

**JANUARY 18, 2005 THE 6th DAY OF
THE JANUARY ADJOURN TERM**

The Taney County Commission met in the Associate Circuit Court Room II at 9:05 a.m. pursuant to adjourn with Presiding Commissioner Pennel, Eastern Commissioner Strahan, and Western Commissioner Herschend present. The following proceedings were had and made a matter of record.

Prayer was led by Helen Souttee; followed by the Pledge of Allegiance.

ROAD PETITION – CEDAR MEADOWS LANE

Commissioner Pennel stated that this would be the first time that the Commission had addressed the petition to accept Cedar Meadows Lane as a county maintained road. Tressa Luttrell, Administrator, informed the Commission that the petition was not legal until the signatures had been verified. Commissioner Pennel questioned whether the Commission could approve the petition contingent that the County Clerk verifies that the minimum requirement of registered voters signing the petition was met. Ken Barth asked if he had to go through the same process each time that he requested a road be accepted as a county maintained road. Luttrell stated that he could submit one petition for all remaining roads. Commissioner Herschend discussed standards that roads must meet prior to approval to be accepted as a county road. Donna Neeley, County Clerk, stated that she would have her staff confirm the registration status of the individuals that had signed the petition if the Commission would like to table the petition until the end of the Commission meeting. A general discussion ensued.

**HELEN SOUTTEE
YEAR-END SETTLEMENT REPORT**

Helen Souttee, Treasurer, presented the Commission with the Final Settlement and Investment Report for Taney County as required by Missouri Revised Statute 54.150. Souttee explained the statement to the Commission. Commissioner Herschend stated that the amount of \$43 million could be deceiving to the public and asked Souttee if she thought that the County was “sitting on” too much money. Souttee stated that she would be uncomfortable if the amount were less than \$43 million due to the many commitments for which the Commission had earmarked funds. Some of the projects discussed were: Road and Bridge projects, the new judicial building, and the Bee Creek Sewer Project.



County of **TANEY** State of Missouri

TANEY COUNTY TREASURER
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FINAL SETTLEMENT AND INVESTMENT REPORT
OF TANEY COUNTY TREASURER

HELEN SOUTEE

AS OF DECEMBER 31, 2004

Total Budget Funds	\$42,553,229.41
Total Treasurer's Funds	\$ 589,280.21
Grand Total All Funds	\$43,142,509.62

The attached report illustrates detailed fund balances, with the far right hand column, (Year to date) providing the breakdown of each fund. Beginning with balances as of January 1, 2004, revenues and expenditures and ending balances per fund as of December 31, 2004. This report is per RSMO 54-150 regarding the semi-annual settlement delivered to the Taney County Commission.

Investments and breakdown of cash on hand by the County Treasurer's Office as of December 31, 2004 are as follows:

Total Cash in Bank Cash Account	\$ (207,145.82)
Sewer Reserve Certificate of Deposit	\$ 895,442.76
Certificates of Deposit	\$ 4,914,162.74
U. S. Agency Investments	\$36,506,906.64
Repurchase Agreement	<u>\$ 1,033,143.30</u>
Total All Cash	\$43,142,509.62

Helen Soutee
Taney County Treasurer

Soutee also explained that the last page of the report reflected investments that would be maturing, stating that the Commission might use the information to earmark funds for current and/or future projects.

DICK CLARK
SPRING MEADOWS PARKWAY

Taney County resident, Dick Clark, addressed the Commission concerning a petition to accept a portion of Spring Meadows Parkway as a county maintained road. Clark stated that he agreed that the lower portion of Spring Meadows Parkway was one of the worst roads that he had seen in Taney County, but he felt that the taxpayers of Taney County were not responsible for a road located within a subdivision. Clark further stated that he did not believe that the road, in and of itself, was dangerous. Clark recommended that changes be made to requirements for Planning and Zoning to approve future developments in an effort to eliminate the problem, adding that building codes and permits might be useful as well. Commissioner Strahan stated that he felt that the road was a safety issue in regards to an area for the school bus to turn around on the road in an effort to evade another tragic accident occurring in the subdivision. Strahan further stated that he had performed a random canvass of the residents of the subdivision to ascertain whether there was a Homeowner's Association that could address the issue finding that a viable association did not exist. Commissioner Herschend stated that his feeling echoed

those of Clark, in that he was concerned about setting a precedent by accepting roads located within a subdivision adding that it could potentially tax the County's resources.

