

**SEPTEMBER 6, 2005 THE 19<sup>TH</sup> DAY  
OF THE JULY 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 was led by Helen Soutee followed by the pledge.

**CLEVERSTONE  
SCOTT HILTON**

Scott Hilton, Clever Stone, addressed the Commission regarding a survey done on Fall Creek Road for micro surfacing. Hilton explained that he previously gave Dan Ratermann pricing on the project and after he found out Ratermann no longer works for the county, decided to personally come and address the Commission. Hilton stated they are currently doing micro surfacing on Branson Hills Parkway and invited the Commission and Randy Haes to come and look at the process. Hilton further explained that Cleverstone does about 50 miles of micro surfacing per year for Greene County. Hilton went on to state that the micro surfacing has competitive pricing, no loose aggregate, it extends the life of the road for an additional 7 to 10 years, and cures out in 15 minutes to an hour. Hilton estimated that it would cost \$20,650 per mile.

Commissioner Herschend asked what temperature they can lay down the micro surfacing. Hilton explained 60° and rising for the curing process.

**DONATION OF 911 EQUIPMENT  
TAMMY HAGLER**

Tammy Hagler, 911 Administrator, stated that she was e-mailed information regarding the two 911 organizations APCO and NINA and they are requesting that any monetary support or equipment be donated to 911 centers that were damaged or destroyed by Hurricane Katrina. Hagler further explained that the county has two recorders that are no longer being used and requested permission to donate these two pieces of equipment.

Bob Paulson, County Counselor, stated that he will need to look into the legal issues to make sure Taney County can donate the equipment.

Commissioner Herschend stated he has spoken with a citizen who was requesting that Taney County become a collection place and have the county haul donations to Springfield. Herschend further explained that a road and bridge worker offered to take a loader and backhoe and spend a week or two in a tent helping where he is needed. So there are a lot of people wanting to help.

Presiding Commissioner Pennel suggested giving Hagler permission to look for someone who needs the equipment contingent upon Bob Paulson, County Counselor's recommendation.

Commissioner Strahan expressed that he feels it would be best to wait to see what Paulson finds out before making any decisions because there may be more things the county could send.

It was decided that Hagler would go ahead and look for someone who is in need of the equipment and Paulson will look into the legal issues.

### **ROAD PETITION LAKE RANCH ROAD**

Presiding Commissioner Pennel read the following road petition for Lake Ranch Road: All part of Lake Ranch Road and Lake Point Road as shown on Cedar Shores Ranch Estates, said Lake Ranch Road to begin at O Hwy and to run westerly and southerly to Lake Point Road and along running northwesterly to Lake Way Road for point of termination. All in sections 1 and 2, township 23, range 20, West Taney County Missouri. Recommendation from Road and Bridge: Traffic count 100 to 120, 50 feet dedicated right-of-way, 20 feet road surface width, the length is 5,465 feet, 6 cross culverts in good working order, and 21 entrances.

Randy Haes, Road and Bridge Assistant Engineer, stated it is a new road and suggested looking into the counties policy on subdivisions to make sure it meets the requirements.

Commissioner Herschend explained that the guidelines for subdivisions are four years after the first house is built or until 70% of the lots are substantially sold. Herschend expressed a concern about past roads that were taken in by the county too early and did not hold up to the construction traffic, causing the county to spend more money to repair or rebuild roads. A general discussion ensued.

Commissioner Herschend made a motion to table this for a week to check and make sure it is within the guidelines. The motion died for the lack of a second.

Commissioner Strahan made a motion to take in all of Lake Ranch Road and Lake Point Road as a Class 3. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes).

### **BID RESULTS TRESSA LUTTRELL**

Tressa Luttrell, Administrator, presented the bid for a Bo Mac, CASE DV 204 in the amount of \$36,738. Luttrell explained that this was not the lowest bid however; the engine on the lowest bid didn't meet the counties specifications.

Commissioner Herschend made a motion to approve the bid from Potter Equipment for a CASE DV 204 in the amount of \$36,738. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**BID RESULTS  
HAMMER**

Tressa Luttrell, Administrator, explained that this bid is to replace the current hammer. Luttrell explained that Randy Haes, Road and Bridge Assistant Engineer, recommends the lowest bid from Potter Equipment for a Stanley MB 956 in the amount of \$11,500.

