

## **OFFICIAL MINUTES**

**JANUARY 26, 2009, 14<sup>TH</sup> DAY OF  
THE JANUARY ADJOURN TERM**

9:00 AM

Commissioners Present: Jim Strafuss, Danny Strahan, and Chuck Pennel

Prayer by: Chuck Pennel

### **ACCOUNTS PAYABLE**

Commissioner Strahan moved to approve the following accounts payable:

Checks # 307982 - # 308059 and # 308060 - # 308061

Warrants # 4962

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

Commissioner Pennel discussed the payment to HMN that we have been holding.

Commissioner Pennel moved to have treasurer's office hold the HMN Check until we clarify.

Strahan seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

### **APPROVAL OF MINUTES**

Commissioner Strahan moved to approve the minutes for 1/20, 1/21, and 1/22.

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

### **SAND AND GRAVEL MINING PERMIT**

The Commission received a notification regarding a mining permit. The notice informed the Taney County Commission that they could request a hearing or send comments if there are any concerns regarding the permit. The applicant at Taneyville is Gerald Yearly and it is a renewal application for a sand and gravel mining permit. Commissioner Pennel stated that no action needed be taken, as this is just a notification.

### **DAM-SITE AGREEMENT**

Bob Paulson said this was just a review of language in the agreement with the City of Branson to allow the Sewer District to hook up to their plant.

## **ROARK CREEK 303D LIST OF IMPAIRED WATERWAYS**

John Soutee presented a letter to the Commission and explained that DNR had planned to put Roark Creek on the 303D list of impaired waterway, but that his staff had reviewed the information and informed DNR that their information was not up to date. Soutee reported that due to his staff's communications with DNR that they are reviewing the case and may not be listing Roark Creek on the impaired waterways list.

## **TRAVIS COMPUTER SERVICE**

The Commission reviewed a renewal of services agreement between Jim Travis, the County Clerk and the County Assessor. Commissioner Strahan moved to approve for payment, the contract and billing for Travis Computer Services. Commissioner Pennel seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

## **EAST/WEST CORRIDOR ROAD BALLOT LANGUAGE SPECIAL ELECTION**

Bob Paulson read the ballot language being considered. Commission Strafuss pointed out that the last official estimate on the cost to build the road was a couple of years ago in the amount of 28 million. Commissioner Strafuss said they were considering leaving that amount in the language even though it appears that current cost estimates would be lower..

Commissioner Strafuss moved to table ballot language consideration until this afternoon so proper wording of underwriter and bond counsel is confirmed as correct and confirm that the dollar figure is also correct. Commissioner Strahan seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

## **EMERGENCY MANAGEMENT CHRIS BERNDT**

Chris Berndt discussed emergency preparedness for the impending ice storm and said that plans are in place for shelters as needed. Emergency Preparedness will send the announcement out as needed over the local radio stations.

Sheriff Russell also encouraged the media to caution the public about use of open flames and other emergency heating methods.

## **PUBLIC COMMENT**

### **BOB SCHANTZ**

**Mr. Schantz discussed concerns over the information that may be provided to the public regarding the east west corridor.**

**RECESS UNTIL 10:30 AT COMMISSIONERS CONFERENCE ROOM**

**RECONVENED 10:30 AM IN COMMISSIONER'S CONFERENCE ROOM**

**INSURANCE UPDATES AND RECYCLING PROGRAM**

Tim Connell discussed the worker's compensation insurance reduction. Some of the services like "light duty return to work" are making a difference in future insurance costs.

Tim Connell presented potential umbrella coverage to the commission for their consideration.

Commissioner Pennel moved to approve premium coverage as submitted by Mr. Connell. The premium is \$544,159 for workers compensation, property liability and auto. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

Commissioner Strahan moved to approve Check #308062 for Division of unemployment for unemployment tax of \$3,979.08. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

**BUDGET ISSUES**

Commissioner Strahan moved that the Commission have Rick Findley add 4 hours per week to the County Clerk's budget as the part time person employed by the Clerk works 24 hours per week, not 20 hours per week. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

Commission Strahan asked the County Clerk to look at last year's raise and see how it was distributed and bring that information back to the commission.

Commissioner Strafuss is still concerned about the 19 people that are below what should be the minimum starting wage for the County.

**STORAGE COMPLAINT**

Commissioner Pennel has received a complaint about the yard ornaments business on 248 being moved to a residential prop on Shell Lane. Commissioner Strahan will contact Ben Delgado about this complaint.

