

# OFFICIAL MINUTES

**JANUARY 26, 2012, 9th DAY OF  
THE JANUARY ADJOURN TERM**

The County Commission met in the Commission Hearing Room at 9:03 a.m. with Ron Houseman and Danny Strahan present and Jim Strafuss absent. The following proceedings were had and made a matter of record:

## **AGENDA REQUESTS REVIEW**

The Commission met with Jillian Rulon to review Agenda Requests.

**RECESS  
9:11 AM**

**RECONVENED  
9:45 AM**

## **COLLECTOR DISTRIBUTION MONIES**

Collector Sheila Wyatt addressed the Commission regarding the incorrect distribution of funds to school districts. When she found the error, she corrected it; after which she called Commissioner Strahan to make him aware. She had informed schools and the state auditor's office. Ms. Wyatt explained the situation of what had happened. A similar Cole County scenario was a recommended remedy to the situation. The School systems recommend a mutual outside professional be hired to review the error and remedy. Houseman asked after the disbursement, did she feel it was her or county obligation to correct. Wyatt said it was her responsibility. Houseman stated County Clerk makes and extends the tax rates to build a book. He questioned the second page of the 2011 railroad and utility tax book, an amount charged by clerk. Commissioner Houseman asked why she didn't balance to the sheet given by the Clerk. Sheila explained that was only a partial, charged as schools, state health, handicap, schools, cities, balanced back to totals, not individually. State Assessed is the only time it was broken out to each school. Errors were made for the years of 2001 through 2010. Houseman asked in the 10 years, was this the only time it was questioned? The Collector answered that there had been a problem in 2010. Commissioner Houseman asked if there had been problems in other years. The Collector noted she couldn't remember any other problems. Kirbyville told the Collector in 2001 that the amount was a larger than they had previously received. Sheila explained and referred to the Clerk documentation given to her.

Commissioner Houseman stated the Commission had met with Legal Counsel and asked for recommendations regarding this matter and would also seek outside auditing to direct the County. Commissioner Strahan stated as he listened, there are more schools involved than Kirbyville and monies would have to be redistributed. The Collector stated Branson and Forsyth were the only schools due monies. Commissioner Strahan said these funds were needed to fund

activities. Houseman suggested school districts not rush into decisions. The only binding contractual entity was the Commission. Agreements reached would have to go through the Commission. State auditor office would be contacted to ensure we are headed in the right direction. Sheila said in 2002 the state auditor had audited the Collector and the issue wasn't found, but she would be encouraged by an audit. She had asked for a state audit, but the request had to come through the Commission. The Collector's Bond was discussed.

Commissioner Houseman asked if there were any comments from the public.

Carlos Osborn, superintendent of Kirbyville. From what he had heard today, it was a county issue and not a school issue. Our focus is on our district and kids and would cooperate fully with all involved.

Josh Smith stated when this issue came out, he had to do research. He agreed with Danny regarding the Bond, it was a clear violation of the statutes. This was not the first issue and if more focused, this might had been caught before now and supported the audit countywide and felt the Collector should resign from her position.

Sheila said when we do get distributions out each month they use multiple clerks to be more thorough.

Commissioner Houseman invited any school board member or super, or anyone they felt present to sit with counsel a few minutes and let counsel make comments on behalf of the county.

**EXECUTIVE SESSION – LITIGATION & PERSONNEL  
PER SECTION 610.021(1) & (3)**

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

**EXECUTIVE SESSION  
10:29 AM**

See Executive Session Minutes for actions, if any.

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

**OUT OF EXECUTIVE  
11:16 AM**

**RECONVENED  
11:18 AM**

## **HDR AGREEMENT**

Travis Heier with HDR Engineering went before the Commission for approval of the agreement for the prioritization matrix. Commissioner Strahan moved to approve the prioritization matrix agreement. Commissioner Houseman seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (absent).

## **EXECUTIVE SESSION – LITIGATION & PERSONNEL PER SECTION 610.021(1) & (3)**

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

## **EXECUTIVE SESSION 11:20 AM**

See Executive Session Minutes for actions, if any.

## **OUT OF EXECUTIVE 12:20 PM**

The minutes were taken and typed by Lyn Wieneke, Deputy Clerk.