

**FEBRUARY 26, 2007 THE 20TH DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in the Associate II Circuit Courtroom at 9:10 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.

Gary Groman led in prayer, followed by the Pledge of Allegiance.

AGENDA AMENDMENT

Presiding Commissioner Pennel made a motion to amend the agenda, in order to address the GIS bid and the newspaper bid. Commissioner Strahan seconded the motion. Commissioner Herschend commented that he would appreciate the Commission amending the agenda, as he would be in Jefferson City this week. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

**ROCK WALL AWARD
TRESSA LUTTRELL**

Tressa Luttrell, Commission Administrator, shared that there were two bids received for the retaining wall and explained that the bid request was for approximately 800 blocks. Ms. Luttrell added that Jacob Rock, Road and Bridge Supervisor, recommended the Duracast product, at seventy-five dollars each, as this was the lower bid and that the type of block is London Boulder.

Presiding Commissioner Pennel asked if they were the same as the ones currently being used in that area? Mr. Rock responded that they were similar, but not the same and added that the same ones would be eleven dollars more per block.

Commissioner Herschend made a motion to table this issue until this afternoon, so the Commission could examine the difference between the rocks. Commissioners Strahan and Herschend agreed that it was important to have this look correct. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

**OIL DISTRIBUTOR BID AWARD
TRESSA LUTTRELL**

Tressa Luttrell, Commission Administrator stated that she did the bid for an oil distributor as a two-part package and Jacob Rock's recommendation is for a 2008 Sterling, with a number two alternate dip package, from VanKeppel for \$117,780 with the \$16,000 trade-in of County equipment. Commissioner Herschend asked if

VanKeppel would be doing all of the work. Jacob Rock, Road and Bridge Supervisor confirmed that VanKeppel would, and that it would be done by July.

Commissioner Herschend made a motion to approve the bid from VanKeppel for an oil distributor. Commissioner Strahan seconded the motion.

Jacob Rock explained that Road and Bridge looked at the pros and cons of existing equipment and expressed that he felt this equipment is the best fit. Presiding Commissioner Pennel asked if there were other brands available and if any others had been considered? Mr. Rock said that there were other brands available and that he spoke with companies in the area who did not recommend the other brands.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GPS SURVEY EQUIPMENT TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator announced that four bids had been received for Road & Bridge equipment and that the bids range from \$31,500 to \$50,211. Randy Haes, Road and Bridge, recommended the bid from Ozark Laser and Shoring for a Top-Con Hyper Light, which includes all software and training for \$43,192. Ms. Luttrell explained that Mr. Haes did not select the lowest bid, because that bid is for a different type of equipment and added that he checked with Great River Engineering about the different pieces of equipment. Mr. Rock clarified that the GPS equipment would save time and manpower, as Mr. Haes will be able to do the work that it now takes three men to do.

Commissioner Herschend made a motion to accept the bid, per Mr. Haes' recommendation. Commissioner Strahan seconded for discussion.

Commissioner Strahan asked Mr. Rock to clarify that Mr. Haes would be able to take this piece of equipment and do road work without the need of assistance from other workers? Commissioner Herschend said that with this equipment, Mr. Haes could be accurate within fractions of an inch and added that Great River (Engineering) could do the initial work and then Mr. Haes could do the work, without Great River having to come back, potentially saving tens of thousands of dollars.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GIS SERVER BID TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator explained that she took this bid for Gary Morgan of the IS Department and that Mr. Morgan was recommending Dell

Marketing's bid, in the amount of \$4,732.50. Commissioner Herschend asked if the County has used other Dell Equipment? Ms. Luttrell said "yes".

Commissioner Herschend made a motion to approve the bid as submitted. Commissioner Strahan seconded the bid. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

**NEWSPAPER BID
TRESSA LUTTRELL**

Tressa Luttrell, Commission Administrator stated that she received two responses to the annual bid for newspaper services, which includes various types of print, including but not limited to the election notices, employment ads, bid notices, public hearings, and the county tax sale. Ms. Luttrell further explained that she received two responses, one from Taney County Times in the amount of \$6.00 per column inch for all types of notices and advertisements and the other from Branson Daily News in the amount of \$8 per column inch for legal notices, ballots, and financial statement, and \$16 per column inch for employment ads. Ms. Luttrell recommended using Taney County Times as a primary provider, and Branson Daily News as a back up provider, as the Taney County Times only publishes once a week, on Wednesday. Ms. Luttrell added that some statutes require printing on days other than Wednesday.

Commissioner Herschend made a motion to approve the bid, as presented by Ms. Luttrell. Commissioner Strahan seconded the motion. Commissioner Herschend requested that someone monitor the bid, as the font can affect the price of the ad when billed by column inch. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

**JOURNAL ENTRIES
TRESSA LUTTRELL**

Tressa Luttrell, Commission Administrator informed the Commission that she has the journal entries discussed last week and that Road and Bridge has labor expenses needing to be reimbursed, as Road and Bridge was working for other areas. Ms. Luttrell further explained that Road and Bridge has labor wages of \$8,231.05 for the airport, \$18,076.10 for the judicial facility, and \$21,501.65 for the Masonic Lodge. Commissioner Herschend asked if the Airport Board knows that the airport will be charged back for those salaries? Ms. Luttrell said it is her understanding that Mark Parent, Airport Manager, is aware of this.

Commissioner Strahan made a motion to approve. Presiding Commissioner Pennel seconded the motion.

