO ORDAINED AT THE COURTHOUSE IN FORSYTH, MISSOURI ON THIS 3RD DAY OF JULY 2006.

Bob Paulson, County Counselor expressed that the situation is out of control and something needs to be done.

Commissioner Herschend added that by allowing this, the county is not just giving an unfair monetary advantage, there is also the safety issue of these vendors thinking they can vend anywhere on county property. Herschend then asked Paulson if it would be possible to add a paragraph that includes vending on all county property? Herschend added that in the past the Commission has voted to not allow vending on county property but no ordinance was ever drawn. Paulson stated that the ordinance could be updated. A general discussion ensued.

Commissioner Strahan expressed a concern about Park Board locations such as Hilda that have vendors come and sell farm produce and Mincy provides for their utility cost by having a swap day with vendors. Strahan asked if this ordinance would affect those events? Paulson explained that it would affect them and there might need to be exceptions added in the ordinance for those types of situations.

Commissioner Herschend made a motion to approve the ordinance contingent upon one change in the written contract and direct that the employees of the county actively seek to enforce this ordinance. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

EAGLE RIDGE ROAD

Presiding Commissioner Pennel stated that he received a call from Mark Ramsey updating him on the status of Eagle Ridge Road. Pennel expressed that the property owners are getting things taken care of and reminded the Commission that this issue was supposed to be readdressed the first meeting in July

TANEY COUNTY COMMISSION RECORD

Mark Ramsey, Property Owner stated that they have met with Randy Haes, Road and Bridge who drove the road and gave them a list of things to improve. Ramsey reported that they have met all of the requirements on the list with the exception of removing an electric fencepost, which should be done by the end of the week. Ramsey added that a surveyor has done the groundwork and they are waiting for something on paper.

Commissioner Pennel asked about the cattle guard? Ramsey clarified that they have already been taken out.

Commissioner Strahan expressed that he doesn't know when the county will be able to begin work on Eagle Ridge Road. Ramsey clarified that Commissioner Pennel as made it clear that there will be a wait and explained he just wanted the Commission to see they were sincere about doing whatever it takes to get their road taken in by the county.

Commissioner Herschend made a motion to take Eagle Ridge Road in as a Class 6 contingent upon a survey being done on the right-of-way and easements. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

HUNTER ROAD

Presiding Commissioner Pennel stated he got a call last week about boulders that have been laid across Hunter Road off of Hwy 86. Pennel added that a developer has bought the lots down the road and decided to block it off however, it is a county road.

Randy Haes, Road and Bridge clarified the road is not a very long road and that it no longer exists.

Commissioner Herschend made a motion to send notice to the developer/property owner that Hunter Road is a county road until such time that it is vacated. Commissioner Strahan suggested as soon as the county has equipment is in that area to move the boulders. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PINE HOLLOW ROAD

Presiding Commissioner Pennel had a call from a citizen who is building a house on Pine Hollow Road and the county chipped and sealed up to his house. Pennel added that the citizen would like to have the road chipped and sealed down to line.

Randy Haes, Road and Bridge stated the road is a county road up to the other side of the road and they are already planning to seal that short section. No motions were made and no voters were taken.

RECORDS DISPOSITION DONNA NEELEY

Donna Neeley, County Clerk presented the following records disposition that have met the retention schedule:

RECORDS DISPOSITION

County: Taney
Office: County Clerk

Date Sorted & Pulled: June 28, 2006

The following records have met their retention schedule and are recommended for disposal under RSMo 109.230 subsection 4. The officeholder with jurisdiction over these records may elect to take the following action: store the records, destroy the records, or de-accession the records. If the records are destroyed or donated to a local historical agency the action should be recorded in the minutes with the record series and inclusive dates.

Record Series	Inclusive Dates	Retention
Bids & Proposals- Commission Office	2002	3yrs

PRIOR MINUTES

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Commissioner Strahan made a motion to table the minutes from May 15, June 12 and 28, 2006.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNT PAYABLE

Commissioner Strahan made a motion to approve accounts payable warrants #95496-95557.

Commissioner Herschend seconded the motion.

Presiding Commission Pennel asked Commissioner Herschend if everything is going okay with Table Rock Acres. Herschend clarified that everything is going well and expressed his appreciation to everyone for their cooperation during this process.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SALARY INCREASE RICK FINDLEY

Rick Findley, Auditor stated he received a salary increase request from Mike Scofield, Juvenile Office for the state employees only, not the county employees. Findley added that he needs to know what the Commission wants him to do and clarified that part of the increase would come from Taney County and the other part would be from Christian County. Findley further expressed that he is recommending the increase.

Commissioner Herschend made a motion to approve the salary increase request from Mike Scofield as presented. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BOB SCHANZ

Bob Schanz addressed the Commission in regards to a camouflage ATV with no lights that almost ran him off of the road. Schanz asked what could be done about the situation?

Bob Paulson, County Counselor stated that they shouldn't be operating an ATV on the streets. Commissioner Strahan added there is an "all terrain" statute in regards to that issue. Commissioner Herschend suggested that citizens call the Sheriff's Department in that kind of situation. No motions were made and no votes were taken.

VILLAGE OF KIRBYVILLE

Commissioner Herschend expressed his appreciation to County Counselor Bob Paulson for his work on Friday. Herschend explained one of trustees representing the Board of Kirbyville informed him that through Paulson's good work and the support of Judge Justus they came to a resolution and they were pleased. No motions were made and no votes were taken.

BOE STATUTES

Commissioner Herschend explained that in reading statutes on licensing he came across RSMo 150.060 stating that "The assessor or the county clerk shall return the merchants' tax book and the assessor shall make the reports required by section 150.055 to the county board of equalization on the second Monday in July in each year, which said board is hereby required to meet at the office of the clerk of the county commission on the second Monday in July in each and every year, for the purpose of equalizing the valuation of merchants' statements..." and it is covered again in RSMo 150.055. Herschend then asked Donna Neeley, County Clerk if that meeting needs to be scheduled. Neeley stated she would look into that. No motions were made and no votes were taken.

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ANIMAL CONTROL ORDINANCE

Presiding Commissioner Pennel stated he got a call about citizens who are afraid of their neighbors vicious dog and asked Bob Paulson, County Counselor to look into the penalties for that situation as outlined in the Animal Control Ordinance. No motions were made and not votes were taken.

RECESS

10:00 a.m.

RECONVENE

10:10 A.M.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session for the purpose of litigation pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve the payment of a Process Server not to exceed \$250.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to notify the members of the Masonic Lodge that the Commission is continuing with the condemnation process. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to go out of Executive Session. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



JULY 10, 2006 THE 2ND DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

DAM VIEW ROAD STEVE DUNN

Steve Dunn, with the Missouri Department of Transportation (MODOT), addressed the Taney County Commission in regards to Dam View Road. Mr. Dunn explained that this is the road the county acquisitioned by the hatchery. Dunn presented the Commission with a map and shared that they have received several complaints in regards to people going onto the right-of-way, dumping, and shooting fireworks. Dunn then suggested putting up “no outlet” or “dead end” signs and barricading the roads with concrete barricades across the end of the Grand Avenue, Elizabeth, and Plaza to let people know that it is shut off until MODOT connects up to Dam View Road. Dunn reiterated that they have had several phone calls about the area and MODOT has already purchased the right-of-way, but has not done anything with it.

Commissioner Herschend asked who would pick up the trash that is currently down there and suggested letting MODOT place appropriate articles at the county transfer station, without charge. Commissioner Strahan asked if MODOT would be building a turnaround or cul-de-sac and Presiding Commissioner Pennel questioned how maintenance would work if the county needed to chip and seal the roads? Dunn responded that MODOT would be picking up the trash, but would not be building a turnaround or cul-de-sac, which is why he suggested the “No Outlet”

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or “Dead End” signs. Dunn further explained that the county would only need to give him 24 hours notice to have the concrete barricades out of the way. Dunn added that they would let property owners know what MODOT is doing.

Commissioner Herschend made a motion to approve the Missouri Department of Transportation to clean up the material, bringing it to the transfer station at no cost, and to allow them to barricade the five streets indicated, along with signage at their discretion. Commissioner Pennel seconded the motion. The motion passed by a vote: Pennel (yes), Herschend (yes), and Strahan (yes).

Commissioner Herschend expressed his appreciation to MODOT for letting the Commission know about their plans.

NATIONAL DAY OF THE COWBOY JOE HREHA

Joe Hreha requested a proclamation from the Taney County Commission recognizing the National Day of the Cowboy Organization. Hreha explained that it is a nonprofit organization, whose purpose is to set aside a date to pay homage to the country's cowboy and western heritage, as well as to honor working cowboy/cowgirls, rodeo athletes, western musicians, cowboy poets, western artists, rangers, and others who continue to contribute to the cowboy and western culture in America today. Hreha added that Taney County would be the first jurisdiction in the State of Missouri to adopt a proclamation and that the National Day of the Cowboy is generally the third Saturday in July each year. Hreha clarified for Bob Paulson that the proclamation would recognize the day, rather than the organization.

Commissioner Herschend made a motion to approve a proclamation recognizing a day set aside to honor the country's western heritage and cowboys/cowgirls. Commissioner Strahan seconded the motion. The motion passed by a vote: Pennel (yes), Herschend (yes), and Strahan (yes).

CONTRACT APPROVAL FOR REHABILITATION OF PUMP STATION JOHN SOUTEE

John Soutee, Sewer Department presented contract documents in regards to rehabilitation of lift station number four, which was adopted by the sewer district in 1995 to service Riverside Acres. Soutee explained that it is worn out and he went out for bid proposals approximately one and one-half months ago. Soutee stated that Victor Rosetta, with Rosetta Construction was the only bid received at \$64,000. Soutee added that the rehabilitation would include taking everything out of the pump station, including guard rails, electronics, the pumps (which are worn out), and installing new pumps, guard rails, and other parts, along with addressing other issues involved. Soutee further explained that the pump station serves about one hundred homes and one pump is running almost twenty hours a day, while that other pump is running about sixteen hours a day. Soutee clarified that the pump should only be running about two and a half to five hours a day and that he sees the station as a liability.

Commissioner Strahan asked if all one hundred homes are in Taney County, or if some of them lie in Branson? Soutee confirmed that all of them are located in the county.

Commissioner Herschend asked what the county would do while its being repaired? Soutee responded that it would take one and a half to two days and that because it is a gravity sewer, pump trucks would be necessary to pump out of the manholes. Soutee added that all of those details are in the contract and the Sewer Department has been monitoring the community's use in order to best plan the repairs.

Commissioner Herschend asked if the county would contact the neighbors. Soutee replied that they have contacted property owners about the pump station and after they acquire all of the signed documents, they would sit down with Mr. Rosetta, get a time frame, and then do a mailing to help keep water usage to a minimum on those days.

Commissioner Herschend then asked, from a safety standpoint, if the county would require the workers to wear oxygen masks? Soutee answered that they have been advised in the past not to dictate safety responsibilities, but to make recommendations only. Soutee added that Mr. Rosetta would be running his crew and would be responsible for their safety.

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Commissioner Herschend suggested amending the contract to require that the contractor abide by Occupational Safety and Health Administration (OSHA) regulations, and asked Bob Paulson to look into those requirements. Herschend added that Mr. Rosetta did an excellent job for the county while he was with Journagan, but that he no longer works with them, and asked Soutee if he had concerns? Soutee informed the Commission that Mr. Rosetta has done other work for the county, as well as other communities, and he believes that the quality of his work is good, plus he is very knowledgeable.

Presiding Commissioner Pennel asked Soutee if Planning and Zoning has other approved projects that would affect this station, and if so could the station handle additional projects? Soutee told the Commission that currently there are no other projects for this station and that there are only a few lots left in that area. Soutee added that the station has the capacity for other projects if necessary.

Commissioner Herschend made a motion to approve the contract as submitted by Mr. Soutee. Commissioner Pennel seconded the motion. The motion passed by a vote of three; Pennel (yes), Herschend (yes), and Strahan (yes).

The Commission requested that Bob Paulson, County Counselor report to them in regards to what they can ask as to safety concerns.

RESPONSE TO RON HERSCHEND

James Strahan, Assessor expressed that last week a statute was read concerning the responsibilities of the Assessor and County Clerk regarding merchants and manufacturing. Commissioner Herschend clarified that it is also the Commission's responsibility. James Strahan expressed that the state is manufacturing statutes that should have been repealed because they were amended by the constitution in 1982. Strahan added that he wasn't sure why the statute was brought up and wanted to share the response from the Missouri State Tax Commission (MSTC)

Commissioner Herschend read the following excerpts, which were also from Randy Turley of the MSTC, in response to the Assessor's request: "These statutes are confusing remnants of an assessment system which existed prior to the exemption of merchants' inventory of raw materials...and should be repealed or amended..."

Herschend clarified that he brought it up last week because he had the cause to go through licensing and came across that statute so just wanted to make sure everything was being done.

Presiding Commissioner Pennel asked if this was something that the Assessor and Commissioner Herschend could bring up with Missouri Association of Counties (MAC). A general discussion ensued.

ORDINANCE ON VENDORS

Commissioner Herschend said that he had an ordinance, which he was going to move for approval. Commissioner Herschend read the following ordinance in regards to vendors:

**IN THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI
AN ORDINANCE REGULATING USE OF RIGHTS-OF-WAY AND EASEMENTS THAT ARE POSSESSED BY TANEY COUNTY
IN RELATION TO THE COUNTY MAINTAINED ROAD SYSTEM**

WHEREAS, the County of Taney, State of Missouri, has an extensive county road system, maintained and supervised by Taney County; and,

WHEREAS, in connection with said roads and road system, Taney County also possesses easements, rights-of-way in fee simple, and other property interests adjacent to the roads in the Taney County maintained road system; and,

WHEREAS, the safety of the traveling public and the safety of the citizens and pedestrians of Taney County, Missouri are well served by promulgating reasonable regulations concerning the use of said properties; and,

WHEREAS, the Taney County Commission is a Missouri county of the first classification; and,

WHEREAS, Section 49.266 of the Revised Statutes of Missouri sets forth that the county commission in first class counties may by order or ordinance, promulgate reasonable regulations concerning the use of county property; and,

WHEREAS, Section 49.266 of the Revised Statutes of Missouri also provides for the Taney County Commission to promulgate by order or ordinance reasonable regulations controlling pedestrian and vehicular traffic, and to control parking on county property; and,

WHEREAS, Section 49.270 of the Revised Statutes of Missouri sets forth that the county commission shall have and control and management of the property, real and personal, belonging to the county; and,

WHEREAS, Taney County, Missouri enters into contracts with vendors to operate certain businesses on county property from time to time, when said activity is not adverse to the interests of the public or Taney County taxpayers; and,

WHEREAS, at least one entity has the right to the exclusion of all others by terms of an acquired easement to operate a business, and to be a vendor on one particular county right-of-way so long as said use does not interfere with safety and use of the road; and,

WHEREAS, Taney County, Missouri may control the activities on county property by vendors or tenants by contract, and said contracts are designed to also regulate the use of county property to insure the safety of the public:

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, AS FOLLOWS:

TANEY COUNTY COMMISSION RECORD

SECTION 1. County Ordinances are hereby added to by the adoption of this ordinance regulating the use of certain Taney County easements, rights-of-way, and other property interests held in relation to the county road system, and for the purpose of operating and maintaining safely and efficiently said county road system as follows:

Trespassing.

Easements, rights-of way and other property interests held by Taney County in connection with the operation and maintenance of its county road system are held for road purposes and are not open to use by the public for vending or selling products, produce or any other items.

Most of the property held by Taney County, Missouri for use in connection with the county road system is not suitable for use by the public for any purpose other than pedestrian or vehicular travel. No person shall use the Taney County rights-of –way, easements or any other property held in connection with the operation or maintenance of the county road system for any purpose other than pedestrian or vehicular travel unless said individual has valid written permission from the Taney County Commission. Taney County road personnel, law enforcement personnel, or other personnel authorized by the Taney County Commission may request any person using the county roads, or rights-of-way or easements held in relation thereto for purposes other than travel, to leave said property. Any person who fails to comply with this request to leave county property or fails to abide by regulations on file with the county clerk shall be a trespasser.

Tenants and vendors.

Only those persons or entities that have prior written approval from the Taney County Commission, or the Taney County Road and Bridge Department, or that have a written contract with Taney County, Missouri may engage in activities other than pedestrian or vehicular travel, on the property, rights-of-way and easements of Taney County, Missouri.

SECTION 2. *County Park System.*

This ordinance relates to the county roads, rights-of-way, easements and

other property interests held in relation to the county road system and its operation and maintenance, and this ordinance does not effect use of county property held for recreational park purposes.

SECTION 3. *Effective date.*

This ordinance shall be in full force and effect from and after its passage.

SECTION 4. *Other remedies.*

This ordinance does not preclude or prevent Taney County, Missouri from taking all other actions available to it against trespassers or others who violate the rules or regulations concerning county property.

PASSED AND SO ORDAINED AT THE COURTHOUSE IN FORSYTH, MISSOURI ON THIS 10TH DAY OF JULY 2006.

Presiding Commissioner Pennel asked Bob Paulson, County Counselor if a public hearing needed to be set, as in the past the Commission has set public meetings for ordinances? Paulson responded that the statutes for this ordinance, regulates the use of roadside easements for public safety and do not require a public meeting. Paulson added that the Commission could have a public meeting anytime they want.

Commissioner Herschend expressed that it is good to clarify as much as possible. Herschend requested that the Commission go ahead and pass the ordinance now, for public safety and stressed that he wants to prevent people from parking on one side of the road and running across the road therefore putting people at an unnecessary risk.

Bob Paulson confirmed that the Commission could amend or eliminate ordinances after public hearings and added it is his understanding that an ordinance has passed allowing the county to take in roads. Paulson clarified that the ordinance should go into effect after August 28, 2006.

Commissioner Pennel's expressed that the state built the scenic view pullout for viewing, not vending and added the he received a call from Powell Howard, who has a right to vend, but on the other side of rock wall, not in the parking area. Pennel further expressed that he would feel a little more comfortable having this on the agenda for a public hearing next week.

Commissioner Herschend stated that he didn't feel it was necessary to have a public meeting and that he wouldn't be available next week.

Commissioner Strahan also expressed that he would like to have a public hearing before adopting the ordinance.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to table the ordinance until July 19, 2006. The motion died for the lack of a second.

Art Beck commented that the state has a good statute on this issue and that this never happens on state property. Beck shared that two years ago, two people from the area were killed in Tennessee, in a similar situation. A general discussion ensued.

Commissioner Herschend rescinded his motion to table, and moved to approve ordinance #06-0710 today, to have a public meeting, and amend if necessary, in two weeks on July 24, 2006 at 9:00 a.m. Commissioner Pennel seconded the motion to approve. The motion passed by a vote of two: Pennel (yes), Herschend (yes), and Strahan (no).

BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor presented the following monthly budget report to the Commission:

TANEY COUNTY BUDGET							
6/30/2006							
	PERIOD TO DATE	YEAR TO DATE		PERIOD TO DATE	YEAR TO DATE		PERIOD TO DATE
	ACTUAL	ACTUAL		ACTUAL	ACTUAL		ACTUAL
GCR			PROS ATT TRAIN FUND			RECORDER TECH FUND	
BEGINNING BALANCE	0.00	14,012,380.91	BEGINNING BALANCE	0.00	8,057.19	BEGINNING BALANCE	0.00
REVENUES	<u>1,544,765.82</u>	<u>5,830,573.58</u>	REVENUES	<u>60.75</u>	<u>923.96</u>	REVENUES	<u>22,320.32</u>
TOTAL REVENUES GCR	<u>1,544,765.82</u>	<u>19,842,954.49</u>	TOTAL PAT REVENUES	<u>60.75</u>	<u>8,981.15</u>	TOTAL REVENUES	<u>22,320.32</u>
TOTAL GCR EXP	<u>874,248.96</u>	<u>5,662,457.92</u>	EXPENDITURES	<u>0.00</u>	<u>80.00</u>	TOTAL EXPENDITURES	<u>3,180.95</u>
TOTAL GCR FUND BAL	670,516.86	14,180,496.57	TOTAL PAT FUND BAL	60.75	8,901.15	TOTAL FUND BALANCE	19,139.37
INCREASE/DECREASE YTD		168,115.66	YTD		843.96		
ROAD & BRIDGE			COUNTY INSURED FUND			PA DEL TAX FUND	
BEGINNING BALANCE	0.00	7,466,464.70	BEGINNING BALANCE	0.00	201,401.72	BEGINNING BALANCE	0.00
REVENUES	<u>115,177.99</u>	<u>707,984.96</u>	REVENUES	<u>522.26</u>	<u>3,369.61</u>	REVENUES	<u>98.84</u>
TOTAL RB REVENUES	<u>115,177.99</u>	<u>8,174,449.66</u>	TOT CNTY INSURED REV	<u>522.26</u>	<u>204,771.33</u>	TOTAL REVENUES	<u>98.84</u>
EXPENDITURES	<u>68,484.72</u>	<u>232,265.47</u>	EXPENDITURES	<u>4,478.79</u>	<u>31,992.44</u>	TOTAL FUND BAL	<u>98.84</u>
TOTAL RB FUND BAL	46,693.27	7,942,184.19	TOT CNTY INSURED FND BAL	<u>(3,956.53)</u>	<u>172,778.89</u>	LLEBG	
YTD		475,719.49	YTD		-28,622.83	BEGINNING BALANCE	0.00
						TOTAL REVENUES	<u>0.00</u>
ROAD & BRIDGE TRUST			911 FUND			TOTAL FUND BAL	0.00
BEGINNING BALANCE	0.00	6,078,738.25	BEGINNING BALANCE	0.00	1,445,476.81	FLOOD CONTROL	
REVENUES	<u>709,700.16</u>	<u>2,773,677.88</u>	REVENUES	<u>42,116.33</u>	<u>260,179.96</u>	REVENUES	0.00
TOTAL RBT REV	<u>709,700.16</u>	<u>8,852,416.13</u>	TOTAL 911 REVENUES	<u>42,116.33</u>	<u>1,705,656.77</u>	TOTAL REVENUES	<u>0.00</u>
EXPENDITURES	<u>886,660.79</u>	<u>3,084,068.35</u>	EXPENDITURES	<u>9,753.32</u>	<u>502,073.76</u>	TOTAL EXP	0.00
TOTAL RBT FUND BAL	<u>(176,960.63)</u>	<u>5,768,347.78</u>	TOTAL 911 FUND BAL	32,363.01	1,203,583.01		
YTD		-310,390.47	YTD		-241,893.80		
ASSESSMENT FUND			SEWER FUND			DRUG FORFEITURE	
BEGINNING BALANCE	0.00	19,865.52	BEGINNING BALANCE	0.00	15,571,544.17	BEGINNING BALANCE	0.00
REVENUES	<u>69,921.58</u>	<u>360,839.25</u>	REVENUES	<u>750,735.08</u>	<u>2,893,416.38</u>	REVENUES	3.42
TOTAL AF REVENUES	<u>69,921.58</u>	<u>380,704.77</u>	TOT SEWER REV	<u>750,735.08</u>	<u>18,464,960.55</u>	TOTAL REVENUES	<u>3.42</u>
EXPENDITURES	<u>50,669.23</u>	<u>277,755.47</u>	EXPENDITURES	<u>582,638.25</u>	<u>1,326,099.69</u>	TOTAL FUND BALANCE	3.42
TOT ASSEMENT FND BAL	19,252.35	102,949.30	TOT SEWER FND BAL	168,096.83	17,138,860.86	SHERIFF REVOLVING	
YTD		83,083.78	YTD		1,567,316.69	BEGINNING BALANCE	0.00
ELECTION FUND			SEWER DESIG FUND			REVENUES	<u>275.02</u>
BEGINNING BALANCE	0.00	43,906.84	BEGINNING BALANCE	0.00	925,449.84	TOTAL EXPENDITURES	<u>275.02</u>
REVENUES	<u>2,284.28</u>	<u>133,297.78</u>	TOT SEWER REV	0.00	925,449.84	TOTAL FUND BALANCE	275.02
TOTAL ELECTION REV	<u>2,284.28</u>	<u>177,204.62</u>	EXPENDITURES				
EXPENDITURES	<u>0.00</u>	<u>118,189.60</u>	TOT SEWER FND BAL	0.00	925,449.84	VEST GRANT	
TOT ELECTION FUND BAL	2,284.28	59,015.02	YTD		0.00	BEGINNING BALANCE	0.00
YTD		15,108.18	TOTAL ALL SEWER FUNDS	168,096.83	18,064,310.70	REVENUES	<u>5.23</u>
TRANSFER STAT FUND			SHERIFF CIVIL FUND			TOTAL REVENUES	<u>5.23</u>
BEGINNING BALANCE	0.00	546,299.91	BEGINNING BALANCE	0.00	72,295.53	TOTAL FUND BALANCE	5.23
REVENUES	<u>115,241.14</u>	<u>416,569.20</u>	REVENUES	<u>9,079.09</u>	<u>44,591.90</u>		
TOTAL TS REVENUES	<u>115,241.14</u>	<u>962,889.11</u>	TOT SHERIFF CIVIL REV	<u>9,079.09</u>	<u>116,887.43</u>		
EXPENDITURES	<u>107,778.76</u>	<u>366,339.39</u>	EXPENDITURES	<u>4,665.70</u>	<u>18,526.38</u>		
TOTAL TS FUND BALANCE	7,462.38	596,529.72	TOT SHERIFF CIVIL FND BAL	4,413.39	98,361.05		
YTD		50,229.81	YTD		26,065.52		
LEPC FUND			TAX MAINT FUND				
BEGINNING BALANCE	0.00	10,547.22	BEGINNING BALANCE	0.00	152,431.37		
REVENUES	<u>21.30</u>	<u>1,825.49</u>	REVENUES	<u>4,118.40</u>	<u>49,674.30</u>		
TOTAL LEPC REVENUES	<u>21.30</u>	<u>12,372.71</u>	TOT MAINTENANCE FND REV	<u>4,118.40</u>	<u>202,105.67</u>		
EXPENDITURES	<u>1,199.88</u>	<u>6,342.75</u>	EXPENDITURES	<u>8,183.68</u>	<u>125,392.18</u>		
TOTAL LEPC FUND BALANCE	<u>(1,178.58)</u>	<u>6,029.96</u>	TOT MAINTENANCE FND BAL	<u>(4,065.28)</u>	<u>76,713.49</u>		
YTD		-4,517.26	YTD		-75,717.88		
LAW ENFORCE TRAIN FND			PRO ATT BCF				
BEGINNING BALANCE	0.00	3,787.89	BEGINNING BALANCE	0.00	174,304.28		
REVENUES	<u>142.01</u>	<u>3,185.54</u>	REVENUES	<u>641.16</u>	<u>35,667.75</u>		
TOTAL LET REVENUES	<u>142.01</u>	<u>6,973.43</u>	TOTAL REVENUES	<u>641.16</u>	<u>209,972.03</u>		
EXPENDITURES	<u>1,428.85</u>	<u>5,717.71</u>	TOTAL EXPENDITURES	<u>1,258.00</u>	<u>4,104.00</u>		
TOTAL LET FUND BAL	<u>(1,286.84)</u>	<u>1,255.72</u>	TOTAL FUND BALANCE	<u>(616.84)</u>	<u>205,868.03</u>		
YTD		-1,031.09					

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend questioned where the county is on the Branson sales tax TIF? Findley answered that it is currently being held.

Bob Paulson, County Counselor related that there is case law in regards to ear marked funds, which states if funds were earmarked prior to the passing of the TIF statute, then those monies can be seized. Paulson interpreted the case law to apply differently to issues that occur after the TIF statute. A general discussion ensued.

150.060 DONNA NEELEY

Donna Neeley, County Clerk presented the following information to the Commission regarding the requirements of the Assessor and Clerk:

I am responding to your request regarding the requirements of the assessor and cleric under statutes 150.050, 150.055, 150.060, 150.325, and 150.330, (all cites RSMo 2005) (attached). These statutes are confusing remnants of an assessment system that existed prior to the exemption of merchants' inventory and raw materials of manufacturers, and should be repealed or amended to clarify the assessment process. Considering the legislative history of this chapter, I do not believe the statutes place any meaningful duties on the assessor or the clerk.

Merchants—150.050 et seq.

The duties imposed upon the assessor and the board of equalization (BOE) in section 150.055 and 150.060 relate to the annual statement of merchants required by section 150.050. That section requires merchants to report "the greatest amount of goods, wares, and merchandise, which he or they may have had on hand at any one time between the first Monday in January and the first Monday in April next preceding" Article X, Section 6 of the Constitution of Missouri was amended in 1982 to exempt inventory of merchants and such amendment renders these residual statutes void. Consequently, in my opinion, there is no point for the assessor and BOB to act pursuant to these statutes and, accordingly, no requirement that they do so.

Manufacturers—150.300 et seq

Sections 150.300 through 150.370 pertain to the assessment of the raw materials and finished goods of manufacturers as well as their tools, machinery, and appliances. The raw materials and finished goods were also exempted by the 1982 amendment to the Constitution. The other items remain taxable.

Section 150.325 requires the assessor to:

...visit and inspect each place of business, warehouse, factory or other establishment owned and operated by any manufacturer within his county for the purpose of obtaining such information as may be desirable or necessary to provide an accurate basis for comparison with the statement made by such manufacturer under section 150.320.

Section 150.320 required the manufacturers to file a list of such property by the first Monday in May and for the assessor to create a manufacturers' tax book containing the assessments. However, section 150.320 was repealed in 1987. The repeal made section 150.325's inspection for comparison purposes meaningless, and section 150.320 return of the manufacturers' book to the board impossible, since the book is no longer required to be compiled. Consequently, it is my opinion those statutes do not place any duty or requirement on the assessor or the BOE.

In fact, the repeal of section 150.320 simply left section 137.340 to govern the reporting of tools, machinery, and appliances manufacturers. That section requires manufacturer to report *all* tangible personal property by April 1 of the tax year. That property is assessed and incorporated into the assessors' personal property book and taxed accordingly.

If you need anything further, feel free to contact me.

STATUTES

150.050. Annual statement merchants' tax book—township Organization counties

1. On the first Monday in May, 1946, and on the same date each year thereafter, it shall be the duty of each person, corporation or copartnership or persons, as provided by sections 150.010 to 150.290, to furnish to the assessor of the county in which such license may have been granted a statement of the greatest amount of good; wares, and merchandise, which he or they may have had on hand at any one time between the first Monday in January and the first Monday in April next preceding; said statement shall include goods, wares, and merchandise owned by such merchant, and consigned to him or them for sale by other parties,

2. Said statement shall be signed and verified by the affidavit of such person, or some member of the copartnership or by the manager or authorized officer of such person, corporation, or copartnership before some officer authorized by law to administer the oath, that such statement contains a just and true account of the aggregate amount of all goods, wares and merchandise taxable by law.

3. It shall be the duty of the county assessor to enter such statements in a book to be prepared for that purpose at the expense of the county, suitably ruled, with column for the name of the merchant, the amount of his or their statements as returned to the assessor, the valuation of such statement as equalized by the county board of equalization and for state, county and school taxes, and such other columns as may be found useful or convenient in practice; such book shall be verified by the affidavit of the assessor, annexed thereto, in the following words, to wit

"...being duly sworn, makes oath and says that he has made diligent efforts to secure sworn statements from all persons, corporations or firms doing business as merchants in the county of which he is assessor that so far as he has been able to secure such statement they are correctly set forth in the foregoing book,"

4. Provided, that in counties under township organization the statements herein provided for shall be made by the township assessor who shall deliver the same to the clerk of the county commission, who shall return the book to the county board of equalization on the second Monday in July, and thereafter the same proceeding,

TANEY COUNTY COMMISSION RECORD

shall he had thereon as in other counties.

150.055. Assessor to inspect merchants' establishments and report

The county assessor at least once each year prior to the first Monday in May shall visit and inspect each place of business, warehouse, store or other establishment owned and operated by any merchant within his county, for the purpose of obtaining such information as may be desirable or necessary to provide an accurate basis for comparison with the statement made by such merchant under section 150.050. A report of the information so obtained with respect to each merchant, in such form, as may be prescribed by the county commission, shall be made by the assessor to the county board of equalization.

150.060. Equalization of valuations by board—notice of raise

1. The assessor or the county clerk shall return the merchants' tax book and the assessor shall make the reports required by section 150.055 to the county board of equalization on the second Monday in July in each year, which said board is hereby required to meet at the office of the clerk of the county commission on the second Monday in July in each and every year, for the purpose of equalizing the valuation of merchants' statements, and to that end shall carefully compare the statements made by such merchants with the reports made by the assessor under section 150.055, and shall have the same powers and shall proceed in the same manner as provided by law, for the equalization of real and personal property, so far as is consistent with the provisions of sections 150.010 to 150.290; but after the board shall have raised the valuation of any statement, it shall give notice of the fact to the person; corporation or firm whose statement shall have been raised in amount, by personal notice through the mail, specifying the amount of such raise, and that the said board will meet on the second Monday in August to hear reasons, if any may be given, why such increase should not be made

2. The members of the county board of equalization shall received the same per diem for services under this section as provided by law for services in equalizing real and personal property, and the sum of the valuation of the statements as equalized by the county board of equalization shall be included in and made a part of the total valuation of property taxable for all purposes.

