

# OFFICIAL MINUTES

August 24, 2010, 20<sup>th</sup> DAY OF  
THE JULY ADJOURN TERM

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

## PRAYER & PLEDGE OF ALLEGIANCE

Sherri Veltkamp led the prayer and Pledge of Allegiance.

## APPROVAL OF MINUTES

Commissioner Strahan moved to approve the minutes of 8/16 & 8/18/2010. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

## ACCOUNTS PAYABLE

Commissioner Strahan moved to approve the accounts payable as follows:

### CHECKS

<u>321020</u>	<u>321145</u>
<u>321146</u>	<u>321160</u>
<u>321183</u>	<u>321192</u>
<u>321193</u>	<u>321256</u>

Voided Check # 321149

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

## BID OPENING – INSTALLATION OF ENERGY EFFICIENCY LIGHTING

Linda Gifford opened bids and read aloud the following names of the bidders: GM Electric, Hatfield Electric, Michel Electric, G & A Electric, K & R Electric and Arrow Electric.

## PUBLIC COMMENT

Ron Houseman informed the Commission that the Taney County Board for the Developmentally Disabled was planning to use the Recovery Zone Bonds they were awarded in the amount of \$1.3 million towards the continued renovation of the Tantone Building. He announced that there will be a walkthrough of the building open to the public at 10:00 am, September 1, 2010. The Commission directed Mr. Houseman to draft a letter of support to Senator Jack Goodman for his work done on the allocation of funding for the project.

Bob Schanz thanked the Commission for their work on the Planning & Zoning process. He also expressed concern over recent media coverage and Commission support or non-support of the Airport TIFs.

Josh Smith publicly thanked Frank Preston of Road & Bridge for painting sidewalk bars on T Highway.

### **NEW/OLD BUSINESS**

James Strahan addressed the Commission on questionable exemptions handed down by the Board of Equalization. He referred to RSMo 172.273.3, Article 10 of the State Constitution and a recent article in the Taney County Times which discussed possible tax shortfalls to local schools.

Commissioner Pennel clarified the reason Assessor Strahan was speaking to the Commission, and votes he made in the B.O.E. meetings.

Commissioner Strafuss and Commissioner Strahan clarified their previous votes referred to by Assessor Strahan.

### **EXECUTIVE SESSION MINUTES**

Commissioner Strafuss moved to remove the first posting of the Executive Session Minutes from the agenda. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

### **KISSEE MILLS PARK ORDINANCE**

Commissioner Strahan expressed public concern over people camping in the park area for extended periods of time. The Commission discussed the possibility of signing a lease with the Army Corp of Engineers, so that the County could post rules for the Kissee Mills Park use, and control it accordingly. They requested the public get involved and send letters of support for the maintaining of the Kissee Mills and K Dock parks.

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**10:30 AM**

**RECONVENED**

**10:37 AM**

**ADMINISTRATIVE & DEPARTMENTAL FUNCTIONS**

**T HWY CONTRACT**

Mel Eakins reviewed the T Hwy Contract progress with the Commission.

Commissioner Pennel moved to table the contract signing until the end of the 1:00 pm meeting. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

**DAMSITE SANITARY SEWER IMPROVEMENTS CHANGE ORDER #5**

Commissioner Strafuss moved to approve the Damsite Sanitary Sewer Improvements Change Order #5. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

**PERSONAL PROPERTY REFUNDS**

Commissioner Strafuss moved to approve the following 2008 and 2009 personal property refund abatements: 20110242, 0250, 0251, 0254, 0255, 0256, 0257, 0258, 0259, 0309, 0316, 0317, 0318, 0319, 0320, and 0321. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

**NIKKI LAWRENCE – WORK SESSION W/ COMMISSION**

The Commission reviewed future meetings and the upcoming agenda.

They discussed October 23<sup>rd</sup> as the best date for the County auction.

They requested a work session with Nikki to discuss the Wellness Center.

**EXECUTIVE SESSION MEETING MINUTES**

Commissioner Strafuss presented the following proposal for the recording of Executive Minutes done by the Clerk's Office:

I move to adopt the following format in which Executive Minutes are taken which complies with

RSMo 610.020.6

Reason for going into Closed Session

Date

Time

Place

Members Present

Members Absent

Only Motions with a Vote Taken

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

### **BOB PAULSON – WORK SESSION W/ COMMISSION**

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

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

#### **EXECUTIVE SESSION**

**11:41 AM**

See Executive Session minutes for actions if any.

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

#### **OUT OF EXECUTIVE**

**12:08 PM**

Presiding Commissioner Pennel declared a recess.

