

OFFICIAL MINUTES

**DECEMBER 5, 2011, 23RD DAY OF
THE OCTOBER ADJOURNED TERM**

The County Commission met in the Commissioner's Hearing Room at 8:31 a.m. with Ron Houseman, Danny Strahan and Jim Strafuss present. The following proceedings were had and made a matter of record:

PRELIMINARY STUDY MEETING (COMMISSION 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 December 5, 2011 meeting to order at 9:03 a.m. with all members present.

PRAYER

Commissioner Strafuss led the prayer.

PLEDGE OF ALLEGIANCE

Commissioner Strahan led the Pledge of Allegiance.

PREVIOUS MEETING MINUTES – 11/21, 11/28, 11/29 AND 12/1

Commissioner Strafuss moved to approve the minutes of 11/21, 11/28, 11/29 and 12/1/2011 with changes and corrections. Commissioner Strahan 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 payables as follows:

ACCOUNTS PAYABLE

DATE 12/5/2011

CHECKS		WARRANTS	
326891	to	326950	5535
_____	to	_____	5536
_____	to	_____	5537
_____	to	_____	5538

TRANSFERS


1. TRANSFER FROM TRANSFER STATION TO R&B _____
2. Transfer from Sewer to R&B _____
3. _____

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

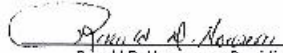
Date	Time	Signature	Comments
12/1/2011	3:00pm	JJ	
12/1/2011	7:30	RFF	
12-6-11	11:54 AM	BE	

NOT APPROVED

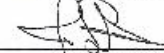
COMMENTS:

APPROVED 	CHECKS <u>326895</u> _____ _____	TRANSFERS _____ _____ _____	NEED more details _____ _____
--	---	--------------------------------------	-------------------------------------

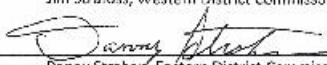
COMMISSION APPROVAL



 Ronald D. Houseman, Presiding Commissioner



 Jim Strafuss, Western District Commissioner



 Danny Strahan, Eastern District Commissioner

Please keep accounts payable in the order in which you receive them.

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

VETERAN'S DAY PROCLAMATION

Commissioner Houseman read the proclamation brought by Assessor James Strahan. Commissioner Strahan moved to approve the Veteran's Day Proclamation.

Proclamation

Whereas, Veterans throughout these United States are honored with a declared holiday on their behalf; and

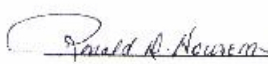
Whereas, November 11th being the Day of Remembrance and celebration set aside for our heroes; and


Whereas, most Federal, State and Local Government entities celebrate and give their employees a day off with pay and guarantee their right to work the following day; and

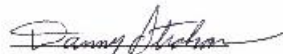
Whereas, the very heroes this holiday was set aside for do not have these aforementioned rights and privileges;

Now, Therefore, The Taney County Commission, by virtue of the authority vested in said commission under Missouri Law, does hereby call upon employers of all veterans to grant them the ability to take this Day of Remembrance, Veterans' Day, to their liking, without fear of their right to work being interrupted.

In Witness Whereof, We have hereunto set our hands this 5th day of December, in the year of our Lord two thousand eleven.


Ronald D. Houseman
Presiding Commissioner


Jim Strafuss
Western District Commissioner


Danny Strahan
Eastern District Commissioner



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

LEASE OF ANIMAL CONTROL FACILITY

Commissioner Strafuss moved to approve the lease of the Animal Control Facility expiring December 31, 2011 in the amount of \$180,895.00, which is no change from last year. The motion died due to a lack of a second. Discussion ensued regarding the lease. If approved, it would be set in the budget, which is currently not approved. As the lease expired at the end of the year, the discussion would be held at a later date.

STAFF DEPARTMENTAL UPDATE – ROAD AND BRIDGE

Randy Haes, David Stottle, and Harlan Collins went before the Commission for a departmental update.

Colony Road – The culvert on Colony Road was removed. So far, he had not heard any complaints from the affected property owners. The Road and Bridge department would work with the property owner when the time comes to place the culvert in a different location.

Mt. Branson Facility – The salt building was finished and underground electrical work was being done. Equipment and tools for the main shop was needed. Commissioner Strahan directed Randy Haes to get written documentation from the State as to what their policy was going to be regarding putting material down and how often so we could be prepared to take care of the citizens.