**DEPARTMENTAL REVIEW – IDA OFFICE RELOCATION**

The Commission discussed pros and cons in having an IDA office located in the City of Branson offices next to a potential office of the MO Extensions Service office for economic development on the same floor. Commissioner Strafuss will send a letter to the IDA Board stating that the commission has some concern about putting Seth McDairmant in Branson.

## **ROAD PETITIONS PROCEDURE**

The Commissioners said that the procedure is to give petitions to Nikki Lawrence in order to have the County Clerk review the petition signatures and then have Road and Bridge involved in making a video to bring to the Commission meeting for potential action.

## **EAST/WEST CORRIDOR FACT SHEET**

Commissioner Strafuss asked if the county is going to publish a fact sheet? No decision was reached for now.

**RECESS**  
**12:30 PM**

**RECONVENE IN COMMISSIONER'S CONFERENCE ROOM**  
**1:05 PM**

Commissioners present: Jim Strafuss and Chuck Pennel

Commissioner Strahan joined the meeting at 1:11 PM

## **PURCHASING & MAINTENANCE**

Purchasing, Building and Grounds items were discussed with Tressa Luttrell by the Commissioners.

The Commission decided to move the Executive Session notebook back to the commission office from Tressa Luttrell's office and have the Clerk's designated minute taker record executive session minutes.

## **CLERK'S BUDGET**

Concerning the County Clerk's request for an adjustment to one employee's wage, the commission decided to review all full time employees that are not at the starting wage level before making any decision.

## **ROAD AND BRIDGE**

Frank Preston discussed several items, from preparedness for the impending ice storm, to River Run road grading, and Transfer station list. Clevenger cove easement turned out to be 454 square feet. The Commission instructed Frank to determine the easement rate per square foot that Randy has used in the past and bring it back to the commission.

Commissioner Pennel moved to go into Executive Session. Commissioner Strahan seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

**EXECUTIVE SESSION  
2:12 PM**

The Commission discussed Salary issues.

It should be noted that no motions were made and no votes were taken.

Commissioner Strafuss moved to go out of Executive Session. Commissioner Pennel seconded the motion. . The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

**RECONVENED FROM EXECUTIVE SESSION**

Presiding Commission Pennel declared a recess to reconvene in Branson at 3:00 PM.

**RECESS  
2:30 PM**

The minutes were taken and typed by Jim Yust, Deputy Clerk.

**RECONVENED IN BRANSON ALDERMAN CONFERENCE ROOM  
3:00 PM**

**MINUTES OF COUNTY COMMISSION MEETING  
(Held at City of Branson Alderman Conference Room, January 26, 2009)**

Present at meeting: Presiding Commissioner Chuck Pennel, Eastern Commissioner Danny Strahan, Western Commissioner Jim Strafuss, Taney County Counselor Robert Paulson, Branson City Administrator Dean Kruithof, Branson City Engineer David Miller and Hollister City Administrator Rick Ziegenfuss.

Meeting of the Taney County Commission called to Order by Presiding Commissioner Chuck Pennel at approximately 3:05 PM.

County Counselor Paulson presented and read a two-page analysis of the difference in terms between the Taneycomo Bridge application and the first draft of the Cost Sharing Agreement sent by MoDOT.

It was generally agreed that the parties would communicate with MoDOT that the local entities needed more time to analyze the contract and possibly make suggested changes.

After discussion of the draft of the Cost Sharing Agreement the Commission took up the issue of the language to include in the Special Election Order that was tabled from the morning meeting. Mr. Strafuss stated that he had amended the language to take out the sentence in Section 4 that referenced Piper Jaffrey and Gilmore and Bell as underwriter and bond counsel respectively. Also, the amount to be placed in the blank in Section 4 was to be \$28,000,000. Commissioner Strafuss stated that he had made the changes by interlineations and the Commission needed a clean copy.

Mr. Paulson stated that he had prepared several amended versions, and he had a clean copy that read exactly as Commissioner Strafuss suggested.

Commissioner Strafuss looked at the document and made a motion to approve the document as amended by Mr. Paulson, entitled "An Order Calling A Special Election In Taney County, Missouri" regarding a one-quarter cent sales tax to fund the East/West Corridor. Commissioner Strahan seconded the motion.

Presiding Commissioner Chuck Pennel called for the vote which was as follows: Strafuss – yes, Strahan – yes, Pennel – no.

Mr. Pennel then executed the document. Discussion ensued regarding the ice storm and the fact that someone should bring it to the County Clerk's Office before 5PM. Mr. Pennel volunteered to bring the document back to Forsyth for filing.

The meeting was adjourned at approximately 4:10 PM.

Minutes prepared by Taney County Counselor Robert Paulson.