**RECESS**

**12:08 PM**

**RECONVENED**

**1:00 PM**

## **TIGER II GRANT – MAPLE STREET CONNECTOR & HWY 165 & FALL CREEK**

Commissioner Strafuss moved to authorize Commissioner Pennel to sign all the prevailing wage documentation for the Tiger II projects. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

### **SENIOR CITIZEN SERVICE BOARD WORK SESSION**

Christine Thompson, Branson Senior Center, inquired as to when the funds from the new tax would be dispersed to the Board.

Commissioner Strafuss moved to appoint Bill Walley to serve a two year term, Beth Wyman to serve a four year term, Mike Merrell to serve a three year term, Don Ingram to serve a three year term, and Don Bruns to serve a two year term on the Senior Citizen Service Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

**RECESS**

**2:07 PM**

**RECONVENED**

**2:15 PM**

### **STAFF DEPARTMENTAL MEETING – ROAD & BRIDGE**

Frank Preston spoke to the Commission about a drainage ditch issue on Quail Road. The Commission requested that Mr. Preston contact Mr. Miller and refer him to the Commissioner's for further discussion on the issue.

Mr. Preston relayed a positive update on the increased use of hardhats and safety vests at the Transfer Station, as a result of complying with DNR inspections. He also spoke about employee concerns in regards to working two Saturdays a month, and relayed some of their ideas on alleviating those days from the schedule. Commissioner Strafuss discussed the possibility of changing the hours of operation at the Station from 8-4 to 7:30-5 pm on the weekdays, with the possibility of hiring part-time employees to cover the Saturday schedule in the future. The Commission directed Frank to make the change in the hours for two weeks, without posting signage.

### **ENGINEERING ROLE FOR ZONING CONTRACT**

Commissioner Strafuss moved to table this discussion until 2:15 pm on 8/25/2010. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

## **STAFF DEPARTMENTAL MEETING – ROAD & BRIDGE**

### **ROAD PETITIONS**

Commissioner Strafuss moved to deny the Arizona Road petition, with the sending of a letter to the petitioner regarding the improvements and easements that would have to be met in order for the County to accept the road in the future. Commissioner Strahan seconded the motion. Commissioner Strafuss withdrew his motion; Commissioner Strahan withdrew his second.

Commissioner Pennel moved to accept the Arizona Road petition, contingent on there being six months allowed for the petitioner to move mailboxes, provide a 40 ft. easement, and move transformers, along with notice being given to the petitioner that the road may not be improved up to chip & seal. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

Commissioner Pennel moved to deny the Freund Road petition due to the one-lane bridge and drainage issues. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

### **T HWY CONTRACT**

Commissioner Strafuss moved to approve the T Hwy Contract as reviewed by Bob Paulson. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

**RECESS**  
**3:35 PM**

**RECONVENED**  
**3:38 PM**

### **ROAD PETITIONS**

Commissioner Strafuss moved to approve the acceptance of Lindell Road. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

The Commission discussed Reno Springs road, but the decision was to have no action taken until a hold-harmless could be attained and research could be done on a retaining wall, the width of the turn-around and the acquisition of right-of-ways.

Commissioner Strahan moved to accept Savannah Place Fourth Addition: Bull Run Rd., Savannah Place First Addition: Bull Run Rd., Savannah Place Fifth Addition: Shiloh St., Savannah Place Sixth Addition: Bunker Hill Rd. and Savannah Place Third Addition: Richmond Heights Blvd. upon the acquisition of hold-harmless agreements on any necessary lots and the posting of one-side-of-street parking signs. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

Commissioner Strafuss moved to accept the Wellington Parkway petition. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (abstain), and Strafuss (aye).

### **TIGER II GRANT – MAPLE STREET CONNECTOR & HWY 165 & FALL CREEK – RECONSIDERED**

Commissioner Strafuss moved to reconsider the earlier vote on the signing of the prevailing wage documents. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

Commissioner Strafuss moved to authorize Commissioner Pennel to sign the prevailing wage documents for the Tiger II Grant on Maple Street. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye), and Strafuss (aye).

### **EXECUTIVE SESSION – PERSONNEL PER SECTION 610.021.3**

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

### **EXECUTIVE SESSION 4:20 PM**

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 4:46 PM**

Commissioner Strahan informed the other Commissioners that he had attempted to contact Mr. Brimmer of the Army Corps of Engineers several times but could not get through to him and is unclear as to the issue Mr. Brimmer needs to discuss with them. He gave the other Commissioner's Mr. Brimmer's contact number in case he attempted to contact either of them.

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**4:46 PM**

The minutes were taken and typed by Angelia Edwards and Cristy Smith, Deputy Clerks.