Road Coverage – Snow coverage and maintenance responsibilities for each facility were discussed.

Drainage Easement – A no charge easement needed to be signed. Commissioner Strahan moved to have Commissioner Houseman sign the grant of permanent easement and perpetual easement and right-of-way for public road purposes and temporary construction easement for construction of public road improvements between Steven and Jennifer Adams and Taney County, described in exhibit A.

**GRANT OF PERMANENT AND PERPETUAL EASEMENT
AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES
AND TEMPORARY CONSTRUCTION EASEMENT FOR
CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS**

Steven and Jennifer M. Adams of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 22 day of November, 2011

grant and convey unto

TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Caney Creek Road, for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land lying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Exhibit "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, to-wit:

A permanent and perpetual easement to be more particularly described in easement survey by HDR Engineers Proj: 166826 (0)5

To have and to hold the premises aforesaid for the aforesaid use with all and singular the rights, privileges, appurtenances and incidents thereto belonging, or in anywise appertaining, unto the GRANTEE, its representatives and assigns forever; the said GRANTORS hereby covenanting that GRANTORS are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that GRANTORS have good right to grant and convey the same; that the said premises are free and clear of any encumbrances done or suffered by GRANTORS or those under whom GRANTORS claim and that Grantors will warrant and defend the title to the said premises unto the said GRANTEE and unto its successors and assigns forever, against the lawful claims and demands of all persons whatsoever.

IN WITNESS WHEREOF, the said GRANTORS have caused these presents to be executed this
22 day of November, 2011.


Steven Adams


Jennifer M. Adams

Exhibit "A"

DESCRIPTION

A portion of the Southeast Quarter of Section 10, Township 24 North, Range 17 West of the 5th Principal Meridian, Taney County, Missouri described as follows:

Commencing at an aluminum monument marking the southeast corner of the Southeast Quarter of said Section 10; thence North 24°37'08" West a distance of 2437.89 feet to a point on the south right-of-way line of Caney Creek Road, said point being the Point of Beginning; thence Northwestly and Westerly along said right-of-way line the following three (3) courses: thence (1) North 65°06'15" West a distance of 32.72 feet to the beginning of a curve concave to the south, having a radius of 330.00 feet; thence (2) Westerly along said curve a distance of 215.77 feet (through an angle of 37°27'45"); thence (3) South 77°26'00" West a distance of 142.17 feet; thence leaving said right-of-way, North 80°28'00" East a distance of 152.52 feet to the beginning of a curve concave to the south having a radius of 390.00 feet; thence Easterly along said curve a distance of 234.34 feet (through an angle of 34°25'38") to the Point of Beginning.

The above described tract contains 0.04 acres and is subject to any easements or restrictions of record.

JAMES JASPER

HDR Engineering, Inc.
L.S.T.T. | Survey Technician

181 East Drexel, P.O. Box 908, Forzyth, Missouri 65653
417.548.3218 | 417.216.3324
james.jasper@hdrinc.com | hdrinc.com

ACKNOWLEDGMENT

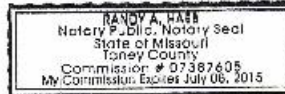
STATE OF Missouri)
COUNTY OF Taney) SS.

On this 22 day of November, 2011, before me a Notary Public personally appeared:

Steven and Jennifer Adams, known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Randy A. Haas
Notary Public



My commission expires July 6, 2015

APPROVAL OF CONVEYANCE

The Taney County Commission on behalf of Taney County, Missouri accepts the Grant of Permanent and Perpetual Easement and Right-of-Way for Public Road Purposes described in this document.

Ronald D. Houseman
Ronald D. Houseman, Presiding Commissioner
Taney County Commission

ATTEST

On this 5th day of December, 2011, before me personally appeared Ronald D. Houseman, the Presiding Commissioner of Taney County, Missouri, and acknowledged he signed the above Approval of Conveyance as his free act and deed on behalf of the Taney County Commission, pursuant to a vote of the Taney County Commission to accept the above property interest on behalf of Taney County, Missouri.

I, Donna Neeley, Clerk of the Taney County Commission, do hereby certify that the above and foregoing is the Grant of Permanent and Perpetual Easement and Right-of-Way accepted by the Taney County Commission and signed by the Presiding Commissioner on this 5th day of December, 2011.

