

**Official Minutes**

**JANUARY 12, 2009 6<sup>TH</sup> DAY OF  
THE JANUARY ADJOURN TERM**

9:00 AM

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

Prayer by: Netta Sutton

**APPROVAL OF ACCOUNTS PAYABLE**

Commissioner Strahan Moved to approve the following accounts payable:

Checks #307758 - # 307866

Voided checks #307863 - #307864

Warrants #4950 - #4951

Commissioner Strafuss 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 12/22/08, 12/24/08, 12/29/08, 1/5/09, 1/6/09, 1/7/09, 1/8/09, and 1/9/09. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

**PUBLIC APPOINTMENTS  
NONE**

**CENTURYTEL EASEMENT**

Centurytel requested an easement from the county and Bob Paulson reviewed the document and asked for some changes. Paulson stated that Centurytel did make the requested changes to the document. Nikki Lawrence stated that she received the property description from Archer that shows the description of the easement.

Commissioner Strafuss Moved to approve the signing of the easement. Commissioner Strahan seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

**EAST/WEST CORRIDER EVENT CENTER COALITION**

Commissioner Pennel stated that we are quickly running out of time to place an issue on the ballot that is being requested by the Taney County Coalition, so that is why this item is on the agenda today.

Mr. Gage presented data from the surveys and discussions followed.

Commissioner Strafuss prefers to wait and vote on the ballot issue next Tuesday 1/20/09 in order to have more time to collect information.

Commissioner Strahan stated he has been a supporter of the east west corridor but thinks this is a terrible time to present a tax issue to the citizens of the county, although, he acknowledged this could provide help to impact the county's economy. Strahan thinks the event center might be a future item that would be made possible by having the road passing through that area.

Commissioner Strahan moved to table issue to 1/20/09 for vote. Commissioner Strafuss seconded the motion.

All the Commissioners asked that the citizens call and express their opinion in the next week.

Motion to table passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

### **JOURNAL ENTRIES 2008 REMAINING**

Journal entries prepared by the auditor were presented for approval. Commissioner Strahan moved to approve the journal entries. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

### **ELECTED OFFICIALS AND DEPARTMENT HEADS JAMES STRAHAN – ASSESSOR**

James Strahan reported that 25,000 personal property forms will be mailed out this Wednesday for property owned on 1/1/09. Strahan stated that the deadline for return of forms has severe penalty if missed.

### **PUBLIC COMMENT NONE**

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

**RECESS  
UNTIL 2:00 PM  
RECONVENE IN COMMISSION CONFERENCE ROOM  
2:18 PM**

Commissioners present: Chuck Pennel, Danny Strahan, Jim Strafuss

**BOB PAULSON – WORK SESSION**

Bob Paulson Discussed the Stone County Planning & Zoning Circuit Court decision with the Commission. Bob Paulson said that this may be a good opportunity to look at our own P&Z process.

**ADMINISTRATIVE HEARING ON ASSESSED MAINTENANCE PLAN**

Bob Paulson discussed the status of the administrative hearing on assessed maintenance plan. All the other counties accepted the template sent out by the State Tax Commission except Taney County. The Commission decided to sit down with the Assessor and discuss what exactly does he agree or disagree with in the Assessed Maintenance Plan and then have Bob Paulson send a letter in response to the administrative hearing.

**TRESSA LUTTRELL – WORK SESSION**

Tressa Luttrell asked a question on paying the \$50,000 to MODOT for the MODOT / Forsyth Coy Blvd. Project – due Feb 1, 2009.

Commissioner Pennel moved to pay the \$50,000 to MODOT contingent upon the contract agreeing that if for any reason it doesn't go forward, Taney County gets their \$50,000.00 back.

Commissioner Pennel withdrew motion and instructed Bob to review the contract concerning that issue.

**UNDERGROUND – PAYMENT OF STORAGE**

The Commission discussed moving the items stored at the Underground as the monthly storage is currently being billed to the commission. The Commission decided to leave as is until the old jail is painted over and sanitized and ready for storage use.

**DOORS IN TRESSA'S NEW AREA**

Problems with the electric doors in area where Tressa is going to put her new office were discussed.

## **JUDICIAL CENTER – PROBLEMS LIST**

There are still some problem items in the new building and Tressa is making a list for Mike Smith of Septagon.

