

**OCTOBER 29, 2008 13<sup>TH</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission Hearing Room at 9:00 a.m. with all members present and the following proceedings were had and made a matter of record.

**PAYROLL**

Commissioner Strahan made a motion to approve the following payroll warrants:

General County Revenue #105019 through #105021, #105049 through #105070

Road & Bridge #105022 through #105042

Assessment Fund #105043 through #105044

Transfer Station Fund #105045 through #105047

911 Administrative #105048

Accounts Payable warrants #306545 through #306550, manual warrants #4912, #4913

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

**PRIOR MINUTES**

Commissioner Strahan made a motion to approve prior Commission Minutes dated 10/9, 10/15 and 10/16/08. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**SECURITY ISSUE**

Commissioner Herschend noted that John Lavender, Maintenance Supervisor's staff had been directed by an Elected Official to leave the doors to the Courthouse open, however the building was never closed back up which is a security concern. Commissioner Herschend added that the maintenance staff takes direction from the Commission and therefore should not be directed to do anything by another Elected Official without the Commission's approval.

Commissioner Pennel suggested sending out a form that could be filled out noting when and why the doors were to be open, that way the staff would know when they can close it back up.

**BOB PAULSON  
WORK SESSION**

Counselor Paulson met with the Commission to update the legal issues as well as go over his weekly schedule.

**JEFF BOURKE, BRANSON AIRPORT  
REVENUE SHARING AGREEMENT**

Jeff Bourke from the Branson Airport met with the Commission to request the approval of a tax revenue sharing program designed to promote tourism to the region and increase county sales tax revenues. The program is designed to use tax dollars generated by the presence of the new airport to further increase tourism to the region via the airport thereby further increasing county tax revenues. The program will reinvest a percentage of the new county tax dollars generated by the presence of the airport to promote tourism.

Mr. Bourke continued, both the on airport and off airport tax benefit to the county is substantial, in the first year and more than doubles within the first 10 years. The airport is proposing a 10 year program that will help ensure the county will generate \$2 million in county sales tax revenue in 2010 increasing each year to over \$5 million by 2020. We are asking for the County to authorize a tax revenue sharing credit, to be issued to the Airport no later than December 1, 2008 or when the first national network carrier announces service. This amount to be fronted is \$418,632.

Commissioner Herschend noted that it was his understanding that the County has committed incremental GCR funds not road & bridge or sewer. Commissioner Pennel stated that he had it in his mind that the money was generated not fronted. Mr. Bourke referred back to the summary presented which indicated \$418,632, then would not be eligible for any more funds until that amount has been generated.

Commissioner Herschend commented on the sales tax the County has already received with the construction of the airport and added that he would like to see the Commission consider that the money fronted is incremental and that the County would not have received anything should the airport not have been built.

Commissioner Strahan asked if out of the \$115 million in bonds, where there not any advertising dollars available. Mr. Bourke noted that the bonds, \$35 million is equity but that it has always been that the marketing dollars would come from local surroundings. Mr. Bourke added that the state will be stepping up and that the County is one of the biggest benefiteres.

Mr. Bourke informed the Commission that they would be receiving their FAA letter in mid December. Commissioner Herschend made a motion that the County advance, upon the receipt of the FAA letter and the announcement of the carrier, \$200,000 which is 2/3 of the tax that has been collected and agree to fund the balance at a later date.

Commissioner Strahan asked Commissioner Herschend if he or his family had any ties to this airport. Commissioner Herschend noted nothing personal, that his family was approached for marketing and to decorate but Big Cedar will be doing that. Commissioner Herschend added that he hasn't spoken to Steve Pete since July but believed that it was a homerun for the County as it is going to increase revenues by 15-18%.

Commissioner Strahan noted that there is no doubt that it is great for the area but that he had questions noting that the tourism tax should have a major part in advertising for the airport. Commissioner Herschend noted that he thought they were.

Commissioner Herschend asked what the City of Branson's commitment was. Mr. Bourke noted that they are paying for performance at \$8.24 for every non-originated passenger to this area. Commissioner Strahan asked what if the City, in their financial commitments, can't come up with the dollars. Mr. Bourke noted that the agreement was a solid lock down deal.

