

**SEPTEMBER 2, 2008 35TH DAY OF
THE JULY ADJOURNED TERM**

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

Prayer was led by Commissioner Strahan followed by the pledge.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #305549-305668 and manual warrant #4882. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

There are no prior minutes available for approval at this time.

SUPPORT LETTER FOR SYCAMORE VIEW

Mr. Greg Rodewald appeared before the Commission seeking a letter of support for Sycamore View Development. He noted that concerns that were brought to his attention last week, have been addressed and the site plan has been revised.

Commissioner Pennel made a motion to approve a letter of support for Sycamore View Development. Commissioner Herschend commented on concerns with construction oversight, as well as water run-off issues. Motion died for lack of being seconded.

A brief discussion took place with Mike Stahlzer, Project Engineer, and the Commission. Mr. Stahlzer discussed road access and that it will be held to state standards.

Commissioner Pennel made a motion to approve a letter of support for Sycamore View Development. Commissioner Herschend seconded his motion with noted concerns. Commissioner Strahan commented on road entrance concerns. Mr. Rodewald and Mr. Stahlzer both stated that the plans for the entrance of the development were completed and approved by Missouri Department of Transportation. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel left the meeting at 9:20 a.m.

PRESIDING COMMISSIONER

Clerk Neeley, swore in Commissioner Herschend as temporary Presiding Commissioner for the duration of Commissioner Pennel's absence pursuant to RSMo.

FINAL 2007 AUDIT PRESENTATION

Andy Marmouget, with Davis, Lynn & Moots CPA, presented the final 2007 audit to the Commission reviewing highlights of the financial statement and discussed some recommendations.

ROAD PETITION MARLIN, CRAPPIE AND PERCH

Commissioner Herschend read road reviews into the record, which are as follows:

Marlin Street > Located in Lakeway Village, Section 8, Township 23W, Range 21W

This road is in poor condition with little or no drainage. It also has three connecting roads that have residents. The roadway needs to be reconstructed with ditches and culverts where needed. It is suggested to have the road surveyed to understand where the right-of-way should be. In order to bring this road up to standards, it would cost approximately \$20,000-\$25,000. If taken in, a Class VI is recommended.

Crappie Street > Located in Lakeway Village, Section 8, Township 23N, Range 21W

This road intersects with Marlin and runs through to Catfish Road. There is no culvert at Catfish and it appears not to be drivable beyond the only residence on the road. There is also a water tower located on this road. The road is rough where it intersects with Marlin and then fair at the top of the hill. The rest of the road does not appear to be passable. If taken into the county system, I would recommend a Class VI and would not recommend taking it in past the water tower, as there are no residences and it is not passable.

Perch Street > Lakeway Village, Section 8, Township 23N, Range 21W

This road intersects with Marlin and runs through to Catfish Road. This road needs to be reshaped with ditches and base rock added to the roadway. The brush needs cut from right of way and big rocks removed from edge of roadway. It is recommended a Class VI if taken in.

Mr. Frank Preston stated that there would be a significant expense that would go into these roads to have them brought up to county standards. He also noted concerns with the water lines not meeting a specific standard.

Commissioner Strahan made a motion to table. Commissioner Herschend noted several concerns. Motion died for lack of being seconded.

Ginger Findley, property owner at 235 Perch, approached the Commission with concerns that there is no garbage pick-up or emergency service due to the roads not being passable.

Commissioner Herschend made a motion to table Crappie Street, which is the road the water tower is on. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to deny Perch Street and Marlin Street as those surfaces are sub-standard in width and are both gravel and in rough condition and that it would take \$20,000 - \$25,000 to bring roads up to county standards. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

PICKETT RIDGE ROAD PETITION

Commissioner Herschend read road review into the record, which is as follows:

Pickett Ridge Court > Located in Smoke Tree Hills, Section 21, Township 21N, Range 20W
This road is in good condition and drainage is working well. The one entrance culvert that appears to be blocked is not causing any runoff issues at this time. The recommendation would be a class IV if taken into the county system.

Mr. Preston stated that he had no objection to the recommendation.