**DICK CLARK
JUDICIAL PROJECT**

Dick Clark addressed the Commission regarding his concerns about the future judicial facility. Although Clark agreed that public opinion seemed to indicate that the facility should be located in the downtown Forsyth area, he felt like the residents, businesses, and school district affected should be asked to pay a portion of the cost of building at that location. Clark stated that precedence had been established in Farmington, Missouri (St. Frances County) where residents elected to pay \$1,800,000.00 in order to have the Commission build their administrative facility at a location that the residents preferred.

**DANNY STRAHAN
CASTLE ROCK ROAD**

Tressa Luttrell, Administrator, stated that there were two different petitions. Luttrell explained that one of the petitions was for Castle Rock Road and the other was for the remainder of Castle Rock Road. Luttrell added that it appears that what was petitioned was not what was accepted. Commissioner Strahan stated that the Engineer had approved the petition on April 21, 2003. Luttrell stated that she thought that the problem with the petition was with the legal description.

Commissioner Herschend stated that the Commission had approved a portion of the road. A general discussion ensued. Commissioner Herschend moved accepting the road completely to the end of Castle Rock Road. Commissioner Strahan seconded the motion. A general discussion ensued. Commissioner Herschend amended his previous motion to include that the Commission would accept the balance of the road as described in the second petition and shown on the large scale map, while disregarding the design submitted by E.T. Archer Engineering. Commissioner Strahan amended his previous second. Commissioner Pennel clarified for the public that the road would be accepted inclusive of the cul-de-sac located on said road. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**SHEILA WYATT
PROPERTY REDEMPTION – SHEPHERD OF THE HILLS HISTORICAL
SOCIETY**

Sheila Wyatt, Collector, addressed the Commission concerning a piece of property that had sold at the 2004 Tax Sale. Wyatt stated that the records from the Assessor's Office had the property in the wrong name, explaining that the landowner was changed from Shepherd of the Hills Historical Society to Robert Moss in 1998 and that due to this error all subsequent tax notices had been sent to Moss. Wyatt informed the Commission that the Assessor realized error in 2004 and a redemption notice was sent to the Shepherd of the Hills Historical Society, adding that while the Society was willing to pay the taxes they did not feel that they should pay the additional charges. Wyatt further stated that

should the Commission decide not to charge the Society for the additional penalties and interest, the County's portion of the bill would be \$1067.01 and the Society would pay the taxes. Wyatt stated that the Assessor agreed that the Society should not be required to pay the penalties and interest. Wyatt added that there was a surplus bid that should be paid to the County in the amount of \$1,148.54. Commissioner Herschend asked what line item the payment would be generated from. Wyatt explained that she had an abatement refund account, but that the amount was only in the amount of \$200-\$500 requesting that funds be transferred into that line item should be increased to reflect that amount. Commissioner Herschend moved to approve the recommendation as presented by Wyatt, stating that the County would be responsible for the penalties, interest, and other charges in the amount of \$1,067.01 with the Shepherd of the Hills Historical Society paying the taxes owed in the amount of \$2,622.73. Wyatt requested that her budget be amended to reflect the payment. Commissioner Strahan seconded the motion. Wyatt requested that motion be amended to direct the Treasurer to forward the surplus amount to the Collector, which she would add to the amount the Commission was paying and send a certificate of redemption to the purchaser. Commissioner Herschend amended his previous motion to reflect Wyatt's request. Commissioner Strahan amended his previous second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**SHEILA WYATT
TRANSFER OF FUNDS**

Sheila Wyatt, Collector, stated that as a matter of record she was requesting that the Treasurer transfer funds in the amount of \$100,000 from the Collector's Tax Maintenance Fund to the General County Revenue Fund. Wyatt explained that this was pursuant to RSMo. 52.317 adding that the amount to be transferred was more than was required by said statute.