Presiding Commissioner Pennel asked Haes if Road and Bridge have any that are more expensive or a better piece of equipment. Haes explained that they've had good luck and bad luck but all of them have done well.

Commissioner Strahan asked Haes if the hammer will fit all of the equipment the county currently has and Haes responded that "yes" it would fit.

Commissioner Strahan made motion to approve the bid from Potter Equipment for the Stanley MB 956 in the amount of \$11,500. Commissioner Pennel seconded the motion.

Commissioner Herschend asked if someone from Stanley would come down and train the county on how to use the hammer. Haes responded that he thinks Stanley has someone who would train county employees.

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

**BID RESULTS  
TRESSA LUTTRELL**

Tressa Luttrell, Administrator, presented a spreadsheet of all of the bids along with an e-mail from one of the vendors regarding the bids for hammers and backhoes. Luttrell went on to explain that Randy Haes, Road and Bridge Assistant Engineer, has recommended to go with CASE 592 Grim at a cost of \$219,919 and the e-mail recommends the county go with the more expensive hammer added to his bid for the back hoe in the amount of \$212,769.

Randy Haes explained that he is recommending the purchase of three backhoes with hammers because Road and Bridge uses these machines extensively and it is easier to have them with hammers than bring extensions everywhere. A general discussion ensued.

Commissioner Herschend made a motion to approve the purchase of three backhoes from Potters Equipment CASE 590 Super M Series as recommended by staff along with the Stanley hammers specified. Commissioner Pennel seconded the motion.

Commissioner Pennel asked why the county shouldn't buy the backhoes and save \$10,000 and then buy the hammers from another vendor. Haes explained that he understood the bid to be a package deal. A general discussion ensued.

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

### **ACCOUNTS ALLOWED**

Commissioner Herschend made a motion to approve accounts payable warrants # 90759-90860 and manual warrant # 4393 (with the exception of the mileage he submitted). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

Commissioner Strahan made a motion to approve payment for the mileage submitted by Ron Herschend. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (abstain), Strahan (yes).

### **HURRICANE RELIEF EFFORTS WILEY BARNES**

Wiley Barnes, Chamber of Commerce, updated the Commission as to the relief efforts in regards to the hurricane. Barnes explained that Convoy of Hope was sought out and provided good insight as to the different hurricane relief efforts and was also given reports from local churches organizing disaster relief. Barnes further explained that once a refugee comes to Branson, there is a screening process and they are then given a check off list to take to the Salvation Army. The Chamber of Commerce is serving as a clearinghouse for the hurricane information and services and the Salvation Army is the central clearinghouse in Branson. Barnes went on to state that the community response is tremendous and that a Telethon is being planned for September 18 by the Theater League. Barnes also explained that an assistance card is available at the Salvation Army to the victims for free entertainment in the Branson Area.

Commissioner Herschend clarified that the community needs to refer victims to the Red Cross, which is under the Salvation Army off of Roark Road. (the first right off of Roark Road and it is the third building on the left) A general discussion ensued.

### **RICK FINDLEY**

Rick Findley, Auditor, addressed the Commission regarding personal days being paid to a terminated employee and also about one employee that didn't get the \$.20 raise from last week.

Commissioner Herschend made a motion to have Randy Haes, Road and Bridge included to receive the \$.20 raise given to Taney County employees. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel explained that the Personnel Policy was not clear as to termination because it didn't specify termination by the employer or voluntarily leaving by the employee. Pennel further explained that the Policy has been amended but has not been voted on and expressed a concern about denying the pay of personal days when the policy was not clear.

Commissioner Herschend explained that if the county terminated the employee the employee should be entitled to their personal days but if they choose to leave then the personal days should not be paid. A general discussion ensued.

### **CHAMBER OF COMMERCE MEETING**

Commissioner Herschend stated that he received an invitation for the Commission to attend the Hollister Area Chamber of Commerce meeting on September 15 in the Keeter Center at 11:00 a.m.

#### **RECESS**

10:30

#### **RECONVENE**

10:40

### **EXECUTIVE SESSION**

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (12) for the purpose of litigation as to the status of the Peter Rea situation. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by: Hillary Bargman