150.325. Assessor to inspect establishment of manufacturer and report

The county assessor, at least once each year prior to the first Monday in May, shall visited inspect each place of business, warehouse, factory or other establishment owned and operated by any manufacturer within his county for the purpose of obtaining such information as may be desirable or necessary to provide an accurate basis for comparison with the statement made by such manufacturer under section 150.320. A report of the information so obtained with respect to each manufacturer, in such form as may be prescribed by the county commission, shall be made by the assessor to the county board of equalization

150.330. Equalization of valuation by board—notice of raise

1. The assessor or the county clerk shall return the man manufactures' tax book and the assessor shall make the reports required by section 150.325 to the county board of equalization on or before the second Monday of July of each year. For the purpose of equalizing the valuation of manufacturers' statements, the county board of equalization shall carefully compare the statements made by such manufacturers with the reports made by the assessor under section 150.325, and shall have the same powers and shall proceed in the same manner as is provided by law for the equalization of mal and tangible personal property so far as is consistent with sections 150.300 to 150.370,
2. After the board has raised the valuation of any statement, it shall give notice of the fact to the manufacturer whose statement has been raised, by personal notice through the mail, specifying the amount of such raise, and that the board will meet on the second Monday in August to hear reasons, if any, why such increase should not be made.
3. The sum of the valuation of the statements as equalized by the county board of equalization shall be included in and made part of the total valuation of property taxable for all purposes.

PRIOR MINUTES

Commissioner Herschend made a motion to approve minutes from May 15, June 12, 28, and July 3, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #95571-95632 (voided check #95618) and manual warrants #4531, 4532, and 4533 as presented, with the exception of the \$350 bill from the Public Administrator that was pulled out. Commissioner Herschend added that the credit card payment was presented by Mr. Findley, and reviewed by Tressa Luttrell.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

SAFETY BOOT REIMBURSEMENT

Commissioner Herschend moved to ratify by vote the decision to reimburse Road and Bridge employees for \$100.00 a year for safety boots, that are OSHA approved, and changes to the uniform policy allowing shorts. Commissioner Strahan seconded the vote. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS
10:20 a.m.

Minutes taken by Hillary Bargman and typed by Lisa Owen



JULY 12, 2006 THE 3RD DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101215, 101217 - 101254
Road & Bridge Trust Warrants	101189 – 101209, 101216
Assessors Fund Warrants	101210 - 101211
Transfer Station Warrants	101212 - 101214
911 Warrants	None
Manual Warrants	4534 - 4537
Accounts Payable Warrants	95634 – 95651, 95666

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman



JULY 17, 2006 THE 4TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

CITY OF BRANSON RESPONSE LETTER JAMES STRAHAN

James Strahan, County Assessor addressed the Commission in regards to a letter that was sent by the City of Branson. Mr. Strahan explained that in May the City of Branson called him over for a discussion about taxation, the assessment process, and an article that was written expressing that he was not doing his job. Mr. Strahan further explained that the meeting got off on other subjects and he gave his opinion on what he thought needed to be done with the Sewer District. James Strahan went on to state that two or three weeks ago a City of Branson Attorney showed up in his office and showed him what they were going to publish in the newspaper in regards to their findings on how he was not doing his job correctly. James Strahan stated that

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they wanted a lot of tax rate changes for the City of Branson and felt like the assessment process should lead to increased evaluations. Mr. Strahan stated that the sewer was brought up again and they told him if he keeps his mouth shut they would not publish the letter. James Strahan expressed that he feels he does his job correctly and as the assessment process requires. Mr. Strahan further stated that last week they received another letter which was packed full of untruths and has been mailed out to the three Commissioners and the Sewer District board members. James Strahan expressed that he feels the letter has become a political rampage and that the letter claims the Sewer District ran a sewer line to John Strahan Jr. Jr.'s property, which is a blatant lie. Mr. Strahan further stated that they have not been able to find statistics now showing the line is anywhere close to John Strahan Jr. Jr.'s property because it is not there. James Strahan clarified that some facts in the letter are true but there are also many lies that he would like to get cleared up.

Commissioner Pennel asked for clarity as to why James Strahan brought this before the Commission. James Strahan explained that this letter might be out in the public and he wanted to make the Commission aware because it deals with the counties Sewer District running lines to serve a private residence.

Commissioner Herschend expressed that he has also been the victim of a letter and clarified that he has never heard anything mentioned about John Strahan Jr. Jr. or his family benefiting in any way from the sewer until this letter. Commissioner Herschend went on to state that he has heard nothing but honesty and integrity as people refer to the action taken by John Strahan Jr. Jr. while he was a Commissioner. A general discussion ensued.

Commissioner Danny Strahan expressed that he doesn't appreciate the blatant lies that Paul Link, City of Branson Attorney, wrote in his letter and requested that Mr. Link admit to the public that he has lied in the contents of his letter.

Paul Link, City of Branson Attorney addressed the Commission with some background information in regards to the situation. Mr. Link explained that the initial dialog went back and forth with James Strahan in regards to the assessment process. Mr. Link went on to state that the State Tax Commission notified the City of Branson that Taney County is one of the worst as far as assessment, specifically as to commercial property. Mr. Link explained that this was part of the information rolled out as part of an article they ran in the paper showing how the school board and the people of Taney County have been losing money because assessments were not being done properly. Mr. Link then stated that James Strahan came over to the City of Branson to meet with Mr. Link and other city officials to discuss what the state had done and at that time there was a lot of auditing going on by the state. Mr. Link added that the state issued a letter to Taney County stating that they were under evaluating and if the county did not start doing their job right as far as assessment by 2007, then the state could pull the Assessor's funding and do a blanket raise on assessment across the board. Mr. Link said that this resulted in an invitation to come to the Assessor's Office to look at records. Mr. Link further explained that he came over to look at records and set up a time to talk about his findings. Mr. Link expressed that during this time the state and Assessor's Office had worked out an agreement that James Strahan would get into compliance with the state. Mr. Link stated that as a result he felt there was no reason to move forward with this issue and told James Strahan that if he wanted to leave the situation alone they would not roll out another article in the paper. Mr. Link said from there, James Strahan began talking about environmental issues, which led to a discussion about the Tower Lease Agreement and the Sewer Board. Mr. Link explained that in looking back over the records he discovered that there was an issue of sewer lines being run out to various peoples' properties that, to date, do not have any flow in them. Mr. Link added that he does not have any maps today but that he was told by his Public Works people that it has been common knowledge for the past eight to ten years that there are sewer lines run out to elected officials property lines for sewer flow. Mr. Link further expressed that he sees nothing that is not factual in his letter, which states who was on the sewer board. Mr. Link stated that he felt that there is a lot being made of this; that there have been statements and challenges made, and that this letter was written as a response to the claim that the City of Branson force-fed the signing of the Tower Lease Agreement.

Commissioner Danny Strahan asked how long Mr. Link has been here, to which Mr. Link responded, since the first of the year. Commissioner Danny Strahan remarked that Mr. Link did not have his facts straight, asking him why he quoted figures and wrote 'Strahan' behind the name about where the sewer lines went? Mr. Link replied that his being here only from the first

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of the year did not prohibit him from doing research on what went on. Mr. Link added that as far as the amounts and sewer lines, he has been advised that the sewer line goes out to these peoples' properties, and the amounts were simply figured on the basis of the footage of line that was placed and the amount of the unit price it would have taken to run those lines. In response to the commissioner's further questioning, Mr. Link stated that he wrote the Strahan name behind the figure because that's the line that runs to that property. Commissioner Danny Strahan retorted that there is no line running to, or even within a mile of, the Strahan property and requested a list of names from whom he received his information, adding that Mr. Link has nothing here to prove that his accusations are true.

James Strahan requested that the maps and master plan of the county Sewer District, where the lines are and where they go, certified by the Engineer, which he presented the Commission, be entered into the record, as well as his statement that had Mr. Link taken the time to look at those maps, he would have seen that those lines do not touch nor do they get anywhere close, to the Strahan property, and that Mr. Link wrote his letter based upon hearsay.

Commissioner Herschend asked Mr. Link if anyone from this commission had approached him prior to today to discuss this issue, to which Mr. Link replied "no". Commissioner Herschend expressed that while he appreciates the fact that Mr. Link came to the Commission meeting by himself to clarify, his frustration is the fact that an article was put in the paper without an opportunity for anyone to respond, and then the fact that Mr. Link said that the City of Branson tried to stop any future bad press, because they found out that the state had already addressed this. Commissioner Herschend added it is unfortunate that the city cannot first come to the assessor and to the commission first to express what their feelings and the facts are; instead they try seem to play it out in the media and then try to stop James Strahan from responding by saying this is a non issue. Commissioner Herschend stated that when Mr. Link has already gotten his message out, and then says, 'nothing else needs to be said' is unfair to both the commission and the public because it is one-sided. Mr. Link clarified that James Strahan did respond to the article through a Taney County newspaper and responded numerous times through comments made at the commission meetings that were picked up by the newspapers, and that there was ample opportunity to respond, explaining why he did not believe that there was any reason to go any further.

Commissioner Herschend then asked Mr. Link if firstly, he normally makes slanderous or liable comments without verifying his facts, and secondly, if anyone in his supervision had knowledge of this letter before it went out?

Mr. Link responded by saying that he does not make slanderous or liable statements and does not believe he has done so here, adding that other people within the city saw the letter before it went out, but that it is his letter.

Commissioner Herschend asked if Mr. Link's claim that Mr. Strahan benefited from tens of thousands of dollars of sewer line to his property is later found to be false, would that not be a slanderous statement? Mr. Link responded that he sees nothing in his facts that is incorrect and that he does not slander anyone.

Commissioner Danny Strahan expressed that Mr. Link has not answered the question about putting \$80,000, with the name Strahan behind it, talking about a sewer project that is nowhere close to the property that he claims Mr. Link has lied about. Mr. Link stated that he does not believe he has lied. Commissioner Danny Strahan confirmed that Mr. Link does not believe that he has lied, but that the sewer project serves Gobbler's Knob Trailer Park, which had several hundred homes.

Commissioner Danny Strahan suggested that they take a stroll and find for sure where the lines end and that Mr. Link should then admit to the public that he has lied, adding that he, himself, knows where the lines are and whom they serve, and that they do not serve anybody on the Strahan property.

Bob Paulson, County Counselor, asked Mr. Link what specific information he has that indicates that the lines go to the Strahan property and the amount of money? Mr. Link answered that he got all of those figures directly from his Public Works Office.

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Mr. Paulson then asked Mr. Link if he had, himself, seen the figures, or if his Public Works people told him those were the facts? Mr. Link confirmed that his Public Works people gave him the information.

Commissioner Herschend added that would be in Mr. Van Gilder's department, as opposed to Planning and Zoning.

Mr. Paulson clarified that if there is an error, then the Public Works Office would have made it and that Mr. Link has relied totally upon the information they have given him. Mr. Link confirmed that was correct, and that he trusts and has great confidence in the directors his Public Works Office.

Commissioner Herschend then asked John Soutee, Taney County Sewer District, to verify the sewer expansion to the east, during the building boom of Branson, and about the county looking at what areas were vacant, projected growth, and taking the sewer to areas that would benefit everyone at the time.

John Soutee, Taney County Sewer District, shared that this went back to the planning era of 1993 and 1994 and that the original sewer board members during that time wanted to try to get everyone while they had the funds and were in there building sewers, thus eliminating septic tanks. Mr. Soutee added that when they started looking at the Coon Creek project, it was a watershed approach with eight hundred homes proposed. Mr. Soutee informed that he has found some documents in the minutes for interceptor sewers based upon the watershed.

Commissioner Herschend asked Mr. Soutee if he was ever asked by Mr. John Strahan Jr. to use sewer lines for his own personal use? Mr. Soutee responded absolutely not. A general discussion ensued.

Commissioner Danny Strahan went on to say that sewer lines were run to the Kirbyville School, as well as the Branson School, admitting that Mr. Link's comments angered him, as he is a member of the same Strahan family.

Commissioner Danny Strahan asked Mr. Soutee if he knew of anyone recommended that the line go to the Strahan property. Mr. Soutee replied that was not talked about at all, the name Strahan is not on the sewer log, and that the sewer atlas is available for anyone to view. Mr. Soutee supplemented that there were several lines taken out in the project and that he did not know if any were on Strahan property, as it was many years ago, that he would have to do research to be certain.

Commissioner Herschend reiterated that the atlas would have been available for anyone who would have taken the time.

Mr. Soutee affirmed this, adding that he believed Mr. Van Gilder has a copy of it, informing that one of the first things Mr. Van Gilder wanted to do when he took office at the sewer board was review the Harold Plot line, hence requesting the plans. Mr. Soutee confirmed that line is there, reminding that the mindset at that time was a watershed approach, in reaction to the building boom at the time.

Mr. Soutee explained that when Joe Chowning came in, the concept was to use the funds we had available to prepare for the future and then the boom subsided. Even though we look at things more stringently now, he believes that later the county will be glad to have the interceptor in there.

Commissioner Danny Strahan remarked that he and Mr. Miller are looking for some documentation, inquiring from Mr. Soutee, if Mr. Miller said at the time that the Bee Creek Project wasn't ready and that was why the sewer department reached out at the time to other locations, including Short Creek, Coon Creek, and Riverside (Estates).

Mr. Soutee reported that there have been several meetings with the City of Branson and the corporation DHP Nevada and the Branson Hills Development Corporation, that tried to spur things along in that area, and was one of the dynamics involved in doing the Bee Creek wastewater facility plan in 1994. However, according to Mr. Soutee, after it was completed, neither DHP Nevada nor Branson Hills ever paid up their portion of the facility plan. At that

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time, he reports that there were several meetings with the City of Branson and different members coming onto the sewer board. Mr. Soutee is looking through the minutes to see if he can find documentation to back up this.

Commissioner Herschend commented that this was not an isolated case of mismanaging money in the Burns and McDonald Bee Creek basin plan, inquiring if Mr. Soutee remembered any lines when they looked at the plans. Mr. Soutee answered that there were crisscrossed lines and they took those out. Commissioner Herschend added that the county did in fact save hundreds of thousands of dollars by doing so.

Commissioner Danny Strahan informed that at the time that the line was put up, there were two major trailer parks. At the same time, Mr. Seever had lines for one; there was a project for four hundred homes that did not get started.

John Strahan Jr. addressed the Commission and stated that he served this county honorably and did not steal. John Strahan Jr. added that he did not have any plans to sue the City of Branson because they are his friends and expressed that he would sue Paul Link.

James Strahan stated that this is a Taney County issue and Mr. Link should have come to the county to do his research instead of his Public Works system. Mr. James Strahan stated that he feels that all of these statements supported the attitude that Branson believes they control Taney County sewer system.

Mr. Soutee replied that it was just a guide and that Coon Creek is not on the wastewater master plan as it was already completed. Bee Creek was number one and it was of no use to study something that had already been sewerred.

WHITE RIVER'S MINIMUM FLOW

Commission Pannel addressed the commission in regards to a call he received from Senator Bond's Office and a Commissioner from Ozark County. Commission Pannel explained that the minimum flow had to do with neighbors in Arkansas. They want to have a steady flow from Bull Shoals and North Fork Dam, so they can have recreation and fishing. They also want to raise Bull Shoals five feet and North Fork three feet. Commissioner Morrison is concerned about roads going under. Commissioner Pannel queried whether or not the commission would want to hold a public meeting, giving the public an opportunity to respond, as it will affect docks and roads. Commissioner Herschend recommended not scheduling a public meeting unless the Corp can come, as the commission does not get a vote. Commissioner Strahan proposed sending letters as a commission. Commissioner Pannel suggested calling the Corp. Commissioner Herschend voiced a concern that if the Corp is constantly releasing, what would that do to the users at the upside of the lake.

Art Beck shared that he sat in on a few meetings. Mr. Beck stated that the Corp would tell you water levels are not put in for recreation, but for flood control. Mr. Beck added that there are several places where people are using water out of creeks to irrigate.

Commissioner Strahan responded that John Hiser and Mark Moore would be here next Tuesday (from the Corp). Commissioner Pannel asked Tressa Luttrell, Taney County Administrator, to schedule an evening meeting.

EXPLANATION OF FINANCIAL DOCUMENTS SEMI ANNUAL REPORT

Helen Soutee, Treasurer, explained that this is the report she gives every six months, the settlement, and presented copies.

Commissioner Herschend inquired how Ms. Soutee saw the fund balance changing in the next eighteen months. Ms. Soutee stated that it depends on how much would be asked of her. Commissioner Herschend replied that the county is looking at big money going towards the courthouse, Bee Creek Basin and Y Highway Project, so this fund could change within the next eighteen months as things come to fruition. The treasurer admitted that she has a tendency to not invest them, adding that the county is getting such a good interest rate.

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Rick Findley, Taney County Auditor, informed that forty-eight million dollars is not all General County Revenue funds; part of that is sewer funds, and road and bridge funds as well.

Helen Souttee reported that for July and for 2006, the county revenues are up 2.8 percent over 2005. Commissioner Pennel asked how the county is going to know about the Tax Incremental Finance (TIF) taxes. Rick Findley assured them that they would give the commissioners as many figures as they can.

AIRPORT DOORS TRESSA LUTTRELL

Tressa Luttrell, Taney County Administrator, explained that this is the third attempt to bid doors. Ms. Luttrell expressed that the county just needs doors that will open up. Commissioner Pennel stated that the county is not just recommending this so that it can get them; there are two automatic doors that are broken and the county does not need electronic doors on the outside, as the maintenance will be easier (on non-automatic ones). Ms. Luttrell stated that the county is replacing siding, so that no snow breaks through, which is a safety precaution.

Commissioner Strahan made a motion to approve the bid for airport doors.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from July 12, 2006.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

Commissioner Herschend expressed his appreciation to John Strahan Jr., who has been very active and diligent in trying to keep Taney County citizens informed and for his service in other ways.

ACCOUNTS PAYABLE

Commissioner Strahan made a motion to approve the accounts payable checks #95652 – 95774.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PARK BOARD

Commissioner Strahan reported that the Park Board is having a forum and has requested that the commissioners attend the park board meeting at the Forsyth Boys and Girls Club.

CITY OF BRANSON ATTORNEY

Commissioner Pennel expressed that when some things were being said about the city attorney, but he is working for somebody, the city counsel, Board of Alderman, and he had shown letter to staff. Commissioner Pennel hoped this comes out that this is false information. Commissioner Pennel remarked that it is sad that the county has this kind of thing; but asked if they would think about sending a letter to the Board of Alderman, asking for a meeting, without staff, where they might sit down and come up with a better solution.

Commissioner Herschend made a motion to initiate a meeting with the City Counsel without any city administrators or staff.

Commissioner Pennel seconded the motion.

Commissioner Herschend empathized that things are emotional, and when someone says something first in print, it is hard to retract that if the statement is false. Commissioner

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Herschend stated that he does not want to hide anything from the public, but just wants to ensure that it is factual.

Commissioner Strahan stated that the citizens of Branson are in Taney County and that the Strahans have many friends there. Commissioner Strahan added that they offered a solution to problems, trying to get a better form of communication and that they informed him that they were going to do everything in their power to do this. Commissioner Strahan agreed that emotions do get in the way, but if one did not have emotions, one wouldn't be human, suggesting that it is how one controls one's emotions. Commissioner Strahan feels that this gentleman is out for notoriety.

Commissioner Herschend commented on a story when information is withheld, and represented as true, to put on public pressure, to get desired results. Commissioner Herschend stated that the public could make up their own minds.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ART BECK

Art Beck announced that the shuttle got back this morning and that the biggest oil reserve was found in the United States.

RECESS



JULY 24, 2006 THE 5TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Presiding Commissioner Pennel, and Commissioner Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

REVIEW OF BELLVUE ROAD

Randy Haes, Road and Bridge said there is a resident that has acquired an easement for a turnaround and that he has the easements and survey. Commissioner Strahan added that citizens have presented information on it and the party has acquired easements. Commissioner Strahan further explained that this road started off with a 30-foot easement and the party had to get signatures for the additional ten feet to make it a 40-foot easement.

Commissioner Strahan made a motion to take in Bellevue Road, contingent upon everything coming out right after review by Randy Haes, as to the acquired easements and turnaround. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Herschend (absent).

LETTER TO CITY OF BRANSON

Presiding Commissioner Pennel stated that a motion was made last week, regarding a letter written by Mr. Paul Link, Attorney for the City of Branson, to Assessor Strahan. Pennel read aloud a letter that was sent in response, to the Branson City Council Members. Pennel added in the letter that no facts had been discovered to substantiate the claims made about the assessor, issues surrounding the Bee Creek Sewer Project, the TIF issue, and the proposed roundabout at the Lake Taneycomo Bridge. Pennel went on to state that the letter asks for the city to meet with the County Commission.

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Commissioner Strahan stated they hadn't heard anything from the City of Branson and that he would rather not comment on the matter of the Strahan property however, he didn't see anything wrong with sending them the letter.

UPDATE ON MEETING WITH CORP OF ENGINEERS ON MINIMUM FLOWS

Presiding Commissioner Pennel stated that he spoke with Mike, at the Corp of Engineers and set a meeting for August 3, at 7:00 pm, to be held at the Taney Center, in regards to raising Bull Shoals and the Northfork River. Pennel added that this change was initiated by Arkansas to increase fishing beneath dams.

Commissioner Strahan explained that he met with three officials from the Corp. and they said they are not willing to discuss this issue because it lies between the Corp and Missouri Department of Conservation. Strahan further explained there are concerns about projects interfering with property that have been leased by citizens, as well as the three county roads that will be covered by water. Commissioner Pennel and Commissioner Strahan agreed that they would need another meeting with the Corp in regards to this issue.

PUBLIC HEARING IN REGARD TO ORDINANCE #06-0710

Presiding Commissioner Pennel opened the public hearing for ordinance #06-0710 in regard to vending on county right of ways. Pennel re-read the following ordinance:

IN THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI AN ORDINANCE REGULATING USE OF RIGHTS-OF-WAY AND EASEMENTS THAT ARE POSSESSED BY TANEY COUNTY IN RELATION TO THE COUNTY MAINTAINED ROAD SYSTEM

WHEREAS, the County of Taney, State of Missouri, has an extensive county road system, maintained and supervised by Taney County; and,
WHEREAS, in connection with said roads and road system, Taney County also possesses easements, rights-of-way in fee simple, and other property interests adjacent to the roads in the Taney County maintained road system; and,
WHEREAS, the safety of the traveling public and the safety of the citizens and pedestrians of Taney County, Missouri are well served by promulgating reasonable regulations concerning the use of said properties; and,
WHEREAS, the Taney County Commission is a Missouri county of the first classification; and,
WHEREAS, Section 49.266 of the Revised Statutes of Missouri sets forth that the county commission in first class counties may by order or ordinance, promulgate reasonable regulations concerning the use of county property; and,
WHEREAS, Section 49.266 of the Revised Statutes of Missouri also provides for the Taney County Commission to promulgate by order or ordinance reasonable regulations controlling pedestrian and vehicular traffic, and to control parking on county property; and,
WHEREAS, Section 49.270 of the Revised Statutes of Missouri sets forth that the county commission shall have and control and management of the property, real and personal, belonging to the county; and,
WHEREAS, Taney County, Missouri enters into contracts with vendors to operate certain businesses on county property from time to time, when said activity is not adverse to the interests of the public or Taney County taxpayers; and,
WHEREAS, at least one entity has the right to the exclusion of all others by terms of an acquired easement to operate a business, and to be a vendor on one particular county right-of-way so long as said use does not interfere with safety and use of the road; and,
WHEREAS, Taney County, Missouri may control the activities on county property by vendors or tenants by contract, and said contracts are designed to also regulate the use of county property to insure the safety of the public:

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, AS FOLLOWS:

SECTION 1. County Ordinances are hereby added to by the adoption of this ordinance regulating the use of certain Taney County easements, rights-of-way, and other property interests held in relation to the county road system, and for the purpose of operating and maintaining safely and efficiently said county road system as follows:

Trespassing.

Easements, rights-of way and other property interests held by Taney County in connection with the operation and maintenance of its county road system are held for road purposes and are not open to use by the public for vending or selling products, produce or any other items.

Most of the property held by Taney County, Missouri for use in connection with the county road system is not suitable for use by the public for any purpose other than pedestrian or vehicular travel. No person shall use the Taney County rights-of-way, easements or any other property held in connection with the operation or maintenance of the county road system for any purpose other than pedestrian or vehicular travel unless said individual has valid written permission from the Taney County Commission. Taney County road personnel, law enforcement personnel, or other personnel authorized by the Taney County Commission may request any person using the county roads, or rights-of-way or easements held in relation thereto for purposes other than travel, to leave said property. Any person who fails to comply with this request to leave county property or fails to abide by regulations on file with the county clerk shall be a trespasser.

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Tenants and vendors.

Only those persons or entities that have prior written approval from the Taney County Commission, or the Taney County Road and Bridge Department, or that have a written contract with Taney County, Missouri may engage in activities other than pedestrian or vehicular travel, on the property, rights-of-way and easements of Taney County, Missouri.

SECTION 2. *County Park System.*

This ordinance relates to the county roads, rights-of-way, easements and

other property interests held in relation to the county road system and its operation and maintenance, and this ordinance does not effect use of county property held for recreational park purposes.

SECTION 3. *Effective date.*

This ordinance shall be in full force and effect from and after its passage.

SECTION 4. *Other remedies.*

This ordinance does not preclude or prevent Taney County, Missouri from taking all other actions available to it against trespassers or others who violate the rules or regulations concerning county property.

PASSED AND SO ORDAINED AT THE COURTHOUSE IN FORSYTH, MISSOURI ON THIS 10TH DAY OF JULY, 2006.

Commissioner Pennel explained that this issue was voted on at a previous meeting and the vote was two in favor and one opposed. Pennel clarified that the issue surfaced due to vendors selling on a county right of way at a scenic view and that one individual has permission to vend on the other side, by a rock wall but they are selling on the wrong side. Pennel added that without this ordinance, nothing can be done about the situation and it is a safety issue. Pennel clarified when the state was in control of the scenic view there was no vending allowed.

Commissioner Strahan stated he was the “no” vote on the ordinance, and explained that he believes problems could result with auctions, garage sales, and things like that; if safety issues exist, the sheriff’s department could be called and someone removed, if necessary. Strahan further stated that there are auctions, yard sales, and garage sales everywhere and if the county hands out tickets for vending they are regulating too much, as the county roads belong to the citizens and overregulation can lead to other conflicts. Strahan expressed that he believes some clarification is needed.

Commissioner Pennel questioned how regulation would occur? Commissioner Strahan clarified that he felt a sign at that location would be better than creating an ordinance for the entire county and requested Sheriff Russell speak on the issue.

Jimmy Russell, Sheriff asked what prompted the ordinance and what guidelines apply to the counties approval of vendors, as the ordinance says the Commission can approve vendors? Russell wanted to know how the department would know whether vendors had been approved or not. Commissioner Pennel responded that two years ago someone wanted to sell hot dogs and the county turned them down. Pennel expressed a concern that if there isn’t a way to regulate it, then the county could end up with a number of vendors parking on the side of a road and that he did not foresee the county approving vendors, but the ordinance allows for future decisions.

Bob Paulson, County Counselor clarified that he was requested by Commissioner Herschend to create the ordinance and that there could be a list at the Sheriff’s Office if vendors were approved and added there is one vender in the area that may or may not have a valid permit which was obtained through the state and is filed in the Recorder’s Office. Paulson further clarified, in regards to auctions and yard/garage sales, that the ordinance does not make provisions for parking at these activities, but that something could be added to it, if needed.

Sheriff Russell agreed that if the county wants to stop all vending, they would need an ordinance, but that 99% of the time people will respond to a sign and an ordinance may not be necessary.

James Strahan, Assessor commented that it looks like a power struggle and that Highway 165 is a particularly dangerous situation at the scenic view, as children run back and forth between it and the ice cream shop.

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Lucy Combs, in discussion of this ordinance and other ordinances, asked the Commission to rescind the law to comply with state statutes and asked if the Sheriff could regulate this issue, in a manner similar to the state? Combs referenced statutes that cover the County Commission/county building and asked how tenants are defined? Bob Paulson responded that the captions in titles only give an idea and do not cover all of what is in a statute. Paulson explained that statute 49.267 talks about regulating speed limits in second-class counties and this statute does not just have to do with buildings. Combs shared that the Urban Service District did a study on this sewer service and wrote a review of the findings but it was never defined to the public. Combs stated that she suggested the City of Branson get together with a mediator to listen and try to help in their decision-making process.

John Logan stated that he was here on the method, not the ordinance, and wanted to know why there was a public hearing after the law as been passed. Logan added that he believes there are plenty of rules in this county and that Sheriff Russell could take care of any vendors on county property, such as lookouts, with signs. Logan quoted, "He who governs best governs least" and asked if there was a sign out there, could the sheriff then be called? Paulson responded that the Commission could have a meeting before and/or after passing the ordinance and added that if the county puts up a sign at the lookout, regulating activity, it would need an ordinance to regulate that activity.

Commissioner Pennel said his understanding was that the county couldn't regulate it without an ordinance and that the sheriff's department wasn't comfortable enforcing it without an ordinance.

Rick Findley, Auditor asked Mr. Paulson if they could regulate the activity without the ordinance? Paulson responded that in some cases they would and in some they would not. Sheriff Russell explained that the Sheriff's Department did need the ordinance to be able to enforce this properly, but commented that there should be guidelines set to ensure that the ordinance would be applied equally.

Art Beck shared that at one time he had five catering trucks and it stated very clearly on his license that there was to be no vending off of county or state property, but if he wanted to, he could go on private property and put his truck by a fence off of state property. Paulson reiterated that the county is not regulating private property.

Sheriff Russell asked Pennel as to how much the scenic view area on Highway 165 is under current county control? Commissioner Pennel responded that he wasn't certain but his understanding was that it goes beyond the rock wall and on the other side of the highway. Paulson said that he couldn't say with certainty, without looking at the deed.

Gary Groman explained that he owns property along a county road and asked if his grandkid sold lemonade on his property would this ordinance affect them? Groman added that the same would go for auctions or garage sales. Paulson confirmed that it would not affect them. A general discussion ensued.

Commissioner Pennel said that he was in favor of sending this ordinance to another attorney since there is so much concern over the way it is written. Commissioner Strahan said that he was talking about the way it is written and that he assumed from that writing that it does pertain to auctions and garage sales and things like that. Bob Paulson agreed to review and add language to clarify the concerns voiced.

AGENDA AMENDMENT

Presiding Commissioner Pennel made a motion to amend the agenda to include accounts payable. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Ron Herschend (absent).

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve accounts payable warrants #95775-95879 and manual warrants #4538-4539.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Ron Herschend (absent).

RECESS

10:20 a.m.

Minutes taken by: Hillary Bargman and typed by Lisa Owen



JULY 31, 2006 THE 6TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Rick Findley led the prayer, which was followed by the pledge.

COMBS ROAD

Commissioner Pennel stated that according to our file the commission denied Combs Road on August 15th of last year.

Carla Combs stated that there are two houses located on Combs Road that, unfortunately because of health issues, have to have an in-home nurse and if for any reason they were to have a medical emergency, there would be no way of getting an emergency vehicle to that residence. Ms. Combs requested that the road be taken in.

Commissioner Herschend read a review done by Dan Ratterman last May stating that it was not a through road without culverts. Commissioner Herschend added that Combs Road does not meet any of the standards the county has to take in a road, including the need for forty feet of deeded right of way. A general discussion ensued.

BEE CREEK PROJECT JOHN SOUTEE

John Soutee, Sewer District Administrator, presented papers and informed the commission that the Bee Creek Project has gone out for bid to be opened August 31st due to the number of potential bidders.

Commissioner Herschend questioned if they had all the other documentation done to accept bid under what contracts.

Commissioner Herschend stated that currently we have a \$7 million funding disfall, while James Strahan, Taney County Assessor added that there is a significant number difference that was originally estimated. A general discussion ensued.

SERVER BID TRESSA LUTTRELL

Tressa Luttrell presented the commission with a bid from the Recorder's Office for PC network hardware of \$5,748.00.

Commissioner Herschend made a motion to approve the server bid proposed.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

JOURNAL ENTRY APPROVAL TRESSA LUTTRELL

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve as submitted, by Tressa Luttrell, as a transfer to reconcile books.

Commissioner Pennel seconded the motion.

Commissioner Strahan added that what had happened was that he and Tressa Luttrell were going over this and there had been a miscommunication and four projects were all assigned to one project and that all of this would be straightened out as far as time spent on projects.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TIPPING SERVICE CONTRACT TRESSA LUTTRELL

Tressa Luttrell stated that a bid was approved for tipping service waste corp., but that they still needed to make a motion to approve the contract.

