

**NOVEMBER 17, 2008 25th DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Hearing Room at 9:03 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 Pennel followed by the pledge.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to accounts payable warrants #306748-#306758, #306775-#306841 and manual warrant #4922. Commissioner Pennel 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 10/27/08, 10/30/08, 10/31/08, 11/3/08, 11/4/08, 11/7/08 and 11/11/08 with noted corrections. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**WHITE TAIL CROSSING
ROAD PETITION**

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

Located in Whitetail Crossing Sub-Division > Section 19, Township 24N, Range 21W
Gabby Lane is a through road that runs from Jack Hollow to Stone Creek. The surface is in poor condition with sub-grade failure for more than sixty percent of the roadway. Ditch-line on the north side should be cleaned and shaped, especially at the intersection of Stone Creek. This road should be scarified and sub grade material added for stability and road properly crowned. This road also has a steep grade and I would suggest a surface of hot mix overlay rather than chip seal. Cost to the county is taken into the system would be approximately \$5,000.00-\$10,000.00 for material. It would be recommended a class V if taken into the county road system.

Located in Whitetail Crossing Sub-Division > Section 19, Township 24N, Range 21 W
Ridge Wood Lane is a through road that runs from Jacks Hollow to Stone Creek. The surface is in fair condition except at the intersection with Stone Creek. The failure may be due to the steep grade. The roadway needs to be widened to a twenty foot surface and repaired at the Stone Creek Intersection. It would be recommended to lay a hot mix surface rather than a chip and seal as this road has a steep grade similar to Gabby Lane and a class V if taken into the county system.

Located in Whitetail Crossing Sub-Division > Section 19, Township 24N, Range 21W
Stone Creek Road is a through road that runs from Gabby Lane to Rock Point Drive the surface is in poor condition from Rock Point Drive to Ridge Wood Lane and from Ridge Wood Lane to Gabby Lane the surface is fair by narrow. This roadway should be widened and sub-grade material added for stability. Drainage at the intersections of Ridge Wood Lane and at Gabby Lane should be reshaped. The roadway between Gabby Lane and Ridge Wood Lane should have a

guardrail on the lower side of the roadway. Cost to the county for improvement, if taken into the county system would be \$20,000.00-\$25,000.00 and a class V.

Frank Preston, Road & Bridge Administrator, showed a video of the roads that were being petitioned for the county to take into the county maintenance system. He noted that the remaining portion of Gabby Lane and all of Stone Creek Road and Ridge Wood Lane were all in poor condition.

Commissioner Pennel commented that according to the petition there were only a couple of homes on the roads. Mr. Preston stated that there were five (5) homes on the series of roads.

Commissioner Herschend made a motion to deny White Tail Crossing Road Petition at this time, as he has concerns that the responsibility of the roads lie with the developer and/or the homeowners association and that the roads would need to be brought up to county standards.

Commissioner Strahan commented that a portion of Gabby Lane has been working on by the county and would like to see the remaining portion taken in the county maintenance system.

Motion died for lack of a second.

Commissioner Strahan made a motion to take in the remaining portion of Gabby Lane.

Motion died for lack of a second.

Commissioner Pennel made a motion to table until the Commission could view Gabby Lane. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (no).

PAGING SYSTEM FOR PROSECUTOR'S OFFICE

Gary Morgan, IS Administrator, noted the Prosecutor's Office had researched purchasing a paging system, as their new office is much larger than their old one. He also stated the paging system would be cabled through the current/existing telephone system and Century Tel bid this project at \$1,970.60.

A general discussion ensued referencing the placement of the speakers as it would be necessary and not a hindrance for all office personnel.

Commissioner Herschend made a motion to table until the Commission could go to the Prosecutor's Office to look at the set-up and decide what is necessary for their office.

Mr. Morgan noted that Century Tel's bid would be current for 30 days. Commissioner Pennel noted being in favor of the purchase, as he can see the need in their office layout. Tammy Hagler, 911 Administrator, stated she had researched other alternatives and the end result always came back to a paging system.

Commissioner Herschend asked about purchasing a repeater. Ms. Hagler noted it was one of the alternatives she had researched, but found there could only be a maximum of 6 phone lines attached.

Commissioner Strahan stated he was in favor of doing something different, like purchasing a paging system, but wanted to research all options before a decision was made.

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

Mr. Morgan was instructed by the Commission to get in touch with Alltel to get a quote on purchasing a repeater.

2009 LEGISLATIVE PARTNERSHIP

Commissioner Pennel made a motion to support the 2009 Legislative Priorities, which were assembled by the Branson Lakes Legislative Area Partnership. Commissioners Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

FRANK PRESTON ROADS UPDATE

Mr. Preston noted that Shorty Cooper had been flagged for re-alignment and there has been a meeting scheduled this afternoon to discuss additional details on the project.

CERF

Clerk Neeley presented an annual CERF document to the Commission for their signatures.

