

TANEY COUNTY COMMISSION RECORD



JANUARY 8, 2007 THE 1ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

ANTLER ROAD VACATION

Katy Yates appeared on behalf of American Sportsman Organization, and asked the commission to vacate Antler Road. Yates added that the petitioner owns the land on each side of the road, which has never been developed and presented documentation that the matter had five postings, as required by statute.

Presiding Commissioner Pennel read the petition to vacate Antler Road:

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

IN THE MATTER OF:

Vacation of the following street:

ANTLER ROAD, located and fronting Lots 67-90 of Block 63, Ozarks Paradise Village, a Subdivision in Taney County, Missouri, according to the recorded plat thereof

PETITION

COMES NOW American Sportsman Holdings Co., a corporation organized and existing under the laws of the State of Missouri, and states to the Commission that it is the owner of the ground lying on both sides and fronting the street proposed above to be vacated, said real estate being located in Taney County, Missouri.

Attached to this Petition as Exhibit A is a plat of the relevant portion of Ozarks Paradise Village with the property owned by Petitioner indicated in yellow, and the proposed street to be vacated indicated in red.

Also attached to this Petition as Exhibit B is a Consent to Vacate and Close Street in which Oakmont Community Improvement Association consents and agrees to the vacation and closing of the hereinabove mentioned street.

Petitioner states that it is desirous of having the above-mentioned street vacated, and that such vacation will not be detrimental to any adjoining landowner.

Commissioner Strahan made a motion to table the request, so that the commission could better review the request. Presiding Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

QUEBEC ROAD VACATION

Linda Smith, Property Owner/Petitioner addressed the Commission to request that Quebec Road be vacated and explained that the road runs within the petitioner's property.

Commissioner Herschend commented that the property owner has worked with the county on this project, which included the Sewer Department. The commission requested Bob Paulson, Taney County Counselor, review the vacation. Mr. Paulson advised that the Commission does not need to give notice to create a new road, however there are other issues to consider.

Presiding Commissioner Pennel asked about the cost to the county for the new road? Linda Smith responded, and Commissioner Herschend concurred, that there would be a cost savings to the county in doing the road change this way. Commissioner Pennel then asked if the sewer project damaged the road? Smith expressed that she feels it did, from the repeated equipment crossing. Commissioner Herschend reminded the Commission that there is documentation from three years ago when a county employee, without Commission review, assured the petitioner that the county would make certain changes to this road. Commissioner Herschend asked that Jacob Rock, Road and Bridge Administrator post the change in five places.

Presiding Commissioner Pennel read the following petition to vacate Quebec Road: All part of a tract of land described in the Book 402, Page 8378 Taney County Records, all n Section 11, Township 22 North, Range 22 West, Taney County. Width of new perpetual right of way for Quebec Road in Taney County, Missouri to be both sides as described below of the following described project centerline. 25 feet on both sides of the following described project centerline from station 10+00 to station 18+37.88.

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Commissioner Herschend made a motion to table the request until the center staking has been done, and that both the neighboring property owners and the Commission have had a chance to review. Commissioner Strahan seconded the motion to table. The motion passed by a vote of two: Pennel (nay), Herschend (yea), Strahan (yea).

WILSON'S LAKE VACATION

Harry Styron appeared for GWC, Inc. Mr. Styron stated that the property owners and Empire Electric have worked out an agreement about the utilities and easements, and provided documentation to illustrate publication. Presiding Commissioner Pennel read the petition by title only, to vacate roads in Wilson's Lake.

Commissioner Herschend made a motion to table the request until the petitioner provides an order. Commissioner Strahan seconded the motion to table.

Commissioner Herschend explained the Commission would like to know that the surrounding property owners were contacted about the request. Commissioner Herschend also asked that Bob Paulson request a report, from Planning and Zoning or another authority, to verify that the other road in question is going to be developed.

Pat Barnett, Empire District Electric, read a letter of support, listing the particular constraints necessary for their agreement.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GAIL MIDDLETON

ANIMAL ADVOCATES OF THE OZARKS: WEBSITE UPGRADE, ELECTRICAL UPGRADE, OPENING SATURDAYS, ADOPTION OF PETS, FINE ISSUES, AND BUDGET

Annie Grajida, Animal Advocates of the Ozarks (AAO), addressed the Commission about the County Animal Control Center. Presiding Commissioner Pennel thanked Ms. Grajida for everything that the Animal Advocates of the Ozarks has already done. Grajida asked what else the organization could do to help, and why the center doesn't take cats?

Commissioner Herschend suggested that this matter would be better addressed in a work session, than the brief amount of time that the Commission meeting allows. Presiding Commissioner Pennel responded that the ordinance does not include cats, and the cost involved is a secondary issue.

Ms. Grajida then asked if the AAO could replace laundry equipment with donated equipment and added that there is a concern about the electrical service. Presiding Commissioner Pennel confirmed that they started leaving the facility open on Saturdays, on a trial basis for a couple of months, to see if adoptions might increase. Ms. Grajida asked if the animals could be taken off sight to be photographed, and placed on the website, to increase adoptions?

Billye Kurbis asked the Commission why the Animal Control Officer couldn't write tickets for animal maltreatment? Presiding Commissioner Pennel explained that the ordinance did not allow for it, and that the officer is not part of the sheriff's department, he is not deputized, and does not have the training nor certification necessary. Presiding Commissioner Pennel clarified that the officer works for the Commission, and that if he receives a complaint, he needs only to contact the Sheriff's Department. Commissioner Herschend added that if the Prosecutor's Office doesn't prosecute, then it wouldn't help for the sheriff to investigate. Billye Kurbis asked about the county's budget for the facility? Commissioner Herschend said that there is a specific line item for this, and that she can request this information from the County Clerk. The County Auditor, Rick Findley, offered to send the AAO this information.

Presiding Commissioner Pennel instructed the AAO to contact the Commission Office to set up a time for a work session.

Susan Jaris, Treasurer for AAO commented that the organization wants to work with the county to help take care of and adopt animals and help with animal population control through a

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spay/neuter program. Art Beck asked how animal surrenders work? Presiding Commissioner Pennel detailed the process.

Gail Middleton asked about the issue of citations and added that she would like to see better education and improvements with the system. Presiding Commissioner Pennel recommended that the County Sheriff and the Prosecuting Attorney be invited to the work session. Commissioner Herschend suggested that Ms. Middleton get statute information referrals from Bob Paulson, County Counselor.

CHURCH ARMY TAX ABATEMENT

Presiding Commissioner Pennel stated that he received a call from Church Army about tax-exempt status saying they have three other homes that are exempt, and one that is not showing as exempt. Commissioner Herschend clarified that the statute says the exempt property should be used for worship or education purposes.

James Strahan, Assessor expressed that he is not recommending the property be exempt, even though the county has exempted three other properties. Strahan added that he did not agree with the BOE decision to exempt the other properties and further believes that the statute does not allow for the exclusion of any individuals.

Presiding Commissioner Pennel asked if the Larry Simmering Center is exempt? Rob Owen spoke for Church Army about the guidelines for living in the house. Commissioner Herschend thanked Mr. Owen for his commitment to help the people in this area.

Commissioner Herschend made a motion to table the issue, so it could be further researched, and exempt any penalties for the month of January 2007. Presiding Commissioner Pennel seconded the motion.

Commissioner Herschend withdrew his motion. Presiding Commissioner Pennel withdrew his second.

Assessor James Strahan stated that he would check with Randy Turley, legal counsel for the State Tax Commission, and confer with Bob Paulson.

BOARD OF EQUALIZATION MEMBER APPOINTMENT DONNA NEELEY

Commissioner Herschend made a motion that the board continues to consist of the County Commission, and the County Assessor, with the County Clerk. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea) Strahan (yea).

TRANSFER OF FUNDS MEMO

Presiding Commissioner Pennel made a motion to transfer funds of \$39,233.14 per month for road patrol out of the Road and Bridge Fund, into General County Revenue, as presented by the treasurer, which died on the table for lack of a second.

Commissioner Herschend asked if this payment was for December 2006 or January 2007? County Auditor, Rick Findley, answered that this payment would be for January 2007, and that the statute required the payments be made monthly. A general discussion ensued.

The Auditor gave the following budget items for this position: 2004-\$283,753.68, 2005-\$368,229; 2006-\$397,253.75; and 2007-\$410,000 (approximately). Commissioner Herschend made a motion to table for further examination. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

There was a discussion about the certified copy of Assessing Salary, Cost and Expensing. The auditor confirmed that this is for actual expenses, not estimates, and is done every quarter.

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APPROVAL OF MINUTES

Commissioner Strahan made a motion to approve the following minutes: December 13, 15, 18, 19, 27, 28, 2006 and January 2, 2007. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #99028-99125 with the exception of the item involving the Sheriff's Department and the Road & Bridge funding. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

Commissioner Strahan informed the audience about the Parks meeting at Hill Top Church on Thursday at 7:00 p.m.

Commissioner Herschend showed the commission a map concerning the high-rise building proposal in Branson and concern about the interruption of flight.

Tressa Luttrell expressed that she needs signatures for the Dean Road Petition.

Bob Paulson stated that he has a new contract for inmate health services.

Commissioner Herschend made a motion to approve a revised contract for nursing services for the jail. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to table a contract concerning the automobile concession agreement for the airport, until the Airport Board meeting on the following day. Commissioner Herschend seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

11:43 a.m.

Minutes were taken and typed by: Lisa Owen



JANUARY 10, 2007 THE 2ND DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

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ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the following payroll warrants.

| | |
|---------------------------------|-------------------------|
| General County Revenue Warrants | 102142, 102169 - 102202 |
| Road & Bridge Trust Warrants | 102143 - 102162, 102168 |
| Assessors Fund Warrants | 102163 |
| Transfer Station Warrants | 102164 - 102167 |
| 911 Warrants | None |
| Manual Warrants | 4613 - 4614 |
| Accounts Payable Warrants | 98781 - 98795 |

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

Minutes taken and typed by Lisa Owen and Hillary Bargman



JANUARY 11, 2007 THE 3RD DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

NUISANCE COMPLAINT

Presiding Commissioner Pennel complimented the Walter and Bill Clark for the work they have done on cleaning up their land thus far, however it appears that there is much work left to do, and he explained the ordinance requires that if the improvements are not completed within forty-five days of the notice, then a plan must be submitted to the commission, explaining how the complaint will be rectified in the next ninety days. Presiding Commissioner Pennel asked the Clarks if they could move the items in question to a part of their 150 acres obscured from the neighbors' view.

Billy Clark responded that they had moved items back there and the items were being stolen. Presiding Commissioner Pennel remarked that theft seems to be going up in the county and that the thefts from the Clark property weren't necessarily connected to the relocation of the items.

Commissioner Strahan stated that the county had received a report yesterday of fifteen radiators taken out of old vehicles, adding that the county wasn't going to bear down on ninety days on someone who had suffered a heart attack, but that the county needs to see progress in the situation.

Presiding Commissioner Pennel suggested the Clarks see what they could accomplish in the next few days and develop a plan for the next ninety days.

Walter Clark said that they use the mobiles for storage, but that one of them would be repaired for housing for one of his boys who is currently incarcerated. Billy Clark asked if the mobile by the street was causing a problem, suggesting that he could build a fence from some metal panels that he has. Presiding Commissioner Pennel clarified that the ordinance refers to any abandoned structure. Walter Clark remarked that the old home place on the land is a centennial house, which he helped build when he was twelve years old. Presiding Commissioner Pennel relayed that he did not think the home was the concern, that it was the other items on the property.

Presiding Commissioner Pennel asked the Clarks if they would accept free assistance to move the items in question out of sight and offered to get a group together and come and help. Billy Clark wanted the family to work on it first. Presiding Commissioner Pennel asked them to look at it and call the Commission in a couple of days, and let the Commission know what they

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will do and whether or not they would like help. Commissioner Pennel asked the Clarks to contact the Commission by Tuesday, January 16, 2007.

The meeting recessed at approximately 10:30 am.

Minutes taken and typed by Lisa Owen



JANUARY 12, 2007 THE 4TH DAY OF THE JANUARY ADJOURN TERM

The Taney County Commission met in the County Commission Office at 10:03 a.m. Pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

GILLIAM ROAD RANDY HAES

Randy Haes, Road and Bridge told the Commission that Jeff Michel donated land for a turn around and recommended Gilliam Road for acceptance into the county road system.

Commissioner Strahan made a motion to accept Gilliam Road (T-15) into the county road system as a Class 4 road. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: Commissioner Ron Herschend entered at 10:15 a.m.

ROAD AND BRIDGE MECHANIC'S SALARY

Rex Boone, Road and Bridge addressed the Commission in regards to his salary and asked about his position with the county. Boone expressed that he feels he has other qualifications and believes that there are other maintenance issues the county should be addressing. Mr. Boone explained there is county equipment that encounters problems due to a lack of maintenance, which causes the county additional expense.

Commissioner Herschend told Mr. Boone that he has heard nothing but positive comments about his skills. Presiding Commissioner Pennel asked Mr. Boone if he had a wage in mind? Boone requested \$18.00 an hour, at the present, with the ability for future increases and presented the hourly rate for three local equipment repair shops, which ranged from \$40-\$80 per hour.

Commissioner Herschend then inquired as to what Mr. Boone's long term plans would be, asking about a standard periodic rise of \$.50 to \$.75 per hour? Boone clarified that the county is paying him some overtime at the present and thanked the Commission for their consideration, before leaving the meeting.

Commissioner Strahan remarked that he appreciated Mr. Boone for putting in the overtime needed to get required machinery back on the road. A general discussion ensued.

Presiding Commissioner Pennel recommended paying Mr. Boone \$18.00 an hour, starting on January 8, 2007. Commissioner Herschend commented that this action does not necessitate reviewing the salaries of all of the other employees in the Road and Bridge Department.

Jacob Rock, Road and Bridge Supervisor expressed a concern about the lack of maintenance on equipment and added that he believes it is the drivers' responsibility to check for oil and grease in the machines. Commissioner Herschend was adamant that the employee's have

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the time to inspect the work equipment. Rock stated that he would set up a training and discipline program.

STATE TAX COMMISSION JAMES STRAHAN

James Strahan, Assessor stated that he met yesterday with the State Tax Commission (STC) and that Jim Kyle told Strahan he needed to raise his index. Mr. Strahan stated that he believes he needs to make a slight increase and expressed that the STC has to have a representative in the County Assessor's Office each month and Mr. Kyle is Taney County's representative.

Bob Paulson, County Counselor added that in the best light, there was poor communication among the STC, making the meeting unproductive.

James Strahan clarified that Mr. Kyle stated he believed the STC would accept the 2.02 ratio however, Kyle later stated that the STC would not accept the 2.02 ratio and was standing firm on the 2.12 ratio. Strahan added that when he met with the STC, he stressed that he wanted to use the 1100 parcel study, as it includes the 2006 sales.

Bob Paulson asked James Strahan if he had received anything from the STC to state that he was out of compliance? Mr. Strahan replied, no and said it was prejudicial to request that he examine only older structures. Paulson said that James Strahan received a letter in April stating he was in compliance and that the STC has not paid their portion for the time.

Presiding Commissioner Pennel asked the Assessor if his staff was back to work? James Strahan explained that he has brought back his field appraisers and will bring back his staff when the County Collector furnishes the funds. Commissioner Pennel reminded Assessor Strahan that the county has offered \$50,000 for wages and expressed that he would have preferred Strahan use this funding to keep his staff in place last year and added that he would like for him to get his staff back to work now. Commissioner Pennel stressed to Strahan that he would like to see the county work through the state legislators in resolving this issue.

Minutes were taken and typed by: Lisa Owen



JANUARY 16, 2007 THE 4TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Donna Neeley followed by the pledge.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda and approve the Taney County Road Crew going up and helping Greene County to assist in their state of emergency through the week.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Herschend clarified that his motion included the attempt to be reimbursed by the state as this is a natural disaster and that the motion is not contingent upon the reimbursement but to attempt.

VALLEY VIEW ROAD

Commissioner Pennel addressed the Commission in regards to Valley View Road just north of Forsyth. Commissioner Pennel stated that he went out with Randy Haes, Road and Bridge and looked at the road. Commissioner Pennel read the following road petition: Swan

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Township, 23 N Range. The review was done by Randy Haes and the report stated that it was not a through road, hot mix in poor condition...50 to 75 daily traffic count...will need tree limbs cut and ditches need patched and resurfaced.

Commissioner Strahan made a motion to take Valley View Road in contingent upon Road and Bridge getting the necessary paper work and upon an agreement from property owners to get either a cul-de-sac or driveway for a turnaround.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROUND HILL ROAD, SHADOW LAKE DRIVE, SHADOW VIEW DRIVE MESQUITE DRIVE

Commissioner Herschend made a motion to table and schedule the appointment with the applicant.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY ANIMAL CONTROL ORDINANCE DARREN MATTHIESEN

Darren Matthiesen discussed concerns that animal control officers could not write citations. Discussion ensued

BRANSON/LAKES AREA LEGISLATIVE PARTNERSHIP WILEY BARNES

Wiley Barnes stated that she was there to talk to the Commission about a new legislative coalition being formed and we have had enough interest in the coalition that we have formed our own coalition. We are inviting Taney County to be involved in supporting the Springfield Branson salute. January 23 we will have kick off at Jefferson City all legislatures several representatives senate house leadership dinner and have had a fantastic response speaker pro-tempt and speaker Ron Jetton.

Commissioner Pennel made a motion to accept invitation and authorize 1,000 to join. Bob Paulson without veto power if you join organization you might want to know who else is on the board.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea)

YEAR END REPORT HELEN SOUTEE

Helen Soutee, Treasurer, presented the Commission with the year-end report. Helen Soutee stated that this was as of December 31st and according to statute required to give year end settlement and total cash in bank is 2,000,000. Commissioner Herschend expressed his thanks to her for the way she manages the counties assets.

ROAD AND BRIDGE SALES TAX CHUCK PENNEL

Discussion ensued regarding a renewal of the Road & Bridge Sales Tax. Commissioner Herschend said he believed this is a very important issue for the citizens of Taney County and we would be hard pressed to operate with out that source of income. Commissioner Strahan suggested putting it on the April ballot.

Commissioner Herschend motioned to ask Bob Paulson to finalize ballot language and put it on the April ballot.

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Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

STATE TAX COMMISSION REFUSAL STIPULATION JAMES STRAHAN

County Assessor, James Strahan reported that he traveled to Jefferson City last Friday to meet with the State Tax Commission. Counselor Paulson went to the meeting with Assessor Strahan.

Assessor Strahan explained that Jim Kyle, the State Tax Commission's field representative in Taney County ran a new study recently, and based upon the results reported to Strahan that an index rate of 2.02 would work in getting Taney County into compliance for this reassessment cycle. According to Assessor Strahan, Mr. Kyle told him that the State Tax Commission would agree to an index rate of 2.02.

Assessor Strahan reported that Mr. Kyle provided a letter to the State Tax Commission showing that the 2.02 would work and informed the State Tax Commission that Assessor Strahan would be there on Friday.

Assessor Strahan stated that based upon Kyle's representation he brought the County Counselor to Friday's meeting with the State Tax Commission with the intent of hammering out the details of any agreement to resume reimbursements in return for increasing the index rate to 2.02. Otherwise he wouldn't have taken Counselor Paulson with him.

Assessor Strahan related that when he and Counselor Paulson arrived in Jefferson City, "they got slapped in the face", because the State Tax Commission said they didn't even know why they were having a meeting.

Counselor Paulson reported that the State Tax Commission stated they were not agreeing to the 2.02 index rate, noting that his feeling was that the State Tax Commission is not budging an inch. Counselor Paulson said the State Tax Commission informed them at Friday's meeting that the reimbursement funds are deposited and if the 2.02 index rate works then funding will resume when that determination is made.

Assessor Strahan said that right now he is the Assessor of Taney County and the Assessor has established this index rate and that the studies, even Mr. Kyle's study, back him up. Assessor Strahan said he would do everything in his power to keep this from going to Circuit Court, however Strahan also asked the County Commission to "do battle".

Commissioner Herschend motioned to approve 15,000 for attorney fees for the Assessor's case against the State Tax Commission. Motion Rescinded.

POWERSITE PARK PROPERTY EXCHANGE DANNY STRAHAN

Commissioner Strahan stated that the Park Board met at Powersite and they would like a property exchange for a park in Powersite.

Commissioner Herschend made a motion to approve the transfer for exchange.

Commissioner Strahan seconded the motion. The motion passed by a vote three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to approved minutes from December 26 and 29, 2006 and January 3, 5, and 10, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

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ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve checks #98796 – 98931 and warrant #4615.

Commissioner Herschend seconded the motion. Rick Findley, Auditor, noted the Commission is approving the draw for one of their bonds. The motion passed by a vote of three: Pennel (yea) Herschend (yea), Strahan (yea).

PUBLIC COMMENT GARY GROMAN

Gary Groman addressed the Commission in regards to a wall erected near some condos being built on Acacia Club Road up the road from Trout Hollow.



JANUARY 17, 2007 THE 6TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 11:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

SCURLOCK INDUSTRIES

Commissioner Herschend made a motion to recognize Scurlock Industries as a sole provider for concrete boxes, concrete culverts, and RCP Reinforced concrete pipe and also to annually review with the Purchasing Agent. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by Tressa Luttrell



JANUARY 19, 2007 THE 7TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 1:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. Also present were Bob Paulson, County Counselor, Joan Chowning, Director of Economic Development, and Tressa Luttrell, County Commission Administrator. The following proceedings were had and made a matter of record.

BY-LAW AMENDMENT

Commissioner Strahan made a motion to change the verbiage of the By-Laws of the Industrial Development Authority (IDA), in Section 11, to provide for seven (7) Directors of the Corporation, and authorizing the IDA to file the necessary paperwork with the Secretary of State. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS
1:50 P.M.

RECONVENED
2:35 P.M.

The County Commission reconvened in the County Clerk's office at 2:35 p.m. with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

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PAYMENT OF COMP TIME LYN PEACOCK

Presiding Commissioner Pennel made a motion to approve payment of compensation time to Officer Lyn Peacock, #151, of the Taney County Sheriff's Department. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS
2:40 P.M.

Minutes taken and typed by Tressa Luttrell



JANUARY 22, 2007 THE 8TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Donna Clevenger followed by the pledge.

ROAD AND BRIDGE TAX RESOLUTION DONNA NEELEY

Donna Neeley, County Clerk, stated that Bob Paulson, County Counselor had prepared the ballot language for the proposed Road and Bridge Tax to be put on the ballot for the April 3, 2007 Municipal Election of Taney County.

Bob Paulson explained that the language is the same version used for the 1997 election with the exception of a note at the bottom stating: "The passage of this Proposition will not increase the current Sales Tax rate in Taney County." Presiding Commissioner Pennel asked if the previous ballot had any mention of the date in which the tax starts or expires? Bob Paulson responded "no" and read the following ballot language: "Shall the County of Taney reimpose a county-wide sales tax (by extending the existing current sales tax) at the rate of one-half of one percent (1/2 of 1%) for a period of ten years from the date on which such tax is first reimposed for the purpose of improvement and construction of Roads and Bridges in Taney County? The passage of this Proposition will not increase the current Sales Tax rate in Taney County." Paulson then turned to RSMo 67.700.2 and read the following sections: "The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert capital improvement purpose)?..."

Commissioner Strahan made a motion to accept the ballot language from Form A, which includes, "The passage of this Proposition will not increase the current Sales Tax rate in Taney County." Commission Herschend seconded the motion.

Presiding Commissioner Pennel inquired as to why the language says for a period of ten years instead of the date? Bob Paulson explained that it is the same language used in 1997 and that it wasn't a problem then. Paulson added that the tax would be reimposed when the current tax ends.

Commissioner Herschend expressed that the clearer they can make the ballot language the better and asked if there is a word other than reimpose that is simpler to understand? Bob Paulson stated they could say impose again, but that would be straying from the ballot language in the statutes. Commissioner Herschend suggested adding the word "extend" or "continue" next to the word "reimposing" and also asked if the expiration of the existing tax could be added to the language. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Bob Paulson expressed that the more language there is the more people will have questions. Paulson further stated that he is okay with changing the language around but advised the Commission not to run the risk of persuading the ballot language.

Commissioner Pennel expressed that he was happy with the language presented.

The motion passed by a roll call vote:
Western Commissioner Ron Herschend (yea)
Eastern Commissioner Danny Strahan (yea)
Presiding Commissioner Chuck Pennel (yea)

AIR METHODS CORP CONTRACT BOB PAULSON

Bob Paulson, County Counselor stated that he received a call from Mark Parent, Airport Director asking for an addendum to the Air Methods Corp Contract involving a 90-day exit clause.

Presiding Commissioner Pennel inquired as to what the current clause is and why they wanted to change the exit clause. Bob Paulson clarified that the County Airport does not have a clause in the current three-year lease.

Rick Findley, Auditor informed the Commission that he was at the airport last week and that Air Methods Corp was talking about spending more money. Tressa Luttrell clarified that the only reason this is coming up, is because of the board for Air Methods Corp in Colorado.

Commissioner Herschend asked if the Commissioners signed the contract, if it would preclude them doing the work the county has already made certain precessions for at the airport. Tressa Luttrell explained that Air Methods has federal guidelines.

Commissioner Strahan stated if this issue were tabled, it would give the Commission an opportunity to witness the work they have done and would give Bob Paulson the opportunity to read the addendum to the contract.

Commissioner Strahan made a motion to table the Air Methods Corp contract issue. Commissioner Herschend seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from January 11th and 17th 2007. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks # 98932-99009 and warrant # 4616. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PAYMENT OF COMP TIME PROSECUTOR'S OFFICE

Tressa Luttrell reminded the Commission that payroll needed to be done today and presented a written request from Candy King of the Prosecutor's Office for the payment of 49 hours of comp time.

Commissioner Herschend made a motion to approve the payment of 49 hours of comp time to Candy King as requested. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

JAMES STRAHAN UPDATE

James Strahan, Assessor informed the Commission that his employees would be back that morning and added that he plans on writing a letter demanding that the Tax Commission accept their own statistics. James Strahan added that he would also speak with Bob Paulson concerning this issue and that he has a letter dated November 30, 2005 addressing an issue to not allow an index until January 5, 2006. James Strahan further explained that Bob Epperson with the State Tax Commission (STC) signed a letter in April and Strahan is now finding out information that is contrary to what they believe the State Tax Commission is doing in Jefferson City in regards to the 2.02 index being applied. Strahan further stated that Jim Kyle was at the Assessor's Office for three hours pulling assessments that had not been done and that he has two people coming in to help, one being a temporary mapper and the other a temporary field person. Strahan clarified that the book will be made by May 15, 2007.

Commissioner Herschend asked Mr. Strahan if he still wanted support from the County Commission in regards to this issue? James Strahan replied that he would like the Commission to sign the letter that he plans to send adding that he would have Mr. Paulson look at it before sending it to the State Tax Commission and State Representatives.

RECESS 10:00 a.m.

Minutes taken and typed by: Hillary Bargman



JANUARY 23, 2007 THE 9TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

ASI FLEX PLAN ACH

Commissioner Strahan made a motion to accept the ACH of ASI flex plan. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS 10:00 A.M

RECONVENE 11:00 A.M.

The County Commission reconvened in the County Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Bob Paulson, County Counselor, Harry Styron, Eddie Wolf, and Terry and Jim DeFoor, with GWC, were also present. The following proceedings were had and made a matter of record.