Commissioner Herschend made a motion to approve the contract as reviewed by Bob Paulson, County Attorney.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

INDEPENDENT AUDITOR BID TRESSA LUTTRELL

Tressa Luttrell stated that she had worked with Rick Findley, County Auditor, and got bid out and sent it to five companies, only received one back from Davis Lynn and Moots for last three years.

Commissioner Strahan made a motion to approve.

Commissioner Herschend seconded the motion.

Commissioner Pennel questioned if they were the only ones who bid. Tressa Luttrell responded that, yes, they were the only ones that responded.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #95902 – 96005 and warrants #4543 and 4544.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

John Logan requested the commission resend the judicial tax because they were promised that it was going to the jail and now it is going to Wal-Mart. Discussion ensued.

RECESS

Commissioner Herschend made a motion to recess and then go into executive session for litigation and follow up on contracts.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



TANEY COUNTY COMMISSION RECORD

AUGUST 1, 2006 THE 7TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Road and Bridge Office at 12:54 p.m. pursuant to adjourn with Ron Herschend, Western District and Danny Strahan, Eastern District present. Chuck Pennel, Presiding was absent. The following proceedings were had and made a matter of record.

ROAD AND BRIDGE WAGE CHANGE

Commissioner Herschend explained that a new employee has been hired as a mechanic at the East Barn and it has resulted in some wage changes. Commissioner Herschend made a motion to make the following wage changes: Ronny Armer \$13.20, Tom Trotter \$15.60, Red (West Barn) \$15.80, and Paul Cutbirth \$14.00 to be effective on next weeks pay check. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

Minutes taken via telephone and typed by Hillary Bargman



AUGUST 4, 2006 THE 8TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Commission Office at 11:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

RESCINDED MOTION

Commissioner Herschend made a motion to rescind the action taken on Tuesday pertaining to the raises of the mechanics for the failure to get a Presiding for the motion. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

Commissioner Strahan then thanked Ms. Luttrell for catching the mistake.

ROAD AND BRIDGE RAISES

Commissioner Herschend made a motion to pay Trotter, Armer, Cutbirth, and Harrod the rates that were previously discussed in response to hiring a \$16.00 an hour mechanic. Noting that Armer, Cutbirth and Harrod are not eligible for 2007 raises. Trotter received minimal therefore is entitled to 2007 raises. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

PAYMENT OF COMP TIME

Commissioner Herschend made a motion to pay Jeremy Wilson and Shane Keys comp time per the previous other deputies who were paid comp time at the request of Sheriff Jimmie Russell. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Tressa Luttrell and Hillary Bargman



AUGUST 7, 2006 THE 9TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

Joan Chowning led the prayer, which was followed by the pledge.

OZARK MOUNTAIN UNDERGROUND

Commissioner Herschend made a motion to approve the authorization requested by public admin.

Commissioner Pennel seconded the motion.

After discussion Commissioner Pennel withdrew his second. The motion died.

MEMO OF UNDERSTANDING – RECYCLE CENTER LARRY ROWLAND & DEBBIE REDFORD

Commissioner Herschend made a motion to approve memo of understanding with language added from Bob Paulson, Taney County Attorney.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MASONIC LODGE BUILDING BIDS

Commissioner Herschend asked that they table the issue for a later date.

CONTRACT ON INTERNET SERVICE GARY MORGAN

Commissioner Strahan made a motion to approve.

Commissioner Pennel seconded the motion.

After discussion Commissioner Pennel withdrew his second.

Commissioner Strahan withdrew his motion.

Commissioner Pennel made a motion to table until later that day.

VOICE RECORDER BID TRESSA LUTTRELL

Commissioner Herschend made a motion for approval.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea). Adding that it comes out of 911 contingency.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #96006 – 96108 and warrants #4545 and 4546.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve Commissioner Strahan's phone bill.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstained).

RECESS



**AUGUST 9, 2006 THE 10TH DAY
OF THE JULY ADJOURN TERM**

TANEY COUNTY COMMISSION RECORD

The County Commission met in the County Commission Office at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve the following payroll warrants.

General County Revenue Warrants	101325 – 101345, 101371, 101373 – 101413
Road & Bridge Trust Warrants	101346 – 101365, 101372
Assessors Fund Warrants	101366 – 101367
Transfer Station Warrants	101368 – 101370
911 Warrants	None
Manual Warrants	4547 – 4548
Accounts Payable Warrants	96109 – 96125

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

1:20 p.m.

The County Commission met in the County Commission Office at 1:20 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

LUMP SUM PROPOSAL KENNEDY CONSTRUCTION

Commissioner Herschend made a motion to accept the August 9th lump sum proposal of \$200,000 from Kennedy Construction, as a change order, for all the rockwork on the Judicial Facility. Commissioner Strahan seconded the motion.

Commissioner Herschend stated that he has a concern regarding the FF&E and how everything is getting put to that line when an issue comes up such as the phones etc. Herschend added that it is all being treated as a contingency fund.

Commissioner Pennel questioned change orders and how he was told they cost the owner money. Mike Smith from Septagon stated that you try to define the costs upfront in the contract however, some try to take advantage of the owner with change orders. Smith further stated that he agrees with the Architect in that once we actually start the construction they will find places that could have savings. Steve Davis, HMN Architects commented that one example could be in the finish on the steel, it could simply be waxed finished rather than the more expensive finish.

The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes).

Commissioner Herschend noted that he didn't know there was a better option. Herschend expressed that he wished they had taken more time to figure out where the funding was going to come from but was not opposed to the decision.

TRUSTEE DAYROOM BID

Commissioner Herschend made a motion to reject Alternate #2 regarding the Trustee Dayroom bid. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

CONDENSING FILE BID

Commissioner Herschend made a motion to reject Alternate #4 regarding the condensing file bid. Commissioner Pennel seconded the motion to reject. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Tressa Luttrell and Hillary Bargman



AUGUST 14, 2006 THE 11TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

NUISANCE ORDINANCE

Presiding Commissioner Pennel explained that a public hearing would need to be held before the end of the year to reinstitute the county's Nuisance Ordinance. Pennel added that the hearing would give the public an opportunity to voice their opinions as to what parts of the ordinance work and don't work. No motions were made and no votes were taken.

TOM PHELAN ISSUE

Presiding Commissioner Pennel explained that Tom Phelan is dissatisfied with the purchase of used building materials at the old clerk's building. Pennel suggested that the Commission review what took place to see if further action needs to be taken regarding this issue.

Eugene Rogers, Auctioneer stated that there were 25 to 30 people present at the auction and explained that a walk through was done selling various lot items in the interior of the building and then all of the metal on the outside was sold as one package deal. Rogers added that he thought the buyers were given that weekend and the next full week to collect their purchases and they were told that anything left would not be theirs because the county had plans to move their equipment in on Monday to start taking the building down.

John Lavender, Maintenance added that he was also helping with the auction per Commissioner Herschend's request and that he made an announcement three different times that bulldozers would be coming on Monday to take the building down, so anything not out by Sunday night would be history. Lavender emphasized that Mr. Phelan was present when the announcements were made.

Bob Paulson, County Counselor asked how much stuff Phelan bought? Lavender stated that Phelan purchased all of the wood and metal from the outside of the building and added that he got most of it, but ran out of time before he could get some of the rafters that were on the top. Lavender further explained that Phelan approached him five days before the deadline asking for more time and Lavender told him that he would talk to the Commission. Lavender then stated that he was never able to ask any of the Commissioners so he went back to Phelan and told him that dozers were already scheduled for Monday so he needed to have his stuff out before then.

Bob Paulson suggested putting deadlines in writing at future auctions.

Note: Commissioner Herschend entered that meeting at 9:15 a.m.

Commissioner Herschend stated that after Commissioner Pennel had contacted everyone about what they heard and confirmed that Sunday was the last day to collect supplies, he personally went down and told them that everything needed to be out no later than 8:00 Monday

TANEY COUNTY COMMISSION RECORD

morning and that if he wanted to work through the night he could. No motions were made and no votes were taken.

AIRPORT BOARD TERMS TRESSA LUTTRELL

Tressa Luttrell, Administrator presented the Commission a copy of the Airport Board terms. Luttrell added that a copy has also been given to the Airport Board, so if they have any problems with the terms they could let the Commission know. Luttrell further explained that the Airport Board did not say anything about the terms other than they were glad it was being done.

Presiding Commissioner Pennel asked if the board appoints the representatives from the cities? Luttrell clarified that each city gets to designate a representative to be on the board and every two years they can either keep the current representative or appoint a new one. Pennel added that they are a good group and are putting their heart into their responsibilities on the board.

Commissioner Herschend made a motion to approve the terms as presented. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRESENTATION OF DELTA DENTAL QUOTE RICK FINDLEY

Rick Findley, Auditor presented the Commission with a quote for Delta Dental and explained that the term ends the first of September and could be renewed on an annual basis just like before. Findley further explained that he asked if the county could get on the January 1 renewal date, so they could match up with the health insurance. Findley stated that the annual cost for administration is \$4.58 per employee but if the county goes to the December 31 renewal it will be \$4.63. Findley added that the costs are going up and explained the county is currently paying \$17.36 per employee and the new rate will be \$22.94 per employee. Findley added that the employee would need to pay extra for spouse, children, and family coverage. A general discussion ensued.

Commissioner Herschend made a motion to approve Delta Dental at the renewed premium rate plus shifting the term to December 31st, which will raise the administrative cost to \$4.63 per employee. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TITLE III

Tressa Luttrell presented the Commission with the advertisement that Donna Neeley; County Clerk has put in the paper in regards to the only two projects that applied for Title III Monies. Luttrell added that Cedar Creek Fire Protection District wanted to change their project description to repair their fire truck and Neeley told them they would have to withdraw their current application and submit a new one.

Presiding Commissioner Pennel clarified that he got a call from Cedar Creek and they confirmed wanting to withdraw their original project due to a fire truck problem. Luttrell added they have all of their necessary receipts.

Commissioner Pennel read the following project descriptions:

Project #1: Protem Fire Protection District request \$4,159.65 to purchase personal protection equipment used in combating wild land and forest fires in their district. The Protem Fire Protection District has 25,000 plus acres of National Forest land within its borders. This last spring 1000 acres total of wild lands were impacted by fire in the district.

Project #2: Cedar Creek Fire Protection district requests \$21,735.00 to build a fire station to house a fire truck and tanker truck. Cedar Creek Fire Department has an agreement with Mark Twain National Forest to provide fire service for the Mark Twain National Forest.

Helen Souttee, Treasurer clarified that at this time \$21,373 is in the Title III Fund.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan expressed that he sees no reason why Protem shouldn't be approved unless it would have an effect on the other districts that haven't applied. Rick Findley asked when the deadline for applying is? A general discussion ensued.

Commissioner Strahan made a motion to table this issue for further clarification before approval. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

CENTURY TEL MAINTENANCE AGREEMENT

Dawn Bilyeu, Auditor's Office presented the Commission with a maintenance agreement from Century Tel. Bilyeu clarified that Bob Paulson, County Counselor has looked over the agreement and made some changes which she submitted to Century Tel who has not called her back in response to the changes. Bilyeu further explained that Century Tel wants the county to pay \$8,089.62 in order to be put on their maintenance priority list. Bilyeu expressed that it is a lot of money however the problem is, if the county is not on priority and the Sheriff's Department goes down there could be a major delay before the phones are fixed.

Bob Paulson, County Counselor suggested looking at what the agreement actually covers as far as lighting storms and things of that nature. Paulson explained, part of their contract states if the county doesn't pay, then Century Tel can terminate the contract. Paulson clarified that he added to the contract that since the county would be paying the \$8,089.62 up front, if Century Tel terminates the contract for some other reason, then they have to pay the county 1/365 of the contract price for every day that was not used on the contract.

Commissioner Pennel asked about the decision not to pay last year? Bilyeu stated that was for the older system and now the county has a new one. A general discussion ensued.

Tammy Haglar, 911 Administrator expressed a concern about Taney County not being on the priority list. Haglar added they have several techs that come out and all the offices are familiar with them, so part of the priority system would include those techs being pulled off of other projects to be sent to Taney County if problems occur. Haglar went on to state that she feels Taney County needs to be priority and that if the Sheriff's Department goes down there is a possibly 911 could be affected as well. A general discussion ensued.

Commissioner Strahan expressed that the agreement ran out some time ago and Century Tel has continued to furnished the phones and perform their duties without a contract. Bilyeu added the techs that come to Taney County have been great to work with.

Commissioner Herschend made a motion to table this issue until later. Commissioner Pennel seconded the motion.

Commissioner Herschend then asked if the county has talked to any other phone service providers to see if they offer maintenance on these Nortel phones? Findley clarified that he feel the county could get maintenance on the Nortel phones but is unsure about the cards. Findley expressed Gary Morgan would know the answer to that question.

Commissioner Pennel asked Tressa Luttrell to look at the other bidders from a year and a half ago to see if there might be some other companies that could provide maintenance.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SOLID WASTE RESOLUTION

Tressa Luttrell, Administrator explained that the old Solid Waste Resolution is printed on letterhead with Don Swan's name on it and it needs to be printed on new letterhead.

Presiding Commissioner Pennel read the following resolutions:

RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT EXECUTIVE BOARD

BE IT RESOLVED BY THE COMMISSION OF THE COUNTY OF TANEY,

TANEY COUNTY COMMISSION RECORD

MISSOURI, to appoint Chuck Pennel to represent Taney County on the Southwest Missouri Solid Waste Management District EXECUTIVE BOARD and to appoint Larry Rowland as the alternate to represent Taney County when the principal cannot.

RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT COUNCIL

BE IT RESOLVED BY THE COMMISSION OF THE COUNTY OF TANEY, MISSOURI, to appoint Chuck Pennel to represent Taney County on the Southwest Missouri Solid Waste Management District EXECUTIVE BOARD and to appoint Larry Rowland as the alternate to represent Taney County when the principal cannot.

Commissioner Herschend made a motion to approve both resolutions. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda in order to add Accounts Payable. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve accounts payable warrants #96135-96217 and voided checks #96126-96134. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ART BECK

Art Beck expressed a concern about a bad job done on Y Hwy that is both a county road and state road. Beck asked if the Commission has any influence at the state level on situations like this? Strahan expressed that he just drove the road a few weeks ago and didn't notice any work done on it. Beck stated that they are doing an over lay on it and it looks terrible. No motions were made and no votes were taken.

REPORT WILEY BARNES

Wiley Barnes, Chamber of Commerce gave a report to the Commission in regards to a meeting she attended at Commissioner Herschend's request. Barnes reported the meeting was with Lt. Governor Peter Kinder who released Missouri's first report on the state's senior citizen population. Barnes further explained that Taney County has the most senior citizens who still have driver's licenses. Barnes added that the report can be found on the State Website and they will update it every year.

Commissioner Herschend asked if there is any action that should come out of this report? Barnes clarified she doesn't think so at this point. No motions were made and no votes were taken.

AUCTION INFORMATION HELEN SOUTEE

Helen Soutee, Treasurer gave the Commission information in regards to the price of items sold at the old clerk's building which were previously discussed in the meeting. Soutee clarified that Tom Phelan paid \$380 for the walls and \$850 for the metal on the outside of the building.

Rick Findley, Auditor expressed there was another bidder that day who said he would have bid more if he had more time to collect his supplies. Findley suggested that the Commission not reimburse Phelan, as it would be unfair to the other bidder. No motions were made and no votes were taken.

TANEY COUNTY COMMISSION RECORD

MAPLE STREET

Presiding Commissioner Pennel stated that he received a letter from a resident on Maple Street who is concerned about all the extra traffic coming through their street as a result of the new Hollister interchange. Pennel added that someone else called with the same concerns. A general discussion ensued. No motions were made and no votes were taken.

RECESS

10:05 a.m.

RECONVENE

10:20 a.m.

ACCOUNTS ALLOWED MOTION AMENDMENT

Presiding Commissioner Pennel amended his motion to approve payroll in order to exclude a reimbursement for Commissioner Ron Herschend. Commissioner Strahan amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to pay the reimbursement for Commissioner Ron Herschend for mileage. The motion passed by vote: Pennel (yes), Herschend (abstain), Strahan (yes).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman



AUGUST 16, 2006 THE 12TH DAY OF
THE JULY ADJOURN TERM

The County Commission met in the County Commission Conference Room at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present along with Nick Smith and Jack Dillingham. The following proceedings were had and made a matter of record.

WAINSCOT BID

Commissioner Herschend made a motion to approve Alternate #3 regarding the Wainscot in the amount of \$56,000.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

VEHICLE EVIDENCE BID

Commissioner Herschend made a motion to deny Alternate #1, at this time, which is the Vehicle Evidence. Commissioner Strahan seconded the motion to deny. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

GUARDRAIL BID

Tressa Luttrell, Administrator presented the guard rail bids for the Buchanan Road project, which had been delayed due to some questions Commissioner Herschend had regarding the breakaways.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve the guardrail bid with the exception of the breakaways. Herschend added that instead of using this cushioned type of breakaway it should be pulled from regular stock. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

HOT WATER HEATER REPLACEMENT COMMISSION OFFICE

Commissioner Strahan made a motion to replace the hot water heater in the Commission's Office due to the results of testing conducted by the Sewer District. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Tressa Luttrell and Hillary Bargman



AUGUST 17, 2006 THE 13TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 3:05 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ASSISTANT PLANNING AND ZONING ADMINISTRATOR EDDIE COXIE

Commissioner Herschend made a motion to name Eddie Coxie as the Assistant Planning Administrator and to raise his hourly wage to \$14.00. Commissioner Pennel seconded the motion.

Note: This raise covers the new title and the 07 budget raise.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Tressa Luttrell and Hillary Bargman



AUGUST 18, 2006 THE 14TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

BUILDER'S RISK POLICY

Presiding Commission Pennel made a motion to add on a Builder's Risk policy to the county's existing insurance at a rate of \$50,000.00 for a two-year policy plus administrative fees. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken and typed by: Tressa Luttrell and Hillary Bargman



AUGUST 21, 2006 THE 15TH DAY OF THE AUGUST ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

The prayer was led by Helen Souttee followed by the pledge.

PUBLIC APPOINTMENTS

Commissioner Pennel gave a legal description of Northwood Trails. Don Glenn stated that this particular road was not very long and only had nine homes occupied and a tenth home in the process of being built.

Commissioner Pennel stated that he and the other commissioners felt that they should not take any action at this moment until they have their road superintendent go out and review the road.

Commissioner Herschend stated that this issue would be put back on the agenda when they get the report back from Randy Haes, Road and Bridge.

ELECTED OFFICIALS AND DEPARTMENT HEADS

Gary Morgan, I.S. Department Administrator, stated that he and Dawn Bilyeu had spoke with Century Tel that morning and that there were still a couple of issues on the contract that needed to be tied down, the main thing being whether or not they needed to pay maintenance on the licenses for the 22 satellite systems.

Commissioner Herschend made a motion to move for an approval of the contract with the changes that have been addressed so that they do not have to meet again.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

CHILD SUPPORT TRESSA LUTTRELL, ADMINISTRATOR

Tressa Luttrell, Administrator presented to the commission that the child support enforcement agreement is the same one that they have had for the last ten years. Ms. Luttrell stated that it had been signed and approved by both the Circuit Clerk and the Prosecuting Attorney for state reimbursement to pay for that office.

Commissioner Herschend made a motion for approval.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RETAINING WALL BID

Tressa Luttrell, Administrator stated that she had taken a bid for the blocks for the retaining wall here on Buchanan Road and had received two and turned them over to the Road and Bridge Department. Ms. Luttrell stated that one of the bids for the type of rock they were looking for was a ready rock unit price of \$86.25 per block delivery in one week, but that the engineering cost was not included. The second bid unit price was \$75.29 for the full base and \$71.23 for the cap and corners.

Commissioner Herschend made a motion to accept the Redi-Rock bid that was recommended.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Tressa Luttrell, Administrator added that the last thing she had to discuss was the Solid Waste Management District Counsel. Ms. Luttrell mentioned that in the previous week it had been approved for Commissioner Pennel to be the representative, but that the statutes state that there has to be two commissioners and that she needed an additional motion to appoint the Eastern District Commissioner.

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Commissioner Herschend made a motion to appoint Commissioner Strahan, Eastern District Commissioner, to the Solid Waste Management District Counsel.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

Commissioner Pennel mentioned that we needed to nail down a time for a public hearing on Quebec Road in about a week.

Commissioner Herschend set the meeting for Tuesday night at 7:00 p.m. and that they meet at the cedar tree that lies across the road.

P & Z AMENDMENTS

Commissioner Pennel stated that at the last P & Z meeting one of the commissioners spoke with him after the meeting and asked that they do something about them not using the point system described in the code.

The commissioners requested that Bob Paulson, County Counselor, present this to Planning & Zoning before a motion be made.

IDA 2007 BUDGET

Commissioner Herschend stated that he would like to move that they request the IDA to submit a budget for the 2007 calendar year and extend that one more year.

Commissioner Pennel made a motion to communicate to the board that they are in favor of extending another year and asking them to submit a budget.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion that they request to pursue it to RSMo 50.54 and that the County Commission request that the County Auditor extend the dead line of the budget estimates for IDA to the end of September.

Commissioner Herschend withdrew his motion.

CANNON BALL LOOP CONDEMNATION RON HERSCHEND

Commissioner Herschend made a motion that this seated commission agree not to become a nation of private property for the benefit of a private development and that this seed will not take private property and turn it over to private developers.

Commissioner Pennel seconded the motion if the motion is okayed by their attorney. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

911 TERMINAL

Tammy Hagler, 911 Administrator, stated that she and Tressa Luttrell, Administrator, Commission Administrator, felt that due to the dollar amount, that it should go to at least the commissioner's attention and the auditor's attention first. Ms. Hagler also stated that their 911 equipment was 10 years old and that the software had been upgraded as much as it could be. Ms. Hagler added that their CML equipment is through Century Tel and the total of that equipment comes to \$55,125.50. Ms. Hagler added that her board would like for her to request that they go ahead and purchase through Century Tel and stated that they have the funds available for this purchase and it would not be affecting General Revenue.

Commissioner Strahan made a motion to accept her request of \$12,477.80 out of PCAP Equipment and the remaining balance of \$42,647.70 come out of the Contingency Fund.

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Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (nay), Strahan (yea).

PERCENTAGE OF NATIONAL FOREST RECEIPTS TITLE III

Donna Neeley, Taney County Clerk, stated that each year they have to send documentation to the National Forest to determine what percentage goes to title III and presented to the commission that it has been set at 16 percent in previous years.

Commissioner Herschend made a motion to set it at 16 percent.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Donna Neeley stated that a decision needs to be made on whether or not money should be dispersed to the Protem Fire Protection District of \$4,159.65 to purchase personal protection equipment.

Helen Souttee, Taney County Treasurer, stated that they have \$21,372.00 available. Donna Neeley stated that they have a pending project and the next deadline is December 1st.

Commissioner Herschend stated that they were made aware of a change and questioned whether they were going to force those folks to wait until December to resubmit or are they going to count that as a submittal.

Commissioner Pennel stated that the other folks have done their thing to hold up their project and suggested that instead of a verbal phone call that they send them a memo saying that they want it in writing that they are withdrawing.

Donna Neeley agreed to send out a memo to Cedar Creek as per Commissioner Pennel's request.

INSTALLMENT ACCOUNT

Shelia Wyatt, Taney County Collector stated that she wanted to make the commission aware that she was taking installment payments on an insufficient check that she had turned over to the prosecutor. Ms. Wyatt added that it had been handed over to the prosecutor because it was based on personal property, which is unsecured. Ms. Wyatt stated that she felt the best place to put these installment payments was in the Installment Account then when the full check amount is met then it will be pulled out and put in the Collector's Account.

PRIOR MINUTES

Commissioner Herschend made a motion to table minutes until this afternoon.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Pennel made a motion to approve accounts payable checks #96218 - 96325 with the exception of Commissioner Danny Strahan's mileage and warrants #4550 and 4551.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve Commissioner Danny Strahan's mileage.

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Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

ANNOUNCEMENTS

Commissioner Herschend stated that he believed the commission needed to respond and that he would request that they be on the agenda for city counsel for Branson responding to a letter dated August 14th talking about a letter we had sent concerning the Bee Creek Project.

Commissioner Pennel agreed that they should try for next Monday night's meeting and that they fax a memo to the city clerk for it to be posted on the agenda.

ONLINE EMERGENCY BROADCAST SYSTEM

Darin Coden stated that he did get a chance to review the Taney County Advisory Board and said that they discussed some of the technology issues and that he was going to hold off on that Emergency Broadcast System. A general discussion ensued.

Commissioner Herschend made a motion to recess for the purpose of lunch.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



AUGUST 23, 2006 THE 16TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101414 – 101416, 101446, 101448 – 101487
Road & Bridge Trust Warrants	101418 – 101440, 101447
Assessors Fund Warrants	101417, 101441 – 101442
Transfer Station Warrants	101443 – 101445
911 Warrants	None
Manual Warrants	4552 – 4553
Accounts Payable Warrants	96435 – 96456

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken via telephone and typed by: Hillary Bargman



AUGUST 28, 2006 THE 17TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Conference Room at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny

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Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Commissioner Herschend led in prayer followed by the pledge.

DICK SCOTT CEMETERY

County Counselor, Bob Paulson presented the Commission with a petition for the Dick Scott Cemetery and informed that this has already been approved by Planning and Zoning (P&Z). Commissioner Pennel added that P&Z has given it overwhelming approval.

Commissioner Strahan made a motion to approve the petition for the Dick Scott Cemetery upon Mr. Paulson's order. Commissioner Herschend seconded the motion.

Commissioner Herschend questioned item four on the petition, referring to maintenance and asked if the Board of Trustees failed to maintain the cemetery would the county have to maintain it? Presiding Commissioner Pennel and Commissioner Strahan concurred that the county does not maintain any cemeteries.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BOE UNITY CHURCH

Commissioner Strahan made a motion to table the BOE Unity Church item until the BOE meeting. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FLOOD PLAIN ORDINANCE BOB PAULSON

Bob Paulson, County Counselor explained that Mr. Schlustler, from FEMA, called the Commission informing them of their need to pass a revision to the Flood Plain Ordinance by September 15, 2006 to reflect FEMA's updated ordinance, including improved maps for certain areas in the county. Mr. Paulson added that the document is approximately eighteen pages, but has not been received and he will contact Mr. Schlustler to obtain the correct verbiage.

Commissioner Herschend made a motion to table the approval of the Revised Flood Plain Ordinance until the meeting next week. Commissioner Pennel seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

APPROVAL OF MINUTES

Presiding Commissioner Pennel made a motion to postpone the approval of the minutes, for further review.

Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #96327 – 96550.

Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HISTORICAL JAIL

Commissioner Herschend reminded the Commission that they had a request to consider funding for the historical jail and if they are going to consider this, it should be addressed now, as the deadline for budget items is approaching. Commissioner Herschend then said that a document has been provided showing their expenses and Donna Clevenger, Secretary for the White River Historical Society, told the Commission that the organization has prepared a revised

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budget. Commissioner Herschend further reported that Ms. Clevenger was directed to have this submitted to the County Auditor, Rick Findley, by September 1, 2006.

Tressa Luttrell, Administrator, informed that an organization could submit a request for consideration to the Commission. Commissioner Strahan asked if it would need to be considered under the Park Program? Mr. Paulson responded that this could be funded in a number of ways. Mr. Findley mentioned that the organization might need to have 501(c)(3) status to be eligible for funding. Ms. Clevenger responded that the organization does have this status. Commissioner Strahan remarked that he was impressed with all of the historical items the organization had preserved and that the Henson family had a number of historical voting records they would like to donate to an entity that could care for them.

MEETING WITH THE CITY OF BRANSON

Commissioner Herschend stated he received a telephone call from Terry Dody, Branson City Administrator and he would like to schedule a meeting between the Commissioners and the Branson City Aldermen.

SEPTEMBER 11TH ACTIVITY PLANS

Commissioner Herschend then wanted to discuss the 9/11 activity plans for the county and informed that he has asked staff to check and see what other counties are doing.

Commissioner Strahan suggested a courtyard ceremony, including the office holders and staff, with a moment of silence at the time the tragedy occurred, prayer, and singing of the Star Spangled Banner. Presiding Commissioner Pennel stated that he pictured a similar activity inviting the Sheriff, Christ Berndt, First Responders, and recognizing them as well as John Willet and the other victims. Commissioner Strahan mentioned recognizing the sacrifices of the Taney County citizens who have participated in the wars in Afghanistan and Iraq and that the ceremony would be held at 9:00 a.m.

Bob Schanz said that he has something else planned. Dick Clark presented a press release stating that Taney County refuses to mention John Willet's name. Commissioner Pennel replied that information is not true. Mr. Schanz said this is the sixth most hit site on Google in the last few days and while he doesn't agree with the way the county wants to handle the event, he did comment about inaccuracies in the article.

Commissioner Strahan explained that Cathy Hilliard, who is quoted in the article, called and spoke with him for about an hour and apologized for things that she released in the article, that she relayed second hand. A general discussion ensued.

UNITY HILLS CHURCH

Commissioner Herschend made a motion that the Taney County Commission abate the 2005 taxes of Unity Hills Church, as they were a church, but failed to have the proper documentation. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

10:00 A.M.

Commissioner Herschend made a motion to recess. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENED

10:05 A.M.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

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DAVIS, LYNN, & MOOT CONTRACT

Commissioner Herschend made a motion to approve the contract with Davis, Lynn, and Moot. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MARCUM RESTAURANT SUPPLY CONTRACT

Tressa Luttrell, Administrator announced that Marcum Restaurant Supply was awarded the bid for the jail. Ms. Luttrell then presented the contracts adding that Bob Paulson, County Counselor would review them.

Commissioner Herschend brought up Service Awards and Ms. Luttrell explained they are meriting employees for how long they have worked for the county. Ms. Luttrell added that the county has done certificates for this since 1995. Commissioner Herschend asked Ms. Luttrell to put together a list?

Commissioner Strahan made a motion to approve the Marcum Restaurant Contract, after Mr. Paulson's review. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UNITY HILLS CHURCH

Commissioner Herschend amended the motion that the Taney County Commission abate the 2005 and 2004 taxes of Unity Hills Church. Commissioner Strahan seconded the motion to amend. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DEADLINE MOVED

Tressa Luttrell, Administrator asked to get the September 1, 2006 deadline moved. Commissioner Herschend made a motion to extend, not later than January 1, 2007. Commissioner Pennel seconded the motion and added that he preferred services be added for invoices over \$200. Commissioner Pennel further commented that it would be great if they could be done before then. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were written by Hillary Bargman and typed by Lisa Owen.



AUGUST 31, 2006 THE 18TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 10:06 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

LEVY SETTING

Tressa Luttrell, County Administrator, explained that Donna Neeley, County Clerk, published the proposed tax rates pursuant to RSMo 67.110 (2).

Commissioner Strahan made a motion to establish the levy for General Revenue at .2618 and Road and Bridge at .2014. Commissioner Pennel seconded the motion. The motion passed vote: Pennel (yes), Herschend (absent), Strahan (yes).

ROLL LEVY BACK TO ZERO

Commissioner Strahan made a motion to roll the levy back to zero. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

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TITLE III

Commissioner Strahan made a motion to table Title III until next Tuesday, September 5, 2006. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

10:10 a.m.

RECONVENE

The County Commission reconvened in the County Commission Office at 11:55 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ATTORNEY FOR RECOUNT DONNA NEELEY

Donna Neeley, County Clerk addressed the Commission with a request for the approval of payment for an attorney to represent her office during the court ordered recount. Neeley explained that Bob Paulson, County Counselor withdrew as her attorney due to the conflict of interest caused by his name being on the August ballot. Neeley further explained that she has called several local attorneys and has had no success finding someone to represent her due to either the short notice or conflicts of interest. Neeley added that she found an attorney out of Crane, Missouri and was on her way to a meeting with him to get more details.

Commissioner Herschend asked how many hours he would be working? Neeley clarified that the recount is estimated to take a day and a half and added that she has never been involved with a recount, so that was the best estimate she could give at this time. Herschend then asked if the attorney in Crane had any experience with recounts? Neeley responded that he did not and added that she only found one attorney who had experience with recounts but he was three hours away.

Commissioner Pennel expressed that it is difficult to find attorneys in this area who are familiar with the recount procedures and that even his attorney had minimal experience with them.

Commissioner Herschend asked for clarity as to why the attorney fees need to come out of GCR instead of the Election Fund?

Tressa Luttrell, Administrator explained that the Commission made a decision to take the professional services line out of the individual departments budgets and add it to GCR. Luttrell added the decision of the Commission was to put that money in GCR instead of the individual budgets so that the elected officials would have to submit their bills to the Commission for approval when they needed professional services.