Commissioner Herschend made a motion to fund conceptually at 50% upon the FAA letter and the announcement of the carrier and the remaining 50% forwarded 90 days after the first landing based on actual landings not projections.

Commissioner Strahan asked if Mr. Bourke had anything else. Mr. Bourke noted that he couldn't stress the importance of this funding as we have only once chance to get this right. Commissioner Strahan noted that this was an important decision and knew that Mr. Bourke had lobbied each Commissioner individually.

Commissioner Strahan made a motion to table the issue until they could get into the budget. Commissioner Pennel asked what he meant. Commissioner Strahan stated that it would give the Commission two weeks to see where the County is financially.

Mr. Bourke noted that part of the critical timing is so that they could get back to the second carrier as it is a big part of the selling point. That carrier is in their planning cycle for next spring and if we miss it it will be another year, so this decision has an urge of an emergency.

Commissioner Herschend noted that he could look at any constituent and explain why we did this. Rick Ziegenfuss, Administrator for the City of Hollister commented that it would be worth knowing who would be managing those dollars if we are going to be receiving benefits in this region.

Commissioner Herschend amended his motion to approve the concept and approve the fronting of 50% but that the Commission need to work out post haste a document that spells out how the money will be spent and the ability to audit.

Commissioner Strahan noted that he has been supportive of the Taney County Airport noting the decision that had to be made on what that airport would bring to Taney County and this is at a much larger scale. The economic factor that the decision has to be made on, the best approach for funding and what the County will have available. Commissioner Strahan added that the fact that he wanted to look at the budget is very important.

Commissioner Herschend respectfully asked that Commissioner Strahan challenge the concept as budget is only a one year deal. The \$200,000 can be taken out of the surplus and you have voted to take out \$600,000 already to build a hangar. Commissioner Strahan noted that that decision had already been made and he was tired of discussing that issue. Commissioner Herschend stated that the decision was to go out for funding not the county funding it. Commissioner Strahan noted that he was concerned with the budget.

Commissioner Pennel seconded the motion to table. Commissioner Pennel added that his thoughts are different than Commissioner Strahan's to wait two weeks and added that he was uncomfortable as in the discussions he had with Mr. Bourke it was not made clear that there was forward funding. Commissioner Pennel also commented that Mr. Bourke had made some statements regarding marking with local dollars, crucial decision and scare tactics and didn't see how he could say them. Commissioner Pennel continued noting that Mr. Bourke hadn't mentioned anything about requesting money from the law enforcement tax that he previously discussed.

Commissioner Pennel commented the one big stumbling block is how you are going to tell us it's incremental. This project has been sold over and over that it's a private project.

Commissioner Herschend noted that he would appreciate Commissioner Pennel listing all of his questions so that Mr. Bourke would have a chance to answer them. Mr. Ziegenfuss asked if the issue was with forward funding or funding period. Commissioner Pennel noted that it was both for him.

Gary Groman asked how the money be marketed different than the tourism tax. Mr. Bourke noted that it would be slightly more targeted as they would follow up with more campaigns. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**EDDIE WOLFE  
POWELL ROAD**

Eddie Wolfe, Surveyor met with the Commission to discuss the realignment of Powell Road. Mr. Wolfe asked if the county was willing to do the legal and vacation work.

Commissioner Herschend made a motion that the County would pay for the recording of the legal documents and if and when all parties sign off will start the vacation process. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **ANGELA LEIST PARK BOARD ISSUES**

Angela Leist brought the Commission a few issues that needed to be resolved for the Park Board.

Commissioner Herschend made a motion to purchase a tennis net for the Powersite Park. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to carry over \$5,300 of Rockaway Beach's project to the 2009 budget due to the 2008 floods. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to spend up to \$8,500 for playground equipment for the Mincy Park. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **TRESSA LUTTRELL WORK SESSION**

Tressa Luttrell, County Administrator met with the Commission to discuss various issues.

1. Patrol Car Bid: Ms. Luttrell presented the Commission with the bid for the replacement of a patrol vehicle. Ms. Luttrell noted that this was the second time the bid was sent out and only one bid was received by Tri-Lakes Chrysler for a 2009 Charger in the amount of \$23,196.00.

