

OFFICIAL MINUTES

**FEBRUARY 16, 2010, 20th DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in The Commissioner's Hearing Room at 8:30 AM with, Chuck Pennel, Jim Strafuss, and Danny Strahan present. The following proceedings were had and made a matter of record:

NUISANCE CASES

Cases 08-0017, and 08-0068 were started over a year ago and nothing has been done since November of 2008 and September of 2008.

Commissioner Strafuss moved to go ahead and send out a final letter and copy to Jim Berry at the health dept to review the cases. Commissioner Pennel seconded the motion. The motion passed by vote Pennel (aye), Strahan (aye), and Strafuss (aye).

STAFF DEPARTMENTAL MEETING – PURCHASING – COMPUTERS & COMPUTER MOUNTS ADDENDUM #1

Commissioner Strafuss moved to award to Turnkey Mobile the installation as being the lowest and best bid for computer mounts. Commissioner Pennel seconded the motion. The motion passed by vote Pennel (aye), Strahan (aye), and Strafuss (aye).

Presiding Commissioner Pennel declared a recess.

**RECESS
8:50 AM**

**RECONVENED
9:00 AM**

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

APPROVAL OF MINUTES

Commissioner Strafuss moved to approve minutes for 2/7, 2/8, 2/9, & 2/10/10. Commissioner Strahan seconded the motion. The motion passed by vote Pennel (aye), Strahan (aye), and Strafuss (aye).

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Strafuss moved to approve accounts payable Journal Entries and Transfers as follows:

Checks: 318367 - 318497

Warrants: 5165 - 5169

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

PUBLIC COMMENT

Michael Burdine spoke on Blue Ridge Road.

James Strahan spoke about lack of media coverage of creation of a bureaucracy of Planning & Zoning's draft of zoning districts. Transcription of comments as follows:

TANEY COUNTY COMMISSION MEETING
TUESDAY, FEBRUARY 16, 2010

James Strahan discussion regarding Planning and Zoning

Mr. Strahan: Good morning Gentlemen.

Mr. Pennel: Good morning.

Mr. Strahan: I think the media has let us down as citizens of Taney County, and not advertising I know they are always into the comments of what an elected official does. I think they are always into looking at the agendas and staying on top of that, but I have not seen any publication or creation of a statement about what is fixing to happen to the citizens of Taney County basicly by throwing a few brochures upon our bulletin boards out here. What I'm referring to here is the creation of a bureaucracy that is not justifiable to the citizens which is the zoning ordinance that is fixing to be passed by our Planning and Zoning department tonight at 7:00. I happened to see that on the board out here. And this has been going on since I don't know I touched on it last November or so October and with the assurances that there would be no harm done to anyone and that everybody was going to really live on and things were going to be cool. But it appears to me that it's just another touch on socialism that the citizens don't need. Never seen anything advertising public comment to our Planning and Zoning Board on what could happen to their lives with the passage of this and if anyone here has seen it would they please correct me because I want to make my comments as just as I can. Now then I'll understand we are going to create ourselves as many of the rural communities throughout the state of Missouri has done, Buchanan County, I've heard mention, Clay County, I've heard mentioned and Green County. I'd think if you check those counties are tremendously larger than we are and don't have the rural aspect that we have. I got the first original draft of this document that was unharful to the citizens of Taney County and it was 88 pages. Now I know it has been changed since then. I requested a revised copy of a document that was gonna be no harm to us last week and I'm sure I'll get it. I know this has to come before this County Commission for approval. I can see a political aspect to this a political line. But I don't know, it stems back to Stone County when the supreme court said some attorney could say what the voters intent was 15 or 20 years ago when they adopted their zoning. They haven't even got it written yet it is so complicated. I hate to see Taney County fall under the same lines of yes we are going to get a group together part of them weren't even here when Planning and Zoning was passed and express the intent of the voter when it occurred. I think we have in place what the intent of the voter was when he voted back on Planning and Zoning and I believe they were not totally happy with it, it is always a 50/50 split on Planning and Zoning votes and we know that. So I'm very disturbed that this has not been brought to the public for a public comment a public hearing. Like I

said I have seen nothing in the newspapers, heard nothing on the radios, heard no advertising of this and as hard as it was for me to get this draft I believe it's understandable on why it hasn't hit the airwaves and out to the public. That is all I have to say but I would encourage anyone who is opposed to this, might show up tonight but I think it is passed the point of them even getting to speak about it. I know I heard one Planning and Zoning person when I came to the meeting said we don't want to legislate, we are not legislators, are we legislators? This is legislation it is changing what property is or should be or in its current use, and it is legislation and it is not our Planning and Zoning Department's cause to create legislation that would eventually be harmful to citizens of this County.

Mr. Strafuss: may I make a comment?

Mr. Pannel: sure

Mr. Strafuss: just for verification the agenda is on the website with the complete packet of information to be discussed. The only thing to be discussed tonight not in a voting format is the zoning districts. The Stone County lawsuit obviously caused us to review our Planning and Zoning District's and we have as a Commission last year hired a engineering firm to do some preliminary planning of districting and that is what is going to be discussed there is no votes to be taken on the change of bylaws that discussion is not taking place tonight. What the discussion regarding EGIS which is I believe the document that James showed is a very large document they are going to take it off in bite size pieces which is first and foremost is creating zoning district which is

End of Transcript

Commissioner Strafuss said the discussion tonight was only to discuss how many zoning districts might be considered and definitions of those districts and there is no posting that would allow a vote to be taken.

Ron Herschend spoke about Blue Ridge Road and addressed a lawsuit on Casey Road.

Bob Shanz spoke on the East/West Corridor and snow plowing on roads for medical emergencies.

CDBG: RON HOUSEMAN & JOAN CHOWNING

Boys Camp Road has been given a grant of \$250,000 for improvement to prevent flooding in the future.

LETTER OF SUPPORT – DRUG COURT: DAWN ERICKSON

Commissioner Strahan moved to approve the Letter of Support for the Drug Court. Commissioner Strafuss seconded the motion. The motion passed by vote Pannel (aye), Strahan (aye), and Strafuss (aye).

Presiding Commissioner Pennel declared a recess.

RECESS

9:42 AM

RECONVENED

9:45 AM

ADMINISTRATIVE & DEPARTMENTAL FUNCTIONS

BOB DIXON – COPY FEES

Bob Dixon said that most Recorders in Missouri Counties charge \$1 per page. That is what the Taney County Recorder's office charges.

CARLTON ROAD EASEMENT

Commissioner Pennel moved to take in the easement on Carlton Road as presented by Road & Bridge on the Bruce E. Shock properties. Commissioner Strafuss seconded the motion. The motion passed by vote Pennel (aye), Strahan (aye), and Strafuss (aye).

RECESS

10:52 AM

RECONVENED

10:58 AM

BOB PAULSON – WORK SESSION WITH COMMISSION

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

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

EXECUTIVE SESSION

10:59 AM

See Executive Session minutes for actions if any.

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

OUT OF EXECUTIVE

11:59 AM

Presiding Commissioner Pennel declared a recess.

**RECESS
12:00 PM**

**RECONVENED
3:15 PM**

The Commission reconvened in the Clerk's Conference Room with Chuck Pennel present and Danny Strahan on teleconference. Jim Strafuss was absent.

APPLICATION FOR 2011 APPROPRIATION

Commissioner Strahan moved to approve the application for a 2011 Appropriation through Congress Woman Jo Ann Emerson for a US Highway 160 project from the MO 76 intersection to State Highway F intersection. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (absent).

Presiding Commissioner Pennel declared a recess.

**RECESS
3:18 PM**

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