Commissioner Herschend expressed a concern about having a lawyer represent the Clerk's Office who is inexperienced with election recounts and added that he would prefer paying an extra traveling fee for a lawyer who is more familiar with the recount process then end up in a law suite. Neeley responded that it is her decision and she has chosen the lawyer from Crane to represent her in the matter. Herschend expressed that he would not make a motion to approve the payment of a lawyer who is unfamiliar with the recount process. Herschend further expressed that since everyone is so unfamiliar with recounts he does not want to rely on an attorney who has never done one and feels he would rather have someone with recount experience to serve the best interest of the citizens of Taney County. No motions were made and no votes were taken.

Minutes taken and typed by: Hillary Bargman



TANEY COUNTY COMMISSION RECORD

SEPTEMBER 5, 2006 THE 19TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

PERSONAL DISCLOSURE ORDINANCE/FLOOD PLAIN ORDINANCE REVISION BOB PAULSON

Bob Paulson, County stated that a Personal Disclosure Ordinance needed to be done in 2007. Mr. Paulson then stated that there is a Flood Plain Ordinance revision and the new maps will be effective September 29, 2006.

Note: Commissioner Herschend entered the meeting at 9:07 a.m.

JOURNAL ENTRIES TRESSA LUTTRELL

Tressa Luttrell, Administrator stated she has journal entries that need to be done for Road and Bridge, the Judicial site, Animal Control, the computer room, the Commission, County Clerk, Richards shop deals with building renovations, Johnson Schoolhouse renovations, and the Transfer Station.

Commissioner Herschend made a motion to approve the transfers presented by Ms. Luttrell. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from August 1, 4, 9, 14, 16, 17, 18, and 23, 2006. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ACCOUNTS ALLOWED

Commissioner Strahan expressed that the Commission has some concern on three different billings. Commissioner Pennel noted for the record that they are having to paying an attorney \$2800 for both the Commission and Peter Rea and a two-day air charge from Dr. Tallon for coroner toxicology.

Commissioner Pennel made a motion to accept accounts payable checks #96551 – 96675 and warrants #4554 – 4556.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

TITLE III MONIES

Lisa Owen stated there were two applications submitted for Title III Monies, Protem Fire Protection District and Cedar Creek Fire Protection District and Cedar Creek withdrew their application.

Presiding Commissioner Pennel added that Protem's request is for \$4159.65. Commissioner Herschend asked Helen Souttee, Treasurer for the total amount of Title III Monies available? Ms. Souttee responded that right now it is \$21,373.93.

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Commissioner Herschend informed that Mark Twain School would be approaching the Commissioners with an outdoor classroom on conservation property. Commissioner Strahan added that Title III Monies would help with the construction.

Commissioner Herschend made a motion to approve Protem for Title III Monies. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

NEW FLOOD PLAIN ORDINANCE

Assessor James Strahan discussed the new flood plain ordinance. Commissioner Herschend stated that the county has new flood plain maps and Larry Rowland is using them. Assessor Strahan requested a copy of the map for the Assessor's Office.

BEE CREEK SEWER PROJECT

Commissioner Herschend reported that John Soutee, Sewer District shared with him that they have gotten a response to request Department of Natural Resources funding on the Bee Creek Sewer Project Contract. Commissioner Herschend stated that bids were opened on Thursday for the Bee Creek Project and the low bidder would be opposed to the sewer board today and the sewer board has said they won't go forward without an agreement and the Commission has been directed not to sign.

Bob Paulson, County clarified that he spoke with the city attorney last week and he wasn't aware of the letter the county sent over concerning the connection piece and some other issues.

RESPONSE TO ASSESSOR SHEILA WYATT

Sheila Wyatt, Collector responded to a comment made by the Assessor concerning insufficient funds and the process by which Ms. Wyatt followed to collect on a bad check for personal property taxes adding that she was paying installment payments on an insufficient check that she had turned over to the Prosecuting Attorney. Ms. Wyatt commented that Assessor James Strahan did not understand the obligations of the Collector and felt she had done something illegal. Ms. Wyatt added that the Assessor felt no other Collector in the state used the Prosecutor and she told him she would get him a list of the County Collectors who used their Prosecutors. Ms. Wyatt informed that she sent an e-mail and got 25 replies showing that each used their prosecutor with two exceptions: one that was not effective for their office and the other because they are a First Class County and their Prosecutor refused so they used the County Councilor to collect their insufficient checks.

Bob Paulson County Councilor clarified that only the Prosecutor could prosecute criminally for defrauding and the County Councilor does not do anything criminally so he does it civically and they sue to get those amounts.

Ms. Wyatt then thanked the Commission for their time and stated that she wanted to let them know she wasn't doing anything out of the ordinary. Ms. Wyatt then asked if they needed something else? Mr. Paulson stated he would look into it because the Assessor asked him to look into this issue as well.

James Strahan, Assessor also spoke to this issue and wanted to clarify he doesn't believe he made any statement of illegal allegation or of someone doing something illegally. Mr. Strahan added that there has to be a system to collect bad checks that is pretty specific and his statement was about an individual who wrote a bad check and continued to run his business in Taney County on personal property by simply making payments to the Prosecutor. Mr. Strahan expressed that he believes this is just one individual and his question was asking why this one individual was given this opportunity when no one else had been given the opportunity. Mr. Paulson stated that he would check this in the statutes.

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Ms. Wyatt clarified that this was not a business it was an individual, that she turned the check over to the Prosecutor, and that the woman has a number of bad checks in which the Prosecutor is collecting and the Collector's Office is receiving their portion

HUMANE SOCIETY

Presiding Commissioner Pennel stated that Rhonda Tomlinson had a couple of ads in the paper about starting up a Humane Society in Taney County and he attended the meeting where there were seven people in attendance. Commissioner Pennel further explained that she had an experience from the Reeds Spring Shelter that was not pleasant and motivated her to take action. Commissioner Pennel added that she has a second meeting planned and feels like there is quite a bit of funding to make a shelter available.

ROAD REQUIREMENTS THROUGH PLANNING & ZONING

Presiding Commissioner Pennel suggested setting up a work session to discuss the issue of road requirements through Planning & Zoning and added that they did this a year ago and it did not go anywhere. Commissioner Pennel clarified that Planning & Zoning requires a 50-foot platted right-of-way when platting a sub-division and Road & Bridge requires a 40-foot platted right-of-way and inquired as to if they should have the same requirements?

Bob Paulson, County Councilor stated that the county could now take in roads without them being petitioned and they don't have to have the county engineer go out and look at them although it is still a good idea.

Commissioner Strahan expressed that even though it is easier to take in roads he still thinks it would be irresponsible for the county to not have the engineer go look in some cases.

Bob Paulson emphasized the county could still set any standard they wish. Tressa Luttrell, administrator added that there is still need for a paper trail. Commissioner Pennel suggested setting up a work session.

GERDEL ENGINEERING BOB PAULSON

Bob Paulson, County read the following letter from Gerdel Engineering:
Dear Taney County Presiding Commissioner,

Because you are either an adjacent landowner who proposed surface mining planned area or the governing body of the county of cities in which such a mine is proposed. Located in section 444.772 effective August 28, 2001, Missouri Partners gives their address has applied for a permit with DNR to mine lime stone on 409 acres of land located in Taney County. This operation will be conducted during the approximate date of October 6,2006 to December 31, 2006. Written comments or request for hearing or informal public meeting may be made by any person with direct personal interest in one or more of the factors that the Missouri land reclamation commission may consider in issuing the land reclamation act sections 444.760-790 revised statutes in Missouri or it was health safety and lively hood issuance of a permit regarding items permitting and reclamation requirements erosion excavation posing a threat to public safety protection of public road right-of-way if the hearing is held the commission has the ability to consider if the applicant has demonstrated a pattern of non compliance with other environmental protection laws and regulations administered by the DNR. Public notice published on Wednesday, August 30, 2006 in the Taney County Times it will publish once a week for three consecutive weeks. Final published public notice will be on September 20, 2006 must be submitted in writing no later than 15 days after the final publication. Range township and section S7, T23, R21W.

Mr. Paulson clarified it is from Gerdel Engineering and they are required by statute to send out notice to the governing body of the county and the county could request a hearing which allows them to be able to tell whether the habitats are it compliance with other environmental laws. A general discussion ensued where both Commissioner Strahan and Commissioner Herschend expressed concern about dealing with school traffic in that area.

Commissioner Pennel stated that he would contact the Department of Natural Resources (DNR) to find out more about how the process works.

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RECESS

9:56 A.M.

Commissioner Herschend made a motion to recess the Commission meeting and go into Board of Equalization. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



SEPTEMBER 6, 2006 THE 20TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 8:59 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101517, 101519 - 101559
Road & Bridge Trust Warrants	101488 – 101511, 101518
Assessors Fund Warrants	101512 - 101513
Transfer Station Warrants	101514 - 101516
911 Warrants	None
Manual Warrants	4557 - 4558
Accounts Payable Warrants	96676 - 96692

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

COMP TIME RICK HILL

Commissioner Strahan made a motion to pay Rick Hill from the Sheriff's Department 40 hours of comp time. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken by Donna Neeley via telephone and typed by Hillary Bargman



SEPTEMBER 8, 2006 THE 21ST DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 2:32 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

HIRING OF THREE BALIFF'S SHERIFF'S DEPARTMENT

Commissioner Strahan made a motion to hire three (3) baliffs for the Sheriff's Department. Chuck seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

Note: This was ordered by the Circuit Judge and will count towards the new 19 estimated for the new facility. This will be paid for out of the contingency fund for 2006 only. No new car and uniforms paid out of the 800 account.

Minutes were taken and typed by: Tressa Luttrell



SEPTEMBER 11, 2006 THE 22ND DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

BEE CREEK CONSTRUCTION ISSUES

JOHN SOUTEE

John Soutee, Sewer Department informed the Commission that they had a meeting with the City of Branson last week and he spoke with Mike Zimmerman to try to stay within a reasonable cost for the Bee Creek Sewer Project. Mr. Soutee added that there would be a meeting on Thursday evening with a list of options and costs and reported the total construction bid was \$18,805,332 and alternates are added into that total.

QUEBEC ROAD PETITION

LINDA SMITH

Presiding Commissioner Pennel inquired as to the issue of costing extra money to move an electrical pole along Quebec Road? Linda Smith clarified that the petitioners did not figure that into the cost.

Commissioner Pennel then asked Commissioner Herschend if he is aware of the electrical pole that would have to be moved at a considerable cost to have a sweeping turn?

Linda Smith clarified that she understood they were going to relocate the road to the tee into Quebec where there would be a stop sign and they would turn left to continue on Quebec Road. Mr. Haes responded they did discuss that option and then after talking with the Commission decided to have a public meeting in regards to the issue. Ms. Smith added that the idea of a sweeping turn was not a new idea because she had done research prior and collected information from the utilities. Ms. Smith added she determined it would cost an additional \$3,300 to make a sweeping curve, which was why they were in favor of the tee to stop it because they already had the project in excess of \$15,000 being paid out of our pocket to relocate the road.

Commissioner Pennel expressed that he would not be in favor of putting a stop sign there and Commissioner Herschend stated that he is concerned about tourist. Ms. Smith agreed there is a huge public safety issue.

Commissioner Pennel made a motion to approve the relocation that is requested by Linda Smith at the cost of the property owners.

Commissioner Herschend asked if the motion is for the sweeping turn or a stop sign? Commissioner Pennel clarified it is for a sweeping turn not a stop sign.

The motion died for the lack of a second.

Commissioner Pennel then asked if the county put in the new road sweep and turn then what kind of cost benefit would the county stand to gain? Mr. Haes replied and gave things that could be done for cost savings. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to table the Quebec Road issue until some questions could be answered. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Herschend (yea), Pennel (yea), Strahan (yea)

MONTHLY BUDGET **RICK FINDLEY**

Rick Findley, Auditor presented the Commission with the following monthly budget report.

(Insert Budget Report)

Auditor Findley expressed that General County Revenue (GCR) is the one that concerns him the most adding they are still up in GCR \$332,000 in Law Enforcement Tax.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes for September 6, 2006. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Herschend (yea), Pennel (yea), Strahan (yea)

ACCOUNTS ALLOWED

Chuck Pennel motion to approve Accounts Payable checks #96693 – 96802 and warrant #4559.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Herschend (yea), Pennel (yea), Strahan (yea).

PRIMARY ELECTION RECOUNT

Donna Neeley, County Clerk announced that the local recount was finished and there was a difference of one vote that increased Mr. Pennel's total votes by one and decreased Mr. Houseman's total votes by one. Ms. Neeley added that the Judge has stamped it and filed it, so it is complete.

K&R ELECTRIC

Commissioner Herschend stated that he has two announcements and two issues for Executive Session. Commissioner Herschend addressed his first issue and expressed that he would like the Commission's approval to enter a contract with K&R Electric to test the voltage on the county's generator.

Commissioner Pennel asked what the cost estimate is? Commissioner Herschend said it is less than \$1,000. Commissioner Pennel then asked if the Purchasing Agent is all right with that? Commissioner Herschend responded that Ms. Luttrell is okay with it and asked Councilor Paulson if they should wait to vote on it? Bob Paulson, County Councilor advised if it's not on the agenda and not something that needs to be done in 24 hours to wait and post it on the agenda. Commissioner Herschend stated that he could wait 24 hours for it to be posted on the agenda and approve then.

THOUSAND GALLON TANK

Commissioner Herschend then stated that the second item is similar and explained that as part of the Judicial building process they took the Criminal Office, Investigator, Recorder, and Bad Checks off of City Sewer and installed a thousand gallon tank to hold their sewer and are going to pump weekly. Commissioner Herschend added that they find pumping to be necessary every other day or they are at a strong risk of overflowing. Commissioner Herschend reported if they installed a two thousand gallon tank on top of the ground mount for a price of \$1585 it would cut down on the pumping and save an estimated \$5,000 a year.

TANEY COUNTY COMMISSION RECORD

RECESS
10:51 A.M.

Minutes taken by Lisa Owen typed by Melanie Whittaker and edited by: Hillary Bargman



SEPTEMBER 13, 2006 THE 23RD DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 11:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

EXECUTIVE SESSION

Presiding Commissioner Pennel made a motion to go into Executive Session pursuant to RSMo 610.021(17). Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to go out of Executive Session. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Note: A motion was made but pursuant to the Sunshine Law it cannot be released at this time.

RECESS

RECONVENE 2:00 p.m.

The County Commission reconvened in the County Commission Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

FLOOD PLAIN ORDINANCE

Commissioner Herschend made a motion to approve the Flood Plain Ordinance until the public hearing with the revised copy as presented by Counsel. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE 3:15 p.m.

The County Commission reconvened in the County Commission Office at 3:15 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

HAGLERS GYM MEMBERSHIP

Commissioner Herschend made a motion to discontinue gym membership to Haglers Gym.

Presiding Commissioner Pennel Chuck asked to put this issue on hold until he could speak with Bill to see if they could offer the county a better price.

The motion died for the lack of a second.

TANEY COUNTY COMMISSION RECORD

EXTRA FAX LINE COUNTY CLERK'S OFFICE

Commissioner Herschend made a motion to install an extra fax line for the County Clerk's Office to use with touchscreen machines to be charged to the Election Fund Account. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Tressa Luttrell



SEPTEMBER 15, 2006 THE 24TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 2:50 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

PIPER JAFFREY COUNTY BONDS

Commissioner Herschend made a motion to instruct Piper Jaffrey to sell the county's bonds and generate \$18,685,000 in the counties amount of bonds for the use of paying the cost of construction as illustrated in the cash flow sent on 9/13/06. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

COMP TIME JOHN LAVENDER

Commissioner Herschend made a motion to pay John Lavender 22.5 hours of comp time. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

GREAT RIVER ENGINEERING

Commissioner Herschend made a motion to hire Great River Engineering on a not to exceed basis of \$8,500 and for Danny Strahan to negotiate the road description for said services. Herschend added that these services are for the new location of Shorty Cooper Street. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).



SEPTEMBER 18, 2006 THE 25TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

AIA CONTRACTS TRESSA LUTTRELL, ADMINISTRATOR

Tressa Luttrell, Administrator, Administrator explained that she has two AIA contracts for the judicial facility and added that Bob Paulson, County Counselor has reviewed them. Ms. Luttrell further stated that one is for APAC, which is for all the pavement work and the other is for the Pre Stressed Casting and added that the Commission has already accepted the bids and now they just have to accept the contracts.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve the contracts from Pre Cast and APAC. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RADIO BIDS TRESSA LUTTRELL, ADMINISTRATOR

Tressa Luttrell, Administrator, Administrator reported that she took a bid for nine radios for Road & Bridge and in talking to Jacob Rock and Randy Haes, they are recommending the bid from Ray Field Communications for the amount of \$4,603.50.

Commissioner Strahan made a motion to accept the bid on the Motorola radios for the amount of \$4,603.50. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

TRUCK BID

Tressa Luttrell, Administrator, Administrator stated that she took a bid for a truck for the new Road & Bridge Superintendent and she only received one bid out of eight dealers. Ms. Luttrell further stated that it is a 2007 and they requested a 2006 but the dealer said he could not guarantee the 2006 be in by the time the bid come up and the county wouldn't get the same concessions they would if they ordered one. Ms. Luttrell added that the truck is a Dodge Dakota quad cab 4X4 for \$22,603 from Central Dodge and it meets everything Jacob Rock needs. Ms. Luttrell further reported that it would be here in eight weeks and it was a better price than one off the lot.

Commissioner Herschend made a motion to approve the bid from Central Dodge for a Dodge Dakota in the amount of \$22,603. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Herschend (yea), Pennel (yea), Strahan (yea).

GUTTERING AND SNOW BREAKS AT AIRPORT BIDS

Tressa Luttrell, Administrator, Administrator presented the Commission with a bid for guttering and snow brakes at the airport from Barney's roofing for approximately \$17,000.

Commissioner Herschend explained that the importance of snow breaks is to stop snow and treacherous blocks of ice from falling off of a metal roof. Commissioner Strahan asked Ms. Luttrell if the Airport Board is okay with the bid? Ms. Luttrell replied "yes" .

Commissioner Herschend asked if this is a bid to replace old snow breaks and guttering or is it all new? Ms. Luttrell clarified that it is all new. Commissioner Herschend then asked why they bid for the whole building? Ms. Luttrell explained that this is what the board decided would be the best for safety.

Commissioner Herschend made a motion to approve the bid for guttering and snow breaks at the airport from Barney's. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

TRAFFIC LIGHT AT F HWY MODOT

Tressa Luttrell, Administrator, Administrator reminded the Commission that the county is to pay for the lights at F Hwy and according to the contract with MoDot they will pay 100% of what the county pays in 2007. Ms. Luttrell reported that a check was issued and now the county has received a bill because the actual work was more than the deposit they made. Ms. Luttrell added that the total cost is in the amount of \$193,783.94 and before she paid it she wanted concurrence from the Commission to say it is okay so she could track this and be able to bill them back next year.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve the payment. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BRANSON UNDERGROUND

Commissioner Herschend stated that he would like concurrence to approach the State Economic Development to bring back up discussion that the county had three years ago to look at the State Economic Development and the county supporting the addition of a road to open up part of the Branson Underground. Commissioner Herschend added that he wanted to do the initial discussion and bring back the proposal.

Commissioner Pennel asked if this is mainly to do with the road or something else? Commissioner Herschend clarified that this would be solely to develop a road that would provide additional access to the underground. Commissioner Pennel expressed that he thinks this would be great and asked Commissioner Strahan if he is okay with it? Commissioner Strahan responded "no" and added that he would like to have a better understanding before he is comfortable with it.

Commissioner Herschend clarified that he just wanted to let the Commission know what he is starting and he would come back with a proposal. Commissioner Strahan stated he would like to see something that has been previously presented to the State. Commissioner Herschend informed that they haven't even gotten that far yet which is his point and added that he would just like to enter into dialog with the State to see if they would still support the county.

Mike Rankin, City of Branson clarified that Commissioner Herschend is referring to the Community Development Block Program, which is a federal program that is passed down to cities, counties, and states. Mr. Rankin further informed that this goes back about six years ago when the Branson Regional Economic Development Association and Tressa Luttrell, Administrator, County Commission Administrator put together a block grant for a \$650,000 match to build a perimeter road based on the number of jobs they could create. Mr. Rankin went on to state that they were roughly looking at 50-60 new employees and that is what helped put the block grant together but when 9/11 occurred it was put on hold. Mr. Rankin clarified that what Commissioner Herschend is talking about doing is going back to the Department of Economic Development to the pre-application process to seek funds from the Community Block Program to build the road based on the number of jobs.

Commissioner Strahan expressed that he doesn't have any problem with starting the pre-application process.

BOARD OF ADJUSTMENTS COURT REPORTER FEES BOB PAULSON

Bob Paulson, County Counselor explained they have cases that come through Planning & Zoning (P&Z) and Board of Adjustment (BOA) that every once in a while somebody wants to appeal in a Circuit Court. Mr. Paulson further explained that when they go to court there has to be a record of what occurred so they video tape and he would like to get the video tapes transcribed to a record just on the cases that end up in Circuit Court. Mr. Paulson clarified that he basically just wants permission to send the tapes out to a court recorder to transcribe.

Commissioner Herschend asked if it has to be a court recorder? Mr. Paulson replied that it does not have to be a court recorder.

Commissioner Pennel expressed that he would be in favor. Commissioner Herschend expressed concern about cost being in the thousands and Mr. Paulson clarified the price would be in the hundreds not thousands. Commissioner Pennel clarified that the Commission is giving Mr. Paulson a nod to proceed with this issue.

QUEBEC ROAD RANDY HAES

Randy Haes, Road and Bridge presented the Commission with maps that show the current alignment of the road and the proposed new alignment of Quebec Road. Mr. Haes went

TANEY COUNTY COMMISSION RECORD

on to state that he has also included the costs for material without labor to bring it to a hot mix surface 20 feet wide. Mr. Haes added that the basic difference of the new alignment is that it is 50 feet shorter and the other difference is that the entrances involved would be campsites. Mr. Haes reported that a flat curve and gutter or a culvert would be the most cost effective way on that short of distance and the new alignment would not have any entrances except for the main entrance going into the RV park. Mr. Haes commented that even with the existing alignment they would recommend moving the entrance or narrowing it to make it perpendicular to the curve, which is the same thing with the new alignment.

Commissioner Herschend asked what portion of the \$18,300 is asphalt? Randy Haes replied that he doesn't have his notes but a ballpark figure would be that it is a little better than a third. Commissioner Herschend then observed that the county actually saves significant funds by relocating the road. Mr. Haes confirmed that is correct.

Commissioner Strahan asked what the cap was on that? Linda Smith, Property Owner said their cap on the budget was \$15,000 because \$2,000 was going to be required to move an existing phone line pole for utilities and \$3,000 was going to be used for engineering drawings and to get the legal right-of-way to transfer the land for the vacation process and then \$10,000 for the road project. Ms. Smith then expressed her appreciation to Mr. Haes for suggesting that they have the road relocated and have the entrance come down and go straight into that relocation.

Randy Haes requested that this be delayed for one more week to verify the main water lines that go through that area and added that he wanted to make sure the water company does not have a problem with that. Mr. Haes then stated that he also wants to look at an electric pole that might have to be moved according to White River Electric.

Commissioner Herschend suggested approving this project contingent upon those items in concern being resolved. Commissioner Herschend then asked Jacob Rock, Road and Bridge Supervisor what his recommendation is? Jacob Rock stated that he thinks it is a good plan and it would save the county money and a lot less maintenance.

Commissioner Herschend made a motion that Road and Bridge re-align Quebec Road as indicated on the print out that Mr. Haes has provided, contingent upon there not being a major water issue and that the power pole is not an issue. Commissioner Pennel expressed concern about there being nothing said in regards to the county paying the whole cost or the campground paying part of the cost. Commissioner Herschend apologized and added to his motion for the county to honor the original agreement which they have agreed that the campground pay approximately \$10,000 for this project.

Commissioner Strahan stated that he doesn't have a problem with that, however he had a problem with the stop sign the citizens have complained about and asked what the other concerns from citizens were? Mr. Rock clarified there was a complaint about changing a road that has been there for years and has not caused a problem and he told them that these improvements would help the county with the maintenance problems. Commissioner Strahan asked for Mr. Rock to confirm that this is going to help the counties maintenance problem and they aren't going to have a stop sign? Mr. Rock confirmed that Commissioner Strahan is correct.

Commissioner Strahan then seconded the motion. A general discussion ensued.

Commissioner Strahan then stated for the record that his decision on this issue is not to improve the campground it is for the 80 citizens who were concerned about the stop sign and the way the road had originally been.

Commissioner Herschend then asked Ms. Smith for the record how many sites they are abandoning so they can relocate the road? Ms. Smith answered six sites. Commissioner Herschend pointed out that the campground is decreasing their ability to make revenue by six sites.

The motion passed by a vote of two: Pennel (nay), Herschend (yea), Strahan (yea).

GENERATOR ISSUES

TANEY COUNTY COMMISSION RECORD

JOHN LAVENDER

John Lavender, Maintenance addressed the Commission and requested an uninterrupted power supply for dispatch that runs off the counties generator. Mr. Lavender reported that Gary Morgan, IS Administrator has researched a few and found one made for large business that runs all the time for \$1,020 and an additional \$360 for the battery that comes with it for a total of \$1,380 plus shipping. Mr. Lavender stated that would fix the problems the county has and will satisfy the Fire Marshall requirement. Mr. Lavender went on to explain that Mr. Morgan has requested the county get two of them however he recommends they only get one for now and if that doesn't work the would make a request for another one.

Commissioner Strahan made a motion for the purchase of one uninterrupted power supply. Commissioner Herschend seconded the motion. The motion passed a vote three: Pennel (yea), Herschend (yea), Strahan (yea)

ROUND MOUNTAIN AND GOODNIGHT HOLLOW BRIAN HAYES

Brian Hayes addressed the Commission and informed them that he and another guy have bought some property known as German Ranch. Mr. Hayes went on to state that they are trying to find out if there is any movement toward improving the low water bridge that is there. Mr. Hayes then reported that their plan is to take the first 980 acres of their 2100 acres and develop it into 10-acre tracks that can't be re-split. Mr. Hayes added that there would be about 97 of those during the second phase that would have some smaller tracks.

Commissioner Herschend stated there as been talk about the low water bridge but it was determined that they would have to relocate the bridge and have not moved forward with that because the cost verses people who are served is not proportionate. Commissioner Herschend suggested Mr. Hayes give Tressa Luttrell, Administrator his contact information so they could schedule an appointment for him and Jacob Rock to come out and look at it.

Commissioner Strahan asked if they would have a problem with easements? Mr. Hayes assured there would be no problem as long as they knew where the easements were needed they could plan around them. Commissioner Strahan further expressed that it would be an expensive bridge and agreed with Commissioner Herschend that there is more than just a bridge to be worked on. Commissioner Strahan then asked if Mr. Hayes would be willing to furnish the fill and things for the county to bring the road across? Mr. Hayes responded that currently he thinks they could. Commissioner Strahan informed that this project is really far down the line and suggested Mr. Hayes see Road and Bridge to see how much fill would be needed for this project.

PRIOR MINUTES

Commissioner Strahan made a motion to table the minutes. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #96803 – 96907 and warrants #4560 – 4561.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

OLD TYPEWRITER/COPIER

Donna Neeley, County Clerk informed the Commission that Rick Lamb of the Christian County Circuit Clerk's Office had asked about disposing an old typewriter and copier.

Commissioner Herschend made a motion to approve disposing an old typewriter and copier to Christian County.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

BRANSON LANDING APPRAISERS

James Strahan, Assessor informed the Commission that he has assigned appraisers to Branson Landing and at this point he wanted to report that he has picked up \$41 million in improvements of land including stores, parking lot, and land value but not including condos.

Bob Paulson, County Counselor asked who owns the properties? Assessor Strahan responded that they have the City of Branson owning the properties at \$5 a square foot. A general discussion ensued.

GARY GROMAN

Gary Groman reported that last week there was an announcement of the possible development on the west side of Branson and they would be seeking TIF financing. Mr. Groman then requested that the county offer the developer a chance to participate in a public hearing where the developer would make a 30-minute presentation and the public could ask questions. Mr. Groman suggested that the meeting be held at the county to provide a different environment than the Branson City Hall and added that this would also give the Commission the opportunity to ask questions and possibly make a decision as to how they feel about half the tax money going to support the development for the next 10-23 years.

Commissioner Herschend informed that this development group has already been to at least two of the Commissioners and he expressed concern when the developer talked to him and said they needed 70 million dollars in Tax Increment Financing (TIF). Commissioner Herschend further expressed that he has trouble taking taxes away from schools, jails, roads and bridges. Commissioner Herschend added that he doesn't need the public's input to tell him he is uncomfortable with this and asked Mr. Groman if he believes the public would be in favor of such a development? Mr. Groman responded that you never now until you ask.

BOARD APPOINTMENTS

Presiding Commissioner Pennel informed that the County Commission was asked by the Tourism Tax Board to appoint someone before they are required to and that he would like to look at appointing somebody to take the vacant seat until next October when they are supposed to appoint.

Commissioner Herschend asked how soon the Tourism Tax Board needed the Commission to make a decision?

Commissioner Strahan added that the Commission also has to make a Board of Adjustment (BOA) appointment and he doesn't think it would be a bad procedure to take into consideration having someone sit in on some of the meetings before they are appointed. Commissioner Strahan further expressed that this way the individual could get a feel for what is going on without having the pressure of voting in order to see if they are interested or not.

Commissioner Herschend suggested that the Commission reschedule the work session for Wednesday to look at candidates for appointment and the criteria to make that decision.

RECESS

10:35

Minutes taken and edited by Hillary Bargman and typed by Melanie Whittaker



**SEPTEMBER 20, 2006 THE 26TH DAY OF
THE JULY ADJOURN TERM**

The County Commission met in the County Commission Office at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron

TANEY COUNTY COMMISSION RECORD

Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101560 – 101562, 101616, 101618 - 101658
Road & Bridge Trust Warrants	101588 – 101610, 101617
Assessors Fund Warrants	101563, 101611 - 101612
Transfer Station Warrants	101613 - 101615
911 Warrants	None
Manual Warrants	4563 - 4564
Accounts Payable Warrants	96908 - 96927

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

CHECK APPROVAL CITY OF FORSYTH

Presiding Commissioner Pennel made a motion to approve two checks to the City of Forsyth in the amount of \$500 and \$600 for the water and sewer connection at the Masonic Lodge. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

11:05 a.m.

PAY INCREASE ROAD AND BRIDGE

Commissioner Herschend made a motion that effective 9/18/06, the starting pay for Road and Bridge will be \$10.00 an hour and for any employee currently at Road and Bridge not making \$10.00 should be corrected. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DUMP TRUCK RENTAL ROAD AND BRIDGE

Commissioner Herschend made a motion that the Road and Bridge department send a bid out for the rental of dump trucks to help with the work being done on Forsyth/Taneyville roads. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



SEPTEMBER 21, 2006 THE 27TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

VACATION EXTENSION MARLA PIERCE

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to extend Marla Pierce's vacation until later in the year due to extenuating circumstances within the department. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



SEPTEMBER 25, 2006 THE 28TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:00 a.m. pursuant to adjourn with Presiding Commissioner Pennel and Commissioner Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Gary Groman; followed by the pledge.

NORTHWOODS TRAIL ROAD PETITION

Don addressed the Commission in regards to Northwoods Trail and expressed that he is not asking for a super highway, he just wants it to be easier to travel.

Presiding Commissioner Pennel read the following road petition for Northwoods Trail: Section 24, Township 23, Range 21 W, with a 50 feet right of way platted. Road has 20 feet surface width and is 1,520 feet in length with base rock surface, fair to poor condition. All entrances have culverts that require them and one entrance culvert should be reset to the required depth. Comments of reviewer: This road has 10 dwellings and needs approximately 4" of aggregate added to the surface. The road needs to be reshaped and properly crowned, the ditch lines need cleaned in a couple of areas and brush removed from one area for approximately 200 feet. One entrance culvert needs to be reset to proper depth and one cross road culvert needs to be replaced with a larger culvert. Estimated costs for bringing this road up to shape for Class 5 will be \$7,500 - \$10,000.00. Cost for chip seal surface will be an additional \$6,000.00

Randy Haes, Road and Bridge added that it has a cul-de-sac, it just needs maintenance work and there is a 50 feet right of way so there is room to do improvements if needed.

Commissioner Strahan stated that he has looked at the road. Commissioner Pennel explained to Don that if the county were to take the road in it might be until next spring before the county could do any work on it. Haes clarified that they could do grater maintenance this fall and it would fall on next season's seal list.

Commissioner Strahan made a motion to take Northwoods Trail in as a Class 5 county road. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

MUSKIE AND BASS ROAD PETITION

Randy Haes, Road and Bridge reminded the Commission that the Muskie and Bass Road Petition's were tabled at a previous meeting until September because of the work list that Road and Bridge had at that time. Haes recommended putting a seal coat on it because of the hill and school bus route. Haes added that one of the roads needs several culverts and that many of the entrances need adequate culverts. Haes further explained that one of the roads needs to be reworked and reshaped and the ditches need to be worked over. Haes added that they only petitioned the roads down to the intersection.