Commissioner Strahan made a motion to approve said bid. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes). Commissioner Herschend commented that he didn't understand why the Sheriff was replacing a truck with a charger.

2. Evidence Storage Bid: Ms. Luttrell presented the bids for the evidence room storage. Ms. Luttrell noted that Sheriff Russell was recommending the bid as submitted by TAB Products in the amount of \$27,055.00.

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

Commissioner Strahan left the meeting.

3. Vacation time request: Ms. Luttrell presented a request from Christy Teel for the payment of 45 hours of vacation time due to a financial need.

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

4. Planning & Zoning/Sewer: Ms. Luttrell commented that in recent discussions we have talked about having Sunbelt Environment come and take a look at the area where Planning & Zoning and the Sewer District are to ensure that there is no mold. Now that the prisoners are no longer above those areas, this would be a good time to get them down here.

The County Commission noted that they didn't see the need as maintenance would be totally stripping that area for the remodeling.

5. Road Sharing Projects: Ms. Luttrell commented that in Monday's meeting Commissioner Strahan had indicated that letters had gone out to the municipalities regarding the 2009 road sharing funding and inquired if the procedure had changed so that she could make sure the appropriate person has the paperwork.

Commissioner Pennel noted that letters had not gone out, he had personally spoke with 6 municipalities asking for a letter of intent. Commissioner Herschend added that it was mentioned that when you returned from vacation, letters would go out. However, both Commissioner Pennel and Commissioner Strahan has spoken with most of the municipalities.

Ms. Luttrell noted that she just wanted to ensure that it was being taken care of. The Commission added that the procedure would stay the same. Commissioner Herschend made a motion to budget \$50,000 per municipality again for the 2009 budget and solicit projects. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

6. Judicial Facility: Ms. Luttrell noted that there were still some issues to be cleared up on the Judicial Facility, one being that she still had not received any dimensions from the Judge or Circuit Clerk for the ordering of the additional benches. Ms. Luttrell added that the Commission had approved purchasing a sound system for the witness area, however no information has been brought back by Commissioner Herschend for that purchase. Ms. Luttrell stated that the

interior windows on the courtroom doors were approved and the maintenance department eventually will get to placing them, but according to the Judge and Circuit Clerk, they would like for those to be done now.

Commissioner Herschend stated to contact Artisan Construction. Ms. Luttrell further noted that Sheriff Russell has asked if the Commission would be funding the purchase of equipment for his training room. Commissioner Herschend commented that he didn't feel that it was a capital expense as training has been conducted in the past, what was used then.

7. P-Card: Ms. Luttrell informed the Commission that the three year bid for the P-Card service would expire in October and wanted the Commission's opinion on re-bidding. Ms. Luttrell added that she had sent an email to both the Treasurer and the Auditor for their inputs as well.

Commissioner Herschend noted that he didn't know enough about the program to make that decision as requested that Ms. Luttrell provide a report noting the pro's and con's of the program.

8. Day after Christmas: Ms. Luttrell noted that there have already been requests for the day after Christmas, whether the Courthouse would be open or closed. Ms. Luttrell pointed out that the Governor had not yet ruled for the State.

Commissioner Herschend made a motion that the Courthouse would be open on the 26<sup>th</sup>. Motion died for a lack of a second.

9. Journal Entries: Ms. Luttrell presented journal entries for approval. Commissioner Pennel made a motion to table until this afternoon. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

### **RECESS**

12:04 p.m.

### **RECONVENE**

1:23 p.m.

### **HANGAR CONTRACT**

Counselor Paulson and the Commission worked through the contract to erect a Hangar at the Taney County Airport with Cornerstone Construction. Commissioner Herschend made a motion to authorize the contract to start erection as the county works to get a contract completed in 10 days.

Counselor Paulson commented that he had a problem with any work being performed without a contract in place. Commissioner Pennel made a motion to approve the contract with Cornerstone Construction contingent upon the changes being made that

was discussed here today. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (absent).

**RECESS**

2:17 p.m.