

# **OFFICIAL MINUTES**

## **AUGUST 8, 2011, 10th DAY OF THE JULY ADJOURNED TERM**

The County Commission met in the Commissioner's Hearing Room at 8:40 am with Ron Houseman, Danny Strahan and Jim Strafuss present. The following proceedings were had and made a matter of record:

### **PRELIMINARY STUDY MEETING (COMMISSIONER'S HEARING ROOM)**

The County Commission met to review previous meeting minutes and accounts payable.

### **PUBLIC COMMENT**

There were no public comments.

### **CALL TO ORDER**

Presiding Commissioner Houseman called the August 8, 2011 meeting to order at 9:04 am with all members present.

### **PRAYER**

Commissioner Strafuss led the prayer.

### **PLEDGE OF ALLEGIANCE**

Commissioner Houseman led the Pledge of Allegiance.

### **LETTER FROM JOPLIN**

Commissioner Houseman read a letter from the City of Joplin thanking Taney County for their immediate assistance following the tornado of 2011. Commissioner Houseman commended the two crews sent to Joplin for doing a phenomenal job of representing Taney County.

### **PREVIOUS MEETING MINUTES – 7/7, 7/11, 7/13, 7/18, 7/21, 7/25, 7/28, 8/1**

Commissioner Strafuss moved to approve the minutes of 7/7, 7/13, 7/18, 7/21, 7/25, 7/28 and 8/1/2011 with changes as noted. Commissioner Houseman seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**ACCOUNTS PAYABLE/JOURNAL ENTRIES/TRANSFERS**

Commissioner Strafuss moved to approve accounts payable and warrants as follows, holding out 325547 and 325506:

**ACCOUNTS PAYABLE**

DATE 8/8/2011

CHECKS		WARRANTS	
<u>325455</u>	to <u>325559</u>	<u>5460</u>	<u>        </u>
<u>325560</u>	to <u>325566</u>	<u>5461</u>	<u>        </u>
<u>        </u>	to <u>        </u>	<u>5462</u>	<u>        </u>
<u>        </u>	to <u>        </u>	<u>        </u>	<u>        </u>
<u>        </u>	to <u>        </u>	<u>        </u>	<u>        </u>

Please sign and date that you have reviewed the included information.

Date	Time	Signature	Comments
8/5/2011	1:00pm	jj	

Commissioner Houseman seconded the motion for discussion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strafuss moved to postpone approval of checks 325547 and 325506 to a definite time of 1:25 pm. Commissioner Strahan seconded the motion for discussion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Check 325567 replaced check 325506 for Keck & Austin.

**MONTHLY BUDGET REPORT**

Auditor Rick Findley addressed the Commission for questions regarding the Monthly Budget Report. Commissioner Houseman spoke regarding county policies on accounts payable and how the budget was affected. Rick Findley said he would give the Commission procedures and

policies. Mr. Findley suggested the employee handbook include policies such as cell phone and credit card usage.

### **HPRP GRANT ADVANCE FUNDING**

The Commission approved and signed the HPRP Grant Advance funding.

### **STAFF DEPARTMENTAL UPDATE – IT**

Interim IS Director Mark Rys addressed the Commission with an update on the Information Technology department. A handful of issues had been addressed; one issue being that the department was disconnected from the other county offices. This issue was resolved by having the employees use the on-line support ticket system. Mr. Rys stated that the phone answering system in the IT department had been modified, and discussed excessive unused phone lines and numbers for the County that could be redirected to enable phones not in use. Overall, Mark Rys felt the department was running fairly smooth.

### **EXECUTIVE SESSION – PERSONNEL PER SECTION 610.021(3)**

Commissioner Strafuss moved to go into Executive Session pursuant to RSMo 610.021 (3). Commissioner Strahan seconded the motion. The motion passed by roll call vote: Houseman (aye), Strafuss (aye) and Strahan (aye).

### **EXECUTIVE SESSION 9:34 AM**

See Executive Session minutes for actions if any.

Commissioner Strafuss moved to go out of Executive Session. Commissioner Strahan seconded the motion. The motion passed by roll call vote: Houseman (aye), Strafuss (aye) and Strahan (aye).