Commissioner Strahan asked Haes if he sees this as an improvement because Road and Bridge will not have to maintain these roads if they chip and seal them? Haes confirmed that it would be cheaper to go ahead and seal them because of the steepness of the hill and the drainage. Commissioner Strahan then expressed that Road and Bridge would not be able to get to these roads until next year.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel if the county wants the property owners to provide culverts? Haes clarified that where there are culverts needed they will ask the property owners to provide them, however some of them already have culverts established.

Commissioner Strahan made a motion to approve taking Muskie and Bass in as a county road contingent upon the property owner's buying the necessary culverts. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

AIA CONTRACT TRESSA LUTTRELL

Tressa Luttrell, Administrator presented the AIA Contract to the Commission and explained that this is the fourth and final contract with Walton Co. and that Bob Paulson County Counselor has reviewed it. Commissioner Pennel asked what the dollar figure is? Luttrell explained that it is \$17,898,000.

Commissioner Strahan made a motion to approve the AIA Contract. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from July 10 and August 31, 2006.

The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #96928-97032 and manual warrant #4567. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ART BECK

Art Beck expressed his appreciation for helping on traffic relief at the four way stop by the courthouse, adding that it has been a big help.

RECESS 9:15 a.m.



SEPTEMBER 27, 2006 THE 29TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TOURISM BOARD APPOINTMENT

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to appoint Ann McDowell to the Tourism Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD



OCTOBER 2, 2006 THE 1ST DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

SUB DIVISION ROAD STANDARDS BILL MECKE

Bill Mecke addressed the Commission in regards to Jones Road and expressed some concerns. Mr. Mecke went on to state that a subdivision was approved on September 11, 2006 and while he is not against anybody dividing up his or her property or subdividing it, his concern is for what will happen on Jones Road in order to provide a safer road. Mr. Mecke further expressed that he considers to do be a fairly large subdivision and inquired as to what the Commission could do to accommodate the additional traffic that the subdivision would bring?

Presiding Commissioner Pennel stated that he set in on the Planning & Zoning meeting, and there was another property owner out there who voiced those same concerns. Commissioner Pennel went on to state that Planning & Zoning deal with the land use approval and the Commission takes care of roads based on need and available funding.

Commissioner Strahan added that there are about forty current situations in Taney County that are similar to Mr. Mecke's concern. Mr. Mecke added that there are problems on Jones Road now with only nine families and the traffic, and suggested a warning be places now with the potential of many more people moving into the area.

LEASE AGREEMENT TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that the Airport Maintenance Lease Agreement has been approved for a Second Year by the Airport Board and is waiting for the Commission's approval

Commissioner Strahan stated that he sat through the meeting and made a motion for the approval of the Airport Maintenance Lease Agreement. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea)

COMP TIME PAYMENT

Commissioner Strahan explained that on employee has requested an extension of 26 hours of sick leave before it has been accrued.

Commissioner Strahan made a motion to approve 26 hours of un-accrued sick hours to be paid. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea)

FALL CLEANUP

Presiding Commissioner Pennel announced that fall cleanup would be November 4, 2006 from 8:30-3:30 at both the transfer stations and at the Hwy 160 county shop where the recycling bins are. Commissioner Pennel added that the county has teamed up with the City of Branson and there will be a container for household hazardous waste at the Branson Recycling center.

Note: Ron Herschend entered the Commission meeting at 9:18 a.m.

TANEY COUNTY COMMISSION RECORD

ROUND HILL, HORIZON DRIVE, MESQUITE SHADOW VIEW, AND SHADOW LAKE ROADS

Commissioner Pennel stated that Round Hill and Mesquite Shadow View were not yet County roads and felt that they might need to be taken into the County system. Commissioner Pennel went on to state that he received a call requesting stop signs and asked if the Commission wanted them to petition like they had in the past or pass a new ordinance that allows the County to put stop signs up as needed?

Commissioner Herschend recommended that the County continue by petition, as this allows for review and suggested that the County may not want to take in all of these roads. Commissioner Herschend added that he feels using the petition process allows citizens input and doesn't give the appearance of catering to developers.

Commissioner Strahan expressed that he agreed with Commissioner Herschend and added that he feels at least one road supervisor should review a project before proceeding.

Tressa Luttrell, Administrator added there would be administrative and paperwork problems if there were not the paper trail that exists with the petition process.

SURPLUS FUNDS SHEILA WYATT

Sheila Wyatt, Collector presented an itemized statement of the surplus funds from the 2006 tax sale that were prepared according to the RSMo 140.230. Ms. Wyatt added that the funds would be held in the School Trust Fund for three years and the owner has until that time to claim them by way of redeeming the property. Ms. Wyatt further explained that if they don't claim it in three years it is forever held disbursed out from the School Trust Fund and added they have had 15 redemptions of property. Ms. Wyatt clarified if they the property owners do not redeem, they can still claim the surplus. Ms. Wyatt reported that she will turn over \$106,707.39 to the Treasurer once the Commission approves it.

Commissioner Herschend added that the surplus is divided by population. Donna Neeley, County Clerk further informed that each year has a form showing how much goes to each school district, based upon the number of students.

Commissioner Herschend made a motion to approve the Collector turning over \$106,707.39 to the Treasurer to go into the School Trust Fund. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

MONTHLY BUDGET REPORT RICK FINDLEY

Rick Findley, County Auditor, presented the Commission with the following monthly budget report.

FUNDBALANCE 09/30/07	TANEY COUNTY BUDGET FUND BALANCES	
	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
GENERAL COUNTY REVENUE		
BEGINNING BALANCE	0.00	16,176,676.53
REVENUES	3,421,199.03	19,479,326.50
TOTAL REVENUES GCR	3,421,199.03	35,656,003.03
TOTAL GCR EXPENDITURES	2,721,446.09	18,248,576.05
TOTAL GCR FUND BALANCE	<u>699,752.94</u>	<u>17,407,426.98</u>
ROAD & BRIDGE		
BEGINNING BALANCE	0.00	8,365,292.31
REVENUES	103,251.85	1,225,731.47
TOTAL RB REVENUES	103,251.85	9,591,023.78
EXPENDITURES	213,391.94	1,961,403.63
TOTAL RB FUND BALANCE	<u>(110,140.09)</u>	<u>7,629,620.15</u>
ROAD & BRIDGE TRUST		
BEGINNING BALANCE	0.00	2,707,686.28
REVENUES	1,104,267.17	5,355,668.07
TOTAL RBT REVENUES	1,104,267.17	8,063,354.35
EXPENDITURES	540,003.09	4,035,504.16

TANEY COUNTY COMMISSION RECORD

TOTAL RBT FUND BALANCE	564,264.08	4,027,850.19
ASSESSMENT FUND		
BEGINNING BALANCE	0.00	13.78
REVENUES	47,731.79	448,734.01
TOTAL AF REVENUES	47,731.79	448,747.79
EXPENDITURES	33,414.55	430,503.66
TOTAL ASSEMENT FUND BALANCE	14,317.24	18,244.13
ELECTION FUND		
BEGINNING BALANCE	0.00	58,043.81
REVENUES	21.80	6,483.08
TOTAL ELECTION REVENUES	21.80	64,526.89
EXPENDITURES	79.01	15,229.55
TOTAL ELECTION FUND BALANCE	(57.21)	49,297.34
TRANSFER STATION FUND		
BEGINNING BALANCE	0.00	578,192.38
REVENUES	103,729.11	934,540.67
TOTAL TS REVENUES	103,729.11	1,512,733.05
EXPENDITURES	81,722.45	794,076.88
TOTAL TS FUND BALANCE	22,006.66	718,656.17
FUNDBALANCE 09/30/07	TANEY COUNTY BUDGET FUND BALANCES	
	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
LEPC FUND		
BEGINNING BALANCE	0.00	8,487.57
REVENUES	8.65	2,015.87
TOTAL LEPC REVENUES	8.65	10,503.44
EXPENDITURES	105.10	503.28
TOTAL LEPC FUND BALANCE	(96.45)	10,000.16
LAW ENFORCEMENT TRAINING FUND		
BEGINNING BALANCE	0.00	58.41
REVENUES	528.38	4,296.05
TOTAL LET REVENUES	528.38	4,354.46
EXPENDITURES	686.37	1,942.70
TOTAL LET FUND BALANCE	(157.99)	2,411.76
PROSECUTING ATTORNEY TRAINING FUND		
BEGINNING BALANCE	0.00	9,815.46
REVENUES	137.78	1,335.85
TOTAL PAT REVENUES	137.78	11,151.31
EXPENDITURES	171.61	4,423.59
TOTAL PAT FUND BALANCE	(33.83)	6,727.72
COUNTY INSURED FUND		
BEGINNING BALANCE	0.00	158,436.63
REVENUES	146.77	5,719.18
TOTAL COUNTY INSURED REVENUES	146.77	164,155.81
EXPENDITURES	2,904.44	60,826.21
TOTAL COUNTY INSURED FUND BALANCE	(2,757.67)	103,329.60
911 FUND		
BEGINNING BALANCE	0.00	1,195,536.29
REVENUES	3,477.42	393,902.52
TOTAL 911 REVENUES	3,477.42	1,589,438.81
EXPENDITURES	28,710.98	194,233.07
TOTAL 911 FUND BALANCE	(25,233.56)	1,395,205.74
USE TAX		
FUNDBALANCE 09/30/07	TANEY COUNTY BUDGET FUND BALANCES	
	PERIOD TO DATE ACTUAL	YEAR TO DATE ACTUAL
SEWER FUND		
BEGINNING BALANCE	0.00	19,857,468.53
REVENUES	2,342,959.46	13,188,280.85
TOTAL SEWER REVENUES	2,342,959.46	33,045,749.38
EXPENDITURES	1,361,013.61	10,334,293.22
TOTAL SEWER FUND BALANCE	981,945.85	22,711,456.16
SEWER DESIGNATED FUND EXPENDITURES		
TOTAL ALL SEWER FUNDS	981,945.85	22,711,456.16
SHERIFF CIVIL FUND		
BEGINNING BALANCE	0.00	85,646.91
REVENUES	424.61	54,307.45
TOTAL SHERIFF CIVIL REVENUES	424.61	139,954.36
EXPENDITURES	2,191.04	35,371.85
TOTAL SHERIFF CIVIL FUND BALANCE	(1,766.43)	104,582.51
TAX MAINTENANCE FUND		
BEGINNING BALANCE	0.00	102,043.58
REVENUES	12,881.01	107,503.98
TOTAL MAINTENANCE FUND	12,881.01	209,547.56

TANEY COUNTY COMMISSION RECORD

REVENUES	-----	-----
EXPENDITURES	422.33	102,937.50
TOTAL MAINTENANCE FUND BALANCE	12,458.68	106,610.06

Auditor Findley explained that the Building and Grounds Department has spent about \$70,000 more than what was budgeted due to \$170,000-\$180,000 in renovations that were not budgeted correctly. Mr. Findley requested the Commission's approval to send the requisitions through as they still have needs to spend money until the end of the year. Mr. Findley added that there is money in the GRC Budget so there is plenty of money just not in that department.

Commissioner Herschend made a motion that the Auditor continues to approve purchase request as long as they don't go over the \$77,000. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

KIRBYVILLE FACILITY PLAN CONTRACTS JOHN SOUTEE

John Soutee, Sewer Department stated that he has three copies of contracts between the Village of Kirbyville and Great River Engineering. Mr. Soutee added that the basic charge for the facility study plan is a maximum, not to exceed, \$27,350 and the facility plan would provide a document that could be looked at to see what the best way is to provide sewer service to Kirbyville. Mr. Soutee then stated that developers have agreed to turn the system over to the county after completion and added that he is submitting it to the Commission for approval to sign and guarantee the funding would be there for them to pay Great River to perform this work for the village.

Commissioner Herschend made motion approve the Kirbyville Facility Plan contracts and set aside funding for the study. Commissioner Strahan seconded the motion.

Commissioner Herschend expressed his concern about the amount of distance between neighborhoods in Kirbyville stating that laying pipe long distances between areas can be expensive if they are want to provide sewer per person. Mr. Soutee clarified that it would be over a million dollars. A general discussion ensued.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Mr. Soutee then reminded the Commission that the Sewer Department would have an open meeting with the City of Branson tomorrow at 2:00 in the Branson City Hall to talk about the Bee Creek Sewer Project.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from July 24 and September 25, 2006. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #97033-97093 and warrants #4568-4571. Commissioner Pennel seconded the motion.

Commissioner Pennel asked Mr. Soutee if the Sewer Board gets paid mileage to go to meetings? Mr. Soutee responded "yes". Commissioner Pennel stated that he would like to see Planning & Zoning get paid mileage for going to meetings as well.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

GARY GROMAN

Gary Groman wanted to thank the Commission for the process that they followed in regards to the appointment of the Ann McDowell to the Tourism Community Enhancement

TANEY COUNTY COMMISSION RECORD

Board. Mr. Groman further stated that he wanted to renew the request that he made a couple of weeks ago to hold a public hearing regarding the Pinnacle Project and the TIF in Branson.

Commissioner Herschend expressed that he feels the Commission needs to finish the meeting process with the City of Branson about the effect of the TIF's on the county and added he is concerned that TIF may be cannibalizing the taxes that the county receives. Mr. Groman responded that cannibalizing might occur with TIF projects, whether or not that is the case in the previous projects; it may be the same for this one.

Commissioner Herschend agreed with Mr. Groman that the Pinnacle Project is one that would not occur without the TIF and explained that if the projects don't bring in new sales, then the sales would cost the county tax dollars that they would have received if the sales had occurred.

Presiding Commissioner Pennel asked Mr. Groman about the TIF Legislation and added that he feels the TIF Legislation was created to re-develop blighted areas, not to fund new areas. Commissioner Herschend stated that he wanted to applaud Mr. Groman for offering his passionate pitch for his competitor. Mr. Groman expressed that his heart is to serve for the best of the area.

ART BECK

Art Beck expressed that he wanted to pass on some comments he heard thanking the Sheriffs Department and the Commission to relieve traffic in the morning.

MIKE RANKIN CITY OF BRANSON

Mike Rankin, Economic Development Director of the City of Branson clarified that there is not a plan for Wal-Mart to move into Pinnacle Point.

RECESS

Minutes taken by Lisa Owen typed by Melanie Whittaker and edited by Hillary Bargman



OCTOBER 4, 2006 THE 2ND DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101687, 101689-101724, 101725
Road & Bridge Trust Warrants	101659-101681, 101688, 101726
Assessors Fund Warrants	101682-101683
Transfer Station Warrants	101684-101686
911 Warrants	None
Manual Warrants	4572-4577
Accounts Payable Warrants	97094-97113

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

CIRCUIT CLERK POSTAGE AND SUPPLIES

Commissioner Pennel made a motion to approve the payment of two warrants, one in the amount of \$1,018.10 for postage and expense supplies and the second in the amount of \$38.76 for jury panel supplies at the request of Brenda Neal, Circuit Clerk. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

2:20 P.M.

The County Commission reconvened in the County Commission Office at 2:20 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BOARD PAY RATE INCREASES

Commissioner Herschend made a motion to increase pay rates for the following boards: Planning & Zoning, Board of Adjustment, and Sewer to \$40.00 a meeting. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SEWER BOARD PRE-MEETINGS

Commissioner Herschend made a motion to instruct John Soutee and Susie Braden to charge their lunches on Sewer Pre-Meeting day to the county as a sewer expense. Commissioner Pennel seconded the motion. The motion passed vote: Pennel (yes), Herschend (yes), Strahan (yes).

MILEAGE PAYMENT P&Z AND BOARD OF ADJUSTMENTS

Commissioner Herschend made a motion to pay mileage for meeting attendance for the Planning & Zoning Board and Board of Adjustments. Commissioner Pennel seconded. The motion passed vote: Pennel (yes), Herschend (yes), Strahan (yes).

MAC CONFERENCE DELEGATES

Commissioner Strahan made a motion to approve delegates for the MAC Conference. Commissioner Herschend seconded the motion. The motion passed vote: Pennel (yes), Herschend (yes), Strahan (yes).



**OCTOBER 6, 2006 THE 3RD DAY OF
THE OCTOBER ADJOURN TERM**

TANEY COUNTY COMMISSION RECORD

The County Commission met in the County Commission Meeting Room at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

PUBLIC ADMINISTRATOR/SHERIFF'S FUND

Commissioner Herschend made a motion to recognize \$2367.02 as out of Carol Davis, Public Administrators control and authorize continued expenditure out of her account to come from contingency. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend requested Rick Findley, Auditor to look into the handling of attorney fees payments from previous years.

Commissioner Herschend made a motion to hire Ranson Ellis in the FLSA Case for the amount of \$175.00. Commissioner Strahan seconded the motion.

Jimmy Russell, Sheriff suggested putting a disclaimer on all time sheets. Commissioner Herschend stated that he would get the wording.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

9:55 A.M.

The County Commission reconvened in the Commission Office at 9:55 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ROGERS BUILDING

Commissioner Herschend made a motion to award the bid for the erection portion of construction of a metal building to Rogers Building for \$19,512. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Carol Davis, County Administrator, agreed to code per the auditor and there were no budget additions.

Sheriff Russell discussed salaries and agreed to wait to address the total department at one time, rather than one group at a time.

Minutes taken by Donna Neeley and typed by Lisa Owen



OCTOBER 10, 2006 THE 4TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BRANSON NAME ISSUE GARY GROMAN

TANEY COUNTY COMMISSION RECORD

Gary Groman brings a concern to the commission about the city of Branson sending out letters trying to get businesses outside of the Branson city limits to remove the name “Branson” from their name. Mr. Groman has brought the information regarding the service mark that the city of Branson has recorded, and it states that Branson, Missouri can be used apart from the mark as shown in these documents.

Mr. Groman requests that Taney County conduct an investigation into the actions of the city of Branson to see whether or not its actions violate any criminal statutes relative to, but not restricted to, extortion, intimidation, and coercion.

Commissioner Strahan stated that he believes the county should look into this issue.

Commissioner Herschend asked how a prudent man should proceed. If the county completes the investigation and finds that Branson is not allowed complete control and use of this name then will our investigation and our opinion in itself be enough to stop the city of Branson from its current course of action or do we still have to go through the legal system in all probability to get a judge to determine what was right?

Bob Paulson, Taney County Attorney, stated that he believes the County does not have jurisdiction over the city of Branson and that the businesses in the county should fight this through a lawsuit or through the Attorney General.

Commissioner Herschend agreed that it was the office of the Attorney General that oversees the compliance to law. Commissioner Herschend added that the county could complete this investigation and if it found that the City of Branson was in the wrong they could tell them their opinion, but the county does not have the authority to change what the City of Branson is doing. Commissioner Herschend stated that it would take a judge to order them to stop this activity.

Commissioner Pennel stated that the county has the responsibility to protect the interests of the businesses that are located in the county, but not in the city.

Commissioner Herschend suggested that if the county is going to pursue this that they approach the City of Branson and offer to enter into a friendly lawsuit. Commissioner Herschend added that this type of a lawsuit is where two groups want an answer to an issue and the only way to receive that answer is from the courts.

Commissioner Herschend stated that there would be a conflict of interest on his part on this issue due to his family owning a business outside of the city limits that has “Branson” as part of the business name. Commissioner Herschend stated that he would not be able to make a motion, second a motion, or vote on this issue, but he would like to express his opinion that he would be in support of the Commission pursuing this issue.

Commissioner Pennel made a motion to have the county attorney call the city administrator, Terry Dody, and discuss the issue with him.

Commissioner Strahan seconded the motion; requesting that it be amended to have him contact the appropriate person in Branson.

Commissioner Pennel’s motion was amended to read: that the legal council from Taney County contact the appropriate person within Branson to discuss the implications of their actions including economic impact of the county.

Commissioner Strahan seconded the amendment. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

MAY FLOWER ROAD PETITION

Discussion ensued regarding taking in May Flower Road.

Commissioner Pennel made a motion to table the issue.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

10-minute recess

DOG ORDINANCE

The Commissioner discussed amending the dog ordinance for situations where there was a vicious dog that was not being contained and neighbors are concerned for the well being of children and themselves.

Commissioner Herschend made a motion to attach a fine of no less than \$200, as a provision, to anyone requested to have their vicious dog contained; anyone that chooses not to do so would be subject to that fine.

Commissioner Pennel seconded the motion.

Commissioner Herschend added that this motion is to specifically address someone that has been warned and chooses not to keep his or her dog contained.

Commissioner Pennel clarified that their motion was to add a \$200 fine and instruct Bob Paulson, Taney County Attorney, to visit with the sheriff and bring it back to them.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to approve minutes from September 27, 2006 and October 4, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Pennel stated there is a check made payable to City of Springfield for \$750 and it should be made payable to City Utilities instead.

Commissioner Herschend made a motion to pay all but the check to the City of Springfield.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MAILBOX POLICY

Commissioner Pennel stated that the county has a mailbox policy and a lady called yesterday saying her husband had run into a mailbox on Rhine Heart Road doing extensive damage to the truck and box. Commissioner Pennel then asked if the Commission wants to grandfather the lady because they had to pay \$2,300 in restitution and it totaled the 1980 model truck. A general discussion ensued.

RECESS

RECONVENE

TANEY COUNTY COMMISSION RECORD

The County Commission reconvened in the County Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

AIA CONTRACT SWEEPER METAL FABRICATIONS

Commissioner Pennel made a motion to approve the AIA Contract for Sweeper Metal Fabrications in the amount of \$571,072.00.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

CITY OF FORSYTH PAYMENT OF SEPTAGON'S MONTHLY SUBMITTAL

Commissioner Herschend made a motion to pay the City of Forsyth's portion of Septagon's monthly submittals so Mike Smith can relay that the county is going to take care of their unexpected expense as recommended by Mike Smith.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo. 610.021.3.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



OCTOBER 11, 2006 THE 5TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met via telephone in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

MURPHY TRACTOR BID

Commissioner Herschend made a motion to accept the bid as offered by Murphy tractor for a used excavator in the amount of \$45,890.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MATERIAL TRANSPORT SPECIALIST LLC BID

Commissioner Herschend made a motion to accept the proposal from Material Transport Specialist LLC for the hauling of shot rock in the amount of 3.10 per ton. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



OCTOBER 13, 2006 THE 6TH DAY OF THE OCTOBER ADJOURN TERM

TANEY COUNTY COMMISSION RECORD

The County Commission met in the commission office at 10:50 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

COMP TIME

Presiding Commissioner Pennel made a motion to approve payment of 23.57 hours of compensation time for Mark Hall with the Road & Bridge Department. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: Mr. Hall would like the compensation on his next payroll check.

Minutes taken and typed by: Lisa Owen



OCTOBER 16, 2006 THE 7TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

PUBLIC APPOINTMENTS MAYFLOWER ROAD PETITION

Commissioner Herschend discussed the details of the road condition stating that it is not a through road and a turn-around does not exist. Commissioner Herschend said that there was not forty feet between the buildings to allow for a forty-foot easement.

Commissioner Herschend made a motion to deny the road petition.

Commissioner Strahan seconded the motion, and stated concerns with the amount of brush that would have to be removed in order to accomplish the forty-foot right away.

Motion to DENY passed by a vote of three: Pennel (yea), Herschend (yea) and Strahan (yea)

APPROVAL OF MINUTES

Commissioner Strahan made a motion to approve minutes from July 10, August 31, September 8, 13, 15, 20 and 21 of 2006. Commissioner Pennel 2nd the motion. Motion passed by vote of: Pennel (yea), Herschend (abstain), and Strahan (yea).

APPROVAL OF ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve Accounts Payable as presented,

Commissioner Strahan seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea) and Strahan (yea)

PUBLIC COMMENT GARY GROMAN

Gary Groman informed the Commission that there was a notice on the Springfield News-Leader online at 3:19am on Friday, October 13, 2006 relating that Branson will be dropping the action against the Branson Sports Club (BSC), as the city relayed that they learned that BSC was created over twenty-four months ago.



TANEY COUNTY COMMISSION RECORD

**OCTOBER 18, 2006 THE 8TH DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101727 – 101729, 101758, 101760 - 101796
Road & Bridge Trust Warrants	101731 – 101752, 101759
Assessors Fund Warrants	101730, 101753 - 101754
Transfer Station Warrants	101755 - 101757
911 Warrants	None
Manual Warrants	4580 – 4581
Accounts Payable Warrants	97322 – 97342

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



**OCTOBER 23, 2006 THE 9TH DAY
OF THE OCTOBER ADJOURN TERM**

The County Commission met in the Associate II Circuit Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Joan Chowning; followed by the pledge.

WHISPERING OAK ROAD PETITION

Presiding Commissioner Pennel read the following road petition for Whispering Oak Lane: Scott Township; Section 35 Township 23; Range 21 has plenty of signatures verified by the clerk, road reviewed by Randy Haes. Right away 40 ft, length 916 ft, surface 19-20 ft, chip and seal poor condition, 124-inch culvert good to condition on the 15-inch in good condition ditches present fare condition, cedar trees impressions to be removed. All entrances have culverts except one and should have one installed, four dwellings 15-20 average daily traffic, good sight distance to the west compared to the east, this road needs to be re-graded and sub grade added for stability, the rest of the road could use possible trim, and be resealed and the right away needs to be cleared of brush, one entrance culvert needs to be installed, turn around needs to be acquired at the end of the road and be constructed. Cost of the county to reconstruct, chip and seal, this road \$15,000 to \$20,000.

Jeff Michel, Property Owner expressed that the end of his property butts up to the road and stated he would be willing to give land for a cul-de-sac or whatever is necessary. Mr. Michel further explained that all of the people on the road signed the petition except for one, who he thinks had some misinformation.

Commissioner Strahan stated that someone has put chip and seal on the road and it is busted up in places and asked Mr. Haes as to the procedure of removing the chip and seal in places. Commissioner Strahan clarified that he doesn't have any problem with taking the road in as long as it meets the proper width requirements.

TANEY COUNTY COMMISSION RECORD

Randy Haes, Road and Bridge explained that the road is salvageable and road and bridge would need to take out the old chip and seal and re-patch/reseal the road.

Commissioner Pennel inquired as to whether Mr. Haes checked to see if the right-of-way was dedicated? Mr. Haes responded "yes" and added that he also checked the original plan which shows the road doesn't go as far back as it is now but that he further reviewed and found it has been platted to an additional 40 feet dedicated portion. Mr. Haes added that the only thing lacking is the turnaround and if Mr. Michel is willing to give the county land for a turnaround then they can accomplish that as well.

Commissioner Pennel then asked if the cul-de-sac needed to be built on a decent piece of ground and if it would need back fill? Mr. Haes responded if they go to the west side of then back fill wouldn't be necessary.

Commissioner Strahan made a motion to take the Whispering Oaks Lane in as a county road contingent upon working the turnaround out between Jeff Michel and Randy Haes. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from October 18, 2006. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #97343-97468. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

ATV'S DONNA NEELEY

Donna Neeley, County Clerk read the following Copy of Order for ATV's approved by the Commission on July 17, 2000.

It is hereby ordered by Taney County Commission pursuant to section 304.013.1 (4) RSMo 1994, that the County Clerk will accept applications from and issued permit to owners of all-terrain vehicles (ATV's) for the special purpose of operating ATV's upon certain county roads of Taney County, Missouri. Such permits shall be issued subject to the following conditions:

1. Permits shall be issued to each vehicle and should be affixed to the vehicle
2. The permit shall remain in affect so long as the owner of the vehicle at the time of issuance continues to own the vehicle.
3. The permit fee shall be \$15 (fifteen dollars), and all proceeds from the sale of permits shall be used to defray the administrative costs of issuing the permits.
4. No permit is required if the only use of the vehicle is agricultural.
5. Permitted ATV's shall have all safety equipment required by state law and federal regulation and maintain same and good working order.
6. ATV's shall be ridden upon gravel surface roads within the national forest located in Taney County.
7. Any license ATV bearing a permit issued from any county in the state of MO will not be required to obtain a Taney County permit so long as the owner is domiciled outside of Taney County.

Ms. Neeley clarified that her office issue's permits for ATV to be driven on county gravel roads within the National Forest.

Commissioner Strahan explained that the Commission is getting phone calls in regards to where citizens can and cannot ride ATV's.

Ms. Neeley further read: "All ATV's in Missouri must be registered with the state registration decal attached to the right front port or frame." Ms. Neeley clarified that she read this because many people try to get ATV permits from her office that are not registered in the State of Missouri.

Commissioner Pennel stated that he had a request from a business owner in Bradleyville to sell permits. Ms. Neeley explained that her understanding of the statutes is that the state allows

TANEY COUNTY COMMISSION RECORD

her office to sell permits and has no knowledge of anybody else being able to do that. Commissioner Pennel clarified that he found cases in others counties where other people sell permits and added that he passed the information along to the gentlemen.

Commissioner Strahan asked Bob Paulson, County Counselor to check and see if there is an ordinance in regards to riding ATV's where they are not supposed to such as county roads that are in the process of being built and the enforcement involved with the ordinance. Ms. Neeley expressed that she thinks they get enforced by the Corp of Engineers and there is a \$50 fine however she will check on it.

SPRING MEADOWS SUBDIVISION

Commissioner Strahan stated that he went and talked to residents in the Spring Meadow Subdivision in regards to the county taking in some of their roads. Commissioner Strahan explained that the Commission needed to discuss the procedure on taking in roads that a homeowners association is taking money for and expressed that he would like to go into a work session in regards to this issue.

RECESS

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken by Lisa Owen, typed by Melanie Whittaker and edited by Hillary Bargman



OCTOBER 25, 2006 THE 10TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 2:08 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

BID PRISONER FOOD

Tressa Luttrell, Administrator informed the County Commission that in the closing of Glen's Supermarket, the daily delivery for the jail would be no longer. Luttrell stated that a bid was sent to Save A Lot and Country Mart-Forsyth for the daily delivery however; Country Mart-Forsyth was the only bidder.

Commissioner Strahan made a motion to accept Country Mart-Forsyth's bid for prisoner food. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



OCTOBER 26, 2006 THE 11TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 3:17 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny

TANEY COUNTY COMMISSION RECORD

Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

LETTER TO THE CITY OF BRANSON

Commissioner Pennel made a motion that the County Commission send a letter to the City of Branson regarding the use of the word "Branson" outside the city limits.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Minutes taken and typed by: Tressa Luttrell



OCTOBER 31, 2006 THE 12TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TOM KEHR PAYMENT OF COMP AND PERSONAL TIME

Commissioner Herschend made a motion to pay 60 hours of vacation time and 2 hours of personal time due to family illness for Tom Kehr. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RON WYATT

Commissioner Herschend made a motion to have Randy Haes offer Ron Wyatt on Casey & 160 either \$2200 cash or the proposed work offer. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



NOVEMBER 1, 2006 THE 13TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 8:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101823, 101825-101863
Road & Bridge Trust Warrants	101797-101817, 101824
Assessors Fund Warrants	101818-101819
Transfer Station Warrants	101820-101822
911 Warrants	None
Manual Warrants	4587-4588
Accounts Payable Warrants	97553-97569

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

10:30 a.m.

The County Commission reconvened in the County Commission Office at 10:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

PURCHASING MANUAL

Commissioner Strahan made a motion to approve the Purchasing Manual as presented and reviewed by the Purchasing Agent as well as being reviewed by the Auditor and staff. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

CONSTRUCTION STORM POLLUTION PREVENTION PLAN

Commissioner Strahan made a motion to approve the Construction Storm Water Pollution Prevention Plan for the Taney County Justice Center as required by the Department of Natural Resources. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

RECONVENE

1:27 p.m.

The County Commission reconvened in the County Commission Office at 1:27 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo. 610.021(1)(12). Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Note: No motions were made and no votes taken.



NOVEMBER 6, 2006 THE 14TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Danny Strahan, Eastern District present, Ron Herschend, Western District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee and followed by the pledge.

MOORE BEND ROAD IMPROVEMENT

Presiding Commissioner Pennel brought up the issue of the Moore Bend Road improvement and said the property owner is willing to let the county clean it out, site distance, and put in two grates but doesn't want them to change it from a 90 degree curve. Commissioner Pennel suggested the Commission make a decision on this issue.

Commissioner Strahan said that he has visited with several citizens who thought they have done a good job and added there are two other places that need help.

Commissioner Herschend made a motion to table this issue. Commissioner Strahan seconded the motion to table.

Commissioner Herschend suggested that the Commission ask Jacob Rock, Road and Bridge to look at this and make recommendations. Commissioner Strahan agreed that the Commission should have him look into future plans as well.

The motion passed by vote of three: Pennel (yea), Strahan (yea), Herschend (yea).

ROAD & BRIDGE TRUST TAX SHARING PROPOSAL

Commissioner Strahan said that he contacted Claire McCaskill, State Auditor for input on the counties Road and Bridge Trust Tax Sharing Proposal and reported that she expressed concern in regards to the proper contracts being in place. Commissioner Strahan then informed that she also expressed concern with how the county came up with the dollar amount and asked how the county's attorney felt about it. A general discussion ensued.