Commissioner Strahan made a motion to approve 4% of employee salaries to go towards CERF, which is the same as it has been in the past. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

STATE TAX COMMISSION SETTLEMENT

Commissioner Herschend questioned Counselor Paulson on the status of the Settlement Agreement. Mr. Paulson noted that he is anxiously awaiting an answer from Mr. Randy Turley, representative for the State Tax Commission of Missouri.

RECESS

9:46 a.m.

Minutes were taken and typed by Nikki Lawrence.

RECONVENE

1:14 p.m.

SHORTY COOPER STREET

Spencer Jones with Great River Engineering met with the Commission to discuss the recent changes to Shorty Cooper Street. Commissioner Herschend asked Mayor Oliphant to take a look at the staking at the site to make sure they are to the City's liking.

**BUENA VISTA
ENTRANCE ROAD**

Mr. Jones updated the Commission on the status of the entrance for Buena Vista for the Mountain. Mr. Jones noted that some major considerations for the design was because of a portable transformer that would be stored at the Mountain location as well as a substation for White River Valley Electric Company.

Commissioner Herschend asked what the estimated cost would be. Mr. Jones stated that he hadn't ran the numbers as yet as this was just a concept and added that there were some things that needed to be resolved: 1) the Mountain needs to develop a plan of how this would be accessed internally 2) bring that plan to the county for review and 3) the county should determine if this road is adequate for the types of vehicles running on that location.

Commissioner Herschend commented that he didn't stop this work as he was here when this Commission approved 6 years ago to build an access road and added that he got excited when there is 20-40 jobs brought to the county with salaries of 60,000. If the Commission is saying that we are not going to spend any money then I have led them astray. Commissioner Pennel indicated that his understanding was that Jack Henry was coming no matter what. Commissioner Herschend noted that they are there in a small way, however without power it won't happen.

Commissioner Strahan asked why the power company hasn't come to the Commission with their needs which is a concern of his. Commissioner Herschend noted that the Commission voted when it was on the curb and the IDA voted unanimously. Now is the first time I have heard that we wouldn't be supporting the project. Commissioner Herschend reiterated that the Commission went to the IDA with a project

and voted and asked that the Mountain, the power company and the Commission get together.

FRANK PRESTON & TRESSA LUTTRELL WORK SESSION

Frank Preston, Road Administrator and Tressa Luttrell, County Administrator met with the Commission to discuss various issues.

1. Forsyth Walking Trail: Mr. Preston asked if the Commission was aware that the contract with the City of Forsyth included that the City would pay Taney County \$25,000.00 for signage and traffic control.

Spencer Jones from Great River Engineering noted that the City was going to let the project die if the County didn't step up and added that it was going to cost the City the \$25,000.00 whether they did the project or not as the \$25,000.00 would have to be repaid. We are at the point of finalizing the project. Mr. Jones added that the City was to supply the park benches, trash cans etc., however the County did that and was reimbursed for those expenditures.

Commissioner Strahan noted that he remembered someone stating that the County had \$60,000.00 out of pocket expenses on this project, if there is an agreement noting the City is to pay us, I would like to have that money. Commissioner Strahan added that the City has reaped the benefits from all the County's generosity several times. Commissioner Herschend stated that he thought the contract stated if the County didn't spend the money that we wouldn't be reimbursed. Mr. Jones commented that he was at the meeting with the City and the intent was for the City to pay the County \$25,000.00 as they were going to have to pay that amount back and drop the project.

Commissioner Herschend made a motion for a letter to the City requesting the reimbursement of \$25,000.00 as spelled out in the contract. Commissioner Strahan asked Mr. Jones to provide the letter. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

2. Road Standards: The final draft of the Road Standards was presented to the Commission with various areas discussed for clarification. Mr. Preston noted that the suggested changes would be made and a final copy given to the Commission for approval. Commissioner Strahan requested that the Commission be given a week to do the final review.
3. Justin Gage project: Mr. Preston informed the Commission that he had been invited to a meeting along with Auditor Findley regarding the East/West Corridor and Event Center. Mr. Preston noted that Mr. Gage had handed out a copy of a speech he would start giving to the public which reflects that the County would be giving \$500,000 out of GCR and R&B and supplement with a 1/8 cent sales tax for 15 years.

Ms. Luttrell asked where the million dollars would be coming from with our current budget the way it is. Commissioner Herschend stated that it wasn't there. Ms. Luttrell added that Mr. Gage is going to go to the public stating that the County is going to contribute. Mr. Preston stated that he wasn't comfortable with what Mr. Gage had stated. Ms. Luttrell inquired as to what our Auditor had to say about it. Mr. Preston commented that he was for the concept but that there were three gentlemen that would have to approve that theory.

Commissioner Herschend asked what the Commission should do when they here that a commitment is being made without our approval. Commissioner Pennel noted that Mr. Gage has not set down with the Commission yet. Commissioner Herschend pointed out that Mr. Gage has shared it with a representative of the County; the public doesn't know that he hasn't spoken with the Commission. Commissioner Pennel asked what the Commission thought about inviting Mr. Gage to a Commission meeting and asked Mr. Preston to set it up.

RECESS

4:19 p.m.