### **OUT OF EXECUTIVE 12:31 PM**

### **RECONVENED 1:29 PM**

### **BANK OF AMERICA FUNDS – COLLECTOR LETTER**

County Collector Sheila Wyatt met with the Commission to inform them of the Bank of America Collectors main account. She informed them that as of July 2009 we changed bank accounts. In October, the account was closed, however they continued to collect ACH payments if offered; then charged them fees. As payments were accepted, she would contact depositors and have them get the funds back. Early in 2010 bank statements were received with this amount deposited in that account again. Sheila contacted the Department of Treasury, and the Secretary of Housing, but the contact number was no longer good. Funds were held until the outside

auditor Andy Marmouget, from Davis, Lynn & Moots visited. He suggested she make the County Commission aware of the problem, and have them request the funds. Ms. Wyatt sent a certified letter asking if these funds belonged to the Missouri Housing Department, Department of Treasury, and she received a signed receipt back, yet had not received a reply. She had the check in the Collector's account and would like to roll the check to the County Treasurer to go into County GCR, along with documentation. Commissioner Houseman agreed completely to follow the outside auditor's advice.

Commissioner Strafuss moved to accept the check with the County Collector's letter of explanation to be deposited into the General County Revenue. The letter follows:



## Office of the Taney County Collector

Sheila L. Wyatt, Collector  
Ph 417-546-7216 \* Fax 417-546 3525

P.O. Box 278  
Forsyth, Missouri 65653

August 8, 2011

To: Taney County Commission

Re: Bank of America Funds-Collector

I am turning over a check received from Bank of America in the amount of \$2,795.32 to the county treasurer. Deposits were made to the collector's account that was officially closed by BOA in November and December, 2009. Later the collector received a statement with a balance of \$2,815.63. Each month BOA would take charges out of this money. The owners was recognized and contacted on three deposits. I have not had this money claimed. I have written the Secretary of Housing in regard to the funds mentioned receiving no reply. I sent a certified letter and received it back signed but no reply.

I held it until our outside auditor of Davis, Lynn & Moot came so they could examine the documents. Upon Andy's advice and discussing this with the county commission I am turning the funds over to Taney County General Fund.

Respectfully,

Sheila Wyatt

Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**ACCOUNTS PAYABLE**

Commissioner Strafuss moved to postpone to a definite time of 4:00 pm the decision on checks 325547 and 325506. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

### **FLOOD UPDATE**

Bob Atchley and Ron Erickson addressed the Commission. Commissioner Houseman stated that the Commission had agreed by consensus that Mr. Davis would proceed with the Notice of Interest and the remainder of the project would go out for bid as other companies were being solicited. Commissioner Houseman signed an agreement on Tuesday, August 2, stating the Notice of Interest would be completed by August 17, in agreement with the Commission.

Since then, Mr. Davis and Mr. Atchley met Friday, August 5, and Saturday, August 6, with property owners to discuss their intentions. After initial calculations, they spoke with each property owner and reviewed provided supporting documentation. With this information Mr. Davis could complete the notice of interest as well as the application. Of the nine owners substantially damaged, seven signed the letter of intent and an application form. Two of the six owners in the 40% damaged group proved, when documentation was provided, that they were over 50% damaged.

Mr. Davis recommended the County look at substantially damaged homes only and send a decision letter to the non-substantially damaged owners. Discussion ensued. Bob Atchley needed confirmation to proceed with substantially damaged homes only.

Commissioner Strahan moved to approve the Notice of Interest Professional Services Contract between Taney County and State and Local Emergency Management Consultants, LLC. Commissioner Strafuss seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).



**Professional Services Contract  
 Firm-Fixed Price**

Client: Taney County, Missouri	State and Local Emergency Management Consultants, LLC
Representatives: Bob Atchay, Flood Plain Manager	Project Manager: Michael Davis
Project: Hazard Mitigation Flood Buyout	Total Firm-Fixed Price: \$1,500.00

**PROJECT**

This service contract is specific to project management for the Hazard Mitigation Flood Buyout. This project will meet all federal and state standards. This will include completion of the Notice of Interest, Grant Application, Property Acquisition, and Grant Closeout.

**SCOPE OF WORK**

Per attached letter dated August 2, 2011.

**COMPENSATION**

Taney County, Missouri, agrees to compensate State and Local Emergency Management Consultants on a firm-fixed price basis in the amount shown below. Payments will be scheduled in accordance with the completion of the project.

Payment 1	\$ 900.00	At the completion and submittal of NOI
Payment 2	\$1,000.00	At the time of grant completion and submittal

**CHANGE ORDERS**

Work beyond the scope of services or reducing any part of the project through no fault of State and Local Emergency Management Consultants, shall constitute extra work and shall be paid for on a time-and-materials basis in addition to any other payments provided for in this Agreement. Client and State and Local Emergency Management Consultants, LLC, agree to negotiate in good faith any changes that have the potential to impact the cost, terms and conditions or schedule of this Agreement.