Mr. Paulson explained that the distributing of monies was a concern because taxes have a schedule and there is no formula in the statutes as to how to distribute them.

Presiding Commissioner Pennel expressed concern about the word "may" in three paragraphs of the Tax Sharing Proposal. A lengthy discussion ensued in regards to the questions and concerns of the Commission in regards to this issue.

Commissioner Herschend made a motion for him to work with Mr. Paulson on the concerns and to draft the necessary documents before the Commission moves forward with this issue. Commissioner Strahan seconded the motion.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel expressed that he would like to review this document as well. Commissioner Herschend clarified that he would like to have something in packet form within two weeks for further review.

Mr. Paulson informed that once they approve a concept they would have to come back and approve the final draft. Commissioner Pennel asked, concerning TIF monies, since the Commission could approve this would they also be able to reject it due to TIF abuse? A general discussion ensued.

The motion passed by vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

Note: Commissioner Strahan clarified that he is in favor of helping all little municipalities but wants more clarification on this issue.

PWSD #2 CONTRACT, REAL ESTATE, & LITIGATION 610.021 (1)(2)

Commissioner Pennel addressed the Commission in regards to the Public Water Supply District #2 contract and expressed a few concerns.

Bob Paulson, County Counselor said that he would add another paragraph to clarify the concerns. Commissioner Herschend reminded that they have already been addressed. Mr. Paulson said it would be safer to add another paragraph noting the approved plans.

Commissioner Strahan made a motion to approve the contract contingent upon Mr. Paulson adding an additional paragraph for clarification. Commissioner Pennel seconded the motion. The motion passed by vote of three: Pennel (yea), Strahan (yea), Herschend (yea).

Commissioner Herschend made a motion to instruct counsel to do similar documents for any public services that may be doing the same. Commissioner Strahan seconded the motion. The motion passed by vote of three: Pennel (yea), Strahan (yea), Herschend (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #97570-97696 and warrants #4589-4590. Commissioner Pennel seconded the motion. The motion passed by vote of three: Pennel (yea), Strahan (yea), Herschend (yea).

COUNTY CLEANUP

Commissioner Strahan reported that the County had a successful cleanup day.

Commissioner Herschend added that the Missouri Highway Department also thanked the County and said it is not as much for them to pick up. Commissioner Strahan reported that the Conservation Department called and expressed appreciation as well.

MONTHLY BUDGET REPORT RICK FINDLEY

Rick Findley, Auditor presented the following monthly budget report to the Commission:

TANEY COUNTY FUND BALANCE 10-31-06					
	PERIOD TO DATE	YEAR TO DATE		PERIOD TO DATE	YEAR TO DATE
GCR			LW ENFORCE TRAIN FND		
BEGINNING BAL	0.00	14,012,380.91	BEGINNING BALANCE	0.00	3,787.89
REVENUES	<u>1,177,451.32</u>	<u>11,016,259.34</u>	REVENUES	<u>372.35</u>	<u>5,099.15</u>
TOT REVS GCR	<u>1,177,451.32</u>	<u>25,028,640.25</u>	TOTAL LET REVENUES	<u>372.35</u>	<u>8,887.04</u>
TOT GCR EXP	<u>1,753,685.28</u>	<u>10,800,930.84</u>	EXPENDITURES	<u>275.00</u>	<u>8,247.79</u>
TOT GCR FND BAL	<u>(576,233.96)</u>	14,227,709.41	TOTAL LET FUND BAL	97.35	639.25
ROAD & BRIDGE			PROS ATT TRAIN FND		
BEGINNING BAL	0.00	7,466,464.70	BEGINNING BALANCE	0.00	8,057.19
REVENUES	<u>120,045.14</u>	<u>1,223,077.20</u>	REVENUES	<u>115.90</u>	<u>1,538.56</u>
TOT RB REV	<u>120,045.14</u>	<u>8,689,541.90</u>	TOTAL PAT REVENUES	<u>115.90</u>	<u>9,595.75</u>
EXPENDITURES	<u>109,140.92</u>	<u>395,384.92</u>	EXPENDITURES	<u>0.00</u>	<u>80.00</u>
TOT RB FND BAL	10,904.22	8,294,156.98	TOTAL PAT FUND BAL	115.90	9,515.75

TANEY COUNTY COMMISSION RECORD

ROAD&BRIDGE TRUST		COUNTY INSURED FUND			
BEGINNING BAL	0.00	6,078,738.25	BEGINNING BALANCE	0.00	201,401.72
REVENUES	<u>598,977.10</u>	<u>5,505,849.61</u>	REVENUES	<u>389.12</u>	<u>6,035.30</u>
TOT RBT REVENUES	<u>598,977.10</u>	<u>11,584,587.86</u>	TOTAL CNTY INSRED REV	<u>389.12</u>	<u>207,437.02</u>
EXPENDITURES	<u>1,014,763.23</u>	<u>7,772,211.49</u>	EXPENDITURES	<u>2,244.87</u>	<u>47,436.46</u>
TOT RBT FUND BAL	<u>(415,786.13)</u>	3,812,376.37	TOT CNTY INSRED FND BAL	<u>(1,855.75)</u>	160,000.56
ASSESSMENT FUND		911 FUND			
BEGINNING BALANCE	0.00	19,865.52	BEGINNING BALANCE	0.00	1,445,476.81
REVENUES	<u>26,358.42</u>	<u>423,053.87</u>	REVENUES	<u>44,757.96</u>	<u>452,177.57</u>
TOTAL AF REVENUES	<u>26,358.42</u>	<u>442,919.39</u>	TOTAL 911 REVENUES	<u>44,757.96</u>	<u>1,897,654.38</u>
EXPENDITURES	<u>38,775.40</u>	<u>442,801.99</u>	EXPENDITURES	<u>21,030.42</u>	<u>697,598.34</u>
TOT ASSEMNT FND BAL	<u>(12,416.98)</u>	117.40	TOTAL 911 FUND BAL	<u>23,727.54</u>	1,200,056.04
ELECTION FUND		SEWER FUND			
BEGINNING BALANCE	0.00	43,906.84	BEGINNING BALANCE	0.00	15,571,544.17
REVENUES	<u>387.83</u>	<u>134,429.77</u>	REVENUES	<u>631,873.81</u>	<u>5,734,683.99</u>
TOTAL ELECTION REV	<u>387.83</u>	<u>178,336.61</u>	TOTAL SEWER REVENUES	<u>631,873.81</u>	<u>21,306,228.16</u>
EXPENDITURES	<u>0.00</u>	<u>120,049.14</u>	EXPENDITURES	<u>498,790.64</u>	<u>3,239,388.81</u>
TOT ELEC FND BAL	<u>387.83</u>	58,287.47	TOTAL SEWER FUND BAL	<u>133,083.17</u>	18,066,839.35
TRANS STATION FUND		SEWER DESIGNATED FND			
BEGINNING BALANCE	0.00	546,299.91	BEGINNING BALANCE	0.00	925,449.84
REVENUES	<u>128,688.48</u>	<u>898,915.83</u>	TOT SEWER REVENUES	<u>0.00</u>	<u>925,449.84</u>
TOTAL TS REVENUES	<u>128,688.48</u>	<u>1,445,215.74</u>	TOT SEWER FUND BAL	<u>0.00</u>	<u>925,449.84</u>
EXPENDITURES	<u>163,053.41</u>	<u>809,610.12</u>	TOT ALL SEWER FNDS	<u>133,083.17</u>	18,992,289.19
TOTAL TS FUND BAL	<u>(34,364.93)</u>	635,605.62			
LEPC FUND		SHERIFF CIVIL FUND			
BEGINNING BALANCE	0.00	10,547.22	BEGINNING BALANCE	0.00	72,295.53
REVENUES	<u>22.27</u>	<u>5,294.24</u>	REVENUES	<u>232.19</u>	<u>53,248.98</u>
TOT LEPC REVENUES	<u>22.27</u>	<u>15,841.46</u>	TOT SHERIFF CIVIL REV	<u>232.19</u>	<u>125,544.51</u>
EXPENDITURES	<u>0.00</u>	<u>6,556.85</u>	EXPENDITURES	<u>6,362.77</u>	<u>35,089.86</u>
TOT LEPC FUND BAL	<u>22.27</u>	9,284.61	TOT SHRIF CIVIL FND BAL	<u>(6,130.58)</u>	90,454.65
PRO ATT BCF		TAX MAINTANCE FND			
BEGINNING BALANCE	0.00	174,304.28	BEGINNING BALANCE	0.00	152,431.37
REVENUES	<u>4,575.47</u>	<u>63,580.34</u>	REVENUES	<u>2,251.26</u>	<u>75,661.95</u>
TOTAL REVENUES	<u>4,575.47</u>	<u>237,884.62</u>	TOT MAINTNCE FND REV	<u>2,251.26</u>	<u>228,093.32</u>
TOT EXPENDITURES	<u>0.00</u>	<u>6,544.00</u>	EXPENDITURES	<u>0.00</u>	<u>125,528.72</u>
TOT FUND BALANCE	<u>4,575.47</u>	231,340.62	TOT MAINTENCE FND BAL	<u>2,251.26</u>	102,564.60
RECRDRS TECH FUND		PA DEL TAX FUND			
BEGINNING BALANCE	0.00	361,138.21	BEGINNING BALANCE	0.00	6,060.98
REVENUES	<u>16,226.78</u>	<u>198,431.16</u>	REVENUES	<u>106.38</u>	<u>856.31</u>
TOTAL REVENUES	<u>16,226.78</u>	<u>559,569.37</u>	TOTAL REVENUES	<u>106.38</u>	<u>6,917.29</u>
TOT EXPENDITURES	<u>13,714.24</u>	<u>242,789.39</u>	TOTAL FUND BALANCE	<u>106.38</u>	6,917.29
TOT FUND BALANCE	<u>2,512.54</u>	316,779.98			
LLEBG		FLOOD CONTROL			
BEGINNING BAL	<u>0.00</u>	<u>0.21</u>	REVENUES	<u>0.00</u>	<u>62,682.89</u>
TOTAL REVENUES	<u>0.00</u>	<u>0.21</u>	TOTAL REVENUES	<u>0.00</u>	<u>62,682.89</u>
TOTAL FUND BAL	<u>0.00</u>	0.21	TOTAL EXPENDITURES	<u>0.00</u>	62,682.89
DRUG FORFEITURE		SHERIFF REVOLVING			
BEGINNING BAL	0.00	1,143.77	BEGINNING BALANCE	0.00	7,520.56
REVENUES	<u>2.83</u>	<u>37.14</u>	REVENUES	<u>453.22</u>	<u>3,507.36</u>
TOT REVENUES	<u>2.83</u>	<u>1,180.91</u>	TOTAL REVENUES	<u>453.22</u>	<u>11,027.92</u>
TOT FND BAL	<u>2.83</u>	1,180.91	TOTAL EXPENDITURES	<u>0.00</u>	<u>2,578.26</u>
			TOTAL FUND BALANCE	<u>453.22</u>	8,449.66
VEST GRANT					
BEGINNING BAL	0.00	43.71			
REVENUES	<u>4.27</u>	<u>1,753.79</u>			
TOTAL REVENUES	<u>4.27</u>	<u>1,797.50</u>			
TOTAL FUND BAL	<u>4.27</u>	1,797.50			

Commissioner Herschend stated that he wants to have a meeting with the airport.

Rick Findley added that the airport is profitable and pay for themselves. Mr. Findley further reported that the airport is building more hangars due to the amount of air traffic.

RECESS

Commissioner Herschend made a motion to recess. Commissioner Pennel seconded the motion to recess. The motion passed by a vote of three: Pennel (yea), Strahan (yea), Herschend (yea).

Minutes taken by Tressa Luttrell, typed by Stacey Clemans, and edited by Hillary Bargman

TANEY COUNTY COMMISSION RECORD



NOVEMBER 13, 2006 THE 15TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

SPRING MEADOWS SUBDIVISION

Commissioner Pennel read the review of the road. A lengthy discussion ensued.

Commissioner Herschend made a motion to table.

Commissioner Pennel seconded the motion to table and asked Jacob Rock Road & Bridge Administrator for more details, as to the specific conditions. Motion to table was passed by vote: Pennel (yea), Herschend (yea) and Strahan (yea).

ELECTED OFFICIALS AND DEPARTMENT HEADS

Tressa Luttrell brought to the commissioners' attention the Corp of Engineer Easement. Bob Paulson, Taney County Attorney, stated that he had looked over this, and does not see a problem with re-approving

Commissioner Herschend motion to re-approve Corp of Engineer Easement.

Commissioner Pennel seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea) and Strahan (yea).

2007 SALARIES DONNA NEELEY

Discussion ensued regarding the setting of salaries for 2007.

No motions were made.

EMPLOYEE GROUP HEALTH RENEWAL COMMISSIONER PENNEL

Commissioner Pennel informed the Commission that the renewal with Cox Health Insurance came back with a 5% increase and requested that we go out for another bid.

Commissioner Herschend made a motion to no go out for another bid and to approve the continuation of insurance with Cox Health. Commissioner Herschend continued by saying that we have experienced increases yearly, and that this is the lowest increase the county has seen for some time. Commissioner Strahan said that claims have been down and that changing coverage has a risk and change the premium.

Commissioner Pennel seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea), and Strahan (yea).

SEWER CHANGE ORDERS 2 & 3 FOR TABLE ROCK ACRES

Commissioner Herschend recommends that the commission sign both of the change orders, adding that the county crew and the public have been pleased with the work that Kennedy has done.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve change order 2 & 3 for Table Rock Acres.

Commissioner Pennel seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea), and Strahan (yea).

ASSESSOR'S OFFICE BUDGET ISSUE

The Assessor James Strahan came before the Commission to discuss budget issues. Presiding Commissioner Pennel asked Mr. Paulson if the public had been notified in time for today's meeting, stating that the Assessor requested to be on the agenda at 2:45pm on Thursday and with the Veterans' Day holiday, that there was not 24 business hours before the hearing. County Attorney concurred that with the holiday, it would not be appropriate to meet until 2:45 pm today.

Commissioner Pennel made a recommendation that the commission jointly meet with the assessor and the State Tax Commission. Commissioner Herschend concurred. Commissioner Strahan asked if any emergency contingency applied to this situation. Discussion ensued as to when to establish a meeting. Mr. Paulson shared that Mr. Strahan might not want to meet jointly. Mr. Strahan was informed that he was not on the agenda, but continued by stating that he feels that the county is trying to dodge the issue. Presiding Commissioner Pennel responded that he is merely trying to follow the Sunshine Law and that as the commission he has been admonished for not following these rules.

PRIOR MINUTES

No action taken.

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #97697 – 97764, #97765 – 97776 and warrant #4592.

Commissioner Pennel seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea), Strahan (abstain).

PUBLIC COMMENT

Mr. Groman thanked the commission for their letter to the City of Branson, on the issue of use of the name of Branson in a business title or enterprise. Mr. Groman commented that he came to a meeting, believing that there would be a tax issue, and that he will be leaving the meeting, without knowing when it will be discussed, asking that a date, time, and place be stated so that he will know when to return. County Attorney Paulson said that he does not see a problem with Assessor James Strahan discussing an issue under Public Comment, so long as the commission does not respond to those comments.

Commissioner Herschend explained that he would be uncomfortable with any public official making a statement of material significance, when the commission is not able to respond, or even examine the facts. Commissioner Herschend believes that Mr. Groman could be contacted personally, due to his request. Presiding Commissioner Pennel took exception to Commissioner Herschend's point of view.

STATE TAX COMMISSION & BUDGET ISSUES JAMES STRAHAN

Mr. James Strahan informed the Commission that in April he received a letter from the State Tax Commission, stating that the Taney County Assessor was out of compliance. Assessor Strahan said that there was an issue earlier this year, as to the ratio, and was asked to prepare some documents quickly. He feels that there is a smoke screen attached to this, as there had never been problems with his ratios before. Now he has received a notice that the state isn't going to pay for activities and materials and have already been completed. The state said that they weren't sending any more funding in September, and the bills have been coming out of general revenue, referring questions of details to the auditor, Rick Findley. Assessor Strahan now

TANEY COUNTY COMMISSION RECORD

has a document from the State Tax Commission, directing him on what to do. James Strahan said he is going to run his office according to statute. The State Tax Commission is directing as to what to do in 2007.

Assessor Strahan discussed letting employees go home, as the county cannot pay them without using county general revenue, which is not what those revenues are for. Further discussion ensued.

PUBLIC COMMENT CONTINUED ROUND ABOUT

Commissioner Herschend said that he had one as an elected official that the media get the facts before publishing anything regarding Mr. Strahan's comments. As an Elected Official he has not been asked for funding for employees.

Commissioner Herschend also informed the Commission that he had a press release from Jerry Adams, City of Branson that the Round on south end of 76 has been terminated which was a joint project between county and the City of Branson. He continued by stating the low bid was over three million dollars and estimated to be in the 8 million dollar range.

ASSESSORS BUDGET

Commissioner Pennel stated that he sees now that the commission will be asked to use GCR for the assessor's office. Pennel said he had a document showing that the State Tax Commission has already withheld payment.

EXECUTIVE SESSION

Commissioner Pennel made a motion to go into Executive Session after a five-minute recess.

Commissioner Herschend seconded the motion. Motion passed by vote: Pennel (yea), Herschend (yea), and Strahan (yea).



NOVEMBER 15, 2006 THE 16TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding (via telephone) and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	101864 – 101866, 101894, 101896 - 101934
Road & Bridge Trust Warrants	101868 – 101888, 101895
Assessors Fund Warrants	101867, 101889 – 101890
Transfer Station Warrants	101891 - 101893
911 Warrants	None
Manual Warrants	4593 - 4594
Accounts Payable Warrants	97777 - 97794

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

BID SHADOWROCK TRAIL PROJECT

Commissioner Strahan made a motion to approve the bid as submitted by Tablerock Asphalt for the Shadowrock Trail project in the amount of \$90,178.55. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

11:45 a.m.

The County Commission reconvened in the County Commission Office at 11:45 a.m.

pursuant to adjourn with Chuck Pennel, Presiding, Danny Strahan, Eastern District, Ron

Herschend, Western District present. The following proceedings were had and made a matter of record.

RESOLUTION APPROVAL CERTIFICATES OF PARTICIPATION SERIES 2006

Commissioner Herschend made a motion to approve the following Resolution approving the delivery of \$19,260,000 principal amount of Taney County, Missouri certificates of participation series 2006, for the purpose of providing funds to pay the costs of a project for the county; authorizing and approving certain documents in connection with the delivery of the certificates; and authorizing certain other actions in connection with the delivery of the certificates, as outlined.

A RESOLUTION APPROVING THE DELIVERY OF \$19,260,000 PRINCIPAL AMOUNT OF TANEY COUNTY, MISSOURI CERTIFICATES OF PARTICIPATION SERIES 2006, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF A PROJECT FOR THE COUNTY; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES.

WHEREAS, the County Commission finds and determines that it is advantageous and in the best interests of the County that the County enter into certain transactions with UMB Bank, N.A., as trustee (the "Trustee") relating to the delivery of \$19,260,000 principal amount of Taney County, Missouri Certificates of Participation Series 2006 (the "Certificates"), for the purpose of providing for the financing of the costs related to the construction, furnishing and equipping of a county jail and law enforcement center (the "Project"), with all of the County's present or hereafter acquired interest in those tracts of real estate on which the Project will be situated, together with all improvements now or hereafter situated thereon (the "Leased Property"); and

WHEREAS, in connection with the delivery of the Certificates, the County Commission authorizes the execution of: (a) a Ground Lease dated as of November 15, 2006 (the "Ground Lease"), between the County and the Trustee, pursuant to which the County will lease certain real property in the County (the "Leased Property") to the Trustee; and (b) a Lease Purchase Agreement dated as of November 15, 2006 (the "Lease"), pursuant to which the Trustee will lease the Leased Property to the County on an annually renewable basis and the County will make rental payments to the Trustee that will be sufficient, during any term of the Lease, to pay the principal of, premium, if any, and interest distributable with respect to the Certificates as the same become due;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Approval of Delivery of the Certificates. The County hereby approves the delivery of \$19,260,000 principal amount of Taney County, Missouri Certificates of Participation Series 2006 (the "Certificates"), for the purpose of providing for the financing of the costs related to constructing, equipping, improving, operating and maintaining a county jail and law enforcement center. The Certificates shall be issued and secured pursuant to the herein approved Indenture.

The Certificates shall be sold to Piper Jaffray & Co. (the "Purchaser"), at the price of \$19,161,039.90 (the principal amount plus net reoffering premium of \$53,193.90 and minus an underwriter's discount of \$152,154.00), plus accrued interest. The Certificates shall be in such denominations, shall be in such forms, shall be subject to prepayment prior to the stated payment dates thereof, shall have such other terms and provisions, and shall be executed and delivered in such manner subject to such provisions, covenants and agreements, as are set forth in the Indenture and the Purchase Agreement.

Section 2. Authorization of Documents. The County is hereby authorized to enter into the following documents (the "County Documents"), in substantially the forms presented to the County Commission at this meeting (copies of which documents shall

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be filed in the records of the County), with such changes therein as shall be approved by the officers of the County executing such documents, such officers' signatures thereon being conclusive evidence of their approval thereof:

- (a) Ground Lease dated as of November 15, 2006 (the "Ground Lease"), between the County and the Trustee.
- (b) Lease Purchase Agreement dated as of November 15, 2006 (the "Lease"), between the Trustee and the County.
- (c) Continuing Disclosure Agreement dated as of November 15, 2006 (the "Continuing Disclosure Agreement"), between the County and UMB Bank, N.A., as Dissemination Agent.
- (d) Certificate Purchase Agreement dated as of November 15, 2006 (the "Purchase Agreement"), between the County and Piper Jaffray & Co.
- (e) Indenture of Trust dated as of November 15, 2006 (the "Indenture") between the County and the Trustee.

Section 3. Execution of Documents. The County is hereby authorized to enter into and the Presiding Commissioner is hereby authorized and directed to execute and deliver, on behalf of the County, the County Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4. Preliminary Official Statement and Official Statement. The County Commission hereby ratifies and approves the Preliminary Official Statement related to the Certificates, and the final Official Statement is hereby authorized and approved by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Presiding Commissioner is hereby authorized to execute the Official Statement as so supplemented, amended and completed. The County Commission consents to the use and public distribution by the Purchaser of the final Official Statement in connection with the offering for sale of the Certificates.

Section 5. Further Authority. The officers, agents and employees of the County, including the Presiding Commissioner and County Clerk, are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution, and to carry out, comply with and perform the duties of the County with respect to the County Documents and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 6. Effective Date. This Resolution shall take effect and be in full force immediately after its passage by the County Commission.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

INSURANCE POLICY DOCUMENTS

Commissioner Strahan made a motion to approve and authorize Chuck Pennel to execute the commitment to guarantee insurance policy documents. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



NOVEMBER 16, 2006 THE 17TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #97697-97776 and manual warrant #4592. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS
2:10 p.m.



NOVEMBER 22, 2006 THE 18TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission Office at 11:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The followings were had and made a matter of record.

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LEASE AGREEMENT

Commissioner Herschend made a motion to approve the lease agreement with Air Ambulance with the addition of a hold harmless for capital improvement as written by Bob Paulson. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



NOVEMBER 27, 2006 THE 19TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The followings were had and made a matter of record.

The prayer was led by Donna Neeley followed by the pledge.

RENEWAL OF NUISANCE ORDINANCE

Presiding Commissioner Pennel explained this ordinance was passed in February of 2004 and added there is a Sunshine Law requiring this issue be brought before the public again before the end of 2006. Commissioner Pennel shared that the Commission has received over three hundred complaints since the time the nuisance ordinance was put in place.

Commissioner Herschend made a motion to extend the nuisance ordinance, as written, for a period of four years from today. Presiding Commissioner Pennel seconded the motion, taking the ordinance to 2010, and opened the issue for discussion.

Commissioner Herschend said that while the Commission has not been able to respond to all of the calls, Commissioner Pennel has done an excellent job of doing what they said they were going to do, which was to not incur any additional cost to operate the program. Commissioner Herschend further commented that Commissioner Pennel has also sent out letters to have people clean up homes, neighborhoods, and property. Commissioner Herschend added they have been very careful to ensure that it was not a neighbor verses neighbor situation where someone attempted to use the ordinance as a hammer to get even.

Oliver Hursh from Cedar Creek commented that the ordinance has been effective and thanked the Commission for their commitment to this ordinance. Mr. Hursh additionally asked the Commissioners how the ordinance works?

Presiding Commissioner Pennel explained after they receive a complaint, they take a photograph of the area in question, then the landowner is sent a letter, if there is not at response, they send a second letter and at that point, they go to court. Commissioner Pennel added they usually go through the Prosecutor and while they have taken people to court, they have not filed any charges through the Prosecutor. Commissioner Pennel clarified that if it goes to court and the judge says they are out of compliance then he would reward the county the right to go onto the property and clean it up, then put a lien on the property. Commissioner Herschend added that once this action was necessary.

James Strahan, Assessor told the Commission he does not agree with the ordinance, and has not since its inception, adding that he is concerned with the county's ability to enforce the ordinance, and the potentiality for discrimination.

Commissioner Herschend responded by saying the Commission does not go out and select the properties, and this helps to ensure that the county does not pick on certain individuals. Commissioner Herschend reiterated that there is a sight requirement and the county would not be dealing with issues that are not visible from the road, or covered by a tarp.

Mr. James Strahan clarified there are incidents mentioned at the beginning that have not been cleared up and have still not been resolved. A general discussion ensued.

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Harriet Hursh from Cedar Creek said there was a horrible mess on KK Highway and relayed she is not from here, but where she came from, the citizens had a punch card system, allowing property owners weekly access to dump. Commissioner Herschend responded that twice a year the county does allow the public to dump and added the cost of accepting these items is offset by the cost of the county cleaning up items that have been dumped alongside the county roadway. Commissioner Herschend said the punch card was a good idea, but the county has to be certain not to take away from the business of the sanitation companies' weekly routes.

Commissioner Strahan added that the county has been enhanced by the clean-up days and shared there is a cost factor involved in supplying personnel for the clean up days, and this cost would have to be considered before increasing the number of days.

Donna Neeley, County Clerk commented that on any new project, there are always things that need to be changed/adjusted to make it work better, but they can't do that without starting somewhere. Ms. Neeley further expressed that the Commission has done an excellent job in getting this project started.

Jim Harding from Cedar Creek said he knows of the area to which Ms. Hursh mentioned and expressed he believes the county cleanup days and the ordinance have been helpful, but the county might want to invest more in this in the future.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MAX LYTLE BOARD OF DEVELOPMENTALLY DISABLED APPOINTEES

Max Lytle, Director of Taney County Board of Developmentally Disabled (TCBDD), addressed the Commission in regards to the appointing or reappointing board members for the next year per State Statute. Mr. Lytle explained there are three individuals whose board memberships will be expiring and that the board vacancies were advertised, as previously requested by the Commission. Mr. Lytle expressed that he is not recommending anyone and presented the Commission with the names of the three board members whose terms are expiring, adding they would like to stay on, and three others who are interested. Mr. Lytle further expressed he believes all six are qualified candidates.

Commissioner Strahan referred to an earlier conversation with Mr. Lytle about the needs of the board. A general discussion ensued.

Commissioner Strahan asked Mr. Lytle if the Commission had time to look over the applicants or if he needed them to make a decision right away? Mr. Lytle responded that in the past years the Commission has taken care of it during the time when he was at the meeting however, there is nothing in the statute that say's they have to and if the Commission wants more time to review the TCBDD would respect that. Presiding Commissioner Pennel clarified that the deadline is at the end of the year. Mr. Lytle confirmed that Commissioner Pennel was correct.

Tim Kyle, Chair TCBDD, added that putting an article in the newspaper still doesn't give a lot of attention to the open positions, so Mr. Lytle and himself went around neighborhoods trying to make people more aware, as well as improved branding and becoming better known in the community. Mr. Kyle expressed he feels these types of activities have increased the interest in the board and added they have changed the bylaws of the board.

Commissioner Herschend made a motion to table the appointment of board members to the three vacant board positions in order to give the Commission a chance to talk to the applicants. Commissioner Herschend added that the best thing the Commission can do is to make sure they have the right people in positions for boards because then "our legacy outlives us and you have the best people you can find, helping you perpetuate the great work that you are doing." Commissioner Strahan seconded the motion to table.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel asked Mr. Lytle to briefly explain how the board is funded. Mr. Lytle stated they receive a portion of the county property tax and are funded by a property levy

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\$9.06 for \$100 of assessed valuation on all of the property they own in the county. Mr. Lytle added that they are very similar to an Ambulance or Fire District.

STATE TAX COMMISSION

Presiding Commissioner Pennel asked James Strahan, Assessor if he would like to give the Commission an update in regards to the State Tax Commission issue.

James Strahan expressed he believes the public was informed that the county would be meeting with the State Tax Commission (at the Missouri Association of Counties meeting). Mr. Strahan informed he keeps hearing the word "roll back" and doesn't see that being an argument in the increase of assessed valuation. Mr. Strahan then explained the evidence he tried to present were the facts that would not even be a question and he was hoping what they saw in the figures, from their own program, would overturn some of the facts in the letter they sent him. Mr. Strahan stated that with a letter and the comments of the STC, he was hoping to get an attitude to the County Commission as to what his office is having to deal with. Mr. Strahan further stated that Bruce Davis, Chairman of State Tax Commission told County Commissioners that the taxation of the low-income housing was not his problem.

Commissioner Herschend said he believes the point the STC was making was that they couldn't assess a property based on a property owner's ability to pay and the Assessor's job is to ensure that the property is assessed equally and fairly.

James Strahan stated the other thing he was concerned about dealt with an issue in 1997 where he went through this process and took on a similar battle. Mr. Strahan expressed he made a trip to Jeff City with full support of the elected officials and now he feels like he is being questioned and does not have the full support of the elected officials. Mr. Strahan added that the STC made a deal that if he changed to a 2.12 index, then they would let money start flowing.

Commissioner Pennel responded that what he heard the STC say was they agreed to go down from a 2.32 to 2.12, if the Assessor would be willing to move from 1.90 to a 2.12 index. A general discussion ensued.

Commissioner Pennel then asked if the STC is asking the Assessor to move to a 2.12 index and raise property? James Strahan said the STC also wants a Time Adjustment Factor and he explained this is based upon, for example the selling price today, versus the selling prices two years ago.

Commissioner Herschend commented that there was a study of 500 properties, presented by the Assessor to the STC that showed the county is at .95. Mr. Strahan clarified the county is only required to be at .90 and said the STC would not address the issues he raised, including why 2003 sales values wouldn't be as accurate as 2006 sales for 2007 values. Mr. Strahan added that 21 other counties are also being addressed.

Commissioner Herschend asked Assessor Strahan what he is asking of the Commission? James Strahan explained that he wants to write a letter to the Senator's and Representative's and would also be asking the Commission for the revenue to pay his employee's insurance if the employee's have to go home.

Commissioner Pennel asked Mr. Strahan to clarify whether he is referring to wages or insurance? Mr. Strahan clarified the employees would draw unemployment. Commissioner Pennel asked if Mr. Strahan is requesting that the Commission pay their wages? Mr. Strahan expressed that he would like for his employees to continue to work however, he is not asking the Commission to pay their wages.

Commissioner Pennel then asked Mr. Strahan if he is willing to raise the index to a 2.12? Mr. Strahan responded "no." Commissioner Pennel then expressed he sees the Assessor and the STC are "at odds" and that neither is willing to move and asked Mr. Strahan what he thought would happen? Mr. Strahan stated that he would not be blackmailed. Commissioner Pennel then asked if Mr. Strahan has spoken to the Senator or Representatives? Assessor Strahan stated that he has spoken to Representatives Maynard Wallace and Ray Weter. Mr. Strahan added that he is in compliance and the funds should come. A general discussion ensued.

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Commissioner Pennel said that, unless his understanding is incorrect, neither the Assessor nor the STC sets the taxes, rather they only determine the assessed valuation and levies are set by the political subdivisions. Assessor Strahan explained the STC and the Assessor have the same job, which is setting values and the STC does not agree that Mr. Strahan is assessing equitably. Commissioner Pennel further expressed that the Commission is not in the position to decide who is correct, the Assessor or the STC and repeated what the assessor is requesting.

Commissioner Pennel asked again, where the Assessor thinks this is going? Mr. Strahan expressed that he doesn't feel that Commissioner Pennel understands the process. Commissioner Pennel asked if the taxes would definitively go up?

Commissioner Strahan expressed, as a matter of record, that he will not see the taxes raised due to the arrogance of the STC. Commissioner Strahan stated that he asked what the people on a fixed income are supposed to do, and that the STC Commissioner Davis responded that there are programs available for them. A general discussion ensued.

Commissioner Pennel expressed to Mr. Strahan that he couldn't send a letter saying the county is in compliance and it is not because he doesn't want to support him, rather it is because he does not completely understand the issue adding that it is not his job to completely understand.

