

## **OFFICIAL MINUTES**

### **October 26, 2009, 13th DAY OF THE OCTOBER ADJOURN TERM**

The County Commission met in The Commissioner's Hearing Room at 9:00 AM with, Chuck Pennel and Jim Strafuss present and Danny Strahan absent. The following proceedings were had and made a matter of record:

Commissioner Strafuss opened the meeting with prayer followed by the Pledge of Allegiance.

Commissioner Strafuss moved to approve the minutes for September 28, October 19, 21, 22 and 23, 2009. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

Commissioner Strafuss moved to approve Accounts Payable as follows:

Checks: 316760 - 316843

Warrants: 5108

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

### **CEDAR SHORES RANCH ESTATES ROAD PETITION – SEVERAL ROADS**

Commissioner Pennel read excerpts from the Road Petition.

David and Cheryl Altis addressed the intentions on the portion of Lake Point Road between the sub division boundary and O Highway. The Commission indicated that this section was not part of the petition and would be left alone until some future date since it was only a 20 foot wide public road as indicated by a Court ruling.

Dale Christensen asked some questions concerning the county's intention of road width past the cul-de-sac to the end of the sub division property line on Lake Point Road.

Ken Flowers asked some questions about emergency access in inclement weather for emergency health problems. Frank Preston, Road Supervisor and Jimmie Russell, Sheriff addressed these questions.

Commissioner Strafuss moved to take in all sections of the Roads Lake Ranch, Lake Terrace, River Ranch, Circle Ranch and Lake Point as presented in the petition as class 4 roads into the County Road Maintenance Program. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

Frank Preston addressed the timeliness expectations for snow removal and road edge mowing on the class 4 roads indicating that snow removal would probably not happen for 12 – 14 hours after snow fall ceased and mowing would probably only occur 2 to 3 times per year. Frank asked the citizens to continue to mow out to the edges of the road when possible.

### **CONSTRUCTION HOURS ORDINANCE - AMENDMENT**

Commissioner Pennel moved to amend section 2.1 of the Construction Hours Ordinance to remove the last sentence and amend the times to 7 am to 9 pm. The motion died for lack of a second.

Commissioner Strafuss moved to amend section 2.1 to remove the last sentence. The motion died for lack of a second.

Commissioner Pennel moved to table the Construction Ordinance Amendment. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

### **OZARK MAILING PAYMENT APPROVAL**

Commissioner Strafuss moved to approve payment for Ozark Mailing Services. Commissioner Pennel seconded the motion. . The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**10:16AM**

**RECONVENED**  
**10:38 AM**

### **MOVE RYAN GIBBS TO FULL TIME EMPLOYEE**

Commissioner Pennel moved to put Ryan Gibbs on full time in IS with benefits. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

### **MOVING BUDGETED BENEFITS FOR ANIMAL CONTROL TO THE HEALTH DEPARTMENT**

Commissioner Strafuss moved to transfer the benefits part of the animal control employees to the health department. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

## **CONSTRUCTION HOURS ORDINANCE**

Commissioner Pennel moved to eliminate the Sunday exception from the Construction Hours Ordinance. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

Commissioner Pennel moved to go into Executive Session pursuant to RSMo. 610.021 (1) (2) (3). Commissioner Strafuss seconded the motion. The motion passed by roll call vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

### **EXECUTIVE SESSION – LITIGATION, REAL ESTATE & PERSONNEL PER SECTION 610.021 (1) (2) (3)**

See Executive Session Minutes for actions if any.

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

### **OUT OF EXECUTIVE SESSION 11:23 AM**

#### **STAFF DEPARMTNTAL MEETING – PURCHASING**

The Commissioners directed Linda Gifford to acquire Conference tables for P & Z/Sewer Department conference room - 5 tables on state contract total of \$1,440.

The Commission instructed Linda to acquire a cabinet for Computer Monitor for P & Z/Sewer Department Conference room.

#### **POSTAL SERVICE BID AWARD**

Commissioner Strafuss moved to award the postal service bid to Ozark Mailing Services. Commissioner Pennel seconded the motion. . The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

#### **ACCOUNTS PAYABLE - SECO**

Commissioner Strafuss moved that we approve S32084 for \$318.00 to Seco. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

#### **SHEILA WYATT – REFUND**

Shelia Wyatt, County Collector, brought up the Hollister Plaza and Cody's tax issue. Shelia said there needs to be a refund due to double assessment in the amount of \$1,911.88 on Lot 1 & Lot 2.

Commissioner Pennel moved that we support the collector's right to use 139.031 statute to refund double assessment on Hollister Plaza/Codys Lot 1 & Lot 2. Commissioner Strafuss seconded the motion. . The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

Presiding Commissioner Pennel declared a recess.

**RECESS  
12:07 AM**

**RECONVENED  
1:18 PM**

The Commission reconvened with Commissioners Pennel and Strafuss present and Commissioner Strahan absent.

#### **PAYROLL SCHEDULE – THANKSGIVING/CHRISTMAS**

Commissioner Strafuss moved to have payroll on Wednesday for Thanksgiving and Christmas week. Commissioner Pennel seconded the motion. . The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

#### **MAS 90 UPGRADE**

The Commission discussed the MAS 90 upgrade. The Commission agreed that due to budget constraints, the county shouldn't do an update that is not necessary for the basic accounting function and elected to leave it as is for now.

#### **TIGER GRANT**

Commissioner Strafuss moved to table the Great River Engineering Tiger grant contract until Nov 30<sup>th</sup>. Commissioner Pennel seconded the motion. . The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

#### **BEREAVEMENT POLICY – FORMER COMMISSIONER JOHN STRAHAN, JR FUNERAL**

The Commissioners agreed to stick to the bereavement policy in the employee handbook as far as using vacation, or comp time for time off to go to a non-relative funeral.

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**1:26 PM**

**RECONVENED**  
**2:30 PM**

**SICK LEAVE POLICY**

Commissioner Strafuss moved to rescind our comp time donation revision and go back to our old comp time policy. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (absent), and Strafuss (aye).

**RECESS**  
**3:10 PM**

**RECONVENED**  
**3:15 PM**

Commissioner Strafuss moved that we adopt the 25% for section 12-6 "Sick Time Compensation" of the employee handbook can cash out up to 200 hours over 96 hours. (Get wording from bob's sheet).

Commissioner Strafuss removed his motion to be typed up for study.

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**3:40 PM**

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