Donna Neeley
Donna Neeley
Clerk of the Taney County Commission

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

David Stottle submitted his recommendations for the Mt. Branson Barn. He has vacation starting December 12th but someone would take his place while he was out.

RECESS
9:55 AM

RECONVENED
10:20 AM

COUNTY BOARD POSTINGS

Mark Rys had addressed the issue of separate web pages for boards that were appointed by the Commission to be posted on the website. Additional information was needed for the Commission to make a decision. Commissioner Strafuss moved to appoint Don Ingram, Sherry Coffelt and Tim Connell as Board Members to a three year term on the SB40/Developmental Connections. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Additional positions which needed to be filled were discussed.

ECONOMIC DEVELOPMENT DISCUSSION

Rick Ziegenfuss addressed the Commission and gave each an Economic Development overview. The document was an attempt to incorporate items of interest to move forward. Discussion ensued. Commissioner Houseman inquired of entity formation. Ross Summers of Branson Chamber of Commerce had committed to host the entity, but formation was pending as all entities involved were looking for County approval.

Commissioner Houseman said a county wide entity needed to be put into place to give the funds to from the 2011 budget. Branson Chamber had committed \$50,000 for next year. Commissioner Houseman wanted to talk to Counsel. The Commission tentatively agreed to a commitment of \$25,000 for 2011 and \$50,000 in 2012 after Counsels review. Commissioner Strahan said a three year commitment was preferred as there could be a change of Commission as well as the financial condition of the County. The Mayors in attendance spoke in favor of the proposed entity as it was for the greater good of the County. Commissioner Houseman said the Letter of Intent would be reviewed by counsel at 1 pm.

RECESS
10:56 AM

RECONVENED
11:12 AM

ACCOUNTS PAYABLE

Commissioner Strafuss moved to approve check 326895. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

AGENDA REQUESTS REVIEW

The Commission met with Nikki Lawrence to review agenda requests.

RECESS
11:23 AM

RECONVENED
11:30 AM

BID PROCEDURE – INDEPENDENT INSURANCE SERVICES

Ron Erickson and Nikki Lawrence went before the commission to review information gathered and gave a recommendation for the Independent Insurance Services for Taney County. Committee determinations based on a 100 point system were as follows: MRC was deemed non-responsive; United Health Care group received 90 points; Mercy St. Johns was deemed non-responsive; Anthem blue Cross received 90 points; Connell Insurance received 95 points; Akers received 100 points; Employee Benefits Design received 100 points.

The Committee requested they be allowed time for additional questions for the three top scoring services of Connell Insurance, Akers, and Employee Benefits Design. The Commission allowed them additional time to get the information as soon as possible to allow a recommendation to be rendered by Monday. The Commission thanked the Committee for all their work.

RECESS
11:42 AM

RECONVENED
1:02 PM

COURT ORDERS AND ABATEMENTS

Assessor James Strahan and Deputy Clerk Cristy Smith went before the Commission to discuss court orders and abatements. The Assessor said he would like to see the add-on value for the personal properties that went to zero. Commissioner Strahan moved to approve Exhibits A and B.