Commissioner Pennel then asked if either of the other Commissioners understand the issue well enough to take a stand? Commissioner Strahan suggested that the Commission trust the person who is providing information (the Assessor), not the ones who will not provide information or provides false information (the STC).

Commissioner Herschend then expressed that he believes Commissioner Strahan clarified the position expressed by the STC is that people must be assessed fairly, not on their ability to pay.

Presiding Commissioner Pennel asked the other Commissioners if they feel confident that the Assessor is in compliance, as they are talking about taking this to court? Commissioner Herschend said one document showed compliance that the STC handed back, disregarding it, saying that the Assessor needs to look at individual properties

Bob Paulson, County Counselor said he was disturbed by a comment made by the STC that people in St Louis and Kansas City don't believe people in the rural areas are paying their share.

Commissioner Pennel made a motion that the Commission send a letter to the State Senator and three State Representatives. Commissioner Herschend seconded the motion requesting that the document with the 500 properties be included. Commissioner Pennel suggested also sending a copy of the tapes from the meeting. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend asked the Assessor to give the Commissioners, in writing, what he is asking the Commission to do, in regards to the employees (in detail).

Sheila Wyatt, Collector commented they are all here to serve the taxpayers and that this is the busy time of the year and asked that the Commission seriously consider paying the employees that want to continue to work. Ms. Wyatt informed there is one percent that is collected and just less than one percent goes into the County General Revenue to pay for the Assessor's staff. Ms. Wyatt added if the county were in compliance, the STC would have to pay back the county and if not, the citizens still need to be served. Ms. Wyatt asked both the Commission and the Assessor to keep the employees working.

Commissioner Pennel asked Rick Findley, Auditor if the funds go into GCR, to which Mr. Findley responded, no. Mr. Findley further explained that it is questionable as to whether or not there is enough money from the funds mentioned by the Collector, to keep the Assessor's Office staffed.

Commissioner Pennel stated there might be enough money to pay all of the Assessor's employees through the end of the year and suggested the county make arrangements to pay differences out of the contingency fund. Commissioner Pennel added that after the first of the

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year, there would be additional funding that could pay the employees for approximately an additional six months.

James Strahan expressed a concerned about putting the Auditor in the position of taking money out of one account and into another.

Commissioner Herschend commented that he was concerned about some of the issues being discussed, as the county may be facing litigation with the STC. Assessor Strahan added this is a no win situation.

Commissioner Pennel made a motion that \$50,000 be set aside out of GCR to pay employees. Commissioner Herschend expressed concern about this motion, due to possible litigation.

The motion died for lack of a second.

FRESHMAN LEGISTALIVE TOUR WILEY BARNES

Wiley Barnes, Branson Area Chamber of Commerce, informed the Commission about the Freshman Legislative Tour this Wednesday at Silver Dollar City at 5:30 p.m.

RECESS

Commissioner Strahan made a motion to recess at 11:25 a.m. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENED 1:30 P.M.

The County Commission reconvened in the County Commission Office at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #98030-98113 and warrant #4595. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken via telephone and typed by: Hillary Bargman



NOVEMBER 29, 2006 THE 20TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel made a motion to approve the following payroll warrants.

General County Revenue Warrants	101960 - 101999
Road & Bridge Trust Warrants	101935 - 101954
Assessors Fund Warrants	101955 - 101956
Transfer Station Warrants	101957 - 101959
911 Warrants	None
Manual Warrants	4596 – 4597
Accounts Payable Warrants	98114 - 98130

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

Minutes taken and typed by: Hillary Bargman



DECEMBER 4, 2006 THE 21ST DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Ron Herschend followed by the pledge

MARRIAGE LICENSE FEE ROBERT DIXON

Robert Dixon, Recorder of Deeds informed the Commission that the current rate for a marriage license is \$46.00 and in 2001 the county could have raised it to \$51.00. Mr. Dixon reported that currently all First Class Counties are charging \$51.00 and added the extra \$5.00 would go to the Domestic Violence Shelter Fund. Mr. Dixon further explained that the governing body of the county would have to make the decision to increase and expressed that he needs to know if the Commission desires to increase it or not.

Commissioner Herschend made a motion to increase from \$46.00 to \$51.00 the cost of a marriage license in Taney County. Commissioner Pennel seconded the motion.

Commissioner Herschend clarified that he is not for charging higher fees however, knowing that this goes to the shelter and that Taney County is the lowest of all First Class Counties is his reason for making the motion to increase the cost.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

REPORT TO COMMISSION JAMES STRAHAN

James Strahan, Assessor stated that he would like to commend the Road Districts and Highway Department adding that he thought they did a superb job getting everybody out over the weekend.

Mr. Strahan further addressed the Commission in regards to a meeting last week about the State Tax Commission (STC) and what they were doing toward Taney County in the assessed valuation and taxation process. Mr. Strahan expressed his disappointment in some

TANEY COUNTY COMMISSION RECORD

information he has received since the meeting, and referred to an article in the Taney County Times he felt focused on employees being laid off and totally missed the point. Mr. Strahan went on to state that he has asked the employees who were laid off if they supported him in this action or if they did not he asked them to please respond to him by a letter. Assessor Strahan reported that four of them e-mailed him back in support and read the following: "I have heard that some people are saying that Assessor James Strahan does not care about his employees. I've been employed by the Assessor's Office for almost 16 years as a Personal Property Clerk. Although I have been laid off I do not believe that he is uncaring. I have never worked in the real estate department but I do know that Mr. Strahan knows his job very well and is concerned about the people in Taney County. Sincerely Bonita Bohannon."

Assessor Strahan then read the following from Roger Todd, Field Appraiser: "As an employee of James Strahan, Assessor's Office, I have been affected directly by the issues between Mr. Strahan and the Missouri State Tax Commission. I am one of the employees recently laid off due to the State Tax Commission withholding funds from Taney County because Mr. Strahan is not willing to raise the county tax index. I have seen no evidence that the county is not in compliance with the mandates of the State Tax Commission. I support James in his stand against the increase, which would result in higher taxes for all Taney County residents I have worked for James for the past 6 years and feel that he is a very concerned citizen as well as a dedicated Elected Official. I feel he is doing what he was elected to do and that is to work for the citizens of Taney County."

Assessor Strahan further explained that he has more letters coming from other employees and feels they know the issues as well as they can possible know them. Assessor Strahan further commented that he has gotten the figures and calculations to show he is in compliance as of January 1, 2007.

Presiding Commissioner Pennel asked Mr. Strahan if Representative Maynard Wallace feels like he was in compliance? Mr. Strahan responded that Mr. Wallace did not state he was in compliance but he said he would get with Senator Jack Goodman and try to get him on board with this.

Assessor Strahan informed there are seven of his employees that went on unemployment and requested the Commission pick up their insurance while they are off. Assessor Strahan added he would put them back to work if they could get this situation worked out. Assessor Strahan commented that he doesn't know what the state wants and stated he has provided them the proof out of their own programs and their own statistics.

Commissioner Herschend informed that the Commission sent a drafted letter to all Legislatures both Senators and Representatives asking for help. Commissioner Herschend further stated that the Commission has asked Bob Paulson, County Counselor to look at how they could pay employees insurance and expressed that he is not sure it is legal for the Commission to pay benefits or pay someone who is not employed by the county and on unemployment.

Bob Paulson, County Counselor clarified that he has not had a chance to look but he knows they could do that under FMLA (Family Medical Leave Act).

Commissioner Herschend stated that this Commission has offered to pay the employee's out of the counties contingency fund to be reimbursed when and if the reimbursement comes in from the state. Commissioner Herschend added that the county has an Emergency Fund and the money to put Mr. Strahan's employees back to work until the tax collection portion of the funds for 2007 come in from the December tax drive. Commissioner Herschend further expressed that he is not sure why they are not putting those people to work using the money from General County Revenue (GCR) that has been offered by the Commission.

James Strahan responded that it is not the taxpayer's place to pay two or three times to keep his employees working. Commissioner Herschend reiterated that if the Assessor gets his money back from the state then he would reimburse the county and reimburse that fund. Mr. Strahan said that the reimbursement is a big "if" and asked if they heard the STC say the he would get the money back after the second quarter of 2007.

Commissioner Pennel stated that he heard them say they would, if the Assessor is in compliance, the STC said they definitely would send the money back. Mr. Strahan clarified the STC said if he raised the index to what they wanted they would send the money.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend emphasized that it is the Commission's will to take that risk and asked Mr. Strahan to take the money out of contingency so the employees can do their work. A general discussion ensued.

Commissioner Strahan stated that he feels Assessor Strahan did offer the evidence that the state asked for and they did not want to look at it.

Commissioner Pennel then asked the Commission if they are confident that Mr. Strahan's position is the right position? Commissioner Strahan replied that he is confident. Commissioner Herschend commented that he saw one document out of a fifty page report that had many tables, many comparisons, and many tax calculations, and expressed that he is not comfortable saying the STC is wrong based on that one document.

Mr. Paulson then asked the Assessor if he was out of compliance in 2001, 2003, or 2005? Mr. Strahan responded "no" adding he has never been out of compliance. Mr. Strahan further asserted that he thinks the reason they came to Taney County is because he was a perfect 19 in 2003. Mr. Paulson clarified that the STC study now says Mr. Strahan was out of compliance in 2005 and asked if he disagreed with that? Assessor Strahan said "yes" he disagrees.

Commissioner Pennel stated that this is one report of 35 properties and asked if this is what they are basing it on? Mr. Strahan clarified that residential is in non-compliance and that is what they based it on. A general discussion ensued.

Bob Schanz addressed the Commission and expressed that he thinks they should support Mr. Strahan. Mr. Schanz added that as a retiree on social security, paying 30% more in taxes is going to be awful and there are people who are mad. Mr. Schanz then suggested that Mr. Pennel write another letter in full support of Mr. Strahan and tell everyone that the people of Taney County are going to back him instead of the letter he read from Commissioner Pennel.

Commissioner Pennel asked Mr. Schanz if he could see the letter and clarified that this is not a letter it is something he wrote on his computer and some how it got to the Assessor's Office. Commissioner Pennel read what he wrote:

"Two weeks ago on November 13th; James presented to us his belief that the State Tax Commission was pressing for higher taxes. A few days later he asked us to support him in his battle with them. After meeting with James and the Tax Commission on November 21st, and hearing both sides I can't at this time support him in his fight with them. To begin with it appears clear to me that both our Assessor and the Tax Commission are both responsible to see that assessment of properties are established for fairly and are not responsible for the amount of taxation the citizens are to pay. James has given theories on how he believes the Tax Commission has an agenda to raise taxes. After listening and giving thought to his suggestions I am not sold on those ideas being fact. Even if any or all of his ideas are true I don't think it is his or the County Commission's place to correct or rein them in but to report those suspicions to those that the Tax Commission answer to. I called both Senator Jack Goodman and Representative Maynard Wallace this morning and to look into the charges James has made, I've decided to make this statement because I believe the public is receiving a false message about this issue. If I am not mistaken the Assessor began the reassessment of property in the 2007 tax year in June of this year and will be responsible to complete that process by the end of May 07. After that the different taxing jurisdictions like schools, fire districts, municipalities, health departments, disability board, etc, take those assessment totals that James gives them and set their levies according to what those values are. I believe it is possible for the assessment values to be raised for example 30% and by what rate the jurisdiction sets the tax levy have no additional taxes collected by that jurisdiction. The Assessor is elected and responsible for the assessment for the properties in the county. I don't agree with the method he has chosen to take this issue on since it adversely affects both his employees and the service his office is to provide the citizens of Taney County. As you know James came to us two weeks ago with the statement that the State Tax Commission was pressing for higher taxes. After that meeting he sent a number of his employees home and a couple of days later he asked us to support him in his battle with the Tax Commission. I said at that point I would not do that until we all met together with the Commission. After hearing both sides present their views last week at the MAC conference I can't support James in his battle with the Tax Commission. Last week I heard James interviewed on one of the local morning radio programs the message I heard was he was taking his fight on to keep our taxes from being raised. The host mentioned us and other county officials during the program, which led me to feel the need to announce where I stood on this issue. I am concerned that the public may have received the idea that the Assessor can keep our taxes from going up by taking on the Tax Commission unless I am mistaken the amount of taxes collected by a taxing district like schools, fire departments, cities, health departments, etc. is determined by the levy set by the boards that govern those entities. It would be possible for assessed value of properties say in Bradleyville or Branson districts to go up by 30% yet taxes in those districts to remain the same by the levy assessed by the respected board. In some districts they can raise the taxes in their districts without the assessed value going up at all by what levy they set."

Commissioner Pennel explained that he wrote this a week ago and inquired as to how it got out and circulated? A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Wayne Harding expressed that the people of Taney County elected the County Commission and they need to support James Strahan.

Sheila Wyatt, Collector stated that she doesn't have the final balance yet and clarified that she wanted to make the Commission aware that if she could save the employees in any way she would. Ms. Wyatt emphasized the importance of having all personnel working in order to get the things done that need to be done.

Donna Neely, County Clerk stated for the record that the Clerk's Office does support the Assessor's Office keeping the taxes as low as possible by any legal method however, not having any employees working during this time period and possibly during the first of the year is going to impact other offices as well. A general discussion ensued.

RECESS RECONVENE

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from November 15 and 29, 2006. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #98131-98139, checks #98162-98261(void checks #98140-98161), and warrant #4598.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea)

RECESS

Commissioner Strahan made a motion to recess. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Minutes taken and edited by Hillary Bargman and typed by: Melanie Whittaker



DECEMBER 6, 2006 THE 22ND DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

BID DE-ICING MATERIALS

Tressa Luttrell, Administrator, informed the Commission that she had opened bids for De-Icing Materials and was going to place the award on Monday's agenda however, Jacob Rock,

TANEY COUNTY COMMISSION RECORD

Road Superintendent has placed urgency on the materials as there is the possibility of snow on Monday and they would not have enough material to take care of the roads.

Commissioner Pennel, in light of the urgency, made a motion to approve Bingham Sand & Gravel and Scottswood Industries for the De-Icing Materials. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 4:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ROAD AND BRIDGE RAISE HAZMAT LICENSE

Commissioner Herschend made a motion to pay \$.25 an hour for any Road & Bridge employees holding a Hazmat license as a one-time adjustment. Herschend added that this would be for all hours worked, not just when working that position. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



DECEMBER 7, 2006 THE 23RD DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

KIRBYVILLE FEASIBILITY STUDY

Commissioner Strahan made a motion to approve the Kirbyville Feasibility Study with Great River Engineering to be paid out of the Sewer Sales Tax portion for Kirbyville for the amount of \$27,350.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



DECEMBER 11, 2006 THE 24TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Ron Herschend followed by the pledge.

TANEY COUNTY COMMISSION RECORD

HILLSIDE DRIVE ROAD PETITION

Commissioner Pennel explained that the road petition for Hillside Drive was read and tabled for six months by the County Commission in order to get more information and the proper easements.

Randy Haes, Road and Bridge Assistant Administrator, clarified that currently the county does not have enough right of way to meet the 40 feet requirement and right now they only have 30 feet. A general discussion ensued.

Commissioner Strahan made a motion to table Hillside Drive for two weeks.

Commissioner Pennel seconded the motion to table. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (yea).

POWELL ROAD DEB MUNDELL

Deb Mundell expressed that she is addressing the commission on behalf of the Plummers in regards to Powell Road. Ms. Mundell explained that she has met several times with property owners who would like the county to purchase the physical part of Powell Road and vacate the platted part of road that affects Mr. and Mrs. Plummer. A general discussion ensued.

Commissioner Herschend made a motion to direct Bob Paulson, County Counselor, to begin the vacation process at such time that he receives a copy of the agreement indicating that all parties are in favor of the vacation and that the county incur not only his time but all publication cost associated with the vacation.

Deb Mundell asked what the commission wanted the agreement to say. Commissioner Herschend asked if the commission could get there attorney to send them something as to what will be acceptable. Ms. Mundell stated that would be ok.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

NEW VISION GENERAL BAPTIST CHURCH GALEN CHAMBERS

Galen Chambers addressed the Commission in regards to a tax statement that was received by the New Vision General Baptist Church for six acres of property purchased by the church in 2005. Mr. Chambers explained that he went to the Assessor's Office and was told that there is no law in Missouri exempting churches from property taxes but that he could appear before the county commission and ask for an exemption. Mr. Chambers went on to state that the reason the church bought the property was to meet the county requirement of owning at least two acres for a septic system, in addition to that they can use land for recreation, outdoor dramas, or parking.

Commissioner Herschend made a motion to approve the exemption of the additional six acres as explained to the commission today.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DEVELOPMENTALLY DISABLED BOARD OF APPOINTMENTS

Commissioner Pennel made a motion to table this issue until later in the day.

Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AGREEMENT OF EASEMENT

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BOB PAULSON

Bob Paulson, County Counselor, reminded the commission that earlier in the year he approached them in regards to them not signing an easement without further agreement to comply with the county's utility requirements. Mr. Paulson added they already have an agreement in place and in that agreement it says the county will assign it adding that he has gotten another communication from them and a sale has gone through so the cable company is looking for the assignment of the lease. Mr. Paulson further explained that he needs the commission to agree to sign an assignment of the easement for the two cable companies because one is purchasing the other and wants the easement that the other one has, adding that the county has agreed to assign it.

Commissioner Herschend made a motion to approve the agreement contingent upon a two-sentence acknowledgement and acceptance of the counties requirements.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TAXATION AND EMPLOYEE'S FUTURE JAMES STRAHAN

James Strahan, County Assessor, addressed the commission in regards to taxation, the assessed valuation problem, and employee benefit. Mr. Strahan added that he brought a field employee back to work because he has no intentions to allow the State Tax Commission to force him into noncompliance. Mr. Strahan asked if there were any problems with the benefits of the employees who have been laid off.

Bob Paulson, County Counselor stated that his opinion is if they are laid off, then the county will have to give them cobra notice and added that the county could pick up their benefits for a short amount of time and when they come back they will have all their benefits. Mr. Paulson went on to state that if they are collecting unemployment then they need a cobra notice. James Strahan clarified that the laying off is a leave of absence and he doesn't know if they are handled the same adding that they have a call back date of February 1, 2007. Mr. Paulson asked if James Strahan has talked to Ivan Schroeder about that. James Strahan clarified that he has not spoken to Ivan Schroeder but has checked with CERF who has no problems with any of it.

Commissioner Herschend stated that unless Bob Paulson can say this is what the law says, he has a concern about spending taxpayer funds on someone who is not currently an employee of Taney County. A general discussion ensued.

PROPERTY TAX ISSUES FLYNT RAE

Flynt Rae bought an issue before the Commission concerning property on Shepherd of the Hills Expressway, stating that he has residential property and it got confused and taxed as commercial instead of residential. A general discussion ensued.

RECESS

BOA/P & Z BOARD APPOINTMENTS

Bob Paulson, County Counselor, stated that there can only have so many BOA inside of an incorporated area.

JIMMY RUSSELL

Jimmy Russell, Taney County Sheriff, stated that in the past when they had found items that were cheaper than bid prices they were able to purchase them, but recently they have been denied because they were not bid. He gave the example of highlighters that were bid for \$15 and he found them for \$4 but could not buy them.

Commissioner Herschend stated that if you were to find an ink pen with a vendor that was not on the list, then they have to put them on list and do invoices and by the time it gets done

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it has tied up two or three employees time, so while you may save a few dollars, the county does not due to labor costs. A general discussion ensued.

ACCOUNTS PAYABLE

Commissioner Herschend made a motion to approve accounts payable checks #98262 – 98404 and warrants #4599, 4600, and 4601.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

BOA APPOINTMENT

Commissioner Herschend made a motion in appoint Carl Pride to BOA contingent on info being true. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

Commissioner Herschend made a motion to recess and go into BOE. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).



DECEMBER 12, 2006 THE 25TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 11:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TRANSFER OF FUNDS CONOCO-PHILLIPS FUEL BILL

Presiding Commissioner Pennel made a motion to approve transferring \$17,345.09 from account #122000900011 to account #3482776263, to pay the Conoco-Phillips fuel bill. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Herschend (absent).

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 3:55 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

MISSOURI WORKERS COMP FUND

Commissioner Pennel made a motion to renew the Missouri Workers Comp Fund. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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DECEMBER 13, 2006 THE 26TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	102027, 102029 - 102065
Road & Bridge Trust Warrants	102000 – 102021, 102028
Assessors Fund Warrants	102022 - 102023
Transfer Station Warrants	102024 - 102026
911 Warrants	None
Manual Warrants	4603 - 4604
Accounts Payable Warrants	98506 - 98520

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

INTERGOVERNMENTAL AGREEMENT VILLAGE OF BRADLEYVILLE

Presiding Commissioner Pennel made a motion to approve an intergovernmental agreement between Taney County and the Village of Bradleyville. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Strahan (yes), Herschend (absent).

Note: Commissioner Herschend entered the meeting at 9:15 a.m.

Sheila Artt, Administrative Pastor, met with the commission to discuss having property for her organization changed to exempt. Ms. Artt explained that she has already met with the assessor, adding that the assessor will be changing the property in question to exempt for 2006, and advised her to meet with the commission about the 2005 taxes. Artt went on to state that the property was purchased in 2004, and that she did not realize that they were not already exempted on this piece of property, as the organization's other two pieces of property are already on exempt status.

The three county commissioners relayed that they will need to speak with Randy Turley of the State Tax Commission, or a similar expert, to ascertain what can be done in this situation, and another similar, but different instance that was brought before the commission the previous day. The commission expects to have an answer for Ms. Artt in about a week.

TRANSFER STATION CAPACITY

The commission met under emergency action, regarding the transfer station's capacity. Sam Yarnell, from the Road & Bridge department, informed the commissioners that the transfer station is over its capacity, and had to close down, temporarily, yesterday to accommodate the deliveries that it received. Yarnell reported that yesterday, the transfer station received twenty-six tons after 3pm, and that this was problematic as the facility the county uses in Springfield

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closes at 4pm, therefore the county cannot take any loads there after that. Yarnell expressed that he believes this may become a recurring problem.

The commission discussed increasing its rate and hiring an additional hauler, but this would not address the immediacy of the situation.

Commissioner Herschend asked Mr. Yarnell about the size of the loads that are being dumped, with Mr. Yarnell responding, that they are receiving a large number of thirty-yard roll-offs.

Commissioner Strahan expressed that he feels the county rate is too low, as there is a waste company, with their own dump, that is leaving roll-offs at the transfer station, instead of delivering them the extra distance.

The commissioners agreed to do the following: Due to the overcapacity at this time, and in order to provide for the residential trash service of the citizens and light commercial, tipping of roll-off containers will be limited to two roll-off containers per day per vendor, until further notice. This policy will be effective as of 12-14-06. Commissioner Herschend will offer support at the transfer station.

Presiding Commissioner Pennel made a motion, to allocate funding for equipment as follows: the Rip-Wrap Trailer will be paid with Road & Bridge funds, the Walking Floor Trailer will be paid with Transfer Station funds, and the Peter Built Truck will be split 80/20, with 80% of the funds coming from the Transfer Station and 20% of the funds coming from Road & Bridge. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), and Strahan (yes).

ROAD AND BRIDGE TAX SHARING AGREEMENT

The commissioners discussed the Road & Bridge Tax Sharing Agreement. Commissioner Herschend offered to review the agreement, expand upon the requirements for municipalities, and create an application form for the municipalities. The commissioners agreed that a committee would review the applications, with the Road & Bridge Administrator assisting the commissioners with the reviews.

Minutes taken and typed by: Lisa Owen



DECEMBER 14, 2006 THE 27TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

PAYMENT OF COMP TIME BRIAN BAILEY

Commissioner Strahan made a motion to approve Brian Bailey, Sheriff Department employee's request to be paid 88 hours of comp time before Christmas. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).



TANEY COUNTY COMMISSION RECORD

**DECEMBER 15, 2006 THE 28TH DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

SB40 BOARD MEMBER APPOINTMENTS

Commissioner Herschend made a motion to appoint Kathy Dodds and Dean Porter, and to reappoint Brenda White, to the SB40 Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

Their qualifications are as follows:

Kathy Dodds, 120 Lakeview, Branson, Missouri, recently retired as the Director of Special Services Programs for the Branson School System, volunteers with the tennis team and Habitat for Humanity, and is considered one of the most knowledgeable people in the area concerning special education.

Dean Porter, 1842 Point Royale Drive, Branson, Missouri, is a physician whose son, Dan, is an employee of Tantone Industries and will be a resident at the Dorgan-Weaver Apartments.

Brenda White, 632 Abraham Road, Branson, Missouri, has served on the Taney County Board for the Developmentally Disabled since 2000, serving as Vice-President and President, as well as the Board of Directors of Tantone Sheltered Workshop from 1996 to 2002, and has experienced the challenges of raising a child with disabilities in Taney County.

INDUSTRIAL DEVELOPMENT AUTHORITY

Commissioner Herschend made a motion to appoint Jerry Jeschke to the board of directors for the Industrial Development Authority. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

Mr. Jeschke is an associate member of the Appraisal Institute, Tri-Lakes Board of Realities and Society of Petroleum Engineers.

AIRPORT UPDATE

The County Commission met with Tim Mahoney of GEP, Steve Peet with the Branson Airport, Mark Parent Taney County Airport Director, Taney County Counselor Bob Paulson, Taney County Auditor Rick Findley, and via telephone Neal Atterman of Citi-Group.

Steve Peet announced that they have raised the \$20 million in equity funds needed and that Citi-Group will be raising another \$80 million in bonds. Mr. Peet added that they will be coming to see the area in the first quarter of 2007 and that the interest rates on this type of project have gone down so the project is ready to move forward. A general discussion ensued, in regards to the conditions of the proposed agreement.

Commissioner Herschend made a motion regarding the length of the lease, which died on the table for lack of a second.

Neal Atterman spoke with the group at 11:40 am.

Commissioner Herschend made a motion to table further discussion until 10:00 am, Monday, December 18th, 2006, so that Commissioner Strahan could be present. Presiding Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).



TANEY COUNTY COMMISSION RECORD

DECEMBER 18, 2006 THE 29TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

NAME OF BRANSON PAM DAPPRICH

Pam Dapprich, Branson Sports Club asked the Commission to speak out and put a stop to the authority that the City of Branson is trying to have over the citizens of Taney County. Dapprich expressed that if they don't establish their concern over this issue and act then what good is it to have elected offices adding that they might as well just name it Branson County and let the City of Branson make decisions for everyone. Dapprich further explained that if they set a precedent for over stepping their authority, what keeps them from taking this action on a different issue in the future. Dapprich went on to state that there is no statute giving them authority to do what they are claiming and what they are doing is merit less and therefore unethical. Dapprich added that she has contacted Senators, Congressman, heads of offices nation wide, and media stating that what they are doing is wrong and it is only causing havoc on the community. Dapprich proclaimed that she would not stop until she sees the city officials either out of office or publicly apologize for the unfounded threats that they have made to their organization. Dapprich asked the Commission to get more involved in making a stand against Branson by voicing their opinion louder and by picketing City Hall with the community. Dapprich clarified that Commissioner Herschend and Commissioner Pennel have spoken out directly to the Alderman at their meetings but feels they should speak out publicly to the people.

Commissioner Strahan pointed out that Dapprich mentioned Commissioner Herschend and Commissioner Pennel speaking up and clarified that he has also made it perfectly clear about how he feels in regards to Mr. Link and the City of Branson situation concerning the lies that were told about the sewer lines on the Strahan property. Strahan added that the family never received an apology and the city even took an arrogant position by claiming they are in the right standing on this issue. Strahan expressed that he is in total support of what Dapprich is trying to do and that he feels they are trying to bully both the citizens and the county.

Presiding Commissioner Pennel expressed that he feels he was heard at the last city council meeting and doesn't see the sense of continuing forward with it because they heard his opinion and they are evidently doing what they think is right.

AIRPORT ISSUE TABELED FROM FRIDAY

Commissioner Pennel explained that Steve Peet and Tim Mahoney from the Branson Regional Airport came to speak to the Commission on Friday to say that a lot of people are interested and they are still working to make the big airport south of Hollister a reality. Pennel expressed that to his understanding they are not asking Taney County for any pay for performance or tax dollars and added that he doesn't see them asking the Commission for any action that they haven't already taken when the Transportation Development District (TDD) was established three years ago.

Bob Paulson, County Counselor clarified that the Branson Regional Airport wants the county to continue with and go forward with the Transportation Development District for the airport. Paulson explained that they have come to the Commission subsequent to that with other things such as possible pay for performance, tax increment financing, and other financing possibilities however, his understanding of the meeting on Friday is that they have withdrawn all of those other requests and want to just go forward with the TDD. Paulson went on to explain that there was some discussion concerning the number of years the lease could be extended, if there were financing troubles but essentially the county would have a simple title to the airport ground but that control wouldn't go into effect for approximately 40-years.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel asked what the county did two or three years ago when establishing the TDD and what action does the county need to take? Paulson responded that it is his understanding the county voted to go forward with the TDD however he wants to pull the minutes and documentation done on the issue. Paulson further explained there are many things that need to be done and steps taken to move forward with the TDD in order to make it a reality.

Commissioner Pennel clarified that his point is the Commission has already voted to go forward with the TDD, which is what they are asking them to do, so unless they take some action to reverse what they did, he doesn't see what else needs to be done.

Rick Findley, County Auditor clarified that one of the things the Commission asked specifically was if the airport was going to take care of all the documents and he heard the answer was "yes". Paulson stated that they will prepare all the documents but the county still needs to review them. A general discussion ensued.

Note: Commissioner Herschend entered the Commission meeting at 9:17 a.m.

Commissioner Strahan expressed a concern about the financing and stated that almost every meeting they've had, there has been some urgency for financial reasons.

Bob Paulson read the following outline from the meeting that occurred on Friday. Paulson read that the purpose of the meeting was to provide status on the update of the Branson Airport project, summarize the project timetable, summarize the key issue regarding alternative financing structures, and in conclusion follow-up decisions needed to require timing. Paulson explained they talked about the current status being that the Branson Airport LLC is in the final stages of closing process for \$20 million in new equity, construction contract providing a final update on construction cost, and a first quarter bond road show in pricing. Paulson added that the tax-exempt bond market is very strong right now which was part of the reason for the urgency because they wanted to take advantage of the tax-exempt bond market. Paulson summarized that their equity is in place and tax-exempt financing is to follow in a favorable market with construction beginning as early as February 2007. Paulson expressed that he doesn't know what decision they were looking for from the county and stated that if the Commission has already agreed to go forward with the TDD perhaps it is in their court to bring the details to the county. Paulson then informed the Commission that there have been some minor changes in the original TDD plan such as the number of acres and years possible on the lease. Paulson expressed that he thinks they were looking for some confirmation from the county so they can go forward with the legal work.

Commissioner Pennel asked if they need to go to the Circuit Court and confirm whether the TDD has been established or not. Commissioner Herschend added that it is his understanding the TDD is in place.

Commissioner Herschend stated there was some question on moving forward when they introduced the number of acres because it gives the Branson Airport control of the board, which was not the original understanding. Herschend expressed that he would be willing to make a motion to move forward based on the original conditions which were that the airport gives the county the land and releases it back to the TDD for 40-years in order to have time to find a manager and go forward. Commissioner Pennel stated that before seconding that motion he would want to know exactly where they are and what has been done concerning the TDD.

Commissioner Herschend made a motion to table this issue until more information is found concerning the TDD. Commissioner Pennel seconded the motion to table. A general discussion ensued.

Bob Paulson informed the Commission that he found the file from the Circuit Clerk's office and that there was an order in September 2003. Paulson then read the following for the file: "4th of September 2003 final order and judgment certifying creation of the Branson Missouri Regional Airport Transportation Development District" and stated that it was signed by Judge Eiffert.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

LEGISLATURES RESPONSE TO TAX COMMISSION

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan addressed the Commission in regards to some of the Legislatures response to the Tax Commission and read the following letter from Representative Maynard Wallace to the State Tax Commission. Strahan added that he is looking for other responses from Legislatures:

State Tax Commission
P.O. Box 146
Jefferson City, MO 65101

Dear Commissioners:

This letter is to protest your sanctions against the Taney County Assessor's office. I feel you have made two mistakes in arriving at your decision that the Taney County Assessor's office is out of compliance. The first error is in the examples taken by the state for comparison. The samples are inadequate and fail to give a true representation of the assessed values. Secondly, I feel you have failed to adequately factor in land valuation in the overall assessment.

I strongly urge you to reconsider and reconcile your differences with the Taney County Assessor's Office immediately. This is creating a hardship on the citizens of Taney County.

Sincerely,

Maynard Wallace

Commissioner Strahan expressed that he appreciates the fact that Representative Wallace has stepped forward on this issue.

Commissioner Herschend clarified this letter was written to the State Tax Commission not the Taney County Commission adding that he was confused when he first read the letter because it says "Dear Commissioners" which is referring to the State Tax Commissioners and he wanted to clear that up.

