

OFFICIAL

**NOVEMBER 9, 2012, 12th DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission Conference Room at 9:06 a.m. with Ron Houseman absent, Danny Strahan present, and Jim Strafuss present via teleconference. The following proceedings were had and made a matter of record:

Deputy Clerk Cristy Smith swore in Danny Strahan as Temporary Presiding Commissioner.

SLOUGH HOLLOW DISCUSSION

Randy Haes and Commissioner Strahan initiated the phone conference with Commissioner Strafuss, Attorney Pat Keck, and Mike Armstrong and Dale Gunter with Arkansas Fish & Game.

Commissioner Strahan explained his concerns on the Slough Hollow Road project. Namely, that there were sections of the road that now had a 2% drainage grade sloping towards the lake without any ditches or guardrails; and, that during rainy and icy weather, there would be water and freezing on the road that could easily lead to accidents where citizens would end up in the lake.

Mike Armstrong stated that the agreement made with Taney County stated the road be constructed back to a “reasonable continued use”, and they felt they had met that standard. Mr. Armstrong, reviewing the pre-construction pictures and project drawings, stated that he did not see where there were ditches along the road to begin with. Randy Haes clarified that the ditches were in the culvert areas, and there had been guardrails on one side of the culverts initially.

County Attorney Pat Keck suggested that the County and Arkansas Fish & Game could split the cost of purchasing and installing guardrails. Dale Gunter stated that the estimated cost for 3,900 linear feet of guardrail, the full length of the roadway, was \$144,000.00 and at that price Arkansas Fish & Game did not see how they could afford it. Commissioner Strahan informed the group that the County was not expecting railing along the full length of the road, just in those areas where there was a 2% grade sloping towards the lake, and over the culverts. Attorney Keck stated that per the agreement, Arkansas would have to meet MODot standards on guardrails. Mike Armstrong asked for a copy of those standards. Keck asked Randy Haes to get a copy of the standards book to Mr. Armstrong.

Discussion ensued on how to determine the length of rail that would be needed. Mr. Haes stated that he could go to the site and measure and provide those lengths to Arkansas Fish & Game. The Arkansas gentlemen requested an on-site visit with all parties involved being present, including the Corp of Engineers representatives, as they would be the party determining whether or not the road had been built to the “reasonable continued use” standard. Attorney Keck stated that it is not “reasonable continued use” when the road ices over in the winter and becomes dangerous for drivers without guardrails, as the road needs to meet year-round standards. Mr. Armstrong stated that the original road sloped towards the lake per the original cross-section

drawings, and he was not clear as to why this matter was not discussed initially when the agreement was being made. Attorney Keck asked Mr. Armstrong to send copies or scans of his photographs of the original road and site to her office, and he agreed. The group discussed scheduling options for an on-site visit, and agreed to a tentative meeting on Friday, November 16th at 11:00 a.m., with a secondary date to be set with Nikki Lawrence.

Pat Keck left the teleconference call at 9:40 a.m.

Commissioner Strahan thanked everyone for participating in the discussion.

Commissioner Strafuss moved to adjourn the meeting. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (absent), Strahan (aye) and Strafuss (aye).

ADJOURN
9:43 AM

The minutes were taken and typed by Cristy Smith, Deputy Clerk.