5/14/11
B

12/5/2011

Vote #	Describe	Issue/Action	Business Unit	Reason for inclusion or exclusion	Starting Date	Ending Date	Commissioner Approval
62001	611	6111	6111	6111	6111	6111	6111
62002	611	6112	6112	6112	6112	6112	6112
62003	611	6113	6113	6113	6113	6113	6113
62004	611	6114	6114	6114	6114	6114	6114
62005	611	6115	6115	6115	6115	6115	6115
62006	611	6116	6116	6116	6116	6116	6116
62007	611	6117	6117	6117	6117	6117	6117
62008	611	6118	6118	6118	6118	6118	6118
62009	611	6119	6119	6119	6119	6119	6119
62010	611	6120	6120	6120	6120	6120	6120
62011	611	6121	6121	6121	6121	6121	6121
62012	611	6122	6122	6122	6122	6122	6122
62013	611	6123	6123	6123	6123	6123	6123
62014	611	6124	6124	6124	6124	6124	6124
62015	611	6125	6125	6125	6125	6125	6125
62016	611	6126	6126	6126	6126	6126	6126
62017	611	6127	6127	6127	6127	6127	6127
62018	611	6128	6128	6128	6128	6128	6128
62019	611	6129	6129	6129	6129	6129	6129
62020	611	6130	6130	6130	6130	6130	6130
62021	611	6131	6131	6131	6131	6131	6131
62022	611	6132	6132	6132	6132	6132	6132
62023	611	6133	6133	6133	6133	6133	6133
62024	611	6134	6134	6134	6134	6134	6134
62025	611	6135	6135	6135	6135	6135	6135
62026	611	6136	6136	6136	6136	6136	6136
62027	611	6137	6137	6137	6137	6137	6137
62028	611	6138	6138	6138	6138	6138	6138
62029	611	6139	6139	6139	6139	6139	6139
62030	611	6140	6140	6140	6140	6140	6140
62031	611	6141	6141	6141	6141	6141	6141
62032	611	6142	6142	6142	6142	6142	6142
62033	611	6143	6143	6143	6143	6143	6143
62034	611	6144	6144	6144	6144	6144	6144
62035	611	6145	6145	6145	6145	6145	6145
62036	611	6146	6146	6146	6146	6146	6146
62037	611	6147	6147	6147	6147	6147	6147
62038	611	6148	6148	6148	6148	6148	6148
62039	611	6149	6149	6149	6149	6149	6149
62040	611	6150	6150	6150	6150	6150	6150

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

RECESS
1:09 PM

RECONVENED
1:20 PM

Donna Neeley, James Strahan, and Sheila Wyatt addressed the Commission regarding potential litigation.

**EXECUTIVE SESSION – LITIGATION, REAL ESTATE, PERSONNEL AND
CONTRACTS 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), Strahan (aye) and Strafuss (aye).

EXECUTIVE SESSION

1:23 PM

RECESS

1:46 PM

SALARY COMMISSION MEETING

RECONVENED

2:00 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), Strahan (aye) and Strafuss (aye).

OUT OF EXECUTIVE

4:13 PM

INTERGOVERNMENTAL AGREEMENT WITH GREENE COUNTY

Commissioner Strahan moved to sign the Intergovernmental Agreements with Greene County for the housing of Greene County inmates.

INTERGOVERNMENTAL AGREEMENT
REGARDING
HOUSING OF GREENE COUNTY INMATES

The County of Greene, Missouri and its Sheriff, Jim Arnott, and the County of Taney, Missouri, and its Sheriff, Jimmie Russell, each of them being a body politic and corporate, do hereby enter into this Intergovernmental Agreement pursuant to Section 70.220, RSMo., the purpose of which is to set forth the understanding between Greene and Taney Counties and their Sheriffs regarding housing of inmates under the direction of Greene County Sheriff Jim Arnott, in the jail facility in Taney County, Missouri under the direction and control of Taney County Sheriff Jimmie Russell, and the agreements concerning housing of those inmates

WHEREAS, Sheriff Jim Arnott has a duty to oversee and maintain a reasonably safe and secure environment of certain inmates; and

WHEREAS, the jail facility in Greene County is at or near an over-crowded capacity; and

WHEREAS, Sheriff Jimmie Russell has the jail capacity and ability to provide a safe and secure environment for additional prisoners; and

WHEREAS, Sheriff Arnott has agreed that Sheriff Russell has the capacity and ability to oversee inmates selected by Sheriff Arnott to be housed at the Taney County Jail.

Now, therefore, it is agreed as follows:

1. The "Whereas" clauses above stated are incorporated herein by reference.
2. Greene County agrees to pay Taney County Forty-Five Dollars (\$45.00) per day, per inmate, up to \$500,000.00, for inmates selected for housing in the Taney County Jail Facility. Taney County shall send Greene County the boarding bill for the prior month on or before the 10th day of each month and Greene County shall pay the charges within 10 days of mailing of the board bill.
3. Greene County agrees to be responsible for all transportation and medical expenses for the Greene County inmates housed at the Taney County Jail Facility. A Taney County Jail representative shall seek approval from Sheriff Arnott, or his designated representative, prior to incurring medical expenses unless it is an emergency medical situation and in that instance, Taney County is authorized to obtain immediate medical aid.
4. Taney County agrees to be responsible for inmate security and room and board.
5. Taney County shall indemnify defend and hold harmless Greene County and its elected officials, officers, agents and employees from and against any and all claims, liabilities, awards of judgment, costs and expenses (including, but not limited to, reasonable attorney fees) and damages of any nature whatsoever resulting from, arising out of or incident to any act or omission of Taney County, or its officers, agents or employees, in the performance of its obligations under this Agreement.
6. Taney County shall indemnify defend and hold harmless Greene County and its elected officials, officers, agents and employees from and against any and all claims, liabilities, awards of judgment, costs and expenses (including, but not limited to, reasonable