James Strahan reported that he saw Senator Jack Goodman in person and that Goodman received the County Commissions letter and tapes of the meeting with the State Tax Commission however, the tapes were not clear enough for him to understand. James further stated that he called Randy Turley demanding from him the date that Taney County became non-compliant and asked Turley to tell Strahan specifically wanted he from the county. Strahan added that Turley has not yet responded. Strahan explained that Senator Goodman was truly concerned and wanted Strahan to write a synopsis of the whole situation. Strahan expressed that he hasn't heard a word from Representative Wood and that he seems to be the outlying player that doesn't want to do anything in regards to this situation. Strahan then expressed his appreciation to the citizens who have called their legislatures with concerns.

Commissioner Herschend asked if Mr. Strahan has brought any employees back to his office? James Strahan explained that he has brought back two appraisers in order to not fall into non-compliance with the State Tax Commission. Commissioner Herschend asked when Strahan wanted to address the payment of benefits? Commissioner Herschend adding that Bob Paulson has been working on it and has done an excellent job. Strahan stated that he can come back to discuss that issue towards the end of the meeting.

CASEY ROAD AND GREAT RIVER AGREEMENT

Commissioner Herschend explained that the county has a contract with an engineering firm to do preliminary work on Casey Road and that firm has come back with an offer to finish the engineering. Commissioner Herschend added the Jacob Rock, Road and Bridge Engineer has gone out to find the best value for the citizens of Taney County and found another firm that would finish the detail needed at a better price.

Commissioner Herschend made a motion to approve Great River Engineering to complete the Casey Road engineering so the county can move forward with the project at a not to exceed \$65,000 limit. Jacob Rock clarified that the other firm who was doing the work said it would be \$126,000 to complete. Commissioner Herschend emphasized that Great River Engineering is approximately half of the amount of the other firm. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

SHORTY COOPER ROAD

TANEY COUNTY COMMISSION RECORD

JACOB ROCK

Jacob Rock, Road and Bridge Engineer presented the proposed plans for Shorty Cooper stating that it is going to be a 19% grade and they have to move the sewer line up the hill in order to incorporate the grade. Rock added that by doing that it will keep the entire road on county property and that he has preliminary plans drawn out, which he will present to the Commission tomorrow.

Commissioner Strahan expressed that he would like to look at them to see the percentage of incline and how it is laid out.

Commissioner Pennel asked about the issue of buying the next lot? Rock stated that he would get back with Spencer to get more information about that issue.

Commissioner Herschend expressed a concern about the timing when dealing with moving sewer line plus finishing grade on the road and building foundation. Herschend expressed that if the purchase of land would take any time at all, then he would ask to accept what Spencer brings them and to make a decision within the next 48 hours.

Commissioner Strahan made a motion to table this issue until later today in order to have time to get more information from Spencer. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BUDGET CONCERNS CAROL DAVIS

Commissioner Herschend expressed that he asked Carol Davis, Public Administrator to address the Commission in regards to court ordered fees and expenses that are outside of her control but is now affecting her ability to finish her work for the year because she is outside of her budget parameters.

Carol Davis, Public Administrator stated that this was already discussed on October 2, 2006 in regards to transferring funds from the GCR Contingency Fund to the Public Administrators Line Item Account in which these court ordered fees were taken out of. Davis added that the court ordered fees are actually \$2,435 however she recovered some of those fees from last year so she is requesting \$2,367.02 to be transferred.

Commissioner Strahan asked if she would have any more fees before the first of the year? Davis clarified that she will not have any more fees.

Commissioner Herschend reminded the Commission that there were some discussion and several junctures to moving court ordered fees/expenses outside of the budget so they wouldn't impact her department but expressed that he feels it masks the real cost of this department.

Commissioner Herschend made a motion to transfer \$2,367.02 out of the GCR Contingency.

Rick Findley, Auditor expressed that he would like to see them make a motion to allow Davis's department budget to go over that amount so it will show up in her department but not count against the amount that she can spend. Findley added that otherwise they are transferring within a budget being that GCR is a budget made up of different departments and therefore he doesn't think it is a good idea to transfer. Findley clarified that as long as it is in the minutes, then the budget is okay to go over that amount and it should be covered.

Donna Neeley, County Clerk expressed that she understands Davis's concern of having her budget publicly show that she is over and the only way to solve that would be for the Commission to increase her budget in order to show that amount. Rick Findley clarified that is why he suggested it be put in the minutes, so anyone who has a concern about it, can refer to the minutes. A general discussion ensued.

Commissioner Herschend made a motion to allow the Public Administrator's Budget to go over \$2,367.02 because those are expenditures that she has no control over. Commissioner Pennel seconded the motion.

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Bob Paulson, County Counselor asked what the nature of the fees was? Carol Davis explained that she works with mentally disabled and elderly people and a lot of them have no funds and there are times when she is contacted by nursing homes or family services and asked to petition the court for guardianship. Davis added that there are times when attorney fees have been carried over and there was a petition from the judge for attorneys to be paid these fees. Davis stated that the court believes the attorney's who have been asked to come in and represent these people should be paid. Bob Paulson then clarified that the county picks up the attorney's fees. Commission Herschend added that the county picks up all fees when the people have fees and no assets to pay them.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Carol Davis then stated that it was agreed mileage would be taken out of the fees that are paid into the Public Administrator GCR Funds and that her mileage started there but the account has also gone over by \$326.50 and requested this amount also be transferred back into that line item.

Commissioner Herschend expressed he cannot support that because it is a line item she can control being that she knows what her mileage is and how many trips she is making. Davis responded that she is required to visit her wards of the court and she tries to see them quarterly however there are some that she sees monthly. Davis added that she could control her mileage by not seeing them but feels she should see them. Herschend stated she makes that decision and the law requires her to visit them once a year, which is what she was budgeted for her based on what she thought she would need for mileage.

Commissioner Pennel commented that the \$326 is not going to make her budget go over as a whole.

Commissioner Strahan commended Davis on wanting to visit her wards as much as possible however he agrees that all departments have line items and can't go over.

PRIOR MINUTES

Commissioner Pennel made a motion to table the minutes from the State Tax Commission, November 16, December 6, 7, 12, and 14, 2006.

Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable warrants #98405-98505 and manual warrant #4602. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

COURTHOUSE CLOSED FOR CHRISTMAS

Commissioner Herschend reminded everyone that the courthouse will be closed next Monday December 25, 2006 for Christmas and therefore the meeting will be held next Tuesday December 26, 2006.

TITLE III

Donna Neeley, County Clerk updated the Commission in regards to Title III Monies stating that she has only received one application from Bradleyville School District and as of this date she has not received any receipts. Neeley added that they currently have \$17,214.28 left in the account and that she has nothing to publicize because she has nothing that meets the proper criteria.

Commissioner Herschend asked if Neeley sends them any correspondence when they are not in compliance? Neeley responded that she sends them notice explaining they are in non-

TANEY COUNTY COMMISSION RECORD

compliance along with the next date and deadline on when to receive information. Neeley then read the following letter to these entities:

The Taney County Commission has asked me to inform you that as of today they have not received any receipts for Title III Funding. The next date for submission of a project in order to receive Title III Funding is December 1, 2006. If invoices are received for previous project, then new projects will be considered.

Donna Neeley added that the letters crossed each other in the mail and she sent this letter then received their application right after that.

Commissioner Strahan stated that he has had two people call since then asking when the next date is for Title III applications. Neeley stated that June 1, 2007 is the next deadline and added Mark Twain School District has sent invoices but not an application.

Commissioner Strahan expressed these places need money and that it is a simple matter of following state and federal regulations. A general discussion ensued.

BOARD APPOINTMENTS

Commissioner Pennel stated this week will be Ed Acres last Planning and Zoning meeting and that Bonita Kisse, Planning and Zoning has fixed a certificate, thanking him for his service. Commissioner Pennel went on to state that last week the Commission had appointed Carl Pride from Forsyth to the Board of Adjustments and Jerry Juske to Industrial Development Board.

PARK BOARD MEETING

Commissioner Strahan stated that the Park Board met and Fred Wippich, who has been the Secretary/Treasurer of the board, has sent in a letter of resignation. Strahan expressed that Wippich has served the board very well and his reason for resigning is so he can take some time off to do some traveling. Strahan further stated they are looking for another person to fill the vacant position.

ASSESSORS OFFICE BENIFITS

Bob Paulson, County Counselor explained that James Strahan, Assessor had to go to Kirbyville and he told Bob, in accordance with the memo he sent out, that his call back date is January 28, 2007.

Commissioner Herschend stated he sees in a letter from Mr. Paulson that he has contacted the unemployment office, the attorney for association of counties, and insurance company and they are all in agreement with the county being able to extend health and benefits for a period of less than eight weeks. Paulson clarified that it is less than eight weeks according to unemployment however, the counties insurance policy requires if they are laid off in one month, that they return to work prior to the end of the next month or there is an interruption.

Commissioner Herschend made a motion for the County Commission to extend benefits to those employees from the Assessor's Office who have been laid off.

Rick Findley expressed that he doesn't know if the motion is needed and explained James has written a request saying that he will come to the Commission to make sure there are no legal ramifications involving benefits being paid otherwise Mr. Strahan has already instructed Findley to do it as proprietor of his funds.

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Commissioner Herschend explained that he wants it to be in the minutes because Mr. Strahan is setting a precedent for the county to pay for employees who are not working.

Commissioner Strahan seconded the motion and asked how many employees are left to be called back? Paulson stated that he doesn't know.

Commissioner Herschend asked for clarity as to what benefits are being paid? Bob Paulson answered that they are not to get any salary whatsoever whether it be holiday or otherwise. Commissioner Herschend clarified that all the county is extending is the payment of their insurance. Paulson added that it is just on the health insurance. Commissioner Herschend then asked about the death benefit? Rick Findley they are not paying anything as far as salary.

Commissioner Herschend amended his motion for the extension to include both health insurance and death benefit. Commissioner Strahan amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel expressed that he would still like to see James Strahan bring his people back to where they are working and not laid off.

Commissioner Herschend agreed and further expressed that one BOE document was twelve pages long because the Assessor's Office is behind and under a lot of pressure to serve the public. Herschend expressed a concerned that things are not being done to the high level of excellence in which people have become accustomed too.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).



DECEMBER 19, 2006 THE 30TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

INTERGOVERNMENTAL AGREEMENT MERRIAM WOODS, ROCKAWAY BEACH, TANEYVILLE

The commissioners reviewed the intergovernmental agreements between Taney County and the municipalities of Merriam Woods, Rockaway Beach, and Taneyville. Commissioner Strahan made a motion to accept the agreements. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (aye), Strahan (aye), Herschend (absent).



DECEMBER 26, 2006 THE 31ST DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

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SPRING MEADOWS

Allen Nugent, Chairman of the Spring Meadows Homeowners' Association, spoke to the commission regarding the county maintaining the roads in the Spring Meadows neighborhood adding that they have been maintaining their roads and had them resurfaced three years ago. Mr. Nugent shared his feelings that Spring Meadows Parkway, which he reported has already been taken in to the county road system, needs 'no parking' signs, on at least one side of the road, due to the narrowness of the road, and expressed a need for emergency vehicles access and snowplows. Mr. Nugent explained that residents have been told to move their vehicles on snow days and offered for the homeowners' association to continue to do snowplowing after the county takes in the roads.

Commissioner Herschend explained that the Homeowners' Association should discuss this before they decide to come into the county system, as the county would not want any liability associated with the homeowners' association working on a county road.

Mr. Nugent further stated that there is an issue with a chain link fence that is on the property of a neighbor, who is not a member of the homeowner association adding that the property is at Katella and Maplewood, and clarified that he thinks the fence is on the county's right-of-way.

Commissioner Strahan asked Mr. Nugent about the Homeowners' Association, as he had been out to view the neighborhood and was unable to locate members? Mr. Nugent informed that the new officers took their seats in July and that all three current board members live on Northfork Drive.

Jacob Rock, Road & Bridge said there is a tree that is in the line of sight, water valves at the end of the cul-de-sac which need to be counter sunk, a soft spot in the pavement on Northfork, and that he is also concerned with the width of the roads, even though there are reportedly fifty-foot right-a-ways.

Commissioner Strahan commented that the Homeowners' Association has the authority to do something about homeowners parking on the side of the roads. Commissioner Herschend requested that Jacob meet with the association to discuss the resolution of various issues and get a commitment in writing, before the roads be taken into the county system. The issues include: verifying the fifty-foot right a ways, the fence, possible platting issues, the tree, parking, the soft spot in the road, and snowplowing. Commissioner Strahan recommended contacting Road & Bridge about signs regarding vehicles parked on the side of the county road that lead into the subdivision. Mr. Nugent shared there is a tour bus that parks on the road for weeks at a time, causing a hazard and added that a child was killed there in recent years.

Commissioner Herschend made a motion to table, until the above issues have been addressed. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PROPERTY & SEWER ISSUES BRENDA GORDON

Brenda Gordon addressed the commission in regards to a home she purchased on Victor Church Road. Gordon explained that she has been given a violation notice by the Sewer Department of Taney County saying she is in violation and needed to have the problem resolved within fifteen days. Gordon informed the commission that she has been trying since last spring to figure out and correct the problem and according to her seller's agreement, there were no septic problems, nor any previous septic problems. Gordon went on to state that she had the home inspected before purchasing and no problems were reported however, she has since learned that there are and have been reoccurring problems. Gordon asserted that she wants to have the problems corrected, but has experienced difficulty in so doing, and cannot have the situation resolved within the fifteen days given in the notice. Gordon expressed that she feels this is unfair for her to be required to resolve the problem in only a few days, when the county has apparently

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known about it for seven years, and that she has known about it for only ten months. Gordon added that she has not heard back from the sewer supervisor, and has contacted several people about the problem but cannot find anyone to fix the problem at this time.

Gordon further stated that Richard Tillis, who built the house in 1999, was given two different notices about the septic (in 2000 and 2004), and that there is no county documentation that he was ever required to resolve the situation.

Commissioner Herschend addressed the issue, as he oversees sewer issues and apologized to Ms. Gordon for the problems in dealing with the county. Commissioner Herschend expressed that he could help her in working with Vince Chinell and the county. Commissioner Herschend further said that, with the commission's concurrence, the fifteen-day notice, would be rescinded, and that he would contact John Souttee, Mr. Chinell's supervisor at the county sewer department in regards to this issue.

STATE TAX COMMISSION AND TANEY COUNTY ASSESSOR'S TAX ISSUES STATE REPRESENTATIVE DENNIS WOODS

Representative Dennis Woods, 62nd District shared that the reason he is speaking today is because of a dispute between Taney County and the State Tax Commission (STC).

Representative Woods stated that he is not an attorney, nor is he an expert at assessing property in Taney County and that he is here to share his opinion, which is not necessarily representative of the State of Missouri, nor of the County of Taney, but as a caring citizen of the area.

Representative Woods further expressed that he feels it is a privilege to represent the people living in this area. Representative Woods shared a story from his father, who is ninety-one years old, from the 1930's, which involved their chicken house and their livelihood. He told of his father going out to the chicken house in the middle of the night, in his nightshirt with his shotgun, after hearing a rustle. Prepared to shoot the intruding animal, he was startled by a hound dog licking him, and ended up shooting some chickens. Representative Woods point was that while his father was prepared to do one thing, because of other things happening, the gun went off when he had not planned, and they ate chicken for about a week. Representative Woods believes that both the Taney County Assessor and the STC are trying to do what they think is right, and serve the people of Taney County, however he is afraid that if the impasse continues, "we will have to eat a lot of chicken". Representative Woods expressed that he believes a solution needs to be found, so that the people of Taney County will be well served.

Representative Woods relayed that he received a telephone call from the Taney County Assessor in October, telling him of the impasse and the withholding of funding and that he spoke to the STC and with his colleague, Maynard Wallace, although he is speaking only for himself today. In researching the issue, he found that the government created the STC, in 1979, by court order, to insure that the tax assessments were being done the same across the state in all 114 counties, as they were not, reportedly, at that time. In 1985, the state spent \$125 million across the state, to make sure that the tax assessments were being assessed equally across the state.

Representative Woods clarified that tax assessments and tax rates are not the same; that tax rates are set by the political subdivisions, and that the assessor is not involved in setting the tax levies, and therefore does not set the taxes. He explained that all of the values have changed in all of the counties and believes that the dispute comes from the state saying that all of these should be assessed on an equal basis. He said that after being contacted by Assessor Strahan, in October, he began working diligently with the STC to reach a resolution and shared that the index seems to be in dispute. Representative Woods said that he has been told, and provided in writing, the following indices: Stone County, 2.20; Christian County 2.20; Douglas County 2.20; Howell County 2.20; Lawrence County 2.30; Ozark County 2.20; Webster County 2.20; and Taney County 1.90. Representative Woods explained that from his novice point of view, it appears that either all of the surrounding counties' indices are incorrect, or there is the possibility that Taney County needs to look, realistically, at readjusting the index. Representative Woods admitted that he does not know who is right or wrong; he is only pointing out that all of the counties around Taney have the higher index, and that Taney does not. Representative Woods has asked the STC, and Mr. Bruce Davis, STC Administrator, in particular, to negotiate and acknowledged that he was pleased the county assessor was present, as he would like to hear more from Assessor Strahan, and feels confident that the assessor is doing what he thinks is right for the people of Taney County. Representative Woods added that he thinks the state has made an effort to settle, for now, for an index of 2.12, which would still be less than any of the counties around Taney. Representative Woods expressed that his understanding is that the reason that the STC is withholding the funding from Taney County for two quarters now, is because they are responsible for paying one-half of the cost of the assessment office, and thereby has the authority

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and right to examine and ask for equality across the board, and that this is their way of holding the county accountable. Representative Woods added that he absolutely hates that the state has withheld their share of funding for two quarters, that it is unfair to the county and the assessor's employees, whom have been unjustly served and asked if the county had offered to pay the employees out of county coffers?

Commissioner Herschend responded that the offer was made but that currently the county is only paying the benefits on those who are unemployed. Representative Woods stated that he wants it to stop, reiterating that he does not know who is right or wrong, and that he is not here to resolve it himself, rather his role is as an intermediary, to make the county and the state aware that it has gone to far, and that the issue needs to be resolved, so that the people can be better served.

Commissioner Herschend thanked Representative Woods for letting the commission know what he has been working on, and said that he would appreciate Representative Woods addressing the two-year plan, with the STC. Commissioner Herschend's stated that his understanding is that the county and the state agreed to the two year plan, that in April the state was okay with the plan, but by October, the state was not satisfied with the plan, and therefore, not going to pay. Representative Woods claimed that he has begged the STC to release at least one quarter of funding, as to not hurt the citizens of Taney County, and to resolve the issue over the next quarter or two. He says that the STC response is that what is hurting the citizens is the lack of correct assessments, that some citizens are paying more of a share than others, and that the state feels that they have made offers to negotiate, but that the county has not reciprocated. Representative Woods reassured that he does not know who is correct; that he is working between the county and the state to resolve the problem.

Presiding Commissioner Pennel said that he signed the plan, and would like Representative Woods to ask the STC if they are following the plan that was signed, or if their action is contrary to the plan. Presiding Commissioner Pennel thanked Representative Woods for his assistance, but said that he doesn't see anything different today, that would prevent the issue from going to court. Representative Woods stated that he hates taxes, that taxes haven't been raised while he has been in office, and does not plan for them to be raised, but that he does not feel that going to court on this issue would be the best use of the taxpayers' money.

Rick Findley, County Auditor informed Representative Woods that if his valuation would be raised to the 2.12 index, this would increase his taxes. Representative Woods commented on the CSI, which would not allow an increase of more than three percent in a year; that the levies would have to be adjusted and as a realtor, shared that property values in this area have been going up.

Commissioner Strahan said that he feels it is disgraceful for the STC to offer a small percentage of what is already owed to the county adding that there would be a whole lot of eastern county people eating chicken if they don't stand behind our position with the STC. Representative Woods explained that the state is saying the county is not completing the service they have asked the county to do, and that is why the state has not paid the county. He is not saying that the state is right, but that they are not picking on Taney County, that the state is just trying to do its job, as is Taney County, referring to the assessor as the commissioner's brother. Commissioner Strahan asked Representative Woods to refer to the office holders by title, rather than by family affiliation. Furthermore, Commissioner Strahan commented that he is not agreeing with the Assessor because they are brothers, that he agrees with the assessor on this issue.

Presiding Commissioner Pennel invited the Taney County Assessor, James Strahan to respond. James Strahan, County Assessor expressed that he does not believe the STC has spent a lot of time on the issue adding that he will be sending a Sunshine Law request, to the STC, as to where the state is getting their information. James Strahan claimed that the state has gone outside of their normal scope to get their information and asserted that the STC has asked him to do a massive study in 2007. He is to do a study of 1100 parcels to receive funding, but he feels that the state doesn't want to pay. Assessor Strahan reported that his staff has already visited each of these parcels, since the meeting with the STC (in November). He stated that he has never been out of compliance and that he has never been issued a letter to say so and that only last week, he received a letter from Randy Turley, saying that he may have been out of compliance one day at the end of June. The assessor expressed that he believes Representative Woods'

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report of like indices in the area, serves to substantiate that the state is pushing counties to set like indices and market value is established by the sale of homes in the area. The index is only one factor of many, the assessor relayed, and that the index is the only study that Bruce Davis can relate to the representatives to try to discredit Taney County. Assessor Strahan said that the indices are meant to be varied for different locations, and that the STC hasn't looked at the increases in land values that have been assessed. The land value increase is fifteen percent, \$136 million, since the (2007) reassessment has begun and stated that for Taney County to be in compliance, it must be between 90 and 110 of compliancy of the sales studies, and that the county is in the 90's range. The county has now been issued a letter stating that it is out of compliance on the school equivalency ratio, which the assessor relates is a different thing. James Strahan went on to say, that according to Statute 138.395, the STC can hold out 15% of the funding in the first quarter of 2007. The assessor's study shows that the county is in compliance and he believes that the STC does not want to give documents that would allow the county to take the state to court. James Strahan said that the state doesn't look at any of the evidence that he provides and reiterated that he has raised land values, as that is where the increase has occurred. The assessor stated that the county has never been out of compliance and feels he has not had full support, not because the people do not want to support him, but because they do not have the correct information. He feels that the STC should have to have restraints, as do other government bodies and agencies. Assessor Strahan said that material costs are up because of Hurricane Katrina, and in reaction, the STC wants increases in the ratio. The assessor thanked Representative Woods for his presence and his assistance, as well as the help of the other representatives.

Presiding Commissioner Pennel asked about the assessor's comment about a lack of documentation for a legal case and asked if the withholding of funding isn't evidence? Commissioner Strahan told Representative Woods that the county did try to present evidence to the STC, and that when Commissioner Herschend handed it to them, they shoved it back at him. In response, Representative Woods said that he does not speak for, nor represent the STC; he represents Taney County. Commissioner Strahan asked Representative Woods to inform the governor as well.

CHUCK PENNEL FOR ROAD & BRIDGE

Commissioner Herschend made a motion to table the issue until this afternoon and that the deadline for municipalities be extended until January 31, 2007. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (aye), Herschend (aye), Strahan (aye).

OPT OUT TAX LEVY SUBCLASS

Commissioner Herschend made a motion to table the opt out tax levy subclass until December 27, 2006. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (aye), Herschend (aye), Strahan (aye).

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes for December 6, 7, 12, 14, and 16, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (aye), Herschend (aye), Strahan (aye).

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to table accounts payable, until 1:00 pm, for further review. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (aye), Herschend (aye), Strahan (aye).

BOB SCHANZ

Bob Schanz thanked Representative Woods for being at the meeting and thanked the assessor for addressing the issue as well. Mr. Schanz said that he also has an issue about Lady Bug Lane and explained that he had a conversation with Jacob Rock, from Taney County Road

TANEY COUNTY COMMISSION RECORD

& Bridge, about the road. Mr. Schanz claimed that Mr. Rock told him that he exaggerates and if he doesn't like it, he should move somewhere else. Mr. Schanz expressed that he feels this was uncalled for and that an employee behaving this way should be fired, adding that the county should have rules that would prevent the kind of problems that exist in his neighborhood from occurring. Mr. Schanz then showed pictures of the area to the commissioners.

Commissioner Herschend asked if the county had started a nuisance order in this area? Presiding Commissioner Pennel replied that this has begun, and that an issue was raised about a car and a boat that belong to Mr. Schanz about which neighbors are complaining.

BARRICADE OLD HIGHWAY 65

Commissioner Herschend asked if the county could barricade the old Highway 65, which goes by the Top of the Rock Restaurant and the new highway, as it has contributed to vandalism problems for Top of the Rock, while the process of abandonment occurs. Commissioner Herschend added that both sides of the road are owned by Top of the Rock.

Commissioner Strahan requested to physically review the area first, as he received a telephone call from a property owner in that area.

Art Beck questioned the county's authority in this area. Commissioner Herschend informed that the county had to take over this area, so as to not increase the amount of state highway, and had to do this in the Hollister area as well. Commissioner Herschend clarified that he is not asking to close the road permanently.

THREE RIVERS ENGINEERING SHORTY COOPER STREET GRADE

Commissioner Pennel stated that he informed the City of Forsyth that the county has received a report from Three Rivers Engineering, regarding the grade of the street where Shorty Cooper Street is to be relocated. Forsyth City Councilman Buddy Roberts was present and asked about the slope. A discussion ensued.

RECESS

Presiding Commissioner Pennel made a motion to recess at 11:15 a.m. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENE

The County Commission reconvened in the County Commission Office at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve accounts payable warrants #98405-98505 and manual warrant #4602.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by Lisa Owen and Abigail Maxwell via telephone



TANEY COUNTY COMMISSION RECORD

DECEMBER 27, 2006 THE 32ND DAY OF THE OCTOBER ADJOURN TERM

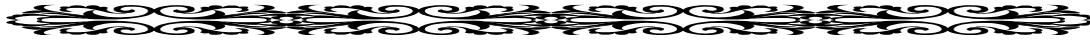
The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

General County Revenue Warrants	102066 – 102068, 102106, 102108 - 102141
Road & Bridge Trust Warrants	102070 – 102100, 102107
Assessors Fund Warrants	102069, 102101
Transfer Station Warrants	102102 – 102105
911 Warrants	None
Manual Warrants	4606 - 4607
Accounts Payable Warrants	98635 - 98643

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yes), Herschend (absent), Strahan (yes).



DECEMBER 28, 2006 THE 33RD DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 12:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TABLE ROCK ASPHALT

CONTRACT

Commissioner Pennel made a motion to approve the contract with Table Rock Asphalt on paving Shadow Rock Trail. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yes), Herschend (absent), Strahan (yes).



TANEY COUNTY COMMISSION RECORD

**DECEMBER 29, 2006 THE 34TH DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

RODNEY DANIELS AGREEMENT

Presiding Commissioner Pennel made a motion to table the Rodney Daniel Agreement. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (aye), Herschend (absent), Strahan (aye).

BOARD OF EQUALIZATION

Presiding Commissioner Pennel made a motion to table BOE. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (aye), Herschend (absent), Strahan (aye).

JUDICIAL FACILITY RICK FINDLEY

Rick Findley, Auditor explained that the Commission needed to turn in a draw, in order to spend the bond money to pay bills for the new judicial center.

PUBLIC ADMINISTRATOR BUDGET CAROL DAVIS

Carol Davis, Public Administrator asked the Commission for additional funding for staff and discussed a \$2000 line item for court ordered expenses for the indigent. The Commission approved salary for an additional day making a total of two days per week of part time assistance.

Presiding Commissioner Pennel made a motion to approve the Public Administrator's budget at \$86,015.60. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (aye), Herschend (absent), Strahan (aye).

BUDGET APPROVAL

Presiding Commissioner Pennel made a motion to approve the budget with total appropriations of \$50,284,948.74. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (aye), Herschend (absent), Strahan (aye).

INSURANCE

The Commission discussed insurance adding that it was last bid in 2004 and with MOPERM, liability and property insurance do not have to be bid. Pat Connell, Connell Insurance stated that property coverage went up 4%, as did the premium.

Commissioner Strahan requested adding coverage for the well at the Mincy Park. Coverage would include replacement cost with earthquake and flood coverage, and equipment breakdown, with a deductible of \$2500.

Commissioner Strahan made a motion to renew the property and equipment insurance with Connell Insurance and MOPERM insurance. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (aye), Herschend (absent), Strahan (aye).



**JANUARY 2, 2007 THE 35TH DAY OF
THE OCTOBER ADJOURN TERM**

TANEY COUNTY COMMISSION RECORD

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BOARD OF EQUALIZATION APPOINTMENTS

Donna Neeley, Taney County Clerk, informed the commission that they would need to set the annual appointments to the Board for Equalization by next Monday, pursuant to statute 138.085, and 138.010. Neeley added that the commission has the ability to add others to the board.

Presiding Commissioner Pennel asked the Taney County Assessor, James Strahan, for input. Assessor Strahan expressed that he feels the county currently has a good procedure, pointing out that if people are dissatisfied with an outcome, they can go through the State Tax Commission. The County Clerk, Donna Neeley responded that as long as board members are available to approve or refuse abatements, her office is satisfied with the process. Presiding Commissioner Pennel replied that the commission would review this, and set it for next Monday's agenda.

FORSYTH CHAMBER OF COMMERCE MEETING

Presiding Commissioner Pennel announced that the Forsyth Chamber of Commerce had invited the commission to speak at the next meeting, which will be next Wednesday, January 10, 2007, from 11:30am to 1:00pm. Pennel added that the meeting would be a luncheon at the Honeymoon Hotel in Forsyth.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to table approval of minutes, for further review.

Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Strahan (yea), Herschend (absent).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #98644-98701 and manual warrant #4608. Presiding Commissioner Pennel seconded this motion. The motion carried by a vote of two: Pennel (yea), Strahan (yea), Herschend (absent).

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded this motion. The motion carried by a vote of two: Pennel (yea), Strahan (yea), Herschend (absent).

RECONVENE

The County Commission reconvened in the County Commission Office at 11:50 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

DEAN ROAD CONTRACT EFK MOEN

Commissioner Strahan expressed his belief that a motion had already been made to approve the Dean Road Contract with EFK Moen adding that the contract has already been signed by the Presiding Commissioner on an earlier date.

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Bob Paulson, County Counselor advised that no money could be paid for work completed, prior to valid execution of a written contract.

Commissioner Strahan advised that no work has been done yet on the contract and in the event that no motion has been made to approve the contract or if it did not get recorded in the minutes, then he made a motion to approve and/or ratify as of this date the contract with EFK Moen on Dean Road. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by: Lisa Owen and edited by Hillary Bargman



JANUARY 3, 2007 THE 36TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 12:03 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED TANEY COUNTY SOIL AND WATER

Presiding Commissioner Pennel made a motion to approve warrant #4609, for Taney County Soil and Water. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).



JANUARY 5, 2007 THE 37TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 8:37 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

BUDGET EXPLANATION

Bob Paulson, Taney County Counselor, Rick Findley, Taney County Auditor, and Dawn Erickson with KRZK Radio and the County Commission met to supply explanations to Ms. Erickson concerning the budget.

RECESS

9:05 a.m.

RECONVENE

The Taney County Commission reconvened at the Office of the County Commission on January 5, 2007 at 1:20 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

QUICK CLAIM DEED

Presiding Commissioner Pennel made a motion to approve a quick claim deed from Douglas and Alice Kowalski for an easement off of Carter Road, and an order for direct deposit of payroll. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

TANEY COUNTY COMMISSION RECORD

RECONVENE

The Taney County Commission reconvened at the Office of the Taney County Commission at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

OLD TANEY COUNTY JAIL SHADOW ROCK PARK

Mr. Leon Combs and Ms. Donna Clevenger asked for assistance with the old Taney County Jail, in Shadow Rock Park, and presented several ideas. Ms. Clevenger explained that she talked to Allen Griffin at the Corp of Engineers Project Office in Mountain Home and Alice Best in Little Rock and suggested that since the City of Forsyth has a lease, it could be turned over to the county.

Bob Paulson, County Counselor explained that the county could do a sublease, from the city or the historical society, in the amount of \$1 for the remainder of the current lease, and then do a fifty-year lease.

Presiding Commissioner Pennel asked about the importance of getting a sublease from the historical society? Paulson responded that it would justify using county funds to improve the park building. Ms. Clevenger remarked that they would need someone to solicit possible employees, and then make recommendations. Mr. Combs talked about hiring a director or curator, suggesting a salary of \$25,000.

Commissioner Strahan recommended finding someone who was knowledgeable about grant writing. Mr. Combs agreed, saying that it should be someone who would go to the right families to get donations.

Presiding Commissioner Pennel said that he would like to have someone on board. The Historical Society will form a search committee. Mr. Paulson added that if it would be part of the park system, the employee would need to be a county employee, and if not a park of the parks, the county would need to give the historical society the funds instead.

The Commission offered \$50,000 in funding. Mr. Combs offered to make a \$10,000 donation, to establish an account for donations, separate from county revenues. Mr. Combs added that he would like to see an addition to the old jail, on the north or northeast side, to serve as museum space. It was decided that the group would meet again on the January 13, 2007 at 10:00am at White River Real Estate.