377 East 130th Street, Project Management Consultants, LLC  
 64602-2477, Ames, IA 50010-2477 | 785-473-8060 | <http://www.slemc.com>  
 Equal Opportunity Employer, Minority and Women Owned Business Enterprise

**TERMINATION**

This agreement may be terminated by either party upon ten (10) days written notice to the other. In the event of a termination, Client shall pay for all reasonable charges for work performed and costs incurred by State and Local Emergency Management Consultants, LLC up to the receipt date of notice of termination. This limitation of liability and indemnity obligations of this Agreement shall be binding notwithstanding any termination of this Agreement.

**AUTHORIZATION TO PROCEED**

This contract document signed by both parties serves as written authorization for State and Local Emergency Management Consultants, LLC to proceed with the services outlined by the Scope of Work section and the attached proposal.

All previous proposals, offers, and other communications relative to the provisions of these services are hereby superseded. Officials representing the parties below, by their signature, acknowledge that each has read and agrees to the Terms and Conditions, which are part of this Contract.

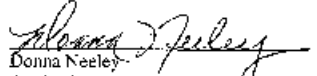
Client: <u>Lancy County, Missouri</u>	State and Local Emergency Management Consultants, LLC
By: <u><i>Ronald B. Newson</i></u>	By: _____
Title: _____	Title: _____
Date: _____	Date: _____



**ATTEST**

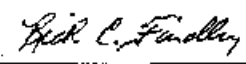
On this 8<sup>th</sup> day of August, 2011, before me personally appeared Ronald B. Houseman, Presiding Commissioner, and said Commissioner acknowledged said instrument to be his free act and deed on behalf of the Taney County Commission.

I, Donna Neeley, Clerk of the Taney County Commission, do hereby certify that the above and foregoing is the Professional Services Contract, made and entered into by the Taney County Commission and signed on this 8<sup>th</sup> day of August, 2011.

  
Donna Neeley  
Clerk of the Taney County Commission

**CERTIFICATION OF TANEY COUNTY ACCOUNTING OFFICER**

The undersigned, as Budget Officer and Accounting Officer for the County of Taney, State of Missouri, hereby certifies, pursuant to Section 50.660 RSMo, that there is a balance otherwise unencumbered in the county treasury to the credit of the appropriation to which the financial obligation imposed upon the county by this Professional Services Contract is to be charged, and there is a cash balance otherwise unencumbered in the county treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation, if any, incurred by the terms of this Professional Services Contract.

By:   
Rick Findley  
Taney County Auditor

Date: \_\_\_\_\_

Ron Erickson stated that he had completed the RFP, the notice had been sent, and it was scheduled to print Wednesday. The opening and award date for the proposals was set for Monday, August 29<sup>th</sup>. He further explained that he would contact the Information Technology department and request they post the RFP on the website.

**EXECUTIVE SESSION – LEGAL UPDATE PER SECTION 610.021(1), (2), (3) & (12)**

Commissioner Strafuss moved to go into Executive Session pursuant to RSMo 610.021 (1), (2), (3) and (12). Commissioner Strahan seconded the motion. The motion passed by roll call vote: Houseman (aye), Strafuss (aye) and Strahan (aye).

**EXECUTIVE SESSION  
2:04 PM**

See Executive Session minutes for actions if any.

Commissioner Strafuss moved to go out of Executive Session. Commissioner Strahan seconded the motion. The motion passed by roll call vote: Houseman (aye), Strafuss (aye) and Strahan (aye).

**OUT OF EXECUTIVE  
5:05 PM**

**ACCOUNTS PAYABLE**

Commissioner Strafuss moved to release check 325547 based upon the individual becoming a valid 90 day temporary employee, as per the recommendation of the County Attorney.

**EMERGENCY PAYROLL**

**PAYROLL DATE:** August 9, 2011

GCR: 112253

RB: None

AF: None

TS: None

911: None

Manual Warrants: 5463 - 5464

Accounts Payable: None

Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**K-DOCK PARKS AGREEMENT**

Commissioner Strahan moved to authorize Commissioner Houseman to sign all necessary documents regarding the K-Dock Parks agreement. Commissioner Strafuss seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strafuss moved to adjourn. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**ADJOURNED**  
**5:38 PM**

Minutes were taken and typed by Lyn Wieneke, Deputy Clerk.