attorney fees) and damages of any nature whatsoever resulting from, arising out of or incident to any act or omission of Taney County, or its officers, agents or employees in confining persons who have been presented by Greene County to and accepted by Taney County for confinement in the Taney County Jail while said persons are in the jail or in the custody Taney County outside of the jail.

7. Without limiting any other obligations under this agreement, Taney County shall secure and maintain at its own cost, throughout the duration of this agreement, liability insurance of such type and in such amounts as may be necessary to protect it and the interests of Greene County to be indemnified under this agreement against all risks of loss and liability which may arise out of the performance of this agreement, including but not limited to violations of prisoners civil rights under the United States Constitution, the Missouri Constitution, federal or state statutes, or Missouri common law. The form and limits of such insurance are subject to approval by Greene County.

In no event shall the language or requirements of this Agreement constitute or be construed as a waiver or limitation of Greene County or Taney County's rights or defenses with regard to each County's applicable sovereign, governmental or official immunities, or qualified immunity or any other protections as provided by federal and state constitutions, statutes, and laws.

In the event any suit based upon such a claim, action, loss, cost, expense or damage is brought against Greene County or its Sheriff, Taney County shall defend Greene County, its elected officials and employees at its sole cost and expense; provided that Greene County retains the right to participate in such suit, at its own expense, if any principle of governmental or public law is involved. If final judgment be rendered against Greene County or its officers, agents or employees, based upon any duty undertaken by Taney County in this agreement, Taney County shall satisfy the same in full.

8. This Agreement may be terminated at any time by either party with reasonable notice to allow the safe transfer of inmates.

County of Taney

By Ronald R. Houseman
Ron Houseman, Presiding Taney Co.
Commissioner

By Danny Strahan
Danny Strahan Taney Co.
Commissioner

By Jim Strafuss
Jim Strafuss Taney Co.
Commissioner

By Jimmie Russell
Sheriff Jimmie Russell

County of Greene

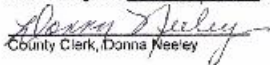
By Jim Viebrock
Jim Viebrock
Presiding Commissioner

By Harold Bengsch
Harold Bengsch
Commissioner 1st District

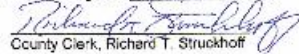
By Roseann Bentley
Roseann Bentley
Commissioner 2nd District

By Jim Arnot
Sheriff Jim Arnot

Attest: The foregoing Intergovernmental Agreement was passed by the County Commission of Taney County, Missouri at a meeting held Dec. 5, 2011.


County Clerk, Donna Neeley

Attest: The foregoing Intergovernmental Agreement was passed by the County Commission of Greene County, Missouri at a meeting held 11-16-2011.

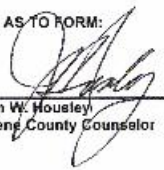

County Clerk, Richard T. Struckhoff

CERTIFICATION OF GREENE COUNTY ACCOUNTING OFFICER

The undersigned, ~~as Budget Officer and~~ Accounting Officer for the County of Greene, 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 Agreement 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 this Housing of Greene County Inmates Agreement with Taney County, Missouri and Sheriff Jimmie Russell.

BY: 
Cindy Stein
Greene County Auditor

APPROVED AS TO FORM:

BY: 
John W. Housley
Greene County Counselor

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

COUNTY BOARD POSTINGS

Commissioner Strafuss moved to reconsider the board member vote for the SB40/Developmental Connections. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strafuss moved to appoint Tracy Barton, Karen Lashley and Clint Smith to the vacant board positions for the SB40/Developmental Connections. Commissioner Strahan

seconded for discussion. The terms were for three years and would expire December 31, 2014. 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
4:19 PM

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