

**OCTOBER 10, 2008 5<sup>TH</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission Office at 9:01 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

**CITY OF FORSYTH  
PARKING ALIGNMENT**

The County Commission met with Mayor Oliphant and Chris Robertson from the City of Forsyth regarding the parking alignment along the new Judicial Facility.

Commissioner Herschend asked what the City was wanting from the County. Mr. Robertson commented that they would like to have Shorty Cooper aligned with Allaman like originally platted. Robertson noted that there wasn't a set of plans turned into the City for the design, when the costs of moving the road came in the county just moved forward without the approval of the City.

Commissioner Strahan stated that there had been some visiting with the City on the site and noted that there was another important player that wasn't present, MoDot. Commissioner Strahan added that MoDot visited with us on site along with a representative of the City to talk about taking off a part of the bluff for the beginning of the three way through the City. Commissioner Strahan noted that Bob Becker with MoDot had stated that whatever we did, do not change the alignment.

Mayor Oliphant asked Commissioner Strahan if he remembered the contract he signed with the City and noted that maybe he should review what it says. Commissioner Herschend commented that the problem is the single lane road that comes to the North side. Mr. Robertson added that that is the problem; the County put a road on a non-platted road. Commissioner Strahan added that this was taken to the City Council. Mayor Oliphant noted that he thought that was prior to the agreement.

Commissioner Pennel asked if we could go back to how we got here and asked for Spencer Jones with Great River Electric to give an update. Mr. Jones briefed the Commission on the events that had transpired. Mayor Oliphant commented that all they were asking was to widen the end of Shorty Cooper.

Commissioner Strahan asked if they had an old copy of the plat for Hillcrest and added that when you look at it you are going to find a 30' street, so a request for a 70' street is not out of line per the contract. Mr. Robertson commented that it did say if the street was not going to be in the platted area it should go back to the City. Commissioner Herschend noted that that is what the County should do then as he was hearing that the City wants the County to pay for it, however we haven't encroached on their property at all.

Mayor Oliphant stated that the County's plans did not show any parking, when you moved in is when the issue came up and thought that Commissioner Herschend was twisting the issue. The only issue is to improve the flow of traffic.

Commissioner Strahan made a motion to take the issue to the City Council. Commissioner Pennel noted that it made sense to him to get the roads aligned. After a brief discussion, Commissioner Herschend made a motion that the Taney County Commission, Sheriff, Road Administrator and Engineer set down and see what the County can support. Commissioner Herschend added that he was concerned with having two driveways as we will have the public driving around the building.

Mayor Oliphant commented that if the County could talk to the property owners and get the corner it would be better alignment and that he would commit to the City placing a culvert at the Senior Housing and to do the Paving. Commissioner Strahan added that he would be willing to do a survey to see who owns what property.

Commissioner Pennel made a motion that the County engages Great River Engineering to draw up what is being discussed here. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **PLEASANT VIEW**

Commissioner Herschend made a motion to instruct all property owners to remove fences and set them back 25' off of the road. Commissioner Pennel asked if that was county wide or just in this area. Commissioner Herschend noted that it would only address this issue. Commissioner Strahan asked if it would be appropriate to send out and establish the corners.

Commissioner Herschend commented that if the fence is on his property, we can't have him move it but if it is on the county right-of-way then we are taking on the liability.

Commissioner Herschend made a motion that here forward, on any individual wanting to put up a fence, that they have to keep it off the right-of-way.

Commissioner Strahan made a motion to direct Randy Haes, Road Coordinator to get a survey done on this property. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel noted that Mr. Haes should come back to the Commission if the fence is not in the right location. Frank Preston, Road Administrator commented that it would be like a Board of Adjustment decision. Commissioner Herschend commented that the County could issue a letter noting that if the road is ever moved the landowner would have to pay for the moving of the fence.

**FRANK PRESTON**  
**JOB TITLE**

Commissioner Herschend made a motion that the office of the County Highway Administrator be referred to as the Road & Bridge Administrator. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**RECESS**  
11:39 a.m.