WILSON'S LAKE ADDITION

The County Commission discussed the Wilson Lake Addition and the developer's desire to replat, including the vacating of streets that were tabled on the January 8, 2007 meeting.

Mr. Wolf suggested vacating the county road that runs through Bobby George Rains' property, if Mr. Rains would consent and give up about a ten-foot border, then this would allow the developer to build a road that would access the home sites in his project, without adding traffic driving across Mr. Rains' property. Mr. Wolf added that the developer would then give each affected property owner access to a subdivision road.

TANEY COUNTY COMMISSION RECORD

The Commission listened to this concept and suggested speaking with Robert Melton about the development company acquiring his parcel of land at the intersection of Highway VV and Belland Road, so that this intersection could be improved before the additional traffic the subdivision would bring. Mr. Wolf questioned if Mr. Melton would sell the property, should part of it be deeded to the county, for the road improvement, and whether or not anyone had spoken with MODOT about the sight distance at this intersection?

Presiding Commissioner Pennel asked Commissioner Strahan if he could remember what it cost to fix (road) T-50? Commissioner Strahan responded that he could check on this, and offered to speak with Mr. Rains and Mr. Melton about the road improvements, citing that there will be a new park in the area. Commissioner Strahan said that he would let Mr. Wolf know the outcome of this and if those parties are agreeable, the developer will then prepare the new platting and conveyances. The groups discussed then having simultaneous road vacations and replat orders and confirmed that the neighboring property owners have been contacted, and some of their properties have been purchased. At the previous meeting, Commissioner Herschend asked Mr. Styron to contact the affected neighbors, as the commissioner would not want to see the neighbors' interests damaged. Commissioner Herschend was satisfied that this was done.

RECESS
12:30 p.m.

Minutes taken and typed by: Lisa Owen



**JANUARY 24, 2007 THE 10TH DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in the commission office at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. Also present were Tressa Luttrell, Administrator, and Jacob Rock from Road & Bridge. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve the following payroll warrants.

| | |
|---------------------------------|---|
| General County Revenue Warrants | 102203 – 102205, 102207 – 102212, 102240 - 102272 |
| Road & Bridge Trust Warrants | 102213 – 102234 |
| Assessors Fund Warrants | 102206, 102235 |
| Transfer Station Warrants | 102236 - 102239 |
| 911 Warrants | None |
| Manual Warrants | 4617- 4618 |
| Accounts Payable Warrants | 99010 - 99027 |

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yea), Herschend (absent), Strahan (yea).

BLASTING BID

Tressa Luttrell, Administrator announced the only bid for blasting is for \$48,720, from Explosive Contractors, Inc. Luttrell added that this company received a top recommendation from the state. Jacob Rock, Road and Bridge Supervisor added that the bid includes blasting for the sewer line. Luttrell further explained that she is working on the annual bid for blasting, and that she would then request estimates as jobs arise.

Presiding Commissioner Pennel made a motion to approve the bid from Explosive Contractors, Inc for the amount of \$48,720. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

GREAT RIVER ENGINEERING CONTRACT

Tressa Luttrell, Administrator then presented two contracts from Great River Engineering (GRE) for bridgework and explained that one contract is for Big Creek, Thunder Road, while the other is for the west fork of Big Creek, Stehle Road.

Commissioner Strahan expressed a concern about working within the constraints set by the Corp of Engineers. Jacob Rock, Road and Bridge Supervisor explained that GRE would be responsible for getting the permits. Ms. Luttrell shared that the contracts cover engineering services, not to exceed \$27,215, and Construction Inspection Services, not to exceed \$10,000, excluding items for reimbursement, as these are an additional expense. Ms. Luttrell noted that professional qualifications must be updated with the commission annually, and are available for the commissioners to review.

Commissioner Strahan made a motion to enter into these contracts, contingent upon Great River Engineering acquiring the necessary and correct permits and releases. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by: Lisa Owen



JANUARY 29, 2007 THE 10TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Ron Herschend followed by the pledge.

ANTLER ROAD VACATION

Commissioner Pennel brought to the Commission that matter of the Antler Road Vacation, which is down by Big Cedar off of Cove Road.

Commissioner Strahan stated that one gentleman owns all property around that area. Bob Paulson added that the plat attached to petition ends in cul-de-sac.

Commissioner Pennel added that there was only one owner who owns all the way around the cul-de-sac.

Bob Paulson questioned what they intended to do with the lots they have. Commissioner Herschend responded that they would not be able to land lock those lots. Bob Paulson added that they could sue to have the easement.

Commissioner Herschend made a motion to approve contingent upon no property owners being impacted and stated that he would like to see something developed in the lots of acreage.

Commissioner Pennel seconded and asked Bob Paulson if he had some remedy of concern. Bob Paulson answered that there was not a concern for actual situation and added that it was a matter of clearing it up.

Commissioner Strahan stated that in future commissions if they try to open streets into that area; this commission, after looking and been approached, would not let them open up a new street.

Bob Paulson stated that if they will make them bigger there would be no reason not to let them put in a street for now. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WILSON'S LAKE ADDITION VACATION

Commissioner Strahan stated that he went out and met with the landowner on the Wilson's Lake project and the landowner expressed that he was against them crossing his property and that there was already a platted street. Commissioner Strahan further reported that the property owner did not want them to cross at the proposed location, which is most adequate for them to fit in, and added that they hadn't approached the landowner about the issue before that day.

Commissioner Strahan made a motion to table the Wilson's Lake Addition Vacation.

Commissioner Pennel seconded the motion.

Commissioner Herschend questioned why they should table this issue as oppose to denying the request. Commissioner Pennel expressed that they met with their attorney and are going to use the existing road.

Commissioner Strahan expressed that if they deny the request they would have to wait until the first of the new quarter to resubmit. Commissioner Pennel pointed out that the petition read, "...seeks to vacate a portion of the street..." and asked if there's any reason why they shouldn't table it?

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BIRD ROAD SLOPE EASEMENT

Commissioner Herschend stated that he would like to ratify action that was discussed, which was the approval of a slope easement encroachment of right of way on Bird Road adding that three feet of ditch bottom was filled in. Commissioner Herschend added that he had gone out and looked with the developer stating that they had accidentally filled in the ditch as a solid rock bottom. Commissioner Herschend stated that they needed to have an answer or they would have had to stop construction. Commissioner Herschend questioned Tressa Luttrell if Road and Bridge had a copy of the easement.

Commissioner Pennel stated that the engineer had called him and sent diagram pictures of what they were doing. Commissioner Herschend added that this was Larry Snyder that is doing the work and saw no reason filling the ditch in would makes it less of a threat.

Commissioner Herschend made a motion to ratify action taken by a letter last week.

Commissioner Pennel seconded the motion.

Commissioner Herschend read the following letter: Let this letter serve as documentation reviewed by Ron Herschend as a grade, so as to impact travel or safety. Commissioner Herschend added that there was a drawing and architectural attached.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ALL CERTIFIED STORAGE RENEWAL DONNA NEELEY

Donna Neeley, Taney County Clerk, requested an extension of storage time for voting equipment.

Commissioner Strahan stated that they had an odd number of days they had approved last time and that they had discussed putting it in the underground.

Commissioner Strahan asked if this time she was requesting a year. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to table the issue for discussion.

Commissioner Herschend seconded the motion for discussion and asked Tressa Luttrell if there were any other options.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve January 19 and 24, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable.

Commissioner Pennel seconded the motion. Commissioner Strahan added that Rick Findley, County Auditor, brought over a draw for the jail.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

James Strahan, County Assessor, wrote a letter about the STC stuff and it went in the mail on Friday to all legislatures and governor and senators and presented copies to the commission. A general discussion ensued.

Commissioner Strahan stated that there had never been a decrease in any school district and he was going to go to the Branson City Alderman meeting and address this issue. Commissioner Strahan added that he might send this over to Mr. Link to get him to verify it.

GARY GROMAN

Gary Groman stated that in the last meeting he pointed out a problem with the retaining wall on Acacia Club Road and 48 hours later there was no more problem about the retaining wall. Gary Groman added that he had drove by it and said that they have a stream that looks like they are rebuilding.

PLANNING AND ZONING & SEWER BOARD

Commissioner Pennel announced that the Commission had two vacancies to fill, one at Planning and Zoning and one on the Sewer Board. Commissioner Pennel added that they welcomed any names of folks who might be willing to serve on those boards in Jasper Township; which was Rockaway, Merriam Woods, and Walnut Shade for Planning and Zoning and no boundaries for the Sewer Board.

RECESS



JANUARY 30, 2007, THE 12TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District, present. Danny Strahan, Eastern District, was absent. The followings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

PAYMENT OF VACATION TIME JOHN LAVENDER

Commissioner Herschend made a motion to pay John Lavender for eighty-nine hours of vacation pay. Presiding Commissioner Pennel seconded the motion. The motion carried by vote: Pennel (yea), Herschend (yea), Strahan (absent).

Minutes taken by Hillary Bargman and typed by Lisa Owen



FEBRUARY 5, 2007 THE 13TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Dr. Ben Ellis followed by the pledge.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve the following payroll warrants, as the Commission will be out of town for training on Wednesday.

| | |
|---------------------------------|-------------------------|
| General County Revenue Warrants | 102273, 102306 - 102337 |
| Road & Bridge Trust Warrants | 102274 - 102298 |
| Assessors Fund Warrants | 102299 - 102301 |
| Transfer Station Warrants | 102302 - 102305 |
| 911 Warrants | None |
| Manual Warrants | 4622 - 4623 |
| Accounts Payable Warrants | 99221 - 99235 |

Presiding Commissioner Pennel seconded the motion. The passed by a vote of two: Pennel (yea), Herschend (absent, stepped out of meeting), Strahan (yea).

EMERGENCY MANAGEMENT CONTRACTS BOB PAULSON

Bob Paulson, County Counselor presented the Commission with a copy of the Intergovernmental Agreement for Emergency Management and added that upon approval of the contract, he would update the document.

Chris Berndt, Director of Emergency Management addressed that Commission in regards to the need for intergovernmental agreements and asked Mr. Paulson to prepare an intergovernmental agreement to work with Boone County, Arkansas, as they work together sometimes on weather issues.

Presiding Commissioner Pennel made a motion to approve the Intergovernmental Agreement for Emergency Management. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Mr. Paulson advised the Commission to go to the Airport Board next week and create an Intergovernmental Agreement for Western Taney County Fire to continue to provide coverage. Paulson added that there is currently an interim agreement in place however; a more permanent one is needed, as the airport is not in the Western Fire District.

Commissioner Herschend thanked Mr. Berndt for his leadership with safety in Taney County and for his assistance with the recent situation in Greene County. Presiding Commissioner Pennel asked about setting up work sessions with other areas. Tressa Luttrell, Administrator will inventory which agreements are up to date, revisiting those that need attention. Commissioner Herschend expressed he feels that it is a great idea and Mr. Berndt stated he would be happy to participate.

TANEY COUNTY COMMISSION RECORD

Art Beck asked what people in this area would do if emergency weather occurred? Mr. Berndt answered that the Red Cross facilitates this, but that these are short-term services. Mr. Beck stressed that visitors to the area would not know where to go. Commissioner Herschend suggested that Mr. Berndt inform Mr. Beck and the media about the county's Emergency Plan.

ANIMAL CONTROL ORDINANCE CHUCK PENNEL

Presiding Commissioner Pennel addressed the Commission in regards to vicious animals and stated that it had been amended some time ago. Pennel added that Chapter 11 covers vicious dogs that exhibit vicious tendencies, and the manifestation of a disposition to bite or attack persons or other animals. Pennel explained that the county has had reports about vicious animals that have killed other animals, that are chained, but break loose and run.

Jimmy Russell, Sheriff reported that there is a need for additional language in the ordinance to be able to do anything about these types of situations.

Bob Paulson, County Counselor explained that if the sheriff wants to write a ticket under the ordinance, instead of under the state statute, he would need a criminal penalty. Paulson clarified that he would need to add language making it a misdemeanor. Commissioner Strahan advised that the language doesn't differentiate between hunting dogs and other dogs at large. Paulson asked what would be a misdemeanor, when and what is considered 'vicious'? Paulson said that the county currently allows a dog to be penned after a first complaint, rather than be euthanized.

Presiding Commissioner Pennel said that he was referring to animals that could harm humans, especially children. Commissioner Herschend clarified that he would like to see Mr. Paulson address this issue. Paulson mentioned that the county presently does not have a leash law. Presiding Commissioner Pennel read aloud from the current ordinance: "...no person shall own, keep, harbor or allow to be on, in or upon his premise any dog of a cross, dangerous, vicious or ferocious disposition of which habitually snaps at, or bites, or manifests a disposition to bite or attach persons or animals or pets, unless such dog is securely confined upon its premises."

Gary Groman suggested that as a Class 1 County, the county is growing and changing and should take the time to look at a leash control ordinance adding that he believes people have a right to have animals, but not a right to interfere with the rights of others. Groman expressed that he feels it may be necessary at the present to develop a leash law for densely populated areas and gave an example of an incident that occurred on Acacia Club Road. Groman then asked why the congested areas of the county would be any different than non-congested areas? Commissioner Herschend and Presiding Commissioner Pennel agreed that it seems problematic, due to inconsistent density, to address this in the manner suggested by Mr. Groman. Mr. Groman conceded that the county might not be able or want to have such an ordinance, but feels that it should be reviewed while addressing the current change.

Art Beck asked about the Animal Control Officer and stated that he is not sure about what the county is doing. Presiding Commissioner Pennel explained that the county does have an Animal Control Officer and an Animal Control Facility. Pennel added that the officer doesn't have the ability to write tickets, but that is why they are asking Mr. Paulson to address the current ordinance.

APPROVAL OF MINUTES

Commissioner Herschend made a motion to table approval of minutes from January 8, 2007.

Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #99126-99220 and manual #4619, 4620, 4621. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SNOW REMOVAL GARY GROMAN

Mr. Gary Groman wanted to thank the county personnel who took care of the roads during the recent inclement weather. Commissioner Strahan stated that he had received more positive comments from the citizens than ever before, and that he passes these on to the staff.

NUISANCE VIOLATIONS BOBBY CLAY

Bobby Clay asked the Commission to publicly address the nuisance violations. Commissioner Herschend added that Bob Schanz has also inquired about the status of a complaint in his neighborhood.

BRANSON LAKES AREA LEGISLATIVE PARTNERSHIP WILEY BARNES

Wiley Barnes, Branson Chamber of Commerce updated the Commission about the Branson Lakes Area Legislative Partnership of which the county is a member. Barnes stated that they served a continental breakfast, which was well received by the Legislature's and their staff adding that it was a great opportunity for the area. Barnes stated those communities and organizations with representative's present included Branson Chamber, City of Branson, Kimberling City, Forsyth, Hollister, Table Rock Chamber, and the River Basin Partnership. Barnes further explained that the organization hosted other events over the course of a few days, including a dinner, a Minority Leadership luncheon, and the Salute Legislature reception.

Rick Ziegenfuss, City of Hollister encouraged the county to have representation with them at these events, as it continues to be important to everyone involved to show a broad cross-section of support that they are working together as a team. Ziegenfuss then announced Hollister's home show that will be next weekend and invited anyone from the County to participate. Ziegenfuss then recognized Ms. Barnes for the work that she is doing.

Ms. Wiley Barnes said that the next event is on Valentine's Day, February 14 and they will be hosting a legislative luncheon for all of the Southwestern Legislators.

Commissioner Herschend talked about Senate Bill 211 and House Bill 312, stating they are being sponsored that speak to laws in-acted for one person in the state, the collector of Taney County and asked if that is something that the coalition would take up, or just their own agenda.

Ms. Barnes replied that they just represent their agenda, which are their legislative priorities, but recommended speaking to Senator Goodman, or Representatives Wood, Wallace or Weter. Commissioner Herschend responded that he already has a call into Senator Goodman and explained that this bill legislates change in action taken by the salary commission, and would retroactively nullify action taken by the salary commission, which is the body designated by the state to make these decisions. Commissioner Herschend further stated that he doesn't believe this seems to be the right use of legislature time, for only one person. Ms. Barnes asked Mr. Ziegenfuss if they could call the coalition to see if this is something that they want to include. Commissioner Herschend asked the County Clerk if she was contacted about the economic impact of this bill.

Donna Neeley, County Clerk clarified she told them that she responded to a fiscal note, in which she stated that the county does not have it currently in its budget to pay the \$11,000 per year. Neeley added that she spoke with an attorney who said because it is a special legislation, it may or may not be legal, and that may cost the county money in legal fees to determine whether or not it could or should implement that legislation.

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel thanked Ms. Barnes for attendance and expressed that he was pleased to see so many local officials participating as well.

Assessor Strahan said that he read in the Springfield News-Leader there is another Assessor, Jimmie Jones, of Webster County who has jumped into the midst of the increase of assessed valuation. Assessor Strahan said that this assessor has come out about the assessment and pled with the governor, not to 'kick them while they are down'. James added that he now has two part time employees helping, an experienced mapper from Lawrence County, and Clyde Uhms, an experienced long-time county appraiser, helping with reassessment so that the county will be compliant, regardless of the roadblocks that are being thrown at his office. Commissioner Herschend said that he appreciated the Webster County Assessor recognizing the impact of the storm, as not everyone sees the incredible affects of a storm this size.

RECESS

Commissioner Strahan made a motion to recess and reconvene in Executive Session. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

BOB PAULSON-FLSA 610.021(1)(3)

BOB PAULSON-MERRIAM WOODS CONTRACT 610.021(12)

CHUCK PENNEL-NUISANCE VIOLATIONS 610.021(1)

The County Commission met in the Commission Office at 12:20 p.m. pursuant to adjourn with Ron Herschend, Western District, and Danny Strahan, Eastern District present. Chuck Pennel, Presiding, was absent. The following proceedings were had and made a matter of record.

Donna Neeley, County Clerk swore in Ron Herschend, as Temporary Presiding Commissioner, via telephone in the absence of Chuck Pennel.

Commissioner Herschend made a motion to pay Richard Hill, Sheriff's Department forty hours of compensation time as requested, to pay for medical equipment. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

RECESS

Minutes were taken via telephone by Donna Neeley and typed by Lisa Owen.

RECONVENE

The County Commission reconvened at the MODOT Office in Branson at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District, present. Danny Strahan, Eastern District, was absent. Also in attendance were Frank Miller, Dale Rick, Bob Becker, Rick Ziegenfuss, David Miller, Terry Dody, and Andy Muller. The following proceedings were had and made a matter of record.

The group met to discuss possible financing for a round about and is considering a 50-50-share program with Hollister also making a financial contribution. They also discussed the need for an emergency entrance for the hospital, and the East-West Corridor project. No motions were made and no votes were taken.

Minutes were taken by Chuck Pennel and typed by Lisa Owen.



**FEBRUARY 6, 2007 THE 14TH DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in the Commission Office at 11:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District, present. Danny Strahan,

TANEY COUNTY COMMISSION RECORD

Eastern District, was absent. Also present were Gary Morgan, Information Services Administrator, Patsy Alexander, GIS, and Tressa Luttrell, Commission Administrator. The following proceedings were had and made a matter of record.

GIS MAPPING SERVICES

The Commissioners discussed the Public Water Supply District #3 and Dave Stewart's request for GPS and GIS mapping services. Patsy Alexander stated that she wanted to clarify with the Commissioners what their expectations are for the project, as Mr. Stewart seemed to anticipate doing the entire system, including the water lines. Gary Morgan said that they would like copies of the As-Builts to include in their GIS. Commissioner Herschend explained that engineering plans and As-Builts were not the same.

Presiding Commissioner Pennel asked about the process that would be involved? Gary Morgan, IS Administrator informed him that there would be a difference between getting the information in and keeping the data maintained, adding that changes would be time consuming.

Commissioner Herschend shared the problems that occurred with the Buchanan Road project stating that even though they had the information about the location of the lines, they were not as recorded and they ended up hitting a line and draining the tower.

Presiding Commissioner Pennel asked Mr. Stewart if he was asking the county to locate the lines? Gary Morgan added that the Western Fire District is trained to use the GPS equipment to find lines, and that the water department could also be trained. Presiding Commissioner Pennel asked what the equipment costs would be? Gary Morgan stated that they estimated the equipment at \$10,000. Presiding Commissioner Pennel expressed that he does not feel loaning the equipment is warranted.

Gary Morgan suggested mapping the towers, wells, and what is visible, adding that the county does have all of its water hydrants mapped, which is helpful. Morgan confirmed that it would be extremely difficult to get all of the lines mapped and recommended getting water lines, sewer lines, and wells mapped as they are being developed.

Commissioner Herschend advised that the sewer and the roads are the county's responsibility, but not water lines. Presiding Commissioner Pennel expressed that he believes it would be beneficial for the county to have this information, as long as it doesn't involve more time than the project merits. Mr. Stewart also volunteered to go and point out the location of lines that he knows of. Presiding Commissioner Pennel suggested allotting about fifteen hours for this project.

ROAD & BRIDGE SALES TAX BALLOT LANGUAGE CHANGE

Commissioner Herschend made a motion to amend the ballot language for the counties issue on the April 3, 2007 ballot by removing the word "first" from the original wording. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

STORAGE OF VOTING EQUIPMENT

Commissioner Herschend made a motion to clarify that the Commission would pay for storage for the County Clerk's voting equipment, out of the Judicial Fund. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

ROAD AND BRIDGE TAX SHARING PROJECT

Commissioner Herschend made a motion to table discussion of the Road and Bridge Tax Sharing Project until Commissioner Strahan could be present as well. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

TANEY COUNTY COMMISSION RECORD

RECESS

Commissioner Herschend made a motion to recess. Presiding Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

The commission recessed at approximately 12:10 p.m.

Minutes were taken by Lisa Owen and edited by Donna Neeley.



FEBRUARY 12, 2007 THE 15TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

PUBLIC APPOINTMENTS

PETER REA

Peter Rea addressed the Commission in regards to last week's headline, referring to Taney County Collector, Sheila Wyatt's, salary debate. Mr. Rea expressed that he feels this is an unfortunate item and a mistake that was made before Ms. Wyatt came into office. Mr. Rea went on to explain that in 1987, state law changed the way the Collector was paid and that the Collector's pay went from fees to salaries, but that Taney County went from fees to salary and fees for twelve years. Mr. Rea further stated that it was all about fairness and admires, appreciates and respects those who made a motion not to permit this. Mr. Rea suggested that the officials get together and prevent this type of occurrence again and that the county has a countywide mistake.

Presiding Commissioner Pennel asked Bob Paulson, County Counselor, for advise, regarding rebuttals. Mr. Paulson suggested that the agenda state the issue to be addressed, rather than simply the name of the person who has requested to appear.

Assessor Strahan wanted to speak, being a Salary Commissioner. The Assessor said that in 1997, the county Assessor's salary was cut by \$9000, and that the Salary Commission voted on this adding that these changes occurred when Taney County became a first-class county. Assessor Strahan explained that this has been thoroughly discussed and looked at by many attorneys.

Mr. Paulson clarified his advice about the Sunshine Law.

ELECTED OFFICIALS AND DEPARTMENT HEADS KISSEE MILLS PARK ISSUES

Mr. Paulson spoke about the Kisse Mills Park stating that there appears to have been vandalism and there is a question about whether or not the county has an oral agreement to take care of the water. Mr. Paulson reminded the Commission that the county has taken action to keep the miniature mill from leaking. Auditor Findley expressed that he had visited the area.

Note: The Commission will have Jacob Rock with Road and Bridge follow up on this issue.

RICK FINDLEY

Rick Findley, Auditor presented the Commission with the monthly budget report and explained that the budget may not reflect the airport accurately, as there will be a large grant coming in for that department. The Auditor then provided the Clerk with the following fund balances, which have been positively influenced by the good sales tax returns.