**CHUCK PENNEL
TANEY COUNTY PARK BOARD**

Commissioner Pennel stated that he and Commissioner Strahan had attended a meeting pertaining to funding for Parks & Recreation in Taney County. Pennel explored the idea of establishing a Taney County Park Board to oversee funding for projects pertaining to Parks & Recreation. Pennel stated that he was excited by the willingness of the representatives present at the meeting to cooperate with one another in an effort to improve these areas in Taney County. Commissioner Strahan stated that the group was interested in the establishment of a Taney County Park Board. Commissioner Pennel requested that Bob Paulson, Counselor, research setting up a county park board and report his findings to the Commission. Commissioner Pennel stated that \$10,000 there was budgeted for parks and recreation in 2003; \$25,000 in 2004; and \$20,000 in 2005. Pennel added that only \$1,000 was used out of the 2004 budget for projects benefiting Parks & Recreation. A general discussion ensued. Taney County resident, Art Beck, stated that the communities could solicit involvement that could lower the cost of the projects by recruiting individuals working in specific trades to donate time and/or

resources available to them. Beck added that the parks could rent the shelters for special events to help pay for the cost of building the shelters.

DONNA NEELEY
INTERGOVERNMENTAL DATA SHARING AGREEMENT

Donna Neeley, County Clerk, stated that she was presenting the Commission with the 2005 renewal of an intergovernmental data sharing agreement pertaining to digital geographic data. Neeley said that the agreement was with the City of Branson. Neeley added that Bob Paulson, Counselor, had drafted the original document in 2004. Commissioner Strahan moved to renew the agreement. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DONNA NEELEY
ASSESSOR'S REPORT TO THE STATE

Donna Neeley, County Clerk, stated that she needed Commissioner Pennel to sign the Assessor's reports to the state.

ROAD PETITION - CEDAR MEADOWS LANE

Tressa Luttrell, Administrator, stated that the County Clerk's office had confirmed enough signatures on the petition to accept Cedar Meadows Lane as a county maintained road. Donna Neeley, County Clerk, added that there were 19 signatures from qualified registered voters listed on the petition. Commissioner Strahan moved to accept Cedar Meadows Lane as petitioned. Commissioner Pennel seconded the motion asking if the petition had been read. Tressa Luttrell, Administrator, stated that it had not. Discussion ensued. Commissioner Pennel requested that the motion be changed to include the following: As per County Engineer, Dan Ratermann, the accepted portion of the road had a length of .52, would be classified as a Class 4 road, and that the accepted portion of the road would extend to the existing cul-de-sac. Commissioner Strahan amended his motion as requested. Commissioner Pennel amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RICK FINDLEY
2005 BUDGET REPORT

Rick Findley, Auditor, stated that the approved budget would be available for the public to review in his office. Findley added that if individuals would like to have copies of the budget they would have to pay for the cost of printing the copies. Findley also stated that he hoped the budget would be approved on Monday, January 24th.

ACCOUNTS ALLOWED

Commissioner Herschend moved to approve Accounts Payable warrants #87247 through #87354 contingent with purchase orders addressing some of the payments. Tressa Luttrell, Administrator, explained that the statutes allow for expenditures being paid for out of 2005 funding, even though the Budget has not been approved, as long as the funds were appropriated in the previous budget. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

The Commission were presented with the following minutes to approve: July 21st, August 19th, August 23rd, October 25th, November 8th, November 15th, November 17th, November 20th, November 24th, November 29th, November 30th, December 16th, January 3rd, January 10th, January 12th, January 13th and January 14th. Commissioner Herschend stated that he had not reviewed the minutes and moved to table them until later in the afternoon. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

Commissioner Pennel made a motion to recess. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECONVENE

The Commission reconvened in the Taney County Commission Office at 12:13 p.m. pursuant to adjourn with Presiding Commissioner Pennel, Eastern Commissioner Strahan, and Western Commissioner Herschend present. The following proceedings were had and made a matter of record.

PLANNING & ZONING COMMISSION

Commissioner Herschend moved to appoint Jim Brawner to the Planning & Zoning Commission. Brawner will be filling a vacant position as a representative for the Oliver Township. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

Ordered that the Commission adjourn.

Minutes taken by: Chalet Harding and Marla Pierce