

TANEY COUNTY COMMISSION RECORD



**JUNE 4, 2007 THE 24TH DAY OF
THE APRIL 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.

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

HILLSIDE DRIVE

Linda Worster presented the commission with the signatures of nine people whom own property on Hillside Drive and were wondering about the turnaround situation.

Commissioner Pennel asked if those nine people, by signing, were stating that they were willing to give a right of way for the turnaround.

Commissioner Strahan stated that he and Randy Haes, Taney County Road and Bridge, had gone down and visited with Barbara Keys and she had said that she was willing to give land for a turnaround.

Barbara Keys presented the commission with a map of what she will donate for either a cul-de-sac or hammerhead and asked that any part of the land that they don't use be given back.

Commissioner Strahan made a motion to accept and take the road in upon the recommendation of Randy Haes as a class five.

The motion died for lack of a second.

Commissioner Herschend made a motion to accept road into county system as a class six and make the appropriate improvements contingent upon the most recent number of signatures as per state statute and Bob Paulson, County Counselor.

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

AUSTIN ROAD

Commissioner Pennel made a motion to take in Austin Road as a class six.

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

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BEE CREEK SEWER PROJECT ASPHALT AND OVERLAY

Commissioner Pennel made a motion to schedule overlay this year after construction of sewer.

Commissioner Strahan seconded the motion.

After a lengthy discussion Commissioner Strahan withdrew his second and Commissioner Pennel followed with withdrawing his motion.

Commissioner Pennel made a motion to schedule overlay on Bee Creek Road this year.

Commissioner Strahan seconded the motion of the overlay.

Commissioner Herschend stated that he did not understand, stating he felt that they seemed to be forcing this. Commissioner Herschend added that he did not know why they were moving and forcing this when they could wait and ensure the construction crews were off the roads to make a decision at that time.

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

Commissioner Pennel made a motion recommend that they speak with the sewer board to get them to consider one of two option; either ask S. J. Lewis to come up with a change order on overlay, putting in the bid for roads other than Bee Creek Road or to allow them to leave the trenches and gravel and credit the sewer board the contract with sewer district for cost saving for a seven foot patch with commitment from commission to overlay streets upon completion of project.

Commissioner Pennel added that the contract with the construction company was to restore roads and what they have started doing on Bee Creek Road. Commissioner Pennel stated that they have come in and milled seven feet and overlay that seems to be a waste of asphalt.

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

NUISANCE ORDINACE HEARING

Commissioner Pennel stated that nuisance complaints were not being handled in a timely manner. Adding that when the ordinance was passed there was much concern about the ordinance and his understanding was that one of the three commissioners would go take pictures required. Commissioner Pennel added that since complaints were not being processed that they should consider adding an additional employee in Planning & Zoning to be the one to take the pictures.

JUDICIAL REIMBURSEMENT

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Tressa Luttrell, County Administrator, presented to the Commission a copy of all reimbursements.

Tressa Luttrell stated that they had made copies of every invoice, kept track and sent copies of everything they had paid. Ms. Luttrell added that UMB had requested copies again. Ms. Luttrell stated that this was the ninth time asking UMB Bank to reimburse them for all of the invoices.

After a lengthy discussion it was decided that this issue would be put on hold so that Tressa Luttrell could separate the numbers and it would be approved the following day.

RECESS

10:13

RECONVENE

10:17

BID AWARDS

Tressa Luttrell stated that the chemical feed and storage system sewer had approved its total bid.

Commissioner Strahan made a motion of approval on recommendation of sewer board.

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

FENCING MATERIAL

Randy Haes, Taney County Road and Bridge, stated that there was 5.5 feet of green posts and a schedule of 40 pipes that was discussed in Shop Talk of four bidders. Randy Haes recommended Wheeler and suggested that they not buy treated posts from vendors at this time.

Commissioner Strahan made a motion to accept Randy Haes' recommendation of all bids including no bid.

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

RIP RAP TRAILER

Tressa Luttrell stated that there were three bidders for this item. Tressa Luttrell added that this was to replace the trailer that turned over on Highway 160. Randy Haes recommended Stem Co.

Commissioner Pennel made a motion to approve as recommended by Randy Haes.

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

PNEUMATIC ROLLER

Tressa Luttrell stated that there were several bid recommendations, one of which being Van Kepple.

Commissioner Strahan made a motion to accept recommendation of roller.

Commissioner Pennel seconded the motion.

Commissioner Herschend suggested tabling and wanted to make sure that there was not a maintenance issue.

Commissioner Pennel withdrew his second followed by Commissioner Strahan withdrawing his motion.

Commissioner Pennel made a motion to table until 2:00 p.m.

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

VV HIGHWAY

Commissioner Strahan stated that there seemed to be some confusion with the state highway project. The initial talk with doing this project would be four to five weeks without our help; with our help a couple of weeks.

A lengthy discussion ensued. Commissioner Pennel suggested setting up an evening meeting next week.

ILLEGAL IMIGRATION PROPOSAL

Commissioner Herschend stated that after meeting with Bob Schanz last week and having given it lots of thought, when it comes to illegal immigration he has come down on the side of a recommendation. Commissioner Herschend stated that he would like to propose a meeting between the commission and Cities of Hollister, Branson, Forsyth and the Federal Department of Immigration to talk about what they could do to aid this effort to protect jobs and employment. Commissioner Herschend added that they need to also find a way to not cause a drain on tax funded programs and suggested a concept to hire in an inspector that would review business licenses in the community and collect fee for violation to see if they had any undocumented workers.

Bob Schanz thanked the commission for discussing this issue. Mr. Schanz added that in Sunday's paper three people were arrested at JFK airport for terror plot and he knew a little

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about how the criminal mind works and feels this is an area the county needs to look into that. A lengthy discussion ensued.

WORKING CONDITIONS UNDER THE JAIL

Commissioner Herschend stated that he wanted to share with the commission that he received a letter last week presented from Planning and Zoning inclusive of photographs. Adding that while they are all aware of the situation, he believes the Commission has been put on notice that there is a health hazard. Commissioner Herschend recommended finding a place to rent to move the departments to a better location.

Commissioner Strahan stated that he was glad this had come about, but the public needs to know that they sent out for bid for a new roof. Commissioner Herschend added that the major problem coincides with major flooding of the jail. A lengthy discussion ensued.

NUISANCE PETITION BOB PAULSON

Commissioner Herschend made a motion to approve the expense of \$120 up to \$150 for filling fees.

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

TITLE III

Commissioner Strahan made a motion to table.

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

PRIOR MINUTES

Tabled for a later time.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion of approve accounts payable checks #10156 – 101257, voiding one for Conoco and excluding one for Commissioner Strahan.

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

Commissioner Pennel made a motion to approve reimbursement for Commissioner Strahan.

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

RECESS

RECONVIENE

2:25 p.m.

The Taney County Commission reconvened in the Commission Office at 2:25 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District, present, Danny Strahan, Eastern District (absent). The following proceedings were had and made a matter of record.

PNEUMATIC ROLLER

Commissioner Pennel made a motion to accept the bid from Van Keppel for a Pneumatic Roller contingent upon the east side mechanics not having any problems with the type of machine.

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