TANEY COUNTY COMMISSION RECORD

TANEY COUNTY BUDGET FUND BALANCES 1-31-07

| | PERIOD TO DATE | YEAR TO DATE | | PERIOD TO DATE | YEAR TO DATE |
|--------------------------------|----------------------|----------------------|-----------------------------|----------------------|----------------------|
| GCR | | | PROS ATT TRAIING FND | | |
| BEGINNING BAL | 16,176,676.53 | 16,176,676.53 | BEGINNING BALANCE | 9,815.46 | 9,815.46 |
| REVENUES | <u>1,370,530.24</u> | <u>1,370,530.24</u> | REVENUES | <u>211.21</u> | <u>211.21</u> |
| TOT REV GCR | <u>17,547,206.77</u> | <u>17,547,206.77</u> | TOTAL PAT REVENUES | <u>10,026.67</u> | <u>10,026.67</u> |
| TOTAL GCR EXP | <u>828,797.17</u> | <u>828,797.17</u> | EXPENDITURES | <u>3,688.08</u> | <u>3,688.08</u> |
| TOT GCR FUND BAL | 16,718,409.60 | 16,718,409.60 | TOTAL PAT FUND BAL | 6,338.59 | 6,338.59 |
| ROAD & BRIDGE | | | COUNTY INSURED FUND | | |
| BEGINNING BALANCE | 8,365,292.31 | 8,365,292.31 | BEGINNING BALANCE | 158,436.63 | 158,436.63 |
| REVENUES | <u>169,942.04</u> | <u>169,942.04</u> | REVENUES | <u>712.42</u> | <u>712.42</u> |
| TOT RB REVENUES | <u>8,535,234.35</u> | <u>8,535,234.35</u> | TOT CNTY INSURED REV | <u>159,149.05</u> | <u>159,149.05</u> |
| EXPENDITURES | <u>224,736.10</u> | <u>224,736.10</u> | EXPENDITURES | <u>4,121.64</u> | <u>4,121.64</u> |
| TOTAL RB FUND BAL | 8,310,498.25 | 8,310,498.25 | TOT CNTY INSRD FND BAL | 155,027.41 | 155,027.41 |
| ROAD & BRIDGE TRUST | | | 911 FUND | | |
| BEGINNING BALANCE | 2,707,686.28 | 2,707,686.28 | BEGINNING BALANCE | 1,195,536.29 | 1,195,536.29 |
| REVENUES | <u>694,781.43</u> | <u>694,781.43</u> | REVENUES | <u>46,120.11</u> | <u>46,120.11</u> |
| TOT RBT REVENUES | <u>3,402,467.71</u> | <u>3,402,467.71</u> | TOTAL 911 REVENUES | <u>1,241,656.40</u> | <u>1,241,656.40</u> |
| EXPENDITURES | <u>319,914.84</u> | <u>319,914.84</u> | EXPENDITURES | <u>14,365.97</u> | <u>14,365.97</u> |
| TOT RBT FUND BAL | 3,082,552.87 | 3,082,552.87 | TOT 911 FUND BAL | 1,227,290.43 | 1,227,290.43 |
| ASSESSMENT FUND | | | SEWER FUND | | |
| BEGINNING BALANCE | 13.78 | 13.78 | BEGINNING BALANCE | 19,857,468.53 | 19,857,468.53 |
| REVENUES | <u>226,761.01</u> | <u>226,761.01</u> | REVENUES | <u>863,085.76</u> | <u>863,085.76</u> |
| TOTAL AF REVENUES | <u>226,774.79</u> | <u>226,774.79</u> | TOTAL SEWER REVENUES | <u>20,720,554.29</u> | <u>20,720,554.29</u> |
| EXPENDITURES | <u>28,166.72</u> | <u>28,166.72</u> | EXPENDITURES | <u>270,465.39</u> | <u>270,465.39</u> |
| TOT ASSEMENT FND BAL | 198,608.07 | 198,608.07 | TOT SEWER FUND BAL | 20,450,088.90 | 20,450,088.90 |
| ELECTION FUND | | | SEWR DESIGNTED FUND | | |
| BEGINNING BAL | 58,043.81 | 58,043.81 | EXPENDITURES | | |
| REVENUES | <u>2,259.80</u> | <u>2,259.80</u> | TOTAL ALL SEWER FUNDS | 20,450,088.90 | 20,450,088.90 |
| TOT ELECTION REV | <u>60,303.61</u> | <u>60,303.61</u> | | | |
| EXPENDITURES | <u>648.00</u> | <u>648.00</u> | | | |
| TOT ELECTION FND BAL | 59,655.61 | 59,655.61 | | | |
| TRANSFER STATION FUND | | | SHERIFF CIVIL FUND | | |
| BEGINNING BALANCE | 578,192.38 | 578,192.38 | BEGINNING BALANCE | 85,646.91 | 85,646.91 |
| REVENUES | <u>103,282.00</u> | <u>103,282.00</u> | REVENUES | <u>11,186.55</u> | <u>11,186.55</u> |
| TOTAL TS REVENUES | <u>681,474.38</u> | <u>681,474.38</u> | TOT SHERIFF CIVIL REV | <u>96,833.46</u> | <u>96,833.46</u> |
| EXPENDITURES | <u>76,393.41</u> | <u>76,393.41</u> | EXPENDITURES | <u>1,281.49</u> | <u>1,281.49</u> |
| TOTAL TS FUND BAL | 605,080.97 | 605,080.97 | TOT SHERIFF CIVIL FND BAL | 95,551.97 | 95,551.97 |
| LEPC FUND | | | TAX MAINTANCE FUND | | |
| BEGINNING BAL | 8,487.57 | 8,487.57 | BEGINNING BALANCE | 102,043.58 | 102,043.58 |
| REVENUES | <u>1,691.96</u> | <u>1,691.96</u> | REVENUES | <u>4,380.72</u> | <u>4,380.72</u> |
| TOT LEPC REV | <u>10,179.53</u> | <u>10,179.53</u> | TOT MAINTNCE FND REV | <u>106,424.30</u> | <u>106,424.30</u> |
| EXPENDITURES | <u>29.45</u> | <u>29.45</u> | EXPENDITURES | <u>2,300.00</u> | <u>2,300.00</u> |
| TOT LEPC FND BAL | 10,150.08 | 10,150.08 | TOT MAINTNCE FND BAL | 104,124.30 | 104,124.30 |
| LW ENFRCMNT TRAIING FND | | | | | |
| BEGINNING BAL | 58.41 | 58.41 | | | |
| REVENUES | <u>697.23</u> | <u>697.23</u> | | | |
| TOTAL LET REV | <u>755.64</u> | <u>755.64</u> | | | |
| EXPENDITURES | <u>1,041.85</u> | <u>1,041.85</u> | | | |
| TOT LET FUND BAL | (286.21) | (286.21) | | | |

| | TANEY COUNTY | | | | |
|-------------------------|------------------------|--------------|---------------|------------|---------------------|
| EXPBYDEPT | EXPENSES BY DEPARTMENT | | | | January 31, 2007 |
| | 2005 | 2006 | 2007 | 2007 | ACTUAL % |
| | ACTUALS | ACTUALS | APPROVED | ACTUALS | |
| EXPENSES | | | | | |
| COMMISSION | 344,425.64 | 344,288.98 | 599,280.15 | 30,804.15 | 5.1% |
| CLERK | 85,366.35 | 75,753.41 | 82,360.00 | 6,751.55 | 8.2% |
| ELECTIONS | 186,286.92 | 241,122.31 | 142,937.00 | 9,856.06 | 6.9% |
| BUILDINGS & GROUNDS | 415,026.70 | 627,115.35 | 430,788.40 | 53,207.91 | 12.4% |
| EMPLOYEES FRINGE BEN | 1,394,519.61 | 1,610,317.09 | 1,707,500.00 | 84,997.03 | 5.0% |
| TREASURER | 65,892.50 | 77,741.81 | 79,150.00 | 7,594.51 | 9.6% |
| COLLECTOR | 201,311.42 | 207,324.77 | 216,700.00 | 18,342.67 | 8.5% |
| CIRCUIT CLERK | 250,173.44 | 244,360.09 | 290,001.00 | 37,472.13 | 12.9% |
| COURT REPORTER | 2,036.52 | 1,361.12 | 2,112.00 | 227.67 | 10.8% |
| ASSOCIATE COURT DIV 1 | 30,131.79 | 35,486.73 | 37,650.00 | 3,821.44 | 10.1% |
| COURT ADMINISTRATION | 29,310.98 | 23,153.31 | 37,000.00 | 779.58 | 2.1% |
| PRESIDING CIRCUIT JUDGE | 27,738.21 | 35,947.74 | 43,548.16 | 2,531.73 | 5.8% |
| PUBLIC ADMINISTRATOR | 81,343.56 | 81,924.00 | 86,015.60 | 7,769.61 | 9.0% |
| OTHER EXPENSE | 1,698,358.80 | 3,974,891.29 | 32,971,546.12 | 205,001.53 | 0.6% |
| AUDITOR | 151,947.04 | 160,324.72 | 171,096.00 | 17,740.81 | 10.4% |
| CHILD SUPPORT | 30,645.56 | 26,000.74 | 48,720.00 | 2,932.62 | 6.0% |
| SHERIFF | 1,764,095.80 | 1,918,158.02 | 2,053,971.60 | 223,850.46 | 10.9% |
| JAIL | 993,810.53 | 1,015,321.73 | 1,153,538.50 | 141,253.43 | 12.2% |

TANEY COUNTY COMMISSION RECORD

| | | | | | |
|---------------------|---------------------|----------------------|----------------------|---------------------|-------------|
| PROSECUTING ATT | 528,042.97 | 547,615.11 | 579,050.00 | 65,790.14 | 11.4% |
| JUVENILE | 106,480.62 | 114,178.37 | 124,715.72 | 15,640.56 | 12.5% |
| CORONER | 45,687.66 | 43,870.50 | 45,012.00 | 1,509.32 | 3.4% |
| HEALTH & WELFARE | 4,500.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| ASSOC COURT DIV 2 | 22,205.47 | 20,448.19 | 37,900.00 | 3,464.81 | 9.1% |
| CIRCUIT CLERK | 17,036.18 | 28,926.28 | 26,800.00 | 2,286.38 | 8.5% |
| INDUSTRIAL DEV | 46,561.97 | 38,909.58 | 66,200.00 | 4,636.75 | 7.0% |
| PLANNING & ZONING | 222,670.94 | 247,108.12 | 263,520.00 | 18,416.82 | 7.0% |
| EXTENSION | 44,734.26 | 46,234.88 | 46,430.00 | 5,345.99 | 11.5% |
| SEWER | 258,891.27 | 287,972.66 | 317,663.00 | 37,279.67 | 11.7% |
| INFORMATION SYSTEMS | 214,897.31 | 239,293.77 | 325,130.00 | 35,450.30 | 10.9% |
| ANIMAL CONTROL | 82,027.40 | 79,242.96 | 93,684.00 | 8,739.68 | 9.3% |
| EM MANAGERMENTS | 181,994.00 | 151,575.36 | 265,473.40 | 1,669.69 | 0.6% |
| AIRPORT | 307,916.66 | 796,140.84 | 802,728.00 | 46,841.28 | 5.8% |
| TOTAL | 9,836,068.08 | 13,342,109.83 | 43,148,220.65 | 1,102,006.28 | 2.6% |

ROUTINE BUSINESS APPROVAL OF MINUTES

Commissioner Strahan made a motion to table the approval of minutes. Presiding Commissioner Pennel seconded the motion. Presiding Commissioner Pennel asked the Clerk to get the Commission a list of the minutes of which they are behind. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #99236-99368. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yes), Herschend (absent), Strahan (yes).

PUBLIC COMMENT DONNA NEELEY

Donna Neeley, County Clerk said there is an issue about what the Salary Commission has done and the statutes that are being written and expressed that she thinks the majority of the elected officials will state that Sheila Wyatt is a good, Christian woman who does an excellent job and that the officials are proud of Ms. Wyatt. Ms. Neeley further stated that nobody likes to have an article written in the newspaper that is negative in any way, but unfortunately sometimes it happens.

BOBBY CLAY PUBLIC NUISANCES

Bobby Clay, Forsyth resident, asked about public nuisances. Presiding Commissioner Pennel explained to Mr. Clay and others how the process works, stating that the county passed this ordinance a few years ago and has received over three hundred written complaints. Commissioner Pennel further explained that a Commissioner goes out and takes pictures of the complaint, and then the first letter is sent with forty-five days to cleanup. Commissioner Pennel added that if the person doesn't act, a second letter is sent, giving fourteen days to put a plan together and if the person puts a plan together, they could have ninety days, but after that, the matter can be taken to court. Commissioner Pennel further explained that the Commission has voted to take different complaints to court. Mr. Clay expressed that he thinks this is a good thing the county has done, adding that some areas look like a junkyard.

COMMISSIONER STRAHAN

Commissioner Strahan spoke about the Salary Commission article and expressed that he believes there are errors in the article. Commissioner Strahan went on to explain that he is concerned about the references to a person involved, rather than an elected office and would like to see some retractions. Presiding Commissioner Pennel and Commissioner Strahan both addressed the inappropriateness of discussing the Salary Commission at the County Commission meeting.

Presiding Commissioner Pennel had asked Mr. Paulson for clarification, due to past criticism of the way the Commission deals with the Sunshine Law, and issues that don't pertain

TANEY COUNTY COMMISSION RECORD

to the Commission. Presiding Commissioner Pennel added that he allows a person to address the County Commission if the person is on the agenda.

RECESS

9:35 a.m.

Commissioner Strahan made a motion to take a recess, and then enter into Executive Session, and subsequently BOE. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

EXECUTIVE SESSION
INGENTHRON ROAD SETTLEMENT 610.021(1)
BOB PAULSON
LEGAL UPDATE 610.021(1)
BOB PAULSON
LEGAL REPRESENTATION 610.021(1)(12)
OUTSIDE COUNSEL

Minutes were taken and typed by Lisa Owen.



FEBRUARY 13, 2007 THE 16TH DAY OF
THE JANUARY ADJOURN TERM

The County Commission met in the Commission Conference Room at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. Also present were Tressa Luttrell, Commission Administrator, Mike Smith, Nick Smith, and Ian Hagan, with Septagon Construction, and Shawn Harding, with HMN. The following proceedings were had and made a matter of record.

SEPTAGON CONSTRUCTION
HMN

The Commission met with representatives from Septagon Construction and HMN, regarding the status of the Taney County Justice Center. The discussion centered on the following items: Construction Manager's Report, Items for Discussion, Items for Action, Budget, Change Order Summary, and the Schedule. Septagon informed the Commission that difficulties with finalizing the communications tower continue and that HMN has narrowed the choice of exterior light poles to three, which will be shared with the City of Forsyth. It was decided that the Commission would meet to discuss offers relating to the parking and staging issues.

Mike Smith, Septagon addressed the items for action, requesting approval of Proposal Requests.

Commissioner Strahan made a motion to approve payment of a change order to Tindall in the amount of \$4,448.00 for precast attachments. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yes), Herschend (absent), Strahan (yes).

Note: The steel is being supplied by Pre-Stressed Casting to anchor the concrete panels to the modules. Tindall will drill and epoxy the attachments to the modules.

RECESS

4:00 p.m.

Minutes taken and typed by: Lisa Owen

TANEY COUNTY COMMISSION RECORD



FEBRUARY 16, 2007 THE 17TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met at the commission office at 9:03 a.m. pursuant to adjourn with Danny Strahan, Eastern District present and Chuck Pennel, Presiding, via telephone. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

JUDICIAL FACILITY CHANGE ORDERS

Commissioner Strahan made a motion to approve the following Change Orders for the Taney County Justice Center construction: Proposal Request #3, for elevator shaft modifications, for \$4,835.00, submitted by Walton Construction, which includes a credit for 500 pounds of miscellaneous steel; RFI 032 for steel beams for elevator support, in the amount of \$1525.00 to Walton Construction. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TAX SHARING AGREEMENT ROAD AND BRIDGE

Commissioner Strahan made a motion to table the Road & Bridge Tax Sharing Agreement, believing that the issue would be best addressed with all three commissioners present. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

The commission recessed at approximately 9:15 a.m.

Minutes were taken and typed by Lisa Owen.



FEBRUARY 19, 2007 THE 18TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met at the commission office at 1:35 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Also present were representatives from HMN and Septagon. The following proceedings were had and made a matter of record.

CONTRACTOR LETTER

The Commission met with the contractors of the Judicial Facility and discussed the turnaround time on RFI's. No motions were made and no votes taken.

Minutes taken by Chuck Pennel and typed by Hillary Bargman



FEBRUARY 20, 2007 THE 19TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Rick Findley led in prayer, followed by the pledge.

TANEY COUNTY COMMISSION RECORD

AMENDMENT TO THE TIF LAW CHUCK PENNEL

Presiding Commissioner Pennel presented a proposed amendment to the TIF Law and added that this issue was addressed with members of the Branson City Council. Presiding Commissioner Pennel stated that the way the law is currently written, a county government must get a city's permission to have a TIF within their jurisdiction, while a city is not required to have a county's permission.

Bob Paulson, County Counselor stated that he has prepared an amendment to the TIF Law for the Commission.

Commissioner Pennel recommended sending the proposed amendment to Senator Goodman, and Representatives Wood, Weter, and Wallace, and suggested that the Commission ask the Elected State Officials to sponsor such a bill. Commissioner Pennel added that if the State Elected Officials would be willing to sponsor, then he would recommend sending a letter to fellow County Commissioners in the state for a consensus.

Commissioner Herschend made a motion that the Commission send the legislative language to Taney County's Senators and Representatives and ask the Elected Officials to sponsor this amendment to RSMo 99.815. Presiding Commissioner Pennel seconded the motion.

Commissioner Herschend said that this change would help protect other political bodies when their interests are overlooked by an entity. Commissioner Strahan expressed that he is supportive of this approach.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Herschend and Assessor Strahan are both on the board of Missouri Association of Counties (MAC) and are planning to attend a meeting this week. They will distribute copies to MAC board members to see if other counties are interested in the possible legislation.

ANTI-LITTER CAMPAIGN CHUCK PENNEL

Presiding Commissioner Pennel expressed that he is concerned about the amount of litter that is accumulating along the county roads. Commissioner Strahan added that he would like to see the Spring Cleanup earlier this year. Commissioner Herschend recommended brainstorming with the media and others in the community about ways to get the public involved. Commissioner Pennel mentioned about working with Debbie Redford from the City of Branson about the Keep America Beautiful program.

ROAD & BRIDGE TAX SHARING AGREEMENT CHUCK PENNEL

Presiding Commissioner Pennel stated that the Commission has received several proposals for the Road and Bridge Tax sharing agreement and the majority of the projects were well planned. Commissioner Pennel suggested that upon approval, a cover letter and a contract be sent to the selected municipalities.

Commissioner Herschend made a motion to approve the following nine projects, with the entities complying with all applicable laws and signing contracts: Bradleyville, contingent upon getting a necessary bids; Kirbyville as submitted; Bull Creek contingent upon getting a second bid; Rockaway, after this city submits the required application details; Hollister as submitted; Taneyville as submitted; Forsyth with required bids; Merriam Woods contingent upon getting details; and Branson as submitted. Commissioner Pennel seconded the motion.

Donna Neeley, County Clerk, suggested putting the projects into the minutes. Commissioner Strahan said that the Commission has received training from Ivan Schrader, MAC legal counsel, on how to insert these into the minutes. Commissioner Herschend clarified that the project plans could be included, not the contracts.

TANEY COUNTY COMMISSION RECORD

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AVIS CONTRACT TRESSA LUTTRELL

Commissioner Strahan made a motion to accept the AVIS Contract.

Commissioner Herschend seconded the motion for discussion.

Commissioner Herschend asked if any other rental agency would be allowed, if the agency met the contract stipulations? Mr. Paulson answered yes and stated there is another company interested in being at the airport, but does not want to operate as the board has directed.

Commissioner Strahan then complimented Mark Parent, Taney County Airport Manager, and the success of the airport.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

COX CONTRACT TRESSA LUTTRELL

Tressa Luttrell, Administrator informed that Cox is entering into a longer lease and wants to have a ninety-day termination clause.

Commissioner Herschend made a motion to approve the contract with the termination clause, which allows either party to terminate with a ninety-day notice. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GUARD RAIL INSTALLATION AWARD TRESSA LUTTRELL

Tressa Luttrell, Administrator said that the Road and Bridge Department asked for an annual bid for guardrail installation, rather than working on a project-by-project basis and the Commission received one response, from Highway Safety Solutions. Ms. Luttrell added the Commission has worked with this company before and explained that Highway Safety Solutions broke the bid down by ranges of linear feet. According to Ms. Luttrell, most of the County's projects should fall into the "over a thousand linear feet" category, which Highway Safety Solutions bid at \$7.61 per linear foot; type TL2 end treatment is \$51.00 per linear foot; and crashworthy Type A end treatment is \$39.00 per linear foot. Ms. Luttrell noted this company included a bid for the guardrail as well, but approval is not being requested for the guardrail, as there are other vendors available. Ms. Luttrell further stated that Road and Bridge is recommending this bid.

Commissioner Herschend made a motion to approve the contract with Highway Safety Solutions. Commissioner Strahan seconded the motion. Commissioner Herschend added that this is a job the county could self perform, but not as efficiently as the bidder. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ANIMAL ORDINANCE AMENDMENT BOB PAULSON

Bob Paulson, County Counselor read the following amendment to the Animal Control Ordinance: "Any Person who violates any requirement or provision of these regulations shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 192.300, RSMo., including but not limited to imposition of civil fines up to \$1,000.00 for violations of these regulation and/or incarceration in the County Jail for up to 180 days. The penal remedy provided herein shall not be exclusive and the County may seek and obtain in their own name any other judicial relief provided for in equity or at law, including, but not limited to declaratory and injunctive relief as may be appropriate under the circumstances." Mr. Paulson said that this amendment does not need to be published before voting, but should be published before going into effect.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve and publish the amendment, as written by Mr. Paulson. Commissioner Pennel seconded the motion.

Commissioner Strahan asked about how this might affect an area that is more or less densely populated? Commissioner Strahan further expressed his concerned about hunting dogs and dogs at large. Commissioner Pennel stated that he understands Commissioner Strahan's concern about dogs at large in densely populated areas, and feels that there are other areas of the ordinance that need to be addressed and clarified.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

INTERGOVERNMENTAL AGREEMENT WITH WESTERN FIRE DISTRICT BOB PAULSON

Bob Paulson, County Counselor requested that the Commission address this issue at a later time.

STATE TAX COMMISSION JAMES STRAHAN

James Strahan, Assessor explained that the issues with the State Tax Commission are still not resolved, even though there had been some information to the contrary. Assessor Strahan informed that he would be asking County Counsel to research the county self-funding and added that the county would still have to abide by the state ordinances. Mr. Strahan further explained this has been done by other counties before, but may not be occurring currently and this method may not be feasible, but the Assessor will be checking. Mr. Strahan also said that he would be asking other county assessors if any are having funding withheld and expressed his disappointed that the situation has not been resolved, adding the situation is out of hand. Mr. Strahan clarified that as of Friday, the 2.02 index will be going into effect, with depreciation being applied to areas, without the state's approval. Assessor Strahan went on to state that self-funding does not alleviate legal action against the state.

Commissioner Herschend expressed that he understands litigation is not pleasant, but when necessary, it is best to proceed and finish than to linger. Assessor Strahan stated he is concerned about the state trying to use the interest off of the funds owed to Taney County to investigate Taney County adding he is to the point of not believing what STC members say and he will only believe when the funding shows up.

Commissioner Strahan said this just further illustrates the concern over the performance of the STC, being told one thing, while another occurs.

HIDING PLACE MINISTRY JAMES STRAHAN

The Commission and the Assessor examined what to do about the crisis centers and property tax exemptions. James Strahan, Assessor informed that he has looked up the other crisis centers, and the County is exempting these.

Bob Paulson, County Counselor clarified that the crisis center doesn't charge for the stays.

Presiding Commissioner Pennel asked about the status of the Church Army exemption and abatement issue? Commissioner Herschend requested the County Clerk's Office furnish the Assessor with a copy of the minutes from the previous meeting with Church Army. Commissioner Herschend commented that Church Army's first three projects were approved for exemption, but the fourth has not been. Commissioner Pennel stated that he is asking Assessor Strahan to resolve this as soon as possible.

PRIOR MINUTES

Commissioner Strahan made a motion to table the minutes. Commissioner Pennel seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel requested a list of any minutes that have not been approved by the Commission, whether the minutes have already been submitted to the Commission or not.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #99369-99463 and warrants #4624-4625. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

CITY OF FORSYTH CHUCK PENNEL

Presiding Commissioner Pennel informed the Commission that the City of Forsyth asked, during their council meeting, if the county would divert the work on Casey Road to work on other areas, including work on Coy Boulevard and a bridge across Swan Creek.

Commissioner Herschend asked for details about what the city offered when they asked for help with Highway 160? Commissioner Pennel answered that the city gave no details and added that it would be extremely expensive to try to put in three or four lanes through the town. Commissioner Pennel then shared Mayor Elliott's estimate of four million dollars to go from the intersection of Highways 160 and 76 to Casey Road. Commissioner Pennel further commented, on the positive, interactions and collaborations with MODOT and other entities. Commissioner Strahan reminded the Commission that this issue was discussed a few months after his becoming a Commissioner.

Tressa Luttrell, Administrator said that there should be a record of this with Road & Bridge. Commissioner Herschend cautioned the Commission, as no financial commitment appears to have been offered by the City of Forsyth, and that the city may be asking the county to provide entirely. Ms. Luttrell commented that the Road and Bridge tax has not been re-approved yet, and is on the April ballot.

Commissioner Herschend reminded that the county has set aside funding to assist with a project with the City of Forsyth and the city has not provided for their part yet.

**RECESS
10:05 A.M.**

RECONVENE

**EXECUTIVE SESSION
BOB PAULSON
LEGAL UPDATE & DEED AGREEMENT 610.021(1)(12)
PERSONNEL ISSUES 610.021(3)**

Presiding Commissioner Pennel made a motion to enter into Executive Session. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by Lisa Owen.



**FEBRUARY 21, 2007 THE 20TH DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in the Commission Office at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District, present via telephone. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

APPROVAL OF PAYROLL

Commissioner Herschend made a motion to approve the following payroll warrants, as the Commission will be out of town for training on Wednesday.

| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 102339 – 102341, 102376 - 102410 |
| Road & Bridge Trust Warrants | 102343 - 102368 |
| Assessors Fund Warrants | 102342, 102369 - 102372 |
| Transfer Station Warrants | 102373 - 102375 |
| 911 Warrants | None |
| Manual Warrants | 4626 -4629 |
| Accounts Payable Warrants | 99464-99482 |

Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

SANTE FE CONTRACT

Presiding Commissioner Pennel made a motion to table the Santa Fe contract. Commissioner Herschend seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

The Commission recessed at 9:10 a.m.

RECONVENE

The Commission reconvened at 10:15 a.m. in the Commission Office with Chuck Pennel, Presiding, Ron Herschend, Western District, Danny Strahan, Eastern District, Tressa Luttrell, Commission Administrator, and Jacob Rock, Road & Bridge Supervisor present. The following proceedings were had and made a matter of record.

SPRING CLEAN-UP

Commissioner Strahan recommended moving the Spring Cleanup Days to March 30th and 31st, due to the Easter Holiday. Commissioner Herschend and Presiding Commissioner Pennel agreed.

SANTA FE ROAD CONTRACT

Commissioners Herschend and Strahan expressed that they have received telephone calls from residents who are against this road being taken in by the county. Commissioner Strahan stated he would make a visual inspection of the area and bring the subject back for discussion. Presiding Commissioner Pennel mentioned that the county could accept the easement from the property owner, Gail Myer, without an agreement to do any work to the road.

Minutes were taken and typed by Lisa Owen.



FEBRUARY 23, 2007 THE 21ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

APPROVAL OF CHANGE ORDERS JUDICIAL FACILITY

Presiding Commissioner Pennel made a motion to approve the following change orders for the judicial center: to Walton in the amount of \$26,109.00 for revisions to doors; to Walton in the amount of \$4,003.00 for six duct smoke detectors omitted from the bid; and to Walton in

TANEY COUNTY COMMISSION RECORD

the amount of \$4,559.00 for a retaining wall and sidewalk to correct exterior grade. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken by Tressa Luttrell and typed by Tressa Luttrell and Lisa Owen.



FEBRUARY 26, 2007 THE 22ND DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate II Circuit Courtroom at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Gary Groman led in prayer, followed by the Pledge of Allegiance.

AGENDA AMENDMENT

Presiding Commissioner Pennel made a motion to amend the agenda, in order to address the GIS bid and the newspaper bid. Commissioner Strahan seconded the motion. Commissioner Herschend commented that he would appreciate the Commission amending the agenda, as he would be in Jefferson City this week. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROCK WALL AWARD TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator, shared that there were two bids received for the retaining wall and explained that the bid request was for approximately 800 blocks. Ms. Luttrell added that Jacob Rock, Road and Bridge Supervisor, recommended the Duracast product, at seventy-five dollars each, as this was the lower bid and that the type of block is London Boulder.

Presiding Commissioner Pennel asked if they were the same as the ones currently being used in that area? Mr. Rock responded that they were similar, but not the same and added that the same ones would be eleven dollars more per block.

Commissioner Herschend made a motion to table this issue until this afternoon, so the Commission could examine the difference between the rocks. Commissioners Strahan and Herschend agreed that it was important to have this look correct. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OIL DISTRIBUTOR BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator stated that she did the bid for an oil distributor as a two-part package and Jacob Rock's recommendation is for a 2008 Sterling, with a number two alternate dip package, from VanKeppel for \$117,780 with the \$16,000 trade-in of County equipment. Commissioner Herschend asked if VanKeppel would be doing all of the work. Jacob Rock, Road and Bridge Supervisor confirmed that VanKeppel would, and that it would be done by July.

Commissioner Herschend made a motion to approve the bid from VanKeppel for an oil distributor. Commissioner Strahan seconded the motion.

Jacob Rock explained that Road and Bridge looked at the pros and cons of existing equipment and expressed that he felt this equipment is the best fit. Presiding Commissioner Pennel asked if there were other brands available and if any others had been considered? Mr. Rock said that there were other brands available and that he spoke with companies in the area who did not recommend the other brands.

TANEY COUNTY COMMISSION RECORD

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GPS SURVEY EQUIPMENT TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator announced that four bids had been received for Road & Bridge equipment and that the bids range from \$31,500 to \$50,211. Randy Haes, Road and Bridge, recommended the bid from Ozark Laser and Shoring for a Top-Con Hyper Light, which includes all software and training for \$43,192. Ms. Luttrell explained that Mr. Haes did not select the lowest bid, because that bid is for a different type of equipment and added that he checked with Great River Engineering about the different pieces of equipment. Mr. Rock clarified that the GPS equipment would save time and manpower, as Mr. Haes will be able to do the work that it now takes three men to do.

Commissioner Herschend made a motion to accept the bid, per Mr. Haes' recommendation. Commissioner Strahan seconded for discussion.