Commissioner Strahan made a motion to take in Pickett Ridge Court to the county maintenance system as a Class IV. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

FORSYTH ROAD ~ TRANSPORTATION DEVELOPMENT DISTRICT

Clerk Neeley informed the Commission that she had received a verified petition approving a sales tax resolution submitted by the Forsyth Road Transportation Development District from Lathrop & Gage, L.C.

2008 LEVY PUBLIC HEARING

Clerk Neeley presented the Commission with a copy of the 2008 Levy for General County Revenue and Road & Bridge. She noted an increase in the total real estate property of \$65,597,024 and there was also an increase in the total personal property of \$3,858,054 for a total increase of assessed valuation in Taney County of \$69,455,078.

Clerk Neeley commented that the current year tax ceiling rate is at .2391 for General County and for Road & Bridge Department is .1836.

Commissioner Strahan moved to establish the General County Levy at .2391 and Road & Bridge Levy at .1836. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

Commissioner Strahan made a motion to roll back both the General County & Road & Bridge levy to "0". Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

PUBLIC COMMENT

Art Beck commented on concerns of the generator location at the Judicial Facility.

Bobby Clay noted his disappointments at the Judicial Facility Open House, as he was unable to get into the building with the amount of citizens/officials that were present.

COMMISSIONER HERSCHEND

Commissioner Herschend stated for the record that there was an article that Taney County Times printed, which several portions in the article were incorrect. He also noted that last Thursday the Commission was invited to a meeting regarding the Dam Site Sub Division, but that there were no motions and/or no votes taken.

RECESS 10:30 a.m.

Minutes taken and typed by Nikki Lawrence.

RECONVENE 11:30 a.m.

WHITE RIVER VALLEY HISTORICAL SOCIETY 2009 BUDGET

Lisa Owen, Director for the White River Valley Historical Society met with the Commission to present their request for the 2009 budget.

Commissioner Pennel entered the meeting at 11:55 a.m.

Commissioner Herschend made a motion to move forward with this request as a part of the Commission's budget submission. The motion died for a lack of a second. Auditor Findley commented that he saw this as an ongoing expense that doesn't have to be.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into executive session pursuant to RSMo 610.021(3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to deny the request of Charles Edwards for additional vacation time. The motion died for a lack of a second.

Commissioner Pennel made a motion to pay Mr. Edwards his 29 hours of vacation that has been accrued. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Tressa Luttrell.

TANEY COUNTY REGIONAL SEWER DISTRICT

Commissioner Pennel and Commissioner Strahan attended the Taney County Regional Sewer District Meeting to hear updates on Bee Creek and Ozark Beach projects as well as the discussion of a utility truck purchase and the Amended Sewer Services and Exclusion Territorial Agreement.

Minutes typed by Nikki Lawrence

TANEYCOMO COST SHARING APPLICATION

Commissioner Pennel and Commissioner Strahan attended a cost sharing meeting regarding the Taneycomo Bridge. Let it be noted that Commissioner Herschend was in attendance via telephone.

Commissioner Pennel commented on the total liability the county has for the cost share application, in addition to the language in the application concerning overrun of funds, as 40% would be the responsibility of the county.

Mr. Dean Kruthof, City Administrator with the City of Branson, explained each entities responsibility for the overrun and that if the bid comes in over the application amount, it could e renegotiated or sent for bid again.

Mr. Rick Zigenfuss, City Administrator with the City of Hollister, noted that there was a good possibility the project would come in under the engineers estimate and reminded everyone that is only the application, not the contract. Mr. David Miller, City Engineer with the City of Branson, stated that MoDOT requested the application by 4:30 p.m. today.

Commissioner Herschend made a motion to approve the cost share of any cost overruns being shared proportionally among the local partners with Taney County paying 40% of the total cost overrun, City of Branson 8% and City of Hollister 2%. Commissioner Pennel seconded the motion. Commissioner Strahan commented that he was not against the application process but he had spent a lot of time trying to acquire federal funding for the bridge project. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (no).

Commissioner Herschend was disconnected from the meeting, due to his mobile phone dropping the call.

RECESS
3:29 p.m.

Minutes taken by Susie Braden and typed by Nikki Lawrence.