### **FRANK PRESTON – WORK SESSION**

#### **TREE WELLS**

Frank Preston informed the commission that the trees would be put into tree wells tomorrow. The commission instructed Frank to leave 2 holes in front of door empty, for now, so some shorter shrubs that will not hide the building may be placed there later.

#### **CHIP AND SEAL MACHINE**

Frank Preston discussed the paving machine price of \$216,000 plus 4% increase and an option with vibrator for hopper. Preston stated that the new number is \$227,528 as compared with the \$216,000 that was approved last week. The Commission asked Frank to call for current prices from other manufacturers, Roscoe and Bearcat. Commissioner Pennel instructed Frank to call Jerry and see if we can get the 2008 price.

#### **FLOOD DEBRIS CONTAINER**

Frank Preston said that Gary McSpadden of 196 Foggy River Road asked if he could still dump a flood debris container for free? The Commission instructed Frank to tell Mr. McSpadden that he could dump the container tomorrow.

#### **WILSON PROPERTY COMPLETION**

Frank Preston said that the Wilson property job is wrapping up today. The Commission instructed Frank to get a signed work completion from Allen.

#### **CUSTER CAR DAMAGE**

On the subject of Karen Custer's car claim, Frank Preston consulted with Dixie Wagner concerning the County's liability insurance and determined that there is no deductible on County's liability insurance policy. The Commission directed Dixie to pay the loss and not file an insurance claim.

#### **PLOTT LETTER OF UNDERSTANDING**

Commissioner Strahan said that the County made an agreement with Mr. Plott about some large rocks that wash down to his low water bridge from the easement for a sewer project. The maintenance agreement is that the county would take care of the problem whenever the rocks wash down. The Commission

directed Bob Paulson to send out a letter of understanding documenting the maintenance agreement and do it this week.

### **TRANSFER STATION MEETING WORK LIST**

The Commission instructed Frank Preston to meet with DNR representative to get DNR permits. Frank will summarize the list and bring to commission next week for approval action.

### **ARMY CORPS FLOOD CONTROL MEETING**

Commission discussed who would be attending Army Corps Flood Control meeting in Little Rock. Commissioner Pennel will check into it.

### **CEDAR TREE REMOVAL HELP REQUEST**

City of Forsyth would like assistance in removal of cedar trees on 160 on the way down to Shadow Rock Park. They have received permission from MODOT for the removal. The Commission agreed to go look at it before any action will be taken.

### **SCHEDULE A MODOT MEETING ON BRIDGE FUNDING AMOUNT**

Commissioner Strafuss will call MODOT tomorrow and see if MODOT can schedule a meeting on Wednesday afternoon at 3:00 PM regarding Bridge funding.

### **CHANGE ORDERS ON JUDICIAL CENTER**

Commissioner Pennel said that Mike Smith of Septagon stated that the county needs to pay the bills to Walton and then go to HMN for design problem refund on the parking lot turn around. The commission stated that they still have retainage from Walton as incentive to get Walton to help resolve the problem.

Commissioner Strahan moved to approve the change orders 03A-065 and 064. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

### **WALTON EXTENSION REQUEST**

Commissioner Pennel said that Walton is asking for 14 days extension to the contract date. The Commission will discuss on Thursday.

### **SEWER BOARD APPOINTMENT**

Commissioner Strahan moved that Ron Daniels be reappointed to the Sewer board. Commissioner Strafuss seconded the motion. The motion passed by vote: Strafuss (yes), Pennel (yes) and Strahan (yes).

### **PUBLIC MEETING EFFECTIVENESS**

The Commission discussed the effectiveness of a public meeting concerning the east-west corridor and event center tax initiative. The consensus of the Commission was that a public meeting would not bring out enough people to give the commission any more data, so no meetings were scheduled.

### **PLANNING AND ZONING DIVISION 1 INSPECTOR POSITION**

The Commission discussed the unfilled positions in Planning and Zoning and issues, staff and plans for Planning and Zoning.

The Commission decided to post for a meeting next week with Frank Preston, Bonita Kissee, Eddie Coxie, Bob Paulson and the Commission on Planning & Zoning issues.

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

**RECESS**  
**4:50 PM**