Commissioner Strahan asked Mr. Rock to clarify that Mr. Haes would be able to take this piece of equipment and do road work without the need of assistance from other workers? Commissioner Herschend said that with this equipment, Mr. Haes could be accurate within fractions of an inch and added that Great River (Engineering) could do the initial work and then Mr. Haes could do the work, without Great River having to come back, potentially saving tens of thousands of dollars.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GIS SERVER BID TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator explained that she took this bid for Gary Morgan of the IS Department and that Mr. Morgan was recommending Dell Marketing's bid, in the amount of \$4,732.50. Commissioner Herschend asked if the County has used other Dell Equipment? Ms. Luttrell said "yes".

Commissioner Herschend made a motion to approve the bid as submitted. Commissioner Strahan seconded the bid. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

NEWSPAPER BID TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator stated that she received two responses to the annual bid for newspaper services, which includes various types of print, including but not limited to the election notices, employment ads, bid notices, public hearings, and the county tax sale. Ms. Luttrell further explained that she received two responses, one from Taney County Times in the amount of \$6.00 per column inch for all types of notices and advertisements and the other from Branson Daily News in the amount of \$8 per column inch for legal notices, ballots, and financial statement, and \$16 per column inch for employment ads. Ms. Luttrell recommended using Taney County Times as a primary provider, and Branson Daily News as a back up provider, as the Taney County Times only publishes once a week, on Wednesday. Ms. Luttrell added that some statutes require printing on days other than Wednesday.

Commissioner Herschend made a motion to approve the bid, as presented by Ms. Luttrell. Commissioner Strahan seconded the motion. Commissioner Herschend requested that someone monitor the bid, as the font can affect the price of the ad when billed by column inch. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

JOURNAL ENTRIES TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator informed the Commission that she has the journal entries discussed last week and that Road and Bridge has labor expenses needing to be reimbursed, as Road and Bridge was working for other areas. Ms. Luttrell further explained that

TANEY COUNTY COMMISSION RECORD

Road and Bridge has labor wages of \$8,231.05 for the airport, \$18,076.10 for the judicial facility, and \$21,501.65 for the Masonic Lodge. Commissioner Herschend asked if the Airport Board knows that the airport will be charged back for those salaries? Ms. Luttrell said it is her understanding that Mark Parent, Airport Manager, is aware of this.

Commissioner Strahan made a motion to approve. Presiding Commissioner Pennel seconded the motion.

Auditor Findley asked if the road would be a city or county road, and if a county road, should the county be repaying Road and Bridge? Presiding Commissioner Pennel told Mr. Findley that the county had that discussion with the city. Commissioner Herschend echoed that the county is doing this roadwork as a part of the contract for the Judicial Facility. The Auditor added that the Commission hasn't made a transfer from Road and Bridge to General County Revenue for road patrol.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

TRASH PICK UP BRENDA NEAL

Presiding Commissioner Pennel invited Circuit Clerk, Brenda Neal to the mike to talk about the trash issue. Ms. Neal stated that she spoke with both Judge Orr and Judge Williams about using probationers to perform community service, to help pick up trash, and that judges both consented. Ms. Neal added that she still needed to speak with the probation department and expressed that the state would provide trash bags, pick up the filled bags, and provide fifty (safety) vests. Ms. Neal added that she believes the county would not have any liability for the probationers while performing their community service, due to state statute.

Donna Neeley asked Ms. Neal if the state would pick up trash bags off of county roads? Ms. Neal replied no, but that Judge Orr said that probationers could pick up trash off of any road and added that the trash pick up is scheduled for this Friday, March 2nd.

Commissioner Herschend said that the county believes that part of its duty is to keep the community clean, and to that end the county holds two cleanup weekends a year, adding that if trash is thrown out along the road the county has to send personnel to pick up the trash. Commissioner Herschend said that the county is going to test extending county employee cleanup by giving other employees the opportunity to help with clean up, instead of their regular duties, for a half-day. Ms. Neal stated that probationers would not be coming out this week.

Gary Groman suggested that if any of the offices would be closed completely, the office holder let the media know so that citizens didn't come out to find those offices closed. Commissioner Strahan informed Mr. Groman that some offices have several employees and that closing an office wasn't the plan. Presiding Commissioner Pennel requested that any office that was going to close let the Commission know.

Presiding Commissioner Pennel informed the public and the media that the Commission moved the county clean up to March 30th and 31st, because of the Easter holiday and two other scheduling conflicts.

TIF AMENDMENT UPDATE CHUCK PENNEL

Presiding Commissioner Pennel stated that he spoke with Maynard Wallace last week, and Representative Wallace is behind the county's TIF effort, one hundred percent, to work on this legislation.

Commissioner Herschend pointed out that this amendment would give counties the same rights that cities have. Presiding Commissioner Pennel added that he hasn't been able to reach Senator Goodman, but did speak with Senator Tucker. Commissioner Herschend advised waiting to contact other counties a few weeks until a bill was ready to be introduced, to avoid possible confusion, and Commissioner Strahan expressed the same stance.

TANEY COUNTY COMMISSION RECORD

Bob Paulson, County Counselor informed the Commission that there were two bills to which the TIF amendment could be attached; Senate Bill 20 introduced by Senator Griesheimer was voted to pass out of the economic development/tourism committee, which restricts TIF committee membership, allows for referendums, and that the TIF can't capture new tax funds that are passed after the TIF project, and can't capture pilots from real estate that has never been developed. Mr. Paulson added that Senate Bill 176 is in committee, and most notably disallows the capture of earmarked tax funds, for example the County's Sewer and Road and Bridge taxes.

RECORD RETENTION DONNA NEELEY

Donna Neeley, County Clerk presented the following list of records to the Commission that need to be in the minutes for destruction.

RECORDS DISPOSITION

County: Taney
Office: County Clerk

Date Sorted & Pulled:

The following records have met their retention schedule and are recommended for disposal under RSMo 109.230 subsection 4. The officeholder with jurisdiction over these records may elect to take the following action: store the records, destroy the records, or de-accession the records. If the records are destroyed or donated to a local historical agency the action should be recorded in the minutes with the record series and inclusive dates.

| Record Series | Inclusive Dates | Retention |
|---|-----------------|-----------|
| (Commission Office) PSC Bids & Proposals | 2001 | 5 years |
| (Treasurer) Bank Statements Checking & Repurchase Agreement | 1997-1999 | 5 years |

Mrs. Neeley added that the records ready for destruction are the PSC Bids and Proposals from the Commission Office and the Bank Statements—Checking & Repurchase Agreement—from the Treasurer's Office. Mrs. Neeley further explained that she does not need a vote on this and explained that the financial statements have been prepared and the issue is on tomorrow's agenda. Presiding Commissioner Pennel thanked the Clerk for the list of minutes.

APPROVAL OF MINUTES

Commissioner Pennel made a motion to table the approval of minutes from January 12, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve the accounts payable checks #99483-99580 and warrant #4630, with the exception of the one for Curtis Bennett as there is a question as to whether this is for a partial payment or payment in full. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion that the Bennett bill be tabled until 1:00 p.m. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

Art Beck voiced his opinion that the county should not spend money on a fourth bridge across Swan Creek, as proposed by the City of Forsyth. Mr. Beck added that the only benefit he sees is for the alleviation of school traffic and he believes that the county's money would be better spent on an East-West Corridor project. Commissioner Strahan responded that the county is looking at maps to see what the city is planning.

TANEY COUNTY COMMISSION RECORD

RECESS

The Commission recessed for five minutes, before going into Executive Session.

RECONVENE 10:15

CURTIS BENNETT BILL PAYMENT APPROVAL

Commissioner Herschend made a motion to approve payment of the Curtis Bennett bill. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (nea).

EXECUTIVE SESSION BOB PAULSON CONTRACTS & LEGAL UPDATE 610.021(1)(12) CHUCK PENNEL REAL ESTATE PURCHASE 610.021(2) NUISANCE CASES 610.021(1)

Presiding Commissioner Pennel made a motion to enter into Executive Session. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to recess Executive Session. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE 1:25 P.M.

The County Commission reconvened in the Commission conference room at 1:25 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

REDI-ROCK BID APPROVAL

Commissioner Strahan made a motion to approve the bid as presented by Redi-Rock, and negotiate on the price. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: This is for the retaining wall on the relocated Shorty Cooper Street.

Minutes were taken by Tressa Luttrell and typed by Tressa Luttrell and Lisa Owen.



FEBRUARY 27, 2007 THE 23RD DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Office at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

FINANCIAL STATEMENT APPROVAL DONNA NEELEY

Donna Neeley, County Clerk presented the following Financial Statement to the Commission for approval and explained that Rick Findley, Auditor and Sheila Wyatt, Collector has reviewed.

TANEY COUNTY COMMISSION RECORD

FINANCIAL STATEMENT - 2006

Taney County, Missouri

| COUNTY FUNDS | BALANCE 1/1/2006 | RECEIPTS & TRANSFERS IN | DISBURSEMENTS & TRANSFERS OUT | BALANCE 1/1/2007 |
|---------------------------|------------------------|----------------------------|----------------------------------|------------------------|
| General County Fund | \$14,012,380.91 | \$15,619,205.45 | \$13,454,909.83 | \$16,176,676.53 |
| Road & Bridge Fund | \$7,466,464.70 | \$1,509,327.73 | \$610,500.12 | \$8,365,292.31 |
| Road & Bridge Trust Fund | \$6,078,738.25 | \$6,763,958.85 | \$10,135,010.82 | \$2,707,686.28 |
| Assessment Fund | \$19,865.52 | \$543,769.97 | \$563,621.71 | \$13.78 |
| Elections Fund | \$43,906.84 | \$138,186.78 | \$124,049.81 | \$58,043.81 |
| Transfer Station Fund | \$546,299.91 | \$1,092,227.95 | \$1,060,335.48 | \$578,192.38 |
| LEPC Fund | \$10,547.22 | \$5,374.73 | \$7,434.38 | \$8,487.57 |
| Law Enfrcemnt Train Fnd | \$3,787.89 | \$5,958.28 | \$9,687.76 | \$58.41 |
| Pros Attorney Train Fnd | \$8,057.19 | \$1,838.27 | \$80.00 | \$9,815.46 |
| County Insured Fund | \$201,401.72 | \$7,494.42 | \$50,459.51 | \$158,436.63 |
| 911 Fund | \$1,445,476.81 | \$546,071.08 | \$796,011.60 | \$1,195,536.29 |
| Sewer Fund | \$15,571,544.17 | \$8,066,920.27 | \$3,780,995.91 | \$19,857,468.53 |
| Sewer Designated Fund | \$925,449.84 | \$0.00 | \$925,449.84 | \$0.00 |
| Sheriff Fund | \$72,295.53 | \$54,029.04 | \$40,677.66 | \$85,646.91 |
| Tax maintenance Fund | \$152,431.37 | \$79,313.24 | \$129,701.03 | \$102,043.58 |
| TOTAL COUNTY FUNDS | \$46,558,647.87 | \$34,433,676.06 | \$31,688,925.46 | \$49,303,398.47 |

DEBT & LIABILITY

| | 1/1/2006 Payments | Fees or New Debt | 1/1/2007 |
|--------------------------------|-------------------|------------------|------------------------|
| Total Bonded Debt - Sewer Fund | | | |
| Series 2004C | \$14,825,000.00 | \$770,000.00 | \$14,055,000.00 |
| | | | \$0.00 |
| Bonded Debt Judicial bonds | \$19,260,000.00 | | \$19,260,000.00 |
| Total debt | | | \$33,315,000.00 |

Rate levied by County Commission
for County/Road & Bridge purposes
for year ending Dec. 31, 2006

\$0.00

Tot amnt of Delinquent Taxes

Personal

Real

For all funds for years

| | | |
|------|--------------|--------------|
| 2001 | | \$34.50 |
| 2002 | \$137,037.53 | \$115.22 |
| 2003 | \$142,941.63 | \$1,024.55 |
| 2004 | \$131,692.49 | \$6,178.19 |
| 2005 | \$176,834.03 | \$879,477.41 |

Balance

\$588,505.68

\$886,829.87

| | BALANCE 1/1/2006 | RECEIPTS & TRANSFERS IN | DISBURSEMENTS & TRANSFERS OUT | BALANCE 1/1/2007 |
|---------------------------------|---------------------|----------------------------|----------------------------------|---------------------|
| County Fines (DFS) | \$49,925.49 | \$174,856.39 | \$178,649.43 | \$46,132.45 |
| Domestic Violence Shelter | \$5,642.81 | \$4,202.13 | \$3,624.42 | \$6,220.52 |
| Land Sales Surplus | \$92,272.52 | \$111,117.34 | \$36,165.86 | \$167,224.00 |
| Prosecutor's Bad Check | \$174,304.28 | \$87,017.12 | \$7,783.00 | \$253,538.40 |
| Prosecutor's Delinquent Tax | \$6,060.98 | \$2,480.75 | \$0.00 | \$8,541.73 |
| Sheriff Federal Drug Forfeiture | \$1,143.77 | \$47.47 | \$0.00 | \$1,191.24 |
| Unclaimed Fees | \$13,394.13 | \$6,901.93 | \$878.62 | \$19,417.44 |
| Flood Control | \$0.00 | \$108,769.35 | \$62,682.89 | \$46,086.46 |
| National Forest | \$0.00 | \$136,809.36 | \$136,809.36 | \$0.00 |
| Taney County Health Center | \$0.00 | \$1,699.45 | \$1,699.45 | \$0.00 |
| Criminal | \$571.80 | \$318,606.55 | \$318,582.70 | \$595.65 |
| Cities | \$0.00 | \$6,473.03 | \$6,473.03 | \$0.00 |
| Western T.C. Fire Dist. | \$0.00 | \$4,333.78 | \$4,333.78 | \$0.00 |
| Dev. Disabled Center | \$0.00 | \$1,097.84 | \$1,097.84 | \$0.00 |
| CERF | \$0.00 | \$683,467.49 | \$683,467.49 | \$0.00 |
| Schools-All | \$1.14 | \$358,889.75 | \$358,890.89 | \$0.00 |
| Recorder of Deeds Users Fund | \$361,138.21 | \$240,339.41 | \$307,843.53 | \$293,634.09 |
| LLEBG Grant | \$0.21 | \$0.00 | \$0.00 | \$0.21 |
| Sheriff Revolving Fund | \$7,520.56 | \$4,015.86 | \$2,578.26 | \$8,958.16 |
| Justice Vest Grant | \$43.71 | \$1,769.58 | \$0.00 | \$1,813.29 |
| TOTALS | \$712,019.61 | \$2,252,894.58 | \$2,111,560.55 | \$853,353.64 |

We, Chuck Pennel, Presiding Commissioner, Ron Herschend, Western Commissioner, and Danny Strahan, Eastern Commissioner, duly elected commissioners of the county commission of Taney County, Missouri, and I, Donna Neeley, County Clerk of Taney County, certify that the above and foregoing is a complete and correct statement of every item of information required in section 50,815, RSMo, for the year ending December 31, 2006, and we have checked every receipt from every source and every disbursement of every kind and to whom and for what each disbursement was made, and each receipt and disbursement is accurately, included in the above and foregoing totals.

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel made a motion to approve the Financial Statement as presented by Donna Neeley. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

The County Commission reconvened in the Commission conference room at 1:25 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

REDI-ROCK BID

Commissioner Strahan made a motion to approve the bid as presented by Redi-Rock, and negotiate on the price. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: This is for the retaining wall on the relocated Shorty Cooper Street.

Minutes were taken by Tressa Luttrell and typed by Tressa Luttrell and Lisa Owen.



MARCH 1, 2007, THE 24TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, entered at 9:45a.m. The followings were had and made a matter of record.

HIGHWAY GRANTS SPENCER JONES

Spencer Jones, Great River Engineering presented the Commission with an executive summary for design standards for public roads for Taney County. Mr. Jones said that the county would want to incorporate some of the language from the existing new road policy into the summary, adding that the existing policy was adopted on August 23, 2004.

Commissioner Strahan said that he likes the summary, but there are things in the standards that the county might want to change, and that it would be easier to make these changes before promulgating the standards. Commissioner Strahan added that the summary would be the first thing a developer would want to review.

Mr. Jones commented that some things would need to be changed as the county grows. Commissioner Strahan suggested a full day work session to look over the plan in detail. Jacob Rock, Road and Bridge Supervisor, asked when a work day could be set up, with Presiding Commissioner Pennel suggesting next Wednesday (March 7th). Commissioner Strahan restated that the Commission should go through it together paragraph by paragraph.

Mr. Jones went on to explain how Cost Share grant monies and the Off-System Bridge Replacement and Rehabilitation Program (BRO), work. Mr. Jones said that counties receive funds each year for bridge improvements and the Highway Department has allowed counties to spend these in advance. Mr. Jones went on to state that Taney County's annual allotment is \$56,000, and that in 1986 Taney County spent all of its funding for several years into the future, adding that the formula is 80% BRO and 20% County Contribute. According to Mr. Jones, Soft Match credits may be transferred from county to county, and in the 1990's counties started assessing a value and selling or trading these credits. Mr. Jones further stated that the credits are trading for fifty cents on the dollar currently, and Taney County cannot utilize their \$588,000 worth of Soft Match credit, as they have used their BRO funds. Mr. Jones clarified for Mr. Paulson that these credits could only be used in the East/West Corridor project if the existing

TANEY COUNTY COMMISSION RECORD

bridge were to be taken out of service. Mr. Jones recommended saving back some of the Soft Match credits and transferring the rest, explaining that MODOT doesn't care in what form the counties do this. The project applies to bridges on county roads; state roads are not applicable, but counties can receive Soft Match credits even if contractors do the work.

Presiding Commissioner Pennel made a motion to authorize Spencer Jones to apply for the County's Soft Match credit. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: When Commissioner Herschend entered the meeting at 9:45 a.m., he signed the authorization in agreement with Presiding Commissioner Pennel and Commissioner Strahan.

RAISING POWERSITE ROAD SPENCER JONES

Spencer Jones, Great River Engineering addressed raising the road in Powersite to eliminate or reduce the occurrence of accidents at VV Highway and State Highway 76.

Commissioner Strahan commented that there are one to two accidents there each month, there have been fatalities, and there are two new proposed subdivisions in the area. Mr. Jones responded that due to the sight distance with the curve, the road would need to be raised six to eight feet to meet MODOTS requirements, improving the sight distance from 219 feet to 328 feet.

Commissioner Herschend asked about placing a traffic light at the intersection. Presiding Commissioner Pennel suggested that the county should improve the road and install an Actuated Signal, if affordable. Commissioner Herschend recommended that Mr. Jones sit in on a meeting with Taney County and MODOT, and that the county do both the road improvement and the traffic light.

Presiding Commissioner Pennel will set up a meeting with Bob Becker of MODOT and notify Great River Engineering.

EXECUTIVE SESSION

Presiding Commissioner Pennel made a motion at 10 a.m., to go into Executive Session under RSMo. 610.021(12). Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

The County Commission reconvened in the County Commission office at 12:26 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District, present. Danny Strahan, Eastern District, was absent. The followings were had and made a matter of record.

INTERIM PUBLIC AGREEMENT

Commissioner Strahan made a motion to approve the following Interim Public Agreement by and between Western Taney County Fire Protection District and Taney County concerning the Taney County Regional Airport/Graham Clark Field.

TANEY COUNTY COMMISSION RECORD

**INTERIM PUBLIC AGREEMENT
BY AND BETWEEN
WESTERN TANEY COUNTY FIRE PROTECTION DISTRICT
(Hereinafter WTCFPD)
AND THE COUNTY OF TANEY CONCERNING THE TANEY COUNTY
REGIONAL AIRPORT/GRAHAM CLARK FIELD**

WHEREAS, the County of Taney has taken over the operation of Graham Clark Field (Taney County Regional Airport), and has operated the airport on a continuous basis since August 1, 2005; and

WHEREAS, prior to Taney County taking over operation of the airport, the College of the Ozarks had provided Fire and Life Safety protection for the airport, and the College of the Ozarks was unable to continue its fire protection coverage for the airport once Taney County took ownership of the airport; and

WHEREAS, WTCFPD has a fire station adjoining the Airport; but since the Airport is not located within the Western Taney County Fire Protection District, the WTCFPD cannot lawfully provide fire protection and life safety service without either annexation, or an intergovernmental agreement; and

WHEREAS, WTCFPD provided fire protection and life safety service by intergovernmental agreement since August 1, 2005, and since both WTCFPD and the County of Taney wish to enter into a new intergovernmental agreement to provide for fire protection and life safety service by WTCFPD to the airport;

THEREFORE, WTCFPD, and Taney County hereby agree that WTCFPD will provide Fire and Life Safety Protection Services for the airport until March 1, 2008, or until Taney County petitions for and is annexed into WTCFPD; and/or the parties hereto enter into a longer ten-n, or permanent agreement, whichever occurs first. WTCFPD hereby agrees to accept such annexation petition upon agreed terms if and when it is timely presented.

In return for WTCFPD's provision of fire and life safety protection for the airport, Taney County agrees, during the effective duration of this agreement, to the following:

1. WTCFPD may utilize meeting rooms at the airport terminal when said rooms are needed and available.
2. WTCFPD may use the airport parking lot for occasional exercises involving fire and life safety protection and also exercises involving emergency services. The use of the parking lot shall be limited to a use that does not obstruct or interfere with the operation of the airport or its tenants. Any such use shall be permitted in the sole discretion of the airport manager, however permission for WTCFPD to use the parking lot shall not be unreasonably withheld.

Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by Lisa Owen and edited by Hillary Bargman



**MARCH 5, 2007 THE 25TH DAY OF
THE JANUARY ADJOURN TERM**

The County Commission met in the Associate Circuit II Courtroom at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District entered at 9:08 a.m. The following proceedings were had and made a matter of record.

Chuck Pennel led in prayer, which was followed by the Pledge of Allegiance.

**RICK REDING
HORSES**

Mr. Rick Reding did not appear at the Commission meeting.

**FLAT BED TRUCK
TRESSA LUTTRELL**

Tressa Luttrell, Commission Administrator, presented the Commission with the bid information for a Flat Bed Truck and stated that four bids were received, ranging from \$93,573.48 to \$120,930. The bid is for two vehicles. Ms. Luttrell said that Jacob Rock, Road and Bridge Supervisor, recommended the bid by Friendly Ford for \$93, 573.48, which is the lowest bid.

Commissioner Strahan made a motion to table the Flat Bed Truck bid until 1:00 p.m. that day. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

ROLLER BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Administrator shared the bids for a double drum vibratory roller with the Commission and stated that four bids were received. Ms. Luttrell explained that these were complicated bids. Commissioner Strahan asked that Mr. Rock sit in on the meeting at 1:00 p.m.

Presiding Commissioner Pennel made a motion to table the Roller Bid Award until 1:00 p.m. that day. Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TIF UPDATE CHUCK PENNEL

Presiding Commissioner Pennel gave an update about the TIF Amendment, adding that he made a trip to Jefferson City last week and was able to meet with a number of Senators and Representatives. According to Presiding Commissioner Pennel, Representative Doug Funderburk, from St. Charles County, had already put together a bill regarding TIFs. Presiding Commissioner Pennel expressed that he feels Representative Funderburk's bill addresses what the Commissioner is wishing to accomplish, and asked if the Commission should send letters to Commissioners across the state, and start talking to people about the legislation.

Commissioner Herschend made a motion that the Commission send a letter, from the Taney County Commission, asking fellow Commissioners throughout the state, in every county, to support this act, although it has not been filed as a law yet, and that the Taney County Commission ask the other Commissioners to ask their Representatives and Senators to begin support of and encourage this. Commissioner Strahan seconded the motion.

Commissioner Strahan thanked Presiding Commissioner Pennel for going and meeting with the Senators and Representatives. Commissioner Herschend recommended that the Commission insert the specific bill language, so that the other Commissioners would know exactly what their Representatives and Senators were being asked to support.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Strahan stepped out of the room.

Commissioner Herschend made a motion to personally contact those local State Representatives and Senators, whom the Commission has asked in the past for support, informing that the Taney County Commission has contacted other Commissioners in the state, and asking for support of the amendment discussed. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Note: Commissioner Strahan re-entered the meeting.

SEPTIC TANK PUMPING FUNDING CHUCK PENNEL

Presiding Commissioner Pennel believes that the Commission approved \$5000 for this program, with Wayne Dietrich coordinating the issue, through the Extension Office.

Commissioner Herschend made a motion to authorize up to \$5000 out of the contingency fund for the pumping of septic tanks program, to be overseen by the Extension Office. Commissioner Pennel seconded the motion and explained that this campaign is to bring awareness of the need to pump out septic tanks.

Rick Findley, Auditor suggested that there might be guidelines for who may receive these funds.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

TDD BOARD MEMBER APPOINTMENTS

CHUCK PENNEL

Presiding Commissioner Pennel received a telephone call from Steve Peet, concerning the appointment of Transportation Development District (TDD) board members. Commissioner Herschend has asked Taney County Counselor, Bob Paulson, for the powers and duties.

Mr. Paulson made a copy of the statutes for the commissioners, spoke with Mr. Peet, and shared that while the county doesn't have a right to seats on the board, the TDD board is granting the county two seats, and that time is of the essence, adding that the Commission does have two candidates in mind.

ANIMAL CONTROL

CHUCK PENNEL

Presiding Commissioner Pennel expressed that he would be happy to relinquish his duties as overseer of the Animal Control Facility. Commissioner Pennel clarified that while he has enjoyed this work, his workload doesn't allow enough time and suggested hiring another person to serve as office manager/supervisor position, to oversee both complaints and the shelter.

Presiding Commissioner Pennel stated that he would like the Commission to consider using the \$1400 from Mickey Gilley's benefit last year, as well as trying to get additional donations, and use GCR (General County Revenue) funds to build additional kennels in the back. Commissioner Pennel also suggested outsourcing with local Veterinarian Offices as an option for the county to consider. Commissioner Pennel further explained that he is only asking to set a work session to look at these ideas.

Commissioner Strahan said that his trips recently, showed that the kennels were being kept clean and presentable and added that he favors the second option and agrees with building the extra kennels only if the facility will remain open.

Commissioner Pennel stated that he is willing to advertise a position, and remembers the County Health Department previously recommending that the county hire a supervisor.

Commissioner Herschend recommended that the Commission meet with the county's partners, Rockaway Beach, Merriam Woods, Hollister and other municipalities that would be affected, to examine solutions. Commissioner Herschend added that he thinks this would be a good time for the county to review the purpose of the facility. Commissioner Herschend expressed that he supports option two in concept, and recommends considering looking at David Stottle, of Road and Bridge, as a part-time supervisor. Commissioner Pennel stated that he would set up a work session.

APPROVAL OF MINUTES

Commissioner Strahan made a motion to approve the minutes for January 23, 2007, as written.

Commissioner Pennel seconded the motion.

County Clerk, Donna Neeley, stated that she believes these minutes need clarity. Commissioner Strahan expressed that he doesn't have an issue with the way these minutes are presented.

Donna Neeley said that the Clerk's Office is going to have a meeting to clarify how minutes should be done.

Bob Paulson, County Counselor said that any time the Commission supports something there should be a vote, otherwise the Commission does not support.

Commissioner Herschend said that concepts are presented, and asked if the Commission would need to vote to show support of a concept? Commissioner Strahan said there have been some questions, and that Commissioner Strahan has gone in to look and see what was said, even his own comments.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan withdrew his motion.

Presiding Commissioner Pennel withdrew his second.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #99581-99680 and warrants #4631, 4632, 4633. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WASTE CORPORATION OF MISSOURI MAX MURELL

Max Murell addressed the Commission, for clarification of the volume constraints that have been put in place at the Transfer Station.