Auditor Findley asked if the road would be a city or county road, and if a county road, should the county be repaying Road and Bridge? Presiding Commissioner Pennel told Mr. Findley that the county had that discussion with the city. Commissioner

Herschend echoed that the county is doing this roadwork as a part of the contract for the Judicial Facility. The Auditor added that the Commission hasn't made a transfer from Road and Bridge to General County Revenue for road patrol.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

**TRASH PICK UP
BRENDA NEAL**

Presiding Commissioner Pennel invited Circuit Clerk, Brenda Neal to the mike to talk about the trash issue. Ms. Neal stated that she spoke with both Judge Orr and Judge Williams about using probationers to perform community service, to help pick up trash, and that judges both consented. Ms. Neal added that she still needed to speak with the probation department and expressed that the state would provide trash bags, pick up the filled bags, and provide fifty (safety) vests. Ms. Neal added that she believes the county would not have any liability for the probationers while performing their community service, due to state statute.

Donna Neeley asked Ms. Neal if the state would pick up trash bags off of county roads? Ms. Neal replied no, but that Judge Orr said that probationers could pick up trash off of any road and added that the trash pick up is scheduled for this Friday, March 2nd.

Commissioner Herschend said that the county believes that part of its duty is to keep the community clean, and to that end the county holds two cleanup weekends a year, adding that if trash is thrown out along the road the county has to send personnel to pick up the trash. Commissioner Herschend said that the county is going to test extending county employee cleanup by giving other employees the opportunity to help with clean up, instead of their regular duties, for a half-day. Ms. Neal stated that probationers would not be coming out this week.

Gary Groman suggested that if any of the offices would be closed completely, the office holder let the media know so that citizens didn't come out to find those offices closed. Commissioner Strahan informed Mr. Groman that some offices have several employees and that closing an office wasn't the plan. Presiding Commissioner Pennel requested that any office that was going to close let the Commission know.

Presiding Commissioner Pennel informed the public and the media that the Commission moved the county clean up to March 30th and 31st, because of the Easter holiday and two other scheduling conflicts.

**TIF AMENDMENT UPDATE
CHUCK PENNEL**

Presiding Commissioner Pennel stated that he spoke with Maynard Wallace last week, and Representative Wallace is behind the county's TIF effort, one hundred percent, to work on this legislation.

Commissioner Herschend pointed out that this amendment would give counties the same rights that cities have. Presiding Commissioner Pennel added that he hasn't been able to reach Senator Goodman, but did speak with Senator Tucker. Commissioner Herschend advised waiting to contact other counties a few weeks until a bill was ready to be introduced, to avoid possible confusion, and Commissioner Strahan expressed the same stance.

Bob Paulson, County Counselor informed the Commission that there were two bills to which the TIF amendment could be attached; Senate Bill 20 introduced by Senator Griesheimer was voted to pass out of the economic development/tourism committee, which restricts TIF committee membership, allows for referendums, and that the TIF can't capture new tax funds that are passed after the TIF project, and can't capture pilots from real estate that has never been developed. Mr. Paulson added that Senate Bill 176 is in committee, and most notably disallows the capture of earmarked tax funds, for example the County's Sewer and Road and Bridge taxes.

**RECORD RETENTION
DONNA NEELEY**

Donna Neeley, County Clerk presented the following list of records to the Commission that need to be in the minutes for destruction.

RECORDS DISPOSITION

County: Taney
Office: County Clerk

Date Sorted & Pulled:

The following records have met their retention schedule and are recommended for disposal under RSMo 109.230 subsection 4. The officeholder with jurisdiction over these records may elect to take the following action: store the records, destroy the records, or de-accession the records. If the records are destroyed or donated to a local historical agency the action should be recorded in the minutes with the record series and inclusive dates.

Record Series	Inclusive Dates	Retention
(Commission Office) PSC Bids & Proposals	2001	5 years
(Treasurer) Bank Statements Checking & Repurchase Agreement	1997-1999	5 years

Mrs. Neeley added that the records ready for destruction are the PSC Bids and Proposals from the Commission Office and the Bank Statements—Checking & Repurchase Agreement—from the Treasurer's Office. Mrs. Neeley further explained that she does not need a vote on this and explained that the financial statements have been prepared and the issue is on tomorrow's agenda. Presiding Commissioner Pennel thanked the Clerk for the list of minutes.

**ROUTINE BUSINESS
APPROVAL OF MINUTES**

Presiding Commissioner Pennel made a motion to table the approval of minutes from January 8th and 12th 2007. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the accounts payable checks #99483-99580 and warrant #4630, with the exception of the one for Curtis Bennett as there is a question as to whether this is for a partial payment or payment in full. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion that the Bennett bill be tabled until 1:00 p.m. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

Art Beck voiced his opinion that the county should not spend money on a fourth bridge across Swan Creek, as proposed by the City of Forsyth. Mr. Beck added that the only benefit he sees is for the alleviation of school traffic and he believes that the county's money would be better spent on an East-West Corridor project. Commissioner Strahan responded that the county is looking at maps to see what the city is planning.

RECESS

The Commission recessed for five minutes, before going into Executive Session.

RECONVENE

10:15

**CURTIS BENNETT BILL
PAYMENT APPROVAL**

Commissioner Herschend made a motion to approve payment of the Curtis Bennett bill. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (nea).

EXECUTIVE SESSION

BOB PAULSON

CONTRACTS & LEGAL UPDATE 610.021(1)(12)

CHUCK PENNEL

REAL ESTATE PURCHASE 610.021(2)

NUISANCE CASES 610.021(1)

Presiding Commissioner Pennel made a motion to enter into Executive Session. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to recess Executive Session. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).