Commissioner Herschend, who oversees the Transfer Station, addressed this concern and explained that the county must manage a fluctuating volume that varies each day from four to eight loads a day that the county has to haul. Commissioner Herschend further explained that as the county is in the business of residential, not commercial trash, he recommended that the Commission leave on the limit of roll-offs to two.

Mr. Murell said that it is cost prohibitive for his company to haul off to Springfield, and wanted to know what the county was planning for the near future.

Commissioner Herschend stated that he doesn't expect to expand within the next nine to twelve months, and would involve approval from the Department of Natural Resources (DNR).

Mr. Murell asked if residential trash would be affected? Commissioner Herschend said that the limitation is for roll-offs. Mr. Murell informed the Commission that the landfill opens at 5:30 a.m.

RECESS 9:56 A.M.

Commissioner Herschend made a motion to go out of the Commission meeting and into BOE. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION CONTRACTS & LEGAL UPDATE 610.021(1)(12) BOB PAULSON

Commissioner Herschend made a motion to go out of BOE and into Executive Session pursuant to RSMo 610.021 (1) (12). Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by Lisa Owen

RECESS

RECONVENE 1:00 P.M.

The County Commission met in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

FLAT BED TRUCKS BID

Commissioner Strahan made a motion to approve the bid by Friendly Ford for \$93,573.48, for two flat bed trucks. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DOUBLE DRUM VIBRATORY ROLLER BID

Presiding Commissioner Pennel made a motion to approve the bid from Fabick, without the trade-in option, for the double drum vibratory roller. Commissioner Strahan seconded. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SPECIAL PROSECUTOR TIM FINNICAL

Commissioner Herschend made a motion that the Taney County Commission advance Special Prosecutor, Tim Finnical \$20,000.00, effective 3/5/07, to prosecute the three murder cases, as appointed by Judge Orr, with the advance due back upon Mr. Finnical's settlement with the State. Mr. Finnical is to provide the advance agreement, to be signed by both parties. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ANIMAL SHELTER SUPERVISOR

Commissioner Herschend made a motion to advertise for a Shelter Supervisor for the Animal Control Facility. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken by Tressa Luttrell and typed by Tressa Luttrell and Lisa Owen.



MARCH 7, 2007 THE 26TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Conference Room at 9 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll for the period ending 03/03/2007.

| | |
|---------------------------------|------------------------|
| General County Revenue Warrants | 102443 - 102479 |
| Road & Bridge Trust Warrants | 102411 - 02435, 102480 |
| Assessors Fund Warrants | 102436 - 102439 |
| Transfer Station Warrants | 102440 - 102442 |
| 911 Warrants | None |
| Manual Warrants | 4634 - 4635 |
| Accounts Payable Warrants | 99682 - 99700 |

Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by Lisa Owen.

TANEY COUNTY COMMISSION RECORD



MARCH 12, 2007 THE 27TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

Chuck Pennel led in prayer, followed by the pledge.

PUBLIC APPOINTMENTS OLD MEADOW LANE

Presiding Commissioner Pennel presented the road petition for Old Meadow Lane and stated that the signatures have been verified by the County Clerk's Office. Commissioner Pennel explained that the road review identifies this road as not a through road, having a cul-de-sac and a gravel base in fair condition, being twenty-one feet wide and three hundred-sixty feet long, with one good twenty-four inch culvert, with no ditch on the eastside and the ditch on the westside needing to be excavated and shaped for drainage, with serving six dwellings, ADT of twenty-five to thirty, good sight distance, needing base rock aggregate for proper crown of the road surface. Commissioner Pennel added that the report also states there is a possible encroachment on the cul-de-sac of a brick retaining wall. Road and Bridge recommends that this road be taken in as a Class 5 Road.

Commissioner Strahan stated that he has seen the road and made a motion to take Old Meadow Lane into the county road system, as a Class 5 Road, as recommended, dependent upon the issue of the retaining wall being resolved. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ELECTED OFFICIALS AND DEPARTMENT HEADS MORNING GLORY CHUCK PENNEL

Some residents of Venice of the Lake have a house that was built on a platted cul-de-sac, on Morning Glory. Commissioner Strahan said that if the house is not on a through road, the street could be vacated, stating that this home is not the only one in Taney County in this particular situation. Presiding Commissioner Pennel expressed that he will share the Commission's discussion with the people involved.

ROUTINE BUSINESS APPROVAL OF MINUTES

Presiding Commissioner Pennel made a motion to approve the following minutes: January 8, January 12, January 23, January 30, February 5, February 6, February 13, and February 21. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve Accounts Payable checks #99701-99841 and warrants #4636-4637. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PUBLIC COMMENT ANIMAL SHELTER BOB SCHANZ ART BECK

Mr. Bob Schanz stated that he read the Springfield New-Leader article and received seven telephone calls about the animal shelter. Mr. Schanz added that he has several books about dogs and said that more needs to be done about the parvo situation. Mr. Schanz explained

TANEY COUNTY COMMISSION RECORD

that the books say parvo takes months to a year to get rid of, that there should be another facility for receiving animals, and that there are parvo injections that should be given. Mr. Schanz admitted not knowing what the budget is, or what the county is doing about parvo, but feels that the county needs to be doing more.

Presiding Commissioner Pennel responded that the Springfield News-Leader had a good article about the situation, quoting experts in the field, and illustrating the commonality of outbreaks. Presiding Commissioner Pennel further shared that two or three years ago, there was a parvo outbreak, and that citizens called the state and the state had the county euthanize all of the animals. Presiding Commissioner Pennel informed that the dogs are vaccinated, that the parvo vaccine doesn't take effect for about five days, and dogs are held for about seven days. Presiding Commissioner Pennel clarified that the purpose of the shelter is mostly for stray dogs, which have been neglected and that the dogs usually go to the Humane Society in either Springfield or Carthage. Presiding Commissioner Pennel stated that he didn't want to put down all of the dogs.

Mr. Bob Schanz further questioned Presiding Commissioner Pennel. Presiding Commissioner Pennel explained that he has spoken with veterinarians and the Missouri Department of Agriculture, has been instructed on how to bleach, and has bleached and power washed. Presiding Commissioner Pennel further explained that the staff wears rubber boots, and others bleach their shoes before leaving the facility. Mr. Schanz stated that he thinks the county needs to have another location for the dogs. Presiding Commissioner Pennel asked Mr. Schanz if he was asking the county to close down the facility and how much of the county's revenue should be spent on a facility. Mr. Schanz said that a building would be \$250,000.

Bob Paulson, County Counselor, added that operating costs would raise that to over \$400,000. Presiding Commissioner Pennel told Mr. Schanz that the county operates on a limited budget, and that the county is not sitting on its hands.

Commissioner Strahan informed that he made a surprise visit to the Animal Control Facility, and found the facility clean and in good shape. Commissioner Strahan explained to Mr. Schanz that parvo is an uncontrollable disease that will reoccur and is carried by birds and other things. Commissioner Strahan expressed that he believes Presiding Commissioner Pennel has done an excellent job and has recommended building on a separate part on the back of the building, allowing for an airspace at the facility. This change is already in process, according to Commissioner Strahan.

Art Beck said that one of the biggest carriers of Parvo is a fly, and that not everyone is aware of that. Mr. Beck stated that he has not been to the facility, but would believe the facility has a good fly control system.

EQUIPMENT RUSTY ROTERT

Rusty Rotert, with the Victor L. Phillips Company, addressed an issue that the county has had with truck-cat equipment with a Tiger mower and explained there is a manufacturer's problem with the joystick. Mr. Rotert informed that Tiger has since changed manufacturers and will have the county bring the truck-cats to Springfield, in the next week or two, and Tiger will send personnel, to repair the problem with the equipment, free of charge.

HOMES OF HOPE CHUCK PENNEL

Presiding Commissioner Pennel told about the blitz house that is being built by Homes for Hope through the assistance of eighteen Marines. Presiding Commissioner Pennel expressed that he believes the group has overseen more than forty houses, adding that this one is also special because it is for a Taney County employee and anyone interested in more information may contact Susan Martin, Program Director.

TANEY COUNTY COMMISSION RECORD

WHITE RIVER HISTORICAL SOCIETY CHUCK PENNEL

Presiding Commissioner Pennel stated that he attended the White River Historical Society meeting this weekend and that Leon Combs presented an architect's rendering for a possible building to be built on a site above the Old Jail, where the society currently operates. Presiding Commissioner Pennel further stated that the proposed project is estimated at \$400,000 to \$500,000, which will include requesting donations and working on a new lease on the Old Jail building. Donna Clevenger is in charge of Oral History, and would like to interview individuals with a history of the area.

DIRECT DEPOSIT RICK FINDLEY

Rick Findley, Auditor informed the Commission that he has requested all employees be required to receive their payroll through direct deposit.

Presiding Commissioner Pennel suggested sending out a memo to the different department heads, and also asked the Auditor to send out a memo with paychecks to employees to explain how direct deposit works.

Donna Neeley, County Clerk asked if the employees could get a free account, as direct deposit would require an employee to have an account.

Wiley Barnes, Branson Chamber of Commerce said that the Branson Chamber requires direct deposit for employees.

Commissioner Strahan commented that some people like to have a paycheck handed to them, but that with direct deposit, the staff would receive their funds faster.

Rick Findley explained he estimates that approximately twenty-five percent of the employees don't use direct deposit, and that there has been an issue with duplication of accounts payable and payroll check numbers. The Auditor expressed that he would like a decision in the next week, as checks need to be ordered.

PARK BOARD DANNY STRAHAN

Commissioner Strahan said that the Park Board is coming up with a calendar that has all of the local events, and reminded those present that the county clean up days would be March 30th & 31st and Lincoln Day would be March 30th.

RECESS

At 9:45a.m. Presiding Commissioner Pennel called for a ten-minute recess.

Minutes were taken and typed by Lisa Owen.

EXECUTIVE SESSION CONTRACTS 610.021(12) BOB PAULSON

The County Commission met in the Associate Circuit Courtroom II at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

Presiding Commissioner Pennel made a motion to go into Executive Session. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

The Commission discussed several contracts. Presiding Commissioner Pennel made a motion to go out of Executive Session. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes were taken by Donna Neeley and typed by Lisa Owen.



MARCH 13, 2007 THE 28TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the County Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District and Danny Strahan, Eastern District present. Also present were Tressa Luttrell, Commission Administrator, Mike Smith, Nick Smith, and Ian Hagan, with Septagon Construction, Shawn Harding, and Karen Opplinger with HMN, and Donna Neeley, County Clerk. The following proceedings were had and made a matter of record.

JUDICIAL FACILITY

The Commission met to review the Taney County Justice Center construction. The discussion centered on the following items: Construction Manager's Report, Items for Discussion, Budget, Change Order Summary, and the Schedule.

CONSTRUCTION MANAGER'S REPORT

The Construction Manager's Report was as follows: There were a lot of changes during February. The cell modules have been placed. HMN Architects had a walk through on February 22nd, and module acceptance sheets and punch lists have been issued. All of the concrete footings for the building and the slab floor for the courts on the lower level have been finished. Most of the stair and elevator shafts have been finished by the mason and the work on the wall around the kitchen has begun. Two of the stairways have the steel stairs installed and will be ready soon for the concrete at the steps and landings. Erection has begun in the northwest corner; due to space limitations, the building will be erected from floor to roof in four sections. Plumbers and electricians are making connections to the cell modules.

ITEMS FOR DISCUSSION COMMUNICATIONS TOWER

Karen Opplinger, HMN stated that there has been discussion about dividing up the antennae and added that the height of the antennae affects the size of the tower. Ms. Opplinger stated that she has received documentation from Verle Miller about the constraints of the project.

Commissioner Herschend recommended working with Mr. Miller to develop what his experience would suggest the county would need and added that RCS hasn't been forthcoming with the information needed for the tower.

ELECTRICAL AND WATER FOR THE RETAINING WALL USE

Mike Smith, Septagon Construction presented an estimate of \$15,000 for the installation of electric and water service for the retaining wall. Mr. Smith added that if Empire puts in a meter, it would cost \$3000, and then the monthly charge of approximately \$35. Mr. Smith further explained that the alternative for water is \$3300 for a fixture with a backflow prohibitor, or \$1100 for a freeze proof faucet for use with and 300 feet of hose.

Commissioner Strahan asked Septagon to price out stubbing out for a water line (3/4 inch) with a shut off and running conduit (1 1/4 inch) so that the county could pull the line later? Mr. Harding stated that he would check on hose outlets on the front of the building.

TANEY COUNTY COMMISSION RECORD

EXTERIOR LIGHT POLES AND FIXTURES

The Commission informed that the selection has been made for aluminum poles, bases, and globes for exterior lights poles and fixtures and that the price is estimated to be a little over \$1000 per light.

PARKING AND STAGING STATUS

The Commission then discussed that the county has been in negotiations to acquire additional land for parking and staging. Additionally, the City of Forsyth has asked the county to change a waterline, as the existing one would end up under a concrete slab to be constructed by the county.

BUDGET

The total budget for the project is \$27,200,000.00, which includes a construction contingency allowance of \$1,024,957.00. \$273,682.85 of the contingency funds has been allocated. Previous payments equal \$5,955,599.24. Total payments are currently at 25%.

CHANGE ORDER SUMMARY

The following additional change orders were then read: (PR#12) This change is for enlarging the size of the floor pans on the second level of prisoner housing. This was issued on 2/19/07 and is waiting for proposals. Even though there are two curtains that separate this area, there is the chance for water spill over and inmates slipping. (PR#13) This change is for is for revising the shower floor fixture and changing the showerheads. This was reissued on 2/26/07 and has been sent out for pricing. (PR#14) This change is to decrease the thickness of the wood paneling to provide a uniform wall thickness. This may reflect a cost savings and was received on 3/08/07.

Note: The construction is on schedule and should be completed mid-summer of 2008.

RECESS

The Taney County Commission met in the Commission conference room at 2:45 p.m. with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Also present were Tressa Luttrell, Commission Administrator, Bob Paulson, County Counselor and Donna Neeley, County Clerk. The following proceedings were had and made a matter of record.

TRANSPORTATION DEVELOPMENT DISTRICT

Bob Paulson, County Counselor informed the Commission that a member of the Transportation Development District (TDD) board must now be a resident of Missouri and that membership is based on the acreage within the TDD. Mr. Paulson added that currently, the Branson Creek Airport group has all of the land, until it is signed over and that the group will sign over the property to the county, who will place it into the TDD. Mr. Paulson informed that getting establishing should take three or four meetings, and then the board will meet annually.

Commissioner Pennel made a motion to appoint Dennis Newkirk and Ron Herschend to serve the first term on the Transportation Development District Board. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session at 3:00 p.m. for the purpose of litigation under emergency basis RSMo 610.021(1)(2). Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by Lisa Owen and edited by: Hillary Bargman

TANEY COUNTY COMMISSION RECORD



MARCH 14, 2007 THE 29TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Office at 9:06 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

WHISPERING OAKS

Presiding Commissioner Pennel made a motion to approve the easement for Whispering Oaks. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes were taken by Tressa Luttrell and typed by Lisa Owen.



MARCH 19, 2007 THE 30TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Donna Clevenger led in prayer, followed by the pledge.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda and move Taney County Collector, Sheila Wyatt, to the top of the agenda. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DELINQUENT TAX BOOKS SHEILA WYATT

Sheila Wyatt, Collector stated that she is presenting a check for \$1674.10 to the Taney County Treasurer representing the investment interest from the "Pay in Advance Installment Program" for the 2005 and 2006 tax years, which will show up on the Collector's next year's end of year settlement. Ms. Wyatt went on to state that the County currently has two hundred and sixty-five customers wishing to participate in this program and anyone else wanting to participate may do so by calling the County Collector's Office. Ms. Wyatt explained that this program allows taxpayers to pay real estate taxes in advance in quarterly or semiannually payments, based upon the previous year's tax bill and added that the fourth payment will show the final payment due by December 15th. Ms. Wyatt informed that the County has been performing this service for four years and explained the abstract report to the Commission, which reflects the delinquent taxes Ms. Wyatt, was able to collect this year. Ms. Wyatt then explained the next column has those accounts that will be abated or outlawed off and the blue books represent the delinquent taxes as of February 28, 2007, and are divided by Real Estate and Personal Property. Ms. Wyatt further explained that in April, the Collector's Office would send the first notice for the tax sale, for bills that are two years' delinquent.

Commissioner Strahan asked if there was a statutory deadline by which the Commission must approve the delinquent tax books? Ms. Wyatt expressed that she is not aware of any, but is not authorized to collect the delinquent taxes until the Commission has voted approval of the delinquent tax books, the County Clerk has sent the corresponding form to the Department of Revenue, and the Collector has been charged with the delinquent tax book.

Commissioner Herschend made a motion to table the approval of the delinquent tax books until March 26, 2007 for the Commission's review. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

YEAR END SETTLEMENT SHEILA WYATT

Sheila Wyatt, Collector presented the Year-End Settlement Report to the Commission and explained that 92.8 percent of the 2006 real estate taxes and 89 percent of the personal property taxes were collected, and the Collector's Office continues to collect delinquent taxes. Ms. Wyatt stated next month she would check to see who has filed with the Circuit Court to protest taxes that the charge back shows it is equal to that of the collections, delinquents, and abatements. Ms. Wyatt further explained the County Clerk is responsible for the calculation of the Railroad and Utilities, based upon the schools' student ratio and debt collection, with 30 percent going to the county and the other 70 percent going to the school districts. Ms. Wyatt informed that the Collector's office collects for eight cities and the report includes Merchant and Liquor licenses, as well as expenditures and other items. Ms. Wyatt added the report also includes the Tax Sale proceeds, including the overpayments, which will go to the schools, not the county, if not redeemed by the property owners, but is required to be reported in the Year End Settlement and the total collections were \$36,071,000, reminding the Commission that a percentage of everything collected goes to the Assessment Fund.

Commissioner Herschend questioned the procedure on the outlawing of 2002 delinquent taxes, which is mandatory. A general discussion ensued.

Commissioner Herschend made a motion to table the approval of the Year End Settlement until March 26, 2007. Commissioner Strahan seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WILSON'S LAKE ADDITION VACATION HARRY STYRON

Harry Styron addressed the Commission and requested the vacation of the streets in the Wilson's Lake Addition, adding that none of these streets have been developed. Mr. Styron explained that the petition for this request was in front of the Commission on the first day of the January adjournment, which was January 8, 2007, and was continued until January 23rd. Mr. Styron reported that since then, the surveyor has created a legal description in the area of the subdivision for each lot that is not owned by the petitioner, and the order that is being submitted says the order is not effective until there is a recorded easement to each of these legal descriptions.

Commissioner Herschend made a motion to approve the vacation of the streets in the Wilson's Lake Addition. Presiding Commissioner Pennel seconded the motion for discussion.

Commissioner Strahan stated that he spoke with area residents, and there are concerns about the vacations and added that Robert Melton asked if the vacation would affect access to his property and if it would be subsequently divided.

Mr. Styron didn't know about that issue, but responded that easements have been created for property owners and might be affected by the vacations. Presiding Commissioner Pennel asked about how Belland Road would be affected? Mr. Styron clarified he is not asking the Commission to take any action on the road the county is currently maintaining.

Commissioner Strahan asked if Mr. Styron's client would have a problem with Bobby Rains having streets vacated from his neighboring property? Mr. Styron said Mr. Rains might want to have a number of streets vacated from his property as well as property in Mr. Rains' mother's name.

Commissioner Herschend clarified that his motion and vote to vacate these streets does not reflect his support of this development, or relieve his concern about access to and from this property. Commissioner Herschend further clarified that this is a different step, and that Planning and Zoning is responsible for that function.

Bob Paulson, County Counselor explained that the vacation of the roads on the bottom of page six of the vacation document is based upon the agreement to provide easements. Mr. Styron replied that he is aware of the legal requirement to provide access, which has led to the detailed legal descriptions.

TANEY COUNTY COMMISSION RECORD

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BIOXIDE SYSTEM FOR POVERTY POINT PUMP STATION CHUCK PENNEL

Commissioner Herschend informed the Commission that the Sewer Department has approved adding the bioxide system to the Poverty Point Pump Station, to break down sulfur that can build up and eat lines and that this problem occurred at Coon Creek. The Commission requested Ms. Luttrell go out for bid on this item, as it will be more than \$4500.

ROAD RELINQUISHMENT AGREEMENT CHUCK PENNEL

Commissioner Herschend made a motion to table the issue of the Road Relinquishment Agreement, so that the Commission could address this issue in a work session. Commissioner Strahan seconded the motion to table. The Commission will need to look at where these roads are located, and clarified that all of them are within the county's jurisdiction.

Commissioner Herschend pointed out that an intergovernmental agreement may not exist, and that this situation appears to be different than one in which the Commission previously acted.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

INTERGOVERNMENTAL AGREEMENT ROAD & BRIDGE TRUST TAX EXPENDITURES CHUCK PENNEL

Commissioner Herschend made a motion to move the issue of the Intergovernmental Agreement with the Road & Bridge Trust to the end of the agenda. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve the minutes from March 14, 2007, and March 12, 2007. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (abstain), Strahan (yea).

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve accounts payable checks #99842-99976 and warrant #4638. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MERRIAM WOODS ANGELA LEIST

Angela Leist, Merriam Woods Village Clerk announced that there would be a Candidates Forum at the Village of Merriam Woods Community Center on Tuesday, March 27, at 6:30 p.m. Ms. Leist invited the Commissioners to attend and discuss the Road and Bridge Tax Extension issue. Commissioner Herschend urged the Commission to send representation.

ANIMAL CONTROL ORDINANCE TRESSA LUTTRELL

Ms. Luttrell announced that the Animal Control Ordinance has now been published three times and is in affect. Presiding Commissioner Pennel clarified that the county did take in an animal under this ordinance over the weekend and also wanted to thank the area veterinarians for the efforts made by these professionals adding that he would like to see the county recognize this group and their efforts.

TANEY COUNTY COMMISSION RECORD

COUNTY CLEANUP TRESSA LUTTRELL

Ms. Luttrell reminded those present that the County Cleanup would be this coming weekend.

ROAD & BRIDGE TAX GARY GROMAN

Gary Groman reported to the Commission that the Branson School Superintendent informed voters about upcoming taxes and that the superintendent was careful to point out that the Road & Bridge Tax is not a new tax, but one that has served the county well.

Commissioner Herschend pointed out that the Road & Bridge tax is a sales tax, and that the schools receive property taxes, not sales tax, and those visiting the area contribute to the Road & Bridge tax, not just residents.

RECESS 9:55 A.M.

RECONVENE 10:00 A.M.

INTERGOVERNMENTAL AGREEMENT ROAD & BRIDGE TRUST TAX EXPENDITURES CHUCK PENNEL

Creagh Tucker with the Village of Bull Creek, Angela Leist from the Village of Merriam Woods, and Mike Rankin from the City of Branson discussed the Intergovernmental Agreement for Road & Bridge Trust Tax Expenditures with Commissioners Pennel, Herschend and Strahan, as well as Mr. Paulson and Ms. Luttrell. There is an issue of smaller municipalities being able to authorize their projects, due to financing. A lengthy discussion ensued.

Presiding Commissioner Pennel made a motion to table the discussion and approval of the Intergovernmental Agreement of the Road & Bridge Trust Tax Expenditures until 3:00 p.m. Commissioner Herschend seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend recommended that the County go ahead and sign the agreements after the approval, and deliver them to the entities.

BANKRUPTCY SHEILA WYATT

Ms. Wyatt requested an abatement be written on Kay Bee Toys, due to a bankruptcy proceeding. The Commission requested the County Clerk's Office write the abatement.

EXECUTIVE SESSION APPROVAL OF MINUTES

Commissioner Herschend made a motion to recess the commission meeting and go into Emergency Executive Session under RSMo 610.021 (1) (12) after a two-minute recess, due to the necessity to discuss possible litigation regarding the Bee Creek Sewer. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE 3:30 P.M.

TANEY COUNTY COMMISSION RECORD

The County Commission met in the Commission Office at 3:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

INTERGOVERNMENTAL AGREEMENT ROAD & BRIDGE TRUST TAX EXPENDITURES

Commissioner Strahan made a motion to approve the following Intergovernmental Agreement for Road and Bridge Trust Tax Expenditure contracts as corrected by counsel.

INTERGOVERNMENTAL AGREEMENT REGARDING MUNICIPAL ROAD AND BRIDGE EXPENDITURES TO BE PAID FROM ROAD AND BRIDGE TRUST TAX

WHEREAS, Taney County has funds from the Road & Bridge Trust Sales Tax that are available to construct and improve roads located in the county; and

WHEREAS, roads exist within municipal boundaries within Taney County that are used by all Taney County citizens; and **WHEREAS**, the Village of Bull Creek has submitted a plan for use of certain county Road & Bridge Trust Tax Funds for road related purposes that will benefit all citizens of Taney County; and

WHEREAS, Taney County wishes to fund the Village of Bull Creek's expenditures for said road related purposes and seeks to insure that the Road & Bridge Trust Tax Funds are used only for those purposes set forth in the plan:

NOW THEREFORE, the Village of Bull Creek, (hereinafter referred to as "Municipality") and Taney County, Missouri (hereinafter referred to as "County"), hereby covenant and agree as follows:

County will provide up to \$50,000.00 for payment of expenditures made by the Municipality on items set forth in the approved plan submitted by Municipality which is attached to this agreement as Exhibit "A" and is incorporated herein as if set forth herein in its entirety. County will not pay for, nor will it reimburse expenditures not specifically included in Exhibit "A".

County will reimburse Municipality for expenditures set forth in the approved plan up to a maximum of \$50,000.00. Under no circumstances shall Municipality be permitted to add to the plan once it is approved. Further, Municipality should not rely upon funding in future years, as there is no assurance that any such funds will be forthcoming. It will be considered a breach of this Agreement for any municipality to promise or encumber funds for loans or bonds based upon the municipality's anticipation that it will receive additional monies from County in future years.

The procedure for payment/reimbursement is as follows:

Municipality must submit a detailed invoice describing the work completed in enough detail to show that all listed work was included within the approved plan.

County will reimburse approved work upon submission of a detailed invoice as described above, along with evidence that the invoice has been paid in full by Municipality. However, if Municipality does not have the funding to pay the invoice in full, Municipality may make written request to use an alternative method of reimbursement.

Under the alternative method, Municipality shall set up a special road and bridge construction fund account. Municipality shall submit a detailed invoice as is required of municipalities who pay and are reimbursed. Next, Municipality shall submit fully executed check or checks to pay the approved portion of the invoice, and shall submit said check or checks to the County Commission, and shall receive in return a check from County in the amount of the approved portion of the invoice for deposit in Municipality's special road and bridge construction fund account.

All contracts between Municipality and any entity other than Taney County for services, supplies or equipment shall be between those two entities, and under no circumstances shall Taney County be a party to any such contract.

All expenditures and agreements by Municipality related to funds coming from the Road & Bridge Trust Tax Fund shall be expended, contracted for and in all other respects handled in accordance with all applicable federal, state, and local law. This includes, but is not limited to bidding, prevailing wage, and other requirements. If no state statute applies and municipality does not have any bidding procedures in place, then Municipality shall follow and comply with Taney County bidding policy.

Except as otherwise provided herein, this Agreement may be amended, modified, renewed, or supplemented only by a written instrument signed by all parties to this Agreement.

All notices, required or permitted under this Agreement, shall be in writing and shall be given by certified mail, return-receipt requested, and addressed to the party to be notified at the address set forth on page one.

This Agreement shall be governed by the laws of the State of Missouri as the same shall be in full force and effect upon the date this Agreement is executed.

Any action arising out of or concerning this contract shall be brought only in courts located in Taney County, Missouri.

If either party to this Agreement shall place any matter arising out of or concerning this Agreement with an attorney, either to enforce their rights or to respond to a legal action brought by the other party, the losing party shall pay the prevailing party's attorneys' fees and all other legal expenses and costs, which shall be regarded as costs of suit and not as damages.

This Agreement represents the entire understanding between the parties, and supersedes all prior negotiations, representations, and/or contracts, either oral or written.

Municipality shall indemnify, keep and save harmless the County of Taney, their agents and employees, against all claims, liabilities, judgments, costs, damages and other expenses which may in any way arise or accrue against, be charged to or recovered from the County of Taney, their agents or employees in consequence of or arising from this Agreement or any of the provisions herein included.

TANEY COUNTY COMMISSION RECORD

- A) Once approved, the entity will have the responsibility to purchase equipment, hire employees, and/or contract for work as required. An entity using funds from this plan must comply with all applicable federal, state and local laws and regulations at all times.
- B) If at any time it is determined that funds were used or requested for work other than road or bridge work, in the sole discretion of the Taney County Commission, then the offending entity may be found by the County Commission to have forfeited its opportunity to receive further funding through this program for a period of not less than three years, after which the Taney County Commission will have sole authority to reinstate said entity.
- C) Items in an approved plan MAY include but are not limited to the following:
- Building, rebuilding, improvement or maintenance of roads, streets and bridges
 - Resurfacing of roads/streets including chip and seal or asphalt overlay. (Note: Expenditure of funds on private drives or any parking lot is specifically prohibited.)
 - Equipment purchases used only for road maintenance and construction to include backhoe, dump truck, and snow blades for seasonal snow removal.
 - Labor specifically for patch, maintenance, and service on roads/streets to include snow removal. (Note: repayment of labor from fund is possible but will be done monthly to reimburse entity for such funds spent the previous month)
 - Engineering or professional fees for design, right of way purchase and legal associated with the same.

Projects that address utility relocation as part of a road project will be considered but not recommended if the utility relocation cost exceeds 20 percent of the total project cost.

AT NO TIME shall any municipality or entity pledge future funds other than approved for that budget year by Taney County Commission. Notwithstanding any other provision to the contrary in the language or provisions contained in this document or any other document, it is understood and agreed that funding for the current year's anticipated expenses pursuant to this ordinance has been provided in the current year's budget as adopted by the County Commission of Taney County, Missouri. Under Missouri county budget law, a County cannot commit, appropriate, or encumber funds for future budget years.

A municipality failing to submit a plan or receive approval of their plan will forfeit any opportunity to share in that budget year's allocation, but said municipality may submit a request for funding in future years. The amount left unspent by a municipality's failure to be funded in any year does not cause a carryover of the unused amount, and said unused amount shall be placed annually back into the applicable county road and bridge fund. The unused funds will not be reallocated among the remaining municipalities.

Any current participating incorporated municipalities may submit a plan in the first October/November upon becoming incorporated; there is no grace or waiting period. For example, an eligible municipality that was incorporated in December 2006 would submit its plan during October/November 2007 for 2008 funds that are available immediately upon project approval. A geographic entity or any other person or entity may not submit a plan prior to its official incorporation, therefore, the County Commission will not accept applications or plan proposals from entities that are not already eligible municipalities. Only municipalities located wholly within the boundaries of Taney County, Missouri are eligible to participate in this program.

Commissioner Herschend seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by: Tressa Luttrell and Lisa Owen.



MARCH 21, 2007 THE 31ST DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|----------------------------|
| General County Revenue Warrants | 101513 – 101548, 102550 |
| Road & Bridge Trust Warrants | 102481-102505 |
| Assessors Fund Warrants | 102506 -102509, 102549 |
| Transfer Station Warrants | 102510 - 102512 |
| 911 Warrants | None |

Payroll checks (cont.)

TANEY COUNTY COMMISSION RECORD

Manual Warrants 4639 - 4640
Accounts Payable Warrants 99977 - 99995

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PAYROLL EXTENSION NATHAN STAFFORD

Presiding Commissioner Pennel made a motion to approve an extension of payroll for Nathan Stafford, with Road & Bridge, for 80 hours, due to serious illness. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

RECONVENE 9:35 A.M.

The County Commission met in the Commission Office at 9:35 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

CONTRACT BRANSON MISSOURI REGIONAL AIRPORT MICHAEL LAUSE

Commissioner Herschend made a motion to approve the contract with Michael Lause, for attorney services for the Branson, Missouri Regional Airport. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken by Tressa Luttrell and typed by Lisa Owen.



MARCH 26, 2007 THE 33RD DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Ron Herschend led in prayer, followed by the pledge.

PRESENTATION OF UPCOMING LEVY DR. HAYTER, BRANSON SCHOOLS

Dr. Hayter, Superintendent Branson Schools addressed the Commission regarding the Branson Schools' upcoming tax levy on the April 2007 Election Ballot. Dr. Hayter reported that the current school population is just under 5,000 students, presently, with the lowest levy in the county and Branson Schools has not had a tax levy increase in fifteen years. Dr. Hayter explained that while the school district is blessed with property assessments, the school is responsible for several state mandated programs, which are not fully funded by the state, such as No Child Left Behind, and English as a Second Language. Dr. Hayter further reported there are other services that must be provided and there is a large percentage of transient students and went on to describe the expansion of Branson Schools and the need for more funds. Dr. Hayter then expressed that he appreciates the support of the county in this matter.

Commissioner Herschend asked Dr. Hayter to discuss the Kindergarten class and Dr. Hayter reported that Branson had its largest Kindergarten class this year, and the school district is anticipating continued growth.

Commissioner Strahan expressed his appreciation for the articles Dr. Hayter put in the paper in regards to TIF's and stated that he felt they were very well written.

TANEY COUNTY COMMISSION RECORD

ENGINEERING SERVICES AGREEMENT ELIMINATION OF LIFT STATIONS IN HOLIDAY HILLS CHUCK PENNEL

Presiding Commissioner Pennel presented the Commission with a contract, which has already been approved by the Sewer Board, regarding the elimination of lift stations in Holiday Hills. Commissioner Herschend explained that the lift stations are incurring quite an expense.

Commissioner Strahan made a motion for approval, based upon the recommendation of the Sewer Board. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TRAFFIC STUDY CHUCK PENNEL

Presiding Commissioner Pennel informed the Commission about a grant for a traffic study and explained that it addresses using a bus or monorail system for transportation.

Commissioner Herschend read aloud the following excerpt from the document, which is for a traffic study for the City of Branson, in regards to a mass transit system: "Describes how the TCSP Program Funds will be used. Funds will be used for summit analysis and detailed planning. Planning activities include design of the transit system of Taney County residents and it's 7 million annual visitors. Transportation delivery system for shopper's purchases in order to mitigate over crowding transit vehicles and to encourage increased riders. Facilities to provide administrative offices, maintenance, and repair areas for transit rolling stock and package collection delivery rolling stock. And collection, sorting, and distribution areas for retail purchases. Coordination of these components to maximize benefit and efficiency, timing, and various route traffic levels and terrain availability and Internet sigma systems and technology. Funds will also be used to operate a contact office for a period of approximately 10 months to coordinate system development."

Commissioner Herschend admitted that the Commission does not know much yet about the request, which would bear the county's name, and could be beneficial to both area residents and visitors.

Commissioner Strahan stated that while he represents the Eastern District, he feels that the county needs to look at county transportation issues, as this issue will have a growing impact over the next ten years. The Commission discussed meeting with the City of Hollister and the City of Branson.

SEPTIC TANK PUMPING POLICY CHUCK PENNEL

Presiding Commissioner Pennel shared with the Commission that Wayne Dietrich with the University of Missouri Extension Office has provided information for the Septic Tank Pumping Policy, and asked how the Commission would address financial delivery for this program. Auditor Findley suggested different ways that this could be accomplished. A general discussion ensued.

Commissioner Strahan made a motion to have the University of Missouri Extension Office take the funds out of the University of Missouri Extension Office's account for this program, to be reimbursed by the county with a limit of \$5000, for the program, and \$50 per individual.

Commissioner Herschend seconded the motion. The motion carried by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

EFK MOEN CONTRACT TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she has a contract for the East/West Corridor Project for EFK Moen. Bob Paulson, County Counselor, explained he has not had an

TANEY COUNTY COMMISSION RECORD

opportunity to fully review the contract, but has issues with the way the contract is written. Mr. Paulson brought various points of the contract to the attention of the Commission. A general discussion ensued.

Commissioner Strahan commented that Mr. Paulson has pointed out a number of large questions, and requested that Mr. Paulson address these concerns with EFK Moen.

Presiding Commissioner Pennel asked Mr. Paulson if the documents would belong to the county? Mr. Paulson explained that while the county could reproduce the plans, the county could not be allowed to use these plans with a different company. Commissioner Herschend added that a similar situation had occurred before.

YEAR END SETTLEMENT DELINQUENT TAX BOOKS SHEILA WYATT

Commissioner Herschend asked the County Collector, Sheila Wyatt, if she was confident with her numbers? Ms. Wyatt asserted that she is confident with her numbers and clarified that she balances with each entity. Ms. Wyatt then explained the process of balancing with both the cities and school districts.

Commissioner Herschend made a motion to approve the Year End Settlement and the Delinquent Tax Books as presented. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Ms. Wyatt clarified that she will take the Delinquent Tax Books back to the Collector's Office and that the 2002 Outlaw will be permanently filed in the offices to be permanently kept. Ms. Wyatt further reported that the totals have already been given to the County Clerk and Ms. Neeley will file the form to charge the Collector back as well as file with the Department of Revenue according to the statute.

RECESS RECONVENE

COMMUNITY SERVICE WORKERS BRENDA NEAL

Brenda Neal, County Circuit Clerk, appeared before the Commission to discuss the use of community service workers for roadside cleanup. Ms. Neal provided a copy of the statute, RSMo 559.021, which prevents liability for the county, if the workers assist the county. Ms. Neal stated she would speak with the probation office about this issue and reported that she has already spoken with Judge Williams, who is in support of this effort.

Presiding Commissioner Pennel thanked Ms. Neal for her assistance and diligence. Commissioner Strahan reminded the public that this weekend is the Free Cleanup for county residents.

APPROVAL OF MINUTES

Commissioner Herschend made a motion to table the approval of minutes. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to table the approval of accounts payable until the Commission has had the opportunity to review them in light of the conversation with the Auditor. Commissioner Pennel seconded the motion for discussion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PLANNING AND ZONING CHUCK PENNEL

Presiding Commissioner Pennel announced that Planning and Zoning would have a work session to address concerns that have been expressed over the last year.

FENCE ON INGENTHON ROAD CHUCK PENNEL

Presiding Commissioner Pennel informed the Commission that a citizen called him about a fence that is being built across Ingenthon Road.

ASSESSMENT & TAX PROBLEM

Dathan Atcheison addressed the Commission about an assessment issue and explained that he purchased property last year and built a home. Mr. Atcheison went on to state that he contacted the Assessor's Office last year to see what his 2006 tax amount would be and asked how much his 2007 taxes would be and when the amount would be determined. Mr. Atcheison explained the contractor did not make the home available to him on January 1, 2006 and he was contacted by his mortgage company to find out what action he would take. Mr. Atcheison expressed concern because as of March 7, 2007, he learned that he has a 2006 tax bill, for over the value that he paid, as well as penalties and interest and discovered that a substantial mistake had been made on his assessment.

Commissioner Herschend asked Assessor Strahan to explain the process in this situation. Assessor Strahan stated that he believes there was a Property Assessment Increase notice sent in May of 2006. The Assessor asked Mr. Atcheison why he couldn't occupy the home on January 1st, 2006? Mr. Paulson clarified that the county collects taxes on real estate, not individuals, and that the issue of who owes the taxes is an issue between the contractor and the homeowner.

Commissioner Herschend asked the Assessor why the closing company would not pick up on taxes being due? Assessor Strahan responded not knowing, but voiced a concern that Mr. Atcheison keeps commenting on a small assessment mistake that was made, showing his home as 1,000 square feet larger than it actually is. Assessor Strahan said that the tax bill from the split was sent out of the Assessor's Office in the normal procedure, but that Mr. Atcheison's name was misspelled, and was mailed to the home's address.

Mr. Hugh Barnes, the contractor, told the Commission that Mr. Atcheison did not own the house on January 1, 2006 and added that the home was not ready for occupancy on that date, as the heat strips were not installed and the home had a leak. Mr. Barnes stated that he understands the tax would be owed on the land, but it is his understanding that there would not be taxes on the house if it was not finished on January 1. Mr. Barnes admitted that he did not want to finish and sell the new home until after the first of the year, because of federal taxes and informed the Commission that several properties in that area did not receive notices, and asked how a person would know if taxes were owed.

Presiding Commissioner Pennel responded that a person owning property has the responsibility to know that taxes are associated with the property and that the property owner is also responsible for knowing how much those taxes will be. Assessor Strahan commented that if the builder would bring in records, the Assessor would determine whether or not the home was substantially completed on January 1, 2006.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve payment of check #100038, upon the Auditor's Office providing a corresponding purchase order. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to table the remaining accounts payable items. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

EXECUTIVE SESSION CONTRACTS 610.021(1) BOB PAULSON

Commissioner Pennel made a motion to go into Executive Session pursuant to RSMo610.021 (1). Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS RECONVENE 2:00 p.m.

The County Commission reconvened in the Commission Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. Also present were Terry Reider and Ed Thornton with Royale Builders, and Jacob Rock with Taney County Road & Bridge. The following proceedings were had and made a matter of record.

DIRT PIT HIGHWAYS 160 & 65

The Commission met for the purpose of discussing the dirt pit at Highways 160 & 65 and it was stated that Taney County has an agreement with the State on a right-of-way, so that there would not be a private developer on the right-of-way and that the county is hauling dirt, not rock. The Commission requested two weeks to review the issue after which the county will get in contact with Mr. Thornton.

RECESS RECONVENE 3:20 p.m.

The County Commission reconvened in the Commission Office at 3:20 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

ACCOUNTS PAYABLE

Commissioner Strahan made a motion to approve accounts payable checks #99996-100075 (with the exception of check #100038 which was approved earlier today) Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes were taken and typed by Lisa Owen and edited by Hillary Bargman



MARCH 27, 2007 THE 34TH DAY OF THE JANUARY ADJOURN TERM

The County Commission met in the Commission Office at 9:10 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

SEWER BOARD APPOINTMENT

Commissioner Strahan made a motion to appoint Larry Gardner to fill the vacant position on the Sewer Board. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone and typed by Hillary Bargman

TANEY COUNTY COMMISSION RECORD



APRIL 2, 2007 THE 1ST DAY OF THE APRIL ADJOURNMENT

The Taney County Commission met in the Associate Circuit Courtroom II at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Gary Groman followed by the pledge.

EMORY CREEK BOULEVARD VACATION HARRY STYRON

Harry Styron appeared before the Commission, requesting the vacation of a portion of Emory Creek Boulevard, under RSMo. 71.270. Mr. Styron added that there are no houses or controversy, he can see, in regards to vacating this portion of the road.

Commissioner Herschend made a motion for approval of the vacation of Emory Creek Boulevard. Commissioner Pennel seconded the motion to vacate.

Commissioner Strahan asked if this road is in existence now and Mr. Styron stated that it is only on a plat. Commissioner Pennel read aloud the following vacation: Petition to vacate a portion of Platted street one disposition is made by Emory Creek Ranch LLC applicant under 71.270 RSMo. Seeks to vacate a portion of Emory Creek Blvd. Phase one lots 1-137 as shown on the Platte recorded in Platte slide I pages 105-107 in the office of the Taney County Recorder. This first Platte, which lies in an unincorporated area of Taney County the page of the first Platte showing the western end of Emory Creek Blvd is Exhibit A. Applicant owns the land on both sides of the portion of the street to be vacated. After applicant filed for Platte the Missouri Department of Transportation (MoDot) require that the entrance to the Emory Creek Randy subdivision off of State Hwy 248 be moved slightly to the side. This relocation is reflected on a Platte for Emory Creek Ranch commercially recorded in Platte slide I pages 310-311 the second Platte showing the area of Emory Creek Blvd be vacated. The page of the second Platte showing this area is Exhibit B. Emory Creek Ranch commercial is a Platte of lots along Bee Creek Blvd adjacent to State Hwy 248. The legal description of the area to be vacated and as required by RSMo 71.270 notice of this petition has been sent via US Mail directly to the following utility service providers that provide service in the area of the easement. Century Tel, White River, Wire Stream, Public Water Supply District #3, according to 71.270 RSMo if no person interested oppose vacation shall appear and show cause to the Commission why the vacation should not be made the Commission may make an order for the vacation as requested in this petition. Wherefore the applicant request that the Commission use it's statutory power to vacate as requested by Harry Styron.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FOREST HAVEN VACATION HARRY STYRON

Harry Styron addressed the Commission regarding the vacation of Forest Haven. Mr. Styron stated it is an older subdivision and requested that the entire Platte be vacated. Mr. Styron added this is now a part of Red Rock Bluff, which is a condominium subdivision that is under construction. Mr. Styron further explained that he has a letter from Empire District Electric and they have no concerns or easement restriction having to do with the requested vacation.

Presiding Commissioner Pennel read the following by Title: This petition is made by Missouri Partners Inc applicant under 71.270 RSMo and seek to vacate the entire Platte of Forest Haven Estates.

Commissioner Herschend made a motion to approve the vacation of the streets in the proposed Forest Haven Subdivision. Commissioner Strahan seconded the motion to vacate.

Bob Paulson, County Counselor asked Mr. Styron about the publication of the vacation? Mr. Styron stated he would provide an Affidavit of Publication to the Commission.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PEBBLE DRIVE VACATION HARRY STYRON

Harry Styron informed the Commission about details of the request for vacation of Pebble Drive. Mr. Styron explained that the petitioner owns the lots on both sides of the street, which was designated as a dead-end street. Mr. Styron further reported that the petitioner has built a storage facility there and would like to have the street closed for security purposes. Mr. Styron added that the petitioner has not published in a newspaper, but has posted in five different locations, as provided by statute. Mr. Styron clarified that there is no protest to the vacating of this road.

Commissioner Strahan made a motion to approve the vacation of Pebble Drive. Commissioner Herschend seconded the motion to vacate for discussion. Commissioner Herschend stated that he is struggling to understand a few things and asked for clarity as to where Mr. Styron's client owns property. Mr. Styron explained and added that no part of this will affect access to any other lots. A general discussion ensued in regards to a cul-de-sac or turnaround at the end of the road due to county requirements.

Commissioner Herschend withdrew his second. Commissioner Strahan withdrew his motion.

Commissioner Herschend made a motion to table approving the vacation of Pebble Drive until Mr. Styron has had an opportunity to discuss the issue with his client and see if they are willing to leave a cul-de-sac at the end of Pebble Drive prior to the vacation. Commissioner Strahan seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PAINT TRUCK BID TRESSA LUTTRELL

Tressa Luttrell, Administrator addressed the Commission in regards to the bid for refurbishing the paint truck, as this would be a sole-source provider, but over her \$50,000 approval limit, so it had to come before the Commission.

Commissioner Herschend made a motion to authorize Bogel Traffic Services to refurbish the County's paint truck for the amount of \$67,781.07, rather than buy a new paint truck. Commissioner Pennel seconded the motion for discussion.

Commissioner Strahan asked if they bid a new truck? Ms. Luttrell said "no". Jacob Rock, Road and Bridge Supervisor explained he has priced new equipment at over \$350,000.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BODY ARMOR BID TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that only one bid was received for body armor for the Sheriff's Department and the recommendation from Jimmy Russell, Sheriff was to approve Southern Uniform for the amount of \$406.10 through \$549.10 each depending on what type he gets. Ms. Luttrell stated she doesn't know how many the Sheriff will be requesting.

Presiding Commissioner Pennel made a motion to approve Southern Uniform in the range of \$406.10 through \$549.10 based upon the recommendation of the Sheriff. Commissioner Strahan seconded the motion. Mr. Paulson verified that Ms. Luttrell had checked to see if this was an appropriate price. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

JAIL FOOD BID TRESSA LUTTRELL

Tressa Luttrell, Administrator, stated that she did the annual bid for jail food and Jimmy Russell, Sheriff is recommending approval for Save-a-Lot and Springfield Grocery.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve the bid from Save-a-Lot and Springfield Grocery as recommended by the Sheriff's Department. Commissioner Pennel seconded the motion.

Ms. Luttrell clarified that Save-a-Lot would provide things that are needed on a daily basis and Springfield Grocery would come two or three times a week with the big bulk stuff.

The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GUARDRAIL BID TRESSA LUTTRELL

Tressa Luttrell, Administrator, presented the bids for guardrails on the Forsyth/Taneyville Road for 2500 linear feet of guardrail with some breakaway sections. Ms. Luttrell stated there were four bidders and Jacob Rock, Road and Bridge Supervisor is recommending the bid from Thompson Culver for the amount of \$29,069.

Commissioner Herschend made a motion to accept the guardrail bid from Thompson Culvert in the amount of \$29,069. Commissioner Strahan seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OFFICE SUPPLY BID TRESSA LUTTRELL

Tressa Luttrell, Administrator, stated that she talked to the Independent Auditor and is recommending to the Commission that Office Max receive the Office Supply bid, as this company had 42% of the bid. Ms. Luttrell clarified that the Auditor suggested looking at what's best overall instead of what's best for the individual departments and added that they also talked about using multiple vendors. Ms. Luttrell stated that she is open to the direction of the Commission, as to whether to use only one vendor or multiple bids. Ms. Luttrell clarified that Staples is located locally but did not respond to the bid. A general discussion ensued.

Presiding Commissioner Pennel made a motion to table this issue. Commissioner Herschend seconded the motion the table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UTILITY BEDS BIDS TRESSA LUTTRELL

Tressa Luttrell, Administrator, presented the bids for utility beds and the explained that the recommendation of Road and Bridge is for Bus Andrews.

Commissioner Strahan asked Jacob Rock, Road and Bridge about problems with work done by Bus Andrews before? Mr. Rock stated that he has spoken with the owner of the company, as well as a subcontractor who did some of the work, and Mr. Rock believes that the issue has been resolved. Mr. Rock added that Bus Andrews has assured him the situation will not reoccur.

Commissioner Strahan made a motion to approve the bid for Bus Andrews at the recommendation of the Road and Bridge Department. Commissioner Pennel seconded the motion.

Commissioner Herschend voiced his concern about problems with Bus Andrews on other equipment. Commissioner Strahan withdrew his motion. Commissioner Pennel withdrew his second. Commissioner Strahan stated that he is concerned about the safety of the workers and Mr. Rock added that the other bid received would take substantially longer than Bus Andrews, and wouldn't arrive until the fall. Commissioner Pennel suggested one or two of the Commissioners personally talking to Bus Andrews before the bid is approved.

Commissioner Pennel made a motion to table the bid for utility beds. Commissioner Strahan seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #100076-100163 and warrant #4641-4642 with the exception of #100157 for the sign man bill and one to reissue a check due to a tax issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UMB REIMBURSEMENT #7

Commissioner Herschend made a motion to approve the reimbursement for UMB #7.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: The reimbursement will be kept in the Treasurer's Office until disbursement.

ROAD ISSUE

Bessie Stobaugh addressed the Commission in regards to a neighbor who has put a fence across the middle of her road off of H Hwy and inquired as what type of road this is? Ms. Stobaugh added that they are making a road through her yard to get down below her property and asked if the Commission can do anything? Ms. Stobaugh further explained that a survey was done for a 40 feet right-of-way. A general discussion ensued.

Bob Paulson, County Counselor expressed there is an issue on the other end of the road. Mr. Paulson told Ms. Stobaugh that this would not be an easy solution, and agreed to work with her on this issue.

APRIL ELECTION

Art Beck reminded the public to vote tomorrow in the April Municipal Election.

PLANNING AND ZONING RESTRICTIONS

Mark Walicok, Architect addressed the Commission about building heights restrictions and requested that they meet in order to discuss the other side of this issue.

Bill Yung, Land Planner also wanted to talk to the Commission about the building heights issue adding that anything having this much to do with the growth and development of the county and city areas should involve an in depth work session where all sides can be heard. Mr. Yung further stated there are other options and provisions available and he would like to discuss those with the Commission. A general discussion ensued.

Commissioner Herschend recommended that someone from Planning and Zoning be present at a work session. Presiding Commissioner Pennel suggested doing a traffic study on specific areas adding that it might help with Planning and Zoning, as certain areas have increased in traffic. Commissioner Strahan would like the work session to also address the limited maintenance in certain road areas, due to lack of easement.

TRASH PICK UP

Commissioner Strahan reported that the county had a very successful trash pick-up day.

UTILITY BEDS

Jacob Rock, Road and Bridge Supervisor presented the Commission with the option of having the Road and Bridge Department install the utility beds from Bus Andrews.

TANEY COUNTY COMMISSION RECORD

MASONIC LODGE

Commissioner Herschend invited the public to the new Masonic Lodge on Wednesday at 3:00 p.m. for the turning over of the key to the new building.

EXECUTIVE SESSION EFK MOEN CONTRACT 610.021(1)&(12) BOB PAULSON

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (12). Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by Lisa Owen and edited by Hillary Bargman



APRIL 4, 2007 THE 2ND DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following were heard and made a matter of record.

APPROVAL OF PAYROLL

Presiding Commissioner Pennel made a motion to approve payroll.

| | |
|---------------------------------|-----------------------|
| General County Revenue Warrants | 102584-102620 |
| Road & Bridge Trust Warrants | 102551-102576, 102621 |
| Assessors Fund Warrants | 102577-102580 |
| Transfer Station Warrants | 102581-102583 |
| 911 Warrants | None |
| Manual Warrants | 4643-4644 |
| Accounts Payable Warrants | 100165-100180 |

Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

GRANT OF EASEMENT PROTEM-CEDAR CREEK ROAD

Presiding Commissioner Pennel made a motion to table the approval of the grant of easement of the Protem-Cedar Creek Road. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Presiding Commissioner Pennel made a motion to approve the acceptance of the easements for Protem-Cedar Creek Road from Dean & Sophina Dunn, and also from Richard & Karen Haines. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes were taken and typed by Lisa Owen.

RECESS

RECONVENE

The Taney County Commission met in the Commission Office at 11:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. Also present was Jacob Rock, Road & Bridge Supervisor. The following were heard and made a matter of record.

TANEY COUNTY COMMISSION RECORD

PAYMENT OF COMP TIME JACK COLE

Presiding Commissioner Pennel made a motion to approve payment of 40 hours of compensation time to Road & Bridge employee Jack Cole. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

CASEY ROAD

Presiding Commissioner Pennel made a motion to approve payment to Jerry Degraffenreid of \$2000 for work relating to Casey Road. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

The commission recessed at 11:50 a.m.

Minutes were taken by Angelina Anderson and typed by Lisa Owen.



APRIL 9, 2007 THE 3RD DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Associate Circuit Courtroom II at 9:03a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Chuck Pennel led in prayer, followed by the pledge.

MONTHLY BUDGET REPORT RICK FINDLEY

Rick Findley, County Auditor, presented the following monthly budget report.

| TANEY COUNTY FUND BALANCES 3/31/07 | | | | | |
|------------------------------------|----------------------|------|----------------------|----------------------------|----------------------|
| | PERIOD TO | DATE | YEAR TO DATE | | PERIOD TO |
| | | | | | |
| GCR | | | | SEWER FUND | |
| BEGINNING BALANCE | 0 | | 16,176,676.53 | BEGINNING BALANCE | 0 |
| REVENUES | 968,595.69 | | 3,172,095.14 | REVENUES | 1,257,651.09 |
| TOTAL REVENUES GCR | <u>968,595.69</u> | | <u>19,348,771.67</u> | TOTAL SEWER REV | <u>1,257,651.09</u> |
| TOT GCR EXPENDITURES | <u>2,824,197.92</u> | | <u>5,111,531.94</u> | EXPENDITURES | <u>939,068.81</u> |
| TOTAL GCR FUND BAL | <u>-1,855,602.23</u> | | 14,237,239.73 | TOT SEWER FUND BAL | 318,582.28 |
| ROAD & BRIDGE | | | | SEWER DESIGNTED FND | |
| BEGINNING BALANCE | 0 | | 8,365,292.31 | EXPENDITURES | 318,582.28 |
| REVENUES | 104,354.83 | | 415,934.23 | TOT ALL SEWER FNDS | <u>20,626,895.58</u> |
| TOTAL RB REVENUES | <u>104,354.83</u> | | <u>8,781,226.54</u> | | |
| EXPENDITURES | <u>246,649.68</u> | | <u>725,066.61</u> | SHERIFF CIVIL FUND | |
| TOT RB FUND BAL | <u>-142,294.85</u> | | 8,056,159.93 | BEGINNING BALANCE | 0 |
| ROAD & BRIDGE TRUST | | | | REVENUES | 93.83 |
| BEGINNING BALANCE | 0 | | 2,707,686.28 | TOT SHERIFF CIVIL REV | <u>93.83</u> |
| REVENUES | 492,431.94 | | 1,715,465.39 | EXPENDITURES | <u>4,357.64</u> |
| TOTAL RBT REVENUES | <u>492,431.94</u> | | <u>4,423,151.67</u> | TOT SHERIFF CIVIL FND BAL | <u>-4,263.81</u> |
| EXPENDITURES | <u>515,495.60</u> | | <u>1,033,421.52</u> | | 101,676.04 |
| TOT RBT FUND BAL | <u>-23,063.66</u> | | 3,389,730.15 | TAX MAINTNCE FND | |
| ASSESSMENT FUND | | | | BEGINNING BALANCE | 0 |
| BEGINNING BALANCE | 0 | | 13.78 | REVENUES | 20,217.17 |
| REVENUES | 9,721.81 | | 258,292.05 | TOT MAINTNCE FND REV | <u>20,217.17</u> |
| TOTAL AF REVENUES | <u>9,721.81</u> | | <u>258,305.83</u> | EXPENDITURES | 0 |
| EXPENDITURES | <u>46,889.09</u> | | <u>130,794.83</u> | TOT MAINTNCE FND BAL | <u>20,217.17</u> |
| TOT ASSEMENT FUND BAL | <u>-37,167.28</u> | | 127,511.00 | | 145,163.38 |
| ELECTION FUND | | | | PRO ATT BCF | |
| BEGINNING BALANCE | 0 | | 58,043.81 | BEGINNING BALANCE | 0 |
| REVENUES | 1,186.79 | | 3,755.87 | REVENUES | 6,777.65 |
| TOT ELECTION REVENUES | <u>1,186.79</u> | | <u>61,799.68</u> | TOTAL REVENUES | <u>6,777.65</u> |
| EXPENDITURES | <u>23,988.50</u> | | <u>24,714.77</u> | TOTAL EXPENDITURES | <u>5,460.90</u> |
| TOT ELECTION FUND BAL | <u>-22,801.71</u> | | 37,084.91 | TOTAL FUND BALANCE | 1,316.75 |
| | | | | RECRDERS TECH FUND | |
| | | | | BEGINNING BALANCE | 0 |
| | | | | REVENUES | 22,504.07 |
| | | | | | <u>59,589.96</u> |

TANEY COUNTY COMMISSION RECORD

| | | | | |
|------------------------------|------------------|--------------------------|------------------|------------------|
| | | TOTAL REVENUES | <u>22,504.07</u> | 353,224.05 |
| | | TOTAL EXPENDITURES | <u>1,239.25</u> | <u>22,484.21</u> |
| TRANSFER STATION FUND | | TOTAL FUND BALANCE | 21,264.82 | 330,739.84 |
| BEGINNING BALANCE | 0 | 578,192.38 | | |
| REVENUES | <u>91,002.05</u> | <u>276,343.76</u> | | |
| TOTAL TS REVENUES | <u>91,002.05</u> | <u>854,536.14</u> | | |
| EXPENDITURES | <u>75,277.91</u> | <u>232,523.21</u> | | |
| TOTAL TS FUND BAL | 15,724.14 | 622,012.93 | | |
| | | PA DEL TAX FUND | | |
| BEGINNING BALANCE | | | 0 | 8,541.73 |
| REVENUES | | | <u>37.79</u> | <u>285.12</u> |
| TOTAL REVENUES | | | <u>37.79</u> | <u>8,826.85</u> |
| TOTAL FUND BALANCE | | | 37.79 | 8,826.85 |
| | | LEPC FUND | | |
| BEGINNING BALANCE | 0 | 8,487.57 | | |
| REVENUES | <u>8.6</u> | <u>1,753.20</u> | | |
| TOTAL LEPC REVENUES | <u>8.6</u> | <u>10,240.77</u> | | |
| EXPENDITURES | <u>655.06</u> | <u>1,188.51</u> | | |
| TOT LEPC FUND BAL | <u>-646.46</u> | 9,052.26 | | |
| | | LLEBG | | |
| BEGINNING BALANCE | | | 0 | 0.21 |
| TOTAL REVENUES | | | <u>0</u> | <u>0.21</u> |
| TOTAL FUND BALANCE | | | 0 | 0.21 |
| | | FLOOD CONTROL | | |
| BEGINNING BALANCE | | | 0 | 46,086.46 |
| TOTAL REVENUES | | | <u>0</u> | <u>46,086.46</u> |
| TOTAL EXPENDITURES | | | 0 | 46,086.46 |
| | | DRUG FORFEITURE | | |
| BEGINNING BALANCE | | | 0 | 1,191.24 |
| REVENUES | | | <u>1.06</u> | <u>16.23</u> |
| TOTAL REVENUES | | | <u>1.06</u> | <u>1,207.47</u> |
| TOTAL FUND BALANCE | | | 1.06 | 1,207.47 |
| | | SHERIFF REVOLVING | | |
| BEGINNING BALANCE | | | 0 | 8,958.16 |
| REVENUES | | | <u>880.22</u> | <u>1,205.33</u> |
| TOTAL REVENUES | | | <u>880.22</u> | <u>10,163.49</u> |
| TOTAL EXPENDITURES | | | <u>7,324.19</u> | <u>7,324.19</u> |
| TOTAL FUND BALANCE | | | <u>-6,443.97</u> | 2,839.30 |
| | | VEST GRANT | | |
| BEGINNING BALANCE | | | 0 | 1,813.29 |
| REVENUES | | | <u>1.59</u> | <u>17.97</u> |
| TOTAL REVENUES | | | <u>1.59</u> | <u>1,831.26</u> |
| TOTAL FUND BALANCE | | | 1.59 | 1,831.26 |
| | | 911 FUND | | |
| BEGINNING BALANCE | 0 | 1,195,536.29 | | |
| REVENUES | <u>45,972.07</u> | <u>137,166.40</u> | | |
| TOTAL 911 REVENUES | <u>45,972.07</u> | <u>1,332,702.69</u> | | |
| EXPENDITURES | <u>22,383.41</u> | <u>47,773.40</u> | | |
| TOTAL 911 FUND BALANCE | 23,588.66 | 1,284,929.29 | | |

EXPBYDEPT

28-Feb-07

TANEY COUNTY EXPENSES BY DEPARTMENT

| | 2005 | 2006 | 2007 | 2007 | ACTUAL % |
|-------------------------|--------------|--------------|---------------|------------|----------|
| | ACTUALS | ACTUALS | APPROVED | ACTUALS | |
| COMMISSION | 344,425.64 | 344,288.98 | 599,280.15 | 50,735.13 | 8.50% |
| CLERK | 85,366.35 | 75,753.41 | 82,360.00 | 12,774.49 | 15.50% |
| ELECTIONS | 186,286.92 | 241,122.31 | 142,937.00 | 13,019.63 | 9.10% |
| BUILDINGS & GROUNDS | 415,026.70 | 627,115.35 | 430,788.40 | 67,044.50 | 15.60% |
| EMPLOYEES FRINGE BEN | 1,394,519.61 | 1,610,317.09 | 1,707,500.00 | 197,761.24 | 11.60% |
| TREASURER | 65,892.50 | 77,741.81 | 79,150.00 | 14,045.40 | 17.70% |
| COLLECTOR | 201,311.42 | 207,324.77 | 216,700.00 | 36,438.45 | 16.80% |
| CIRCUIT CLERK | 250,173.44 | 244,360.09 | 290,001.00 | 46,376.69 | 16.00% |
| COURT REPORTER | 2,036.52 | 1,361.12 | 2,112.00 | 227.67 | 10.80% |
| ASSOCIATE COURT DIV 1 | 30,131.79 | 35,486.73 | 37,650.00 | 5,187.07 | 13.80% |
| COURT ADMINISTRATION | 29,310.98 | 23,153.31 | 37,000.00 | 2,171.30 | 5.90% |
| PRESIDING CIRCUIT JUDGE | 27,738.21 | 35,947.74 | 43,548.16 | 2,531.73 | 5.80% |
| PUBLIC ADMINISTRATOR | 81,343.56 | 81,924.00 | 86,015.60 | 13,747.46 | 16.00% |
| OTHER EXPENSE | 1,698,358.80 | 3,974,891.29 | 36,193,552.91 | 965,418.54 | 2.70% |
| AUDITOR | 151,947.04 | 160,324.72 | 171,096.00 | 28,921.14 | 16.90% |
| CHILD SUPPORT | 30,645.56 | 26,000.74 | 48,720.00 | 4,029.88 | 8.30% |
| SHERIFF | 1,764,095.80 | 1,918,158.02 | 2,053,971.60 | 306,467.65 | 14.90% |
| JAIL | 993,810.53 | 1,015,321.73 | 1,153,538.50 | 165,103.99 | 14.30% |
| PROSECUTING ATT | 528,042.97 | 547,615.11 | 579,050.00 | 97,669.95 | 16.90% |
| JUVENILE | 106,480.62 | 114,178.37 | 124,715.72 | 21,225.12 | 17.00% |
| CORONER | 45,687.66 | 43,870.50 | 45,012.00 | 3,009.65 | 6.70% |
| HEALTH & WELFARE | 4,500.00 | 0 | 0 | 0 | 0.00% |
| TRANSFERS/DEBT SERVICE | 0 | 112,800.00 | 2,575,860.00 | 0 | 0.00% |
| ASSOC COURT DIV 2 | 22,205.47 | 20,448.19 | 37,900.00 | 4,959.52 | 13.10% |
| CIRCUIT CLERK | 17,036.18 | 28,926.28 | 26,800.00 | 3,290.63 | 12.30% |
| INDUSTRIAL DEV | 46,561.97 | 38,909.58 | 66,200.00 | 6,151.48 | 9.30% |
| PLANNING & ZONING | 222,670.94 | 247,108.12 | 263,520.00 | 24,582.24 | 9.30% |
| EXTENSION | 44,734.26 | 46,234.88 | 46,430.00 | 6,205.99 | 13.40% |
| SEWER | 258,891.27 | 287,972.66 | 317,663.00 | 50,874.97 | 16.00% |
| INFORMATION SYSTEMS | 214,897.31 | 239,293.77 | 325,130.00 | 47,618.44 | 14.60% |
| ANIMAL CONTROL | 82,027.40 | 79,242.96 | 93,684.00 | 12,444.51 | 13.30% |
| EM MANAGERMENTS | 181,994.00 | 151,575.36 | 265,473.40 | 2,844.39 | 1.10% |

TANEY COUNTY COMMISSION RECORD

| | | | | | | |
|------------------------|---------------|---------------|---------------|--------------|---------------|-------|
| AIRPORT | 307,916.66 | 796,140.84 | 802,728.00 | 74,136.35 | 9.20% | |
| TOTAL | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 2,287,015.20 | 4.70% | |
| GCR BEGINNING BALANCE | 13,154,890.79 | 14,012,380.91 | | 0 | 16,176,676.53 | 0.00% |
| GCR TOTAL REVENUES | 10,693,558.20 | 15,619,205.45 | 32,769,410.91 | 2,174,292.36 | | 6.60% |
| GCR TOTAL EXPENDITURES | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 2,287,015.20 | | 4.70% |

The Auditor reported that the Sales Tax Revenues are up, while the balance is down, due to construction of the Judicial Facility adding that the total in the General County Revenue (GCR) is currently \$14,237,239.73.

SPRING MEADOW SUBDIVISION DANNY STRAHAN

Commissioner Strahan reminded the Commission that Alan Nugent appeared regarding Spring Meadow Subdivision and asked the Commission to rename a street in that area.

Presiding Commissioner Pennel reported that he has checked with 911 Services, and they said 911 and others have been using this name for over 12 years. Commissioner Pennel further reported that Mr. Nugent has informed him the culverts would be modified, as requested by the Road & Bridge Department and added the Commission could supply the Homeowners Association with a budget as to how much the needed changes would cost, in order for the county to be able to take the roads into the system.

Commission Pennel made a motion to take into the road system, consisting of Wind Ridge and North Fork, which will end at their intersection, Sand Piper, Catella, Maplewood, Primrose, and Spring Meadow Parkway, contingent upon the Homeowners' Association paying for the needed changes and having the fence moved off of the right-of-way. Commission Pennel added that the Homeowners' Association would have to fulfill their obligations within six months of this motion.

Commissioner Herschend cautioned the county not to take on costly projects that may not be in the best interest of citizens.

Commissioner Strahan seconded the motion. The motion carried a by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

CLOSING THE TOP OF THE ROCK ROAD RON HERSCHEND

Commissioner Herschend asked the Commission to take action on the issue of the closing of the Top of the Rock Road. Commissioner Herschend informed that the State mistakenly gave Top of the Rock permission to close the road, which had already been given to the County.

Commissioner Herschend made a motion to allow the developer to stop traffic at its southern most property line, so as to do construction, until the County can vacate this road. Presiding Commissioner Pennel seconded the motion. Commissioner Pennel commented that it would not be a safe place to cross if left open. The motion carried a by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RE-ESTABLISHING QUARTERLY BRANSON MEETING CHUCK PENNEL

Presiding Commissioner Pennel reported that the newly elected officials for the City of Branson have contacted him about re-establishing quarterly meetings between the City and the County.

Commissioner Herschend said that regular communication between the entities help with working relationships. Commissioner Strahan commented that the County meets regularly with the City of Hollister and looks forward to meeting regularly with the City of Branson.

TANEY COUNTY COMMISSION RECORD

ELECTION RESULTS

Donna Neeley, County Clerk wanted to present to the Commission the Certification of Election Results for the Road and Bridge Tax. Commissioner Herschend added that the re-imposition of the tax would take place when the current tax expires.

ROUTINE BUSINESS APPROVAL OF MINUTES

Presiding Commissioner Pennel made a motion to table the approval of minutes. Commissioner Strahan seconded the motion to table. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #100181-100320 and warrants #4645-4646 with the exception of #100230 and #100220. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve accounts payable check #100220. Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve accounts payable check #100230. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

ANIMAL CONTROL FACILITY

Commissioner Pennel informed that he is on the agenda of the City of Branson in regards to animal occupancy. Commissioner Pennel added that Mickey Gilley did two benefit shows for the Animal Control Facility and added that the county wanted to take a couple of animals to the benefit shows, but did not because of the animal occupancy regulation in that city. Commissioner Pennel further explained that he had his staff do a survey of other areas and found that no others have this regulation.

TIF

Presiding Commissioner Pennel met with executives of Wal-Mart, regarding the non-municipal taxes that will be captured by the TIF in Branson Hills. Commissioner Pennel commented that he would like to see those funds sent to the corresponding entities and added the TIF tax dollars that would be going to those areas, would be used to pay for the land where Wal-Mart will be built.

MORNING GLORY ROAD

Commissioner Strahan stated that he was contacted by a citizen who lives on Morning Glory Road in Rockaway Beach in an un-platted subdivision and needs help from the Commission. Commissioner Strahan further explained that the residents are asking to have a platted road that runs through their home vacated. Commissioner Strahan asked Mr. Paulson to determine how this type of issue should be addressed, as it is not unique to the County.

BOE

Commissioner Herschend made a motion to table BOE. Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

Commissioner Herschend made a motion to and to go into Executive Session after a five-minute recess in order to discuss Contracts pursuant to RSMo 610.021 (1), Lawsuits, name

TANEY COUNTY COMMISSION RECORD

ownerships, and TIF's. Presiding Commissioner Pennel seconded the motion. The motion carried by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Lisa Owen and edited by Hillary Bargman



APRIL 10, 2007 THE 4TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 1:30 p.m. pursuant to adjourn with Danny Strahan, Eastern District and Ron Herschend, Western District present. Chuck Pennel, Presiding was absent. The following proceedings were had and made a matter of record.

TEMPORARY PRESIDING

Donna Neeley, County Clerk swore Danny Strahan in as Temporary Presiding Commissioner in the absence of Chuck Pennel.

SEPTAGON UPDATE

Septagon updated the Commission on the Judicial Center.

Commissioner Herschend made a motion to release 5% of retainage on the Tindall Corporation erection contract of \$118.00 and that the county release 5% on the Tindall Corporation fabrication contract when the punch list is complete. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

PRECAST DOORS

Commissioner Strahan made a motion to accept PR#4 to re-size and relocate (4) doors in pre-cast. Commissioner Herschend seconded the motion.

Note: This results in a deduct change order to Walton in the amount of \$138.00.

The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

RFI 123

Commissioner Herschend made a motion to approve RFI 123 to change a toilet valve and add an access door for an inmate toilet in the kitchen.

Note: A request for a change order has been received from Walton for additional money which results in an add change order in the amount of \$1,272.00.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

Ordered that the Commission recess.

Minutes taken and typed by: Lisa Owen and edited by Hillary Bargman



APRIL 16, 2007 THE 5TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Associate II Circuit Courtroom at 9:01 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Danny Strahan, Eastern District, and Ron Herschend, Western District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

The prayer was led by Helen Souttee followed by the pledge.

LAKE ROAD ORDINANCE

Presiding Commissioner Pennel stated that he received a call from Bill Stevenson in regards to the status on the issue brought up a year ago on the Corp of Engineers closing roads around the lake. Commissioner Pennel went on to state that Mr. Stevenson would like the Commission to approve an ordinance that he believes would stop the Corp from closing roads. Commissioner Pennel said in an effort to get this issue back on the table he made copies of the ordinance and mentioned it to Bob Paulson, County Counselor.

Bob Paulson, County Counselor suggested that this would be a work session issue. Commissioner Pennel clarified that he has not gotten a list to Mark Case who got the Commission a sign of sheet with a list of names to serve on a committee and the Commission has never gotten a list back to him to set up a committee.

Commissioner Strahan stated he visited with John Hyzer from the Corp of Engineers and reported that he seemed to be in a cooperative mood and admittedly spoke to Strahan about some regulations that they were going to try and get around in regards to some parks and roads. Commissioner Strahan explained that he doesn't know of any road closings that have taken place since the drive around with the Corp.

Commissioner Pennel added that Mr. Stevenson also mentioned a parking lot being built on Slough Hollow and thought the next step would be to close some roads in that area. Commissioner Strahan clarified it was his understanding that parking areas were going to take place anyways and Slough Hollow was mentioned in a meeting in which it was stated that the parking area was for people to get off of the county road there. Commissioner Strahan further expressed that he was encouraged by his conversation with Mr. Hyzer.

Commissioner Strahan made a motion to table the Lake Road Ordinance in order to have a chance to look at it and then further discuss it in a work session. Commissioner Herschend seconded the motion to table for discussion.

Commissioner Herschend asked Bob Paulson, County Counselor how binding a county ordinance is on the federal government? Mr. Paulson answered that it depends and explained that the federal statute would preempt any state or local statute however, if it is not in conflict but rather in compliance with federal statute then it may be to the extent that they would allow the county to regulate activity on Corp land. Mr. Paulson read the following statute 327.26: "Except as otherwise provided in this part by federal law or regulation, state and local laws and ordinances shall apply in project lands and waters, this includes but is not limited to state and local laws and ordinances governing operation use of motor vehicles, vessels, and aircrafts." Mr. Paulson clarified the statute is an example that the county needs to look at the federal statutes to see what they permit them to regulate or not regulate.

Commissioner Herschend then asked if the county were to adopt such an ordinance with language that includes the fact that they are able to regulate civil disobedience, criminal acts, littering, sanitation, pollution, and alcohol control substance if the county is setting up to where they would have to reinforce those? Mr. Paulson clarified that in the statute it talks about court or the federal government being able to enforce state or local ordinances, but as far as the county putting itself in a situation where they may be responsible for enforcing ordinances then they would be responsible. A general discussion ensued.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UTILITY BEDS

Tressa Luttrell, Administrator stated that on April 2, 2007 she presented the Commission bids for utility beds and reminded them that there was a lengthy discussion in regards to Bus Andrews. Ms. Luttrell informed that since the meeting Bus Andrews has come back and said if the county were to install the beds themselves they would take \$2,165 off of each truck, which brings the bid from \$61,821 down to \$57,491.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan stated that he asked Jacob Rock, Road and Bridge Supervisor last week and Mr. Rock felt they could put both of them on for the price Bus Andrew's was deducting for one.

Commissioner Herschend asked if it impacts warranty? Ms. Luttrell clarified that this was a note from Mr. Rock and that she did not talk to the gentlemen.

Commissioner Strahan made a motion to table this until shoptalk tomorrow at 10:00 a.m. Commissioner Pennel seconded the motion to table. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (yea).

WHEEL LOADER BID AWARDS

Tressa Luttrell, Administrator stated that she took the bid for a wheel loader on March 30, 2007 and then turned it over to Road and Bridge. Ms. Luttrell further explained that six vendors turned in bids and Jacob Rock, Road and Bridge Supervisor recommended Fabric for a Catpillar 966H with the initial cost of \$289,999, which includes a guaranteed buy back of \$156,000.

Randy Haes, Road and Bridge suggested that the Commission table this in order to give them a chance to review because we didn't get to talk about it in shoptalk.

Commissioner Strahan made a motion to table the bid for a wheel loader in order to give the Commission a chance to review and discuss it in shoptalk tomorrow. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Presiding Commission Pennel made a motion to approve minutes from February 26, 2007, March 22 and 27, 2007, and April 10, 2007. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #100322-100542 and warrants #4649-4650. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

Bob Schanz informed the Commission that he went to a Roy Blunt function in Greene County and observed that there was representation from both Green and Webster however the only representation from Taney County were Leon Combs, Jack Goodman, and himself. Mr. Schanz suggested that the Commission send some elected officials to related functions in the future.

Commissioner Herschend clarified that not only does the county ask Senator Roy Blunt for millions of dollars worth of support but also Senator Kit Bond and yet there is no representation at functions. Commissioner Herschend further expressed that he feels Mr. Schanz has a good point adding that he understands county funds couldn't be used to attend such functions.

Presiding Commissioner Pennel stated that he took Mr. Schanz's point well and expressed his appreciation for the reminder, adding that the Commissioner's do make a lot of meetings and do show appreciation to Elected Officials.

Mr. Schanz then brought up the Animal Control Facility and inquired as to whether or not the Animal Control Facility was shut down at the time Commission Pennel was speaking to the City of Branson. Commissioner Pennel explained that to his knowledge it was not.

Bob Schanz read an inspection report that said, "The exit interview was conducted by Chuck Pennel." Mr. Schanz further read the following from the inspection report: "As of today's

TANEY COUNTY COMMISSION RECORD

date the facility is operating without a Animal Care Facility Act (ACFA) License under technically circumstances that the facility is not legally allowed to receive or adopt animals to the general public and must renew that.”

Commissioner Pennel clarified that Mr. Schanz asked him a question and he answered it, and then asked if the report said the Animal Control Facility was shut down? A general discussion ensued.

Commissioner Pennel clarified that the Animal Control Shelter was not shut down and suggested that Mr. Schanz call and see if the inspector shut the shelter down. Commissioner Pennel further expressed that he does not feel they shut the shelter down and that it was a good meeting with the inspector adding that they are working to improve some of the issues discussed in the inspection.

STEVE REDFORD

Steve Redford addressed the Commission in regards to a notice of violation he received over a Planning and Zoning matter next to Sycamore Farms. Mr. Redford explained it was a statement of record that was part of Sycamore Farms and was sold as a large track of land adding that the people subsequently developed it with private roads. Mr. Redford further explained that he informed Commission Herschend of the situation and he went and looked at the roads and agreed with Mr. Redford that the road were inadequately built, narrow with no cul-de-sacs. Mr. Redford reiterated that Planning and Zoning sent him the violation and he sent a letter to them explaining that his company was not part of the Sycamore Farms subdivision. Mr. Redford stated that he has not yet received a retraction of the notice of violation.

Bob Paulson, County Counselor informed that he was aware of a letter being sent to Mr. Redford and that he has seen the letter from Mr. Redford demanding the notice of violation be lifted within three days. Mr. Paulson added there has been no communication back to Mr. Redford or his company since receiving his letter. Mr. Paulson further explained that Kurt Larsen, Planning and Zoning has spoken to him concerning this issue and he felt although Mr. Redford reported the problem it didn't conform with the decision of record and they were substandard roads in which Mr. Redford's company was still responsible for.

Mr. Redford explained that he bought a 228 acre track and sold 30 or 40 acres to a third party then he got a subdivision in three acre parcels on the balance of 3,5,6,7 acre parcels and built the roads. Mr. Redford went on to explain that after that, the people who bought the 30 to 40 acres came to P&Z and did another request to further subdivide the 30 to 40 acres requesting to build private roads. Mr. Redford stated that this is all clear in a letter and expressed he felt it was inappropriate that P&Z sent him a violation when they wouldn't know about it unless he went over there. Mr. Redford then stated that brings him to the second issue in regards to the road repair on Sycamore Church Road adding they are getting ready to pave phases 5, 6, and 7 at Stone Bridge, which should be done in the next few weeks.

Commissioner Strahan clarified that issue is in regards to an agreement that Mr. Redford made with the county earlier. Mr. Redford expressed he just wanted to report on that issue while he was at the meeting because it was scheduled to be done in the spring and it is now the spring. A general discussion ensued.

Commissioner Herschend stated that he would put the issue of the notice of violation on the front burner and have an answer for Mr. Redford on Wednesday.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (12). Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Hillary Bargman

TANEY COUNTY COMMISSION RECORD



APRIL 18, 2007 THE 9TH DAY OF
THE APRIL ADJOURN TERM

The County Commission met by way of phone conference at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve the following payroll warrants.

| | |
|---------------------------------|------------------------------|
| General County Revenue Warrants | 102622-102624, 102658-102696 |
| Road & Bridge Trust Warrants | 102626-102650 |
| Assessors Fund Warrants | 102625, 102651-102654 |
| Transfer Station Warrants | 102655-102657 |
| 911 Warrants | None |
| Manual Warrants | 4651-4654 |
| Accounts Payable Warrants | 100543-100561, 100654-100655 |

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

Minutes taken via telephone by: Stacey Clemans and typed by Hillary Bargman.

RECONVENE

The County Commission met in the Commission Office at 10:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

JOURNAL ENTRIES

Commissioner Pennel made a motion to approve the following Journal Entries:

Powersite Park Project - \$11,120.49
Masonic Lodge - \$38,652.29
Repair Work at the Transfer Station - \$2,655.76
Work at the Transfer Station - \$457.07
Sheriff's Office Parking Lot - \$936.20
Recycle Center Work - \$341.60
Spring Clean Up - East - denied
Spring Clean Up - West - denied

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Equipment costs were not approved to be included with these journal entries.

REINFORCEMENT OF STEEL WALTON CONSTRUCTION

Commissioner Strahan made a motion to approve PR19 for Walton Construction in the amount of \$3,073.00 (not to exceed) for the reinforcement of steel for the deck concrete at the chase.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WHEEL LOADER BID

Commissioner Herschend made a motion to reject the bid for a Wheel Loader and go back out for a smaller unit.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROOF REPLACEMENT BID SHERIFF/JAIL BUILDING

Commissioner Herschend made a motion to reject the bid for the roof replacement (which would be self-performed) on the current Sheriff/Jail building.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Herschend exited the meeting

OFFICE SUPPLIER BID

Commissioner Strahan made a motion to approve the bid from Office Max as the main office supplier for the county and to approve Corporate Express, Global Government, and Quill Corporation as approved vendors.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

UTILITY BEDS BID

Commissioner Strahan made a motion to approve the bid for Utility Beds from Kranz with the exception of only purchasing one.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

REIMBURSEMENT UNITED MISSOURI BANK

Commissioner Pennel made a motion to approve Reimbursement #8 to UMB for the Judicial Facility Bonds in the amount of \$1,399,490.44.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone and typed by: Hillary Bargman



APRIL 23, 2007 THE 7TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

TANEY COUNTY COMMISSION RECORD

CASTLE ROCK BRIAN HAYES

Brian Hayes explained that he has been going through the Planning and Zoning (P&Z) process and the Plat has been approved. Mr. Hayes further explained that one of the requirements was to meet with the Commission and come to an agreement of assurance in regards to a bridge where the low water bridge is located. Mr. Hayes inquired as to the status of the bridge in Castle Rock as far the counties timeline.

Commissioner Strahan explained that the bridge is on the charts for Road and Bridge and they have done a traffic count however it was small at the time the count was done. Commissioner Strahan further explained that the Commission has talked about several options for the bridge in regards to both safety and cost effective purposes. Commissioner Strahan added he was at the P&Z meeting where they spoke about cost sharing.

Mr. Hayes clarified that they are trying to make the lowest impact possible, out in that area, with the estates they are putting in and added that they have 89, ten-acre tracks and 15 that are below 10 acres. Mr. Hayes reported that financially it would be difficult to spend a lot of money on the bridge and still maintain the low impact development, so in keeping that in mind they might have to go back to the drawing board. Mr. Hayes clarified that if they were asked to contribute financially they would have to do something different with their plat and added they would be willing to consider doing that.

Commissioner Strahan informed Mr. Hayes that the county has several projects and at least three bridges have already been engineered whereas this bridge has not yet been engineered.

Bob Paulson explained that P&Z cannot dictate what the current state enabling statutes or local regulations are, in regards to putting in or paying for bridges but can require that the necessary improvements be in place before approving a project. Mr. Paulson clarified that P&Z merely required that this bridge be in place and if it's not then the project is not approved but they didn't dictate that Mr. Hayes has to pay for anything.

Mr. Hayes added he understood from the letter that there needed to be an agreement or assurance in place that the bridge would be constructed before they can file their plat.

Commissioner Herschend expressed the Commission is in an awkward position as this bridge is used more as a swimming hole than a traffic bridge. Commissioner Herschend stated eleven cars a day does not justify spending the expenditure of several hundred thousand dollars for a bridge located in the right place with an elevation that would preclude flooding in the future. Commissioner Herschend explained that the Commission feels it doesn't make a lot of sense to spend \$20,000 to \$30,000 per car for a bridge and the only other reason for putting in the bridge would be to support Mr. Hayes and his development, which they can't and won't do.

Mr. Hayes expressed that he understands that but according to P&Z they needed an assurance or agreement that when the bridge became necessary then it would be built. A general discussion ensued.

Presiding Commissioner Pennel asked if the Commission would be agreeable to do the engineering on this bridge? Commissioner Pennel stated that even if Mr. Hayes had not come before the Commission this bridge is on the counties schedule to look at because of the safety issue.

Bob Paulson suggested getting a ballpark figure as to how much it will cost before doing the engineering and that way if the ballpark is out of Mr. Hayes price range, then the county wouldn't be wasting money on engineering.

Commissioner Herschend agreed with Mr. Paulson and added that in 1986 there was engineering done on Bear Creek and nothing was done on it until 2 1/2 years ago and they had to re-engineer the bridge so the money was thrown away the first time because it had to be done again. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel stated that the Commission would move forward and get with an engineering company, then get back to Mr. Hayes.

REPORT ON BILL PAYING AND CASH FLOWS RON HERSCHEND

Commissioner Herschend stated that John Soutee asked about bills that needed to be paid for the Bee Creek sewer project and expressed there seemed to be some issue as to when they could be paid. Commissioner Herschend added that he asked Helen to report as to where the county is on cash flow and what the Commission can do to help.

Helen Soutee, Treasurer explained back when the county had the meeting about the bonds and draws with Jack Dillingham and Piper Jaffrey, it was decided that United Missouri Bank (UMB) would be making the payments and the county would not be dipping into the county funds until later in September. Ms. Soutee added that she took from that information that she could continue to invest the counties revenue as it came in and then in March she realized that the checking account was dwindling and the money was not going back in. Ms. Soutee commented that she then asked and was informed of a decision made that the county is now paying the bills and a reimbursement has not been gotten, so at that time the fund had gotten a little low. Ms. Soutee added that she has now stopped investing sales tax and they have that to run on as well as a CD she cashed in the amount of \$500,000. Ms. Soutee clarified that the funds went down because the county had big checks going out and reimbursements not coming in. Ms. Soutee further clarified the situation last week that Commissioner Herschend asked about and explained how she is reconciling the issue.

Commissioner Herschend clarified that this isn't Ms. Soutee's problem and that there are two huge construction projects going on at the same time. Ms. Soutee added she was not aware UMB was holding payments and that the county was now paying. Commissioner Herschend clarified that there was some paper work lost on the part of UMB and expressed that he wants to help make this process better. Ms. Soutee expressed that she feels the process of handling checks will change in her office now that she is aware of this situation. A lengthy discussion ensued.

Commissioner Herschend suggested scheduling a work session with the Commission, Septagon, and Ms. Soutee to further discuss these issues and determine the best process for payments. Commissioner Strahan expressed that the Commission should also invite John Soutee, Sewer Department to the work session.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from April 4, 2007. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve checks# 100562-100653 and to pull checks #100588 and 100614 for Carls Repair to be approved contingent upon a PO and proper documentation. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda to allow James Strahan, Assessor to address the Commission with the understanding that he made the attempt to get on the agenda last week. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

STATE TAX COMMISSION REIMBURSEMENT JAMES STRAHAN

James Strahan updated the Commission as to the lawsuit that he filed against the State Tax Commission (STC) for reimbursement money. Mr. Strahan added that it seems the STC is going to use the money as pressure point to get the Assessor to do things he will not do. Mr.

TANEY COUNTY COMMISSION RECORD

Strahan then asked the Commission if they would be willing to reimburse that money as per quarter last year with full repayment upon receiving those funds at the time of reimbursement by the STC. Mr. Strahan went on to state that Rick Findley, Auditor and himself looked at his budget and concluded that he has enough monies up through the May 13, 2007 payroll.

Commissioner Strahan clarified that the monies they have been operating on up through May 13, 2007 are monies that the County has expended not the state and asked if he is asking for monies from May 13, 2007 on? James Strahan explained that it can be looked at either way and added that the monies that are their now are from the 2006 collection and no money has come from the state since April 2006. Mr. Strahan then stated that he would be asking Bill McCullough to look into filing a separate law suite requiring the state to pay labor expended bills.

Bob Paulson, County Counselor explained that the STC have been served for the first lawsuit and must file some kind of response soon. Mr. Strahan explained that the lawsuit simply states he wants to know why, who, when, and how.

Commissioner Herschend stated he agrees that money expended for labor should be paid for, however there could also come a time when the county doesn't have the money without impacting some other departments. Commissioner Herschend then asked Mr. Strahan exactly what he is asking for to make sure the county has enough in contingency to make that commitment.

James Strahan explained that his expenditures have always been paid out per quarter and he would like roughly \$60,000 a quarter. Assessor Strahan then explained that whenever he runs out of monies, he would like to see the County Commission whenever he runs out of monies; put \$60,000 per quarter in his fund. Assessor Strahan stated that he does not want a big flush of money transferred to his fund and that as soon as the STC reimburses him then the money would go back to the county. A general discussion ensued.

Commissioner Herschend made a motion to advance \$60,000 to the Assessor's Fund to be reimbursed when the state reimburses the county for past monies owed.

Rick Findley, Auditor clarified that he doesn't think Mr. Strahan wants it right now because he still has approximately \$70,000 in his fund so it will probably be next month before he needs it. Mr. Findley then explained that \$60,000 might not be needed and suggested waiting to get a more accurate figure. Mr. Strahan added that he could go back through past years to get a better idea as to how much it will be per quarter.

Commissioner Herschend expressed that he would like to go ahead and see if his motion gets a second, adding that if it is different than the \$60,000 they can go back and ratify. Commissioner Herschend further expressed that this way Mr. Strahan has his decision today and the public knows that the Commission is standing behind him. James Strahan expressed his appreciation to the Commission.

Commissioner Strahan seconded the motion.

Commissioner Pennel then expressed his concern that the county hasn't gotten any reimbursement from the state since April 2006 and asked how the Assessor's Office has been able to run a year without reimbursement? James Strahan explained that the Assessor's Office could run off of half collection that is taken off of the Collector's Office and is deposited in so he can run his office. Mr. Strahan added that he has run his office conservatively this year and further stated that he could have ran his office through June except he hired two extra employees to ensure that he got the books done so he wouldn't get to a non-compliance level.

Commissioner Pennel further expressed his concern about the second lawsuit and stated that he doesn't see where Mr. Strahan is heading with it or where it ends? A lengthy discussion ensued.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

BEE CREEK ROAD

Commissioner Herschend updated the Commission on the traffic situation on Bee Creek Road and explained they are in the process of letting people traveling southbound know about the congestion. Commissioner Herschend added that Sheriff Russell's staff is helping with the traffic and congestion by directing traffic and the radio station has done a good job getting the message out to the public.

Minutes taken and typed by: Hillary Bargman



APRIL 27, 2007 THE 8TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Branson Underground at 10:20 a.m. pursuant to adjourn via telephone with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

PLANNING AND ZONING BUILDING PERMITS

Commissioner Pennel stated that Planning and Zoning has given building permits on less than two acres if platted years past as long as it met septic requirements.

Commissioner Pennel made a motion that until the Planning & Zoning Commission can address this issue and make a recommendation to the County Commission that they instruct the staff to give permits until the recommendation is received. Commissioner Strahan seconded the motion.

Bob Paulson, County Counselor clarified that they won't be doing anything different, legally, than they have been doing, but expressed that he would like to present why they don't do this. Mr. Paulson stated consistency would be a problem with the development this issue is concerning and that his opinion has not changed.

Commissioner Pennel withdrew his previous motion. Commissioner Strahan withdrew his second.

Commissioner Pennel made a motion that Planning & Zoning continue to interpret the code as to platted lots until this issue could get clarified. Commissioner Strahan seconded the motion.

Donna Clevenger, Branson Daily News asked if it makes any difference of when the land was purchased? Mr. Paulson stated no, it is when it was platted.

Jeff Kenyon asked if someone's house burns down without septic would they be allowed to rebuild? Mr. Paulson stated yes, but there are some issues. Commissioner Pennel clarified that if this vote passes, the person would rebuild but when clarification takes place it may be different. Mr. Paulson added that no one wants to prevent anyone from rebuilding.

The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken by Donna Neeley and typed by Hillary Bargman



APRIL 30, 2007 THE 9TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

The prayer was led by Ron Herschend followed by the pledge.

BRIAN HAYES

Brian Hayes addressed the commission and suggested setting up a time to meet and go look at the area.

Commissioner Herschend suggested getting the bridge designers and asking them for their recommendations, adding they would be able to give a ballpark estimate.

Commissioner Herschend added that one of the things they needed to look at is if they want to build out of the flood plain and out of the stream; it would need to be built up to get out of the flood plain.

Commissioner Strahan responded that there would be a possibility if they talked to Planning and Zoning about the two other entrances something could be designated to close a road and have traffic go the other way.

Brian Hayes stated that the road is tough through there and one other real issue was that that area was concerned to be a public access area and people use it. Mr. Hayes added that the conservation contacted them to make a public assess and it takes liability off of them but the problem with that was if they don't want it there, then the public would have to come in through privately owned property.

Commissioner Herschend asked if they have anything that precludes people from parking on public right of way and if not should they. Commissioner Herschend added that it could be a parking safety issue.

DASH MOUNTED RADAR BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Commission Assistant, presented the commission with the bids for a dash-mounted radar for the sheriff. Tressa Luttrell stated that there were two proposals: Applied Concepts and MPH Industries. Tressa Luttrell added that Jimmy Russell, Taney County Sheriff, recommended MPH Industries.

Commissioner Strahan made a motion to approve.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from April 16, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS PAYABLE

Commissioner Strahan made a motion to approve accounts payable checks #100657 – 100753 and warrant #4655.

Commissioner Pennel seconded the motion.

Rick Findley, Taney County Auditor, stated that there were two checks that were held.

Commissioner Strahan amended his motion to include two warrants from last week.

Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD



MAY 2, 2007 THE 10TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 8:56 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were heard and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 102729 - 102759 |
| Road & Bridge Trust Warrants | 102697 - 102721 |
| Assessors Fund Warrants | 102722 - 102725 |
| Transfer Station Warrants | 102726 - 102728 |
| 911 Warrants | None |
| Manual Warrants | 4656 - 4657 |
| Accounts Payable Warrants | 100754 - 100768 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone and typed by: Hillary Bargman



MAY 3, 2007 THE 11TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met at the County Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were heard and made a matter of record.

BULL CREEK PARK AND SEWER CREAGH TUCKER

Commissioner Strahan made a motion to approve a settlement agreement with the Village of Bull Creek in regards to sewer. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend further explained that there is also a promissory note in which the Commission agreed to accept outlying repayment of money being extended for Bull Creek sewer with a 2.7% interest rate for what was being paid.

Minutes taken via telephone and typed by: Hillary Bargman



MAY 7, 2007 THE 12TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

TANEY COUNTY COMMISSION RECORD

HILLSIDE DRIVE ROAD PETITION LINDA WOOSTER

Linda Wooster addressed the Commission in regards to the Hillside Drive road petition and inquired as to why it is on hold? Ms. Wooster further asked why the county takes care of Lake View when it is not in the county?

Presiding Commissioner Pennel asked if Ms. Wooster was saying Lake View is not a road that the county maintains but are maintaining it? Ms. Wooster responded that is what she is told. Commissioner Pennel and Commissioner Strahan both stated they are not aware of that but would check into it. Ms. Wooster stated a neighbor tells her they come down three or four times a year to take care of her road, adding she owns property on both sides of the street down on Lake View. Ms. Wooster further expressed that she would not give any land as it is too valuable and she was holding on to sell it.

Commissioner Strahan expressed that this is where the county runs into problems as far as taking a road in and explained that a road has to have a 30-foot easement on it. Commissioner Strahan further explained there is a policy requiring the county not take anything in that is less than 40-feet which is the reason the Commission sent the petitioners back to find out if people would be willing to give the extra footage to put the county road in. Commissioner Strahan went on to state that it is hard to maintain a road not already being maintained if it is less than 40-feet because of the ditches and end slopes and the county also requires a 20-foot road surface. Commissioner Strahan informed there are two issues that have not been addressed which are the chain length fence and the proper easements, which is why the Commission has not done anything in regards to this road.

Ms. Wooster reported that the property owners have signed and are willing to give up land in order to have a road that is decent to drive on.

Commissioner Strahan explained that the first hurdle to be cleared would be the turn around and if the people won't give the right-of-way to turn around, then he doesn't see the county taking in the road due to the fact that they won't be able to maintain it properly. Commissioner Strahan added they would check to see if the county maintains the road or not. A general discussion ensued.

Commissioner Herschend expressed that the Commission needs to have a property owner interested in this project and requested they secure the right of way for both the additional easement and the cul-de-sac and when these things are done the Commission can look at the road.

Barbara Keys at 175 Hillside Drive said the county did take care of the road in years past and asked if it is a through road, then why can't the county have the road department fix it? Commissioner Pennel asked Ms. Keys if she has property the county could use as a turn around? Ms. Keys responded "no" adding they don't live that far down. Commissioner Strahan then asked if Ms. Keys knows who owns the property that would be the closest for the cul-de-sac to be put in? Ms. Keys replied that Alice Thurman is the closest.

Patricia Moore, Property Owner stated that the road is full of potholes and it is in terrible condition.

Commissioner Strahan said there is not anything they can do today and explained that all the easements would have to be in a letter of intent or something would have to be signed to show individuals who own property would be willing to give them up. Bob Paulson, County Counselor clarified when easements are required the county has to have some kind evidence that the easements are available.

Commissioner Herschend recommended getting Eugene with Road and Bridge to go out and paint a cul-de-sac on the ground and actually see if they could get an easement for it. A general discussion ensued.

Commissioner Pennel made a motion to table the Hillside Drive road petition. Commissioner Strahan seconded the motion to table and committed to go look at the road

TANEY COUNTY COMMISSION RECORD

sometime this week. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

LAKE ROAD ORDINANCE

Presiding Commissioner Pennel requested that Tressa Luttrell, Administrator set up a work session so the Commission can work on the Lake Road Ordinance issue. Commissioner Pennel then asked Bob Paulson, County Counselor if there is anything the Commission could do to help as far as preparing for the work session? Mr. Paulson suggested calling the Missouri Association of Counties (MAC) to see what they have to say.

Commissioner Pennel expressed that he thought there might be someone who has crossed this bridge before and might have an ordinance the county could work off of.

ROAD RELIQUISH AGREEMENT

Presiding Commissioner Pennel informed that he got a call from MODOT and presented a list of the right-of-ways for roads the county already maintains, adding most are on old Hwy 65. Commissioner Pennel stated they want to give the right-of-ways for roads the county already maintains for the construction of the new Hwy 65 south.

Commissioner Pennel made a motion to approve the signing of these agreements contingent upon review by Bob Paulson, County Counselor and the Road and Bridge Department and with the understanding that these are not new roads. Commissioner Strahan seconded the motion.

Commissioner Herschend clarified that the county has been mowing a lot of these roads because they knew they were responsible for them even though they didn't own the property. Commissioner Herschend further expressed a concern that pieces of the system are missing and asked who owns from the intersection through Branson Creek and who owns the connection between Freeman and the State Hwy?

Commissioner Pennel clarified that the state gets the county to take over maintenance but they keep the right-of-way in case the county didn't maintain it well enough.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

RESOLUTION AUTHORIZING CONVEYANCE BOB PAULSON

Bob Paulson, County Counselor stated that he prepared a resolution for the Commission that has a Deed and Satisfaction of Real Estate Contract. Mr. Paulson explained that last year the county obtained the Old Masonic Lodge building and a piece of property that was located on the first building of the court house and promised to build on a lot next to the annex. Mr. Paulson reported that the county has done that and now need to deed it over in order to keep their promise.

Commissioner Strahan made a motion to accept and approve this resolution Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Commissioner Pennel added that the Masonic Lodge is having a ceremony on May 20, 2007 and the State folks are coming down.

EMERGENCY MANAGEMENT CONTRACT BOB PAULSON

Bob Paulson, County Counselor presented the following resolution and this is an Emergency Management Contract in effect and this is an agreement between Taney and Boone County to cooperate with Emergency Management and with Western Taney Fire Department.

TANEY COUNTY COMMISSION RECORD

A RESOLUTION APPROVING THE ATTACHED MEMORANDUM OF UNDERSTANDING AND AUTHORIZING THE TANEY COUNTY PRESIDING COMMISSIONER TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING BETWEEN TANEY COUNTY, MISSOURI'S OFFICE OF EMERGENCY MANAGEMENT AND THE BOONE COUNTY, ARKANSAS OFFICE OF EMERGENCY MANAGEMENT

RECITALS:

1. The Taney County Commission finds that entering into a cooperative agreement with Boone County, Arkansas for the effective delivery of emergency management services in Taney County, Missouri, including help when needed from emergency workers from Boone County, Arkansas, is in the best interests of the citizens of Taney County, Missouri.
2. In return for the cooperative agreement for Boone County, Arkansas to assist in emergencies in Taney County, Taney County agrees that its emergency workers will assist when necessary in responding to emergencies in Boone County, Arkansas.
3. The Taney County Commission finds that this cooperative agreement will serve to enhance emergency response efforts in both counties should local resources become exhausted during times of disaster response in either county, and that this agreement is beneficial to the citizens of both counties.

NOW, THEREFORE, BE IT RESOLVED BY THE TANEY COUNTY COMMISSION AS FOLLOWS:

1. That the Taney County Commission approves this Intergovernmental Agreement/Memorandum of Understanding with Boone County, Arkansas for the cooperative efforts of emergency management personnel in both counties to assist during times of disaster or need in the other county.
2. That the Taney County Commission authorizes the Taney County Presiding Commissioner to execute the attached Memorandum of Understanding on behalf of the Taney County Commission.

PASSED, RESOLVED AND ORDERED by the County Commission of Taney County, Missouri on this 7th day of May, 2007.

Commissioner Strahan expressed that he thought the Commission already had this last year. Mr. Paulson stated he couldn't remember if the county had one of these contracts in effect or not

Commissioner Pennel made a motion to accept/pass the resolution
Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

REVISIT ROAD RELINQUISH AGREEMENT

Commissioner Herschend expressed that he would like to revisit the Road Relinquish Agreement adding that the county is getting approximately three miles of road for the new outer road.

Commissioner Pennel commented that the understanding was for the county not to have any additional roads to maintain. Commissioner Herschend suggested getting together in a work session with Randy Haes and Sam of the Road and Bridge Department.

APPOINTMENT OF BOARD MEMBERS TRESSA LUTTRELL

Tressa Luttrell, Administrator reminded the Commission that board members needed to be appointed for the Board of Adjustments (BOA), Planning Commission, and Sewer Board.

Commissioner Herschend made a motion to approve the appointment of William Cummings to fill an additional term on the Sewer Board. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Commissioner Pennel made a motion to appoint Mark Blackwell to the Planning Commission. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Commissioner Herschend made a motion to approve the appointment of Sarah Klinefelter to the Planning Commission. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend then made a motion to table the BOA appointments in order to look at the make up of the board. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes for May 2, 2007. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Commissioner Herschend made a motion to table minutes for January 22, 23, 27, 2007; March 1, 5, 7, 2007; March 13, 20, 2006; April 3, 2006; October 23, 2006; and April 18, 2007. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #100769-100880 and warrant #4658. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

PUBLIC COMMENT

Rick Findley, Auditor presented the following monthly budget report to the Commission.

TANEY COUNTY BUDGET FUND BALANCES 4-30-07

| | PERIOD TO DATE | YEAR TO DATE | | PERIOD TO DATE | YEAR TO DATE |
|--------------------------------|---------------------|----------------------|----------------------------|---------------------|----------------------|
| GCR | | | SEWER FUND | | |
| BEGINNING BAL | 0.00 | 16,176,676.53 | BEGINNING BALANCE | 0.00 | 19,857,468.53 |
| REVENUES | <u>3,829,718.09</u> | <u>7,030,470.96</u> | REVENUES | <u>1,470,474.72</u> | <u>4,103,103.23</u> |
| TOT REVENUES GCR | <u>3,829,718.09</u> | <u>23,207,147.49</u> | TOTAL SEWER REVENUES | <u>1,470,474.72</u> | <u>23,960,571.76</u> |
| TOTAL GCR EXP | <u>2,392,346.20</u> | <u>7,503,878.14</u> | EXPENDITURES | <u>949,592.05</u> | <u>2,805,964.72</u> |
| TOT GCR FUND BAL | 1,437,371.89 | 15,703,269.35 | TOTAL SEWER FUND BAL | 520,882.67 | 21,154,607.04 |
| ROAD & BRIDGE | | | SWER DESIGNTED FUND | | |
| BEGINNING BALANCE | 0.00 | 8,365,292.31 | EXPENDITURES | | |
| REVENUES | <u>120,498.08</u> | <u>539,189.09</u> | TOTAL ALL SEWER FUNDS | 520,882.67 | 21,154,607.04 |
| TOTAL RB REVENUES | <u>120,498.08</u> | <u>8,904,481.40</u> | | | |
| EXPENDITURES | <u>188,858.47</u> | <u>913,925.08</u> | SHERIFF CIVIL FUND | | |
| TOTAL RB FUND BAL | (68,360.39) | 7,990,556.32 | BEGINNING BALANCE | 0.00 | 85,646.91 |
| ROAD & BRIDGE TRUST | | | REVENUES | <u>10,486.08</u> | <u>34,406.84</u> |
| BEGINNING BALANCE | 0.00 | 2,707,686.28 | TOT SHERIFF CIVIL REV | <u>10,486.08</u> | <u>120,053.75</u> |
| REVENUES | <u>370,999.84</u> | <u>2,087,612.80</u> | EXPENDITURES | <u>3,159.99</u> | <u>11,016.00</u> |
| TOT RBT REVENUES | <u>370,999.84</u> | <u>4,795,299.08</u> | TOT SHERIF CVL FND BAL | 7,326.09 | 109,037.75 |
| EXPENDITURES | <u>509,735.48</u> | <u>1,543,157.00</u> | TAX MAINTNANCE FUND | | |
| TOT RBT FUND BAL | (138,735.64) | 3,252,142.08 | BEGINNING BALANCE | 0.00 | 102,043.58 |
| ASSESSMENT FUND | | | REVENUES | <u>8,010.95</u> | <u>53,522.76</u> |
| BEGINNING BALANCE | 0.00 | 13.78 | TOT MAINTNANCE FND REV | <u>8,010.95</u> | <u>155,566.34</u> |
| REVENUES | <u>3,962.08</u> | <u>262,309.50</u> | EXPENDITURES | <u>46.16</u> | <u>2,396.16</u> |
| TOTAL AF REVENUES | <u>3,962.08</u> | <u>262,323.28</u> | TOT MAINTNACE FND BAL | 7,964.79 | 153,170.18 |
| EXPENDITURES | <u>64,499.76</u> | <u>195,294.59</u> | PRO ATT BCF | | |
| TOT ASSEMNT FND BAL | (60,537.68) | 67,028.69 | BEGINNING BALANCE | 0.00 | 253,538.40 |
| ELECTION FUND | | | REVENUES | <u>8,326.35</u> | <u>27,483.10</u> |
| BEGINNING BALANCE | 0.00 | 58,043.81 | TOTAL REVENUES | <u>8,326.35</u> | <u>281,021.50</u> |
| REVENUES | <u>144.88</u> | <u>3,920.90</u> | TOTAL EXPENDITURES | <u>11,363.27</u> | <u>54,692.17</u> |
| TOT ELEC REVENUES | <u>144.88</u> | <u>61,964.71</u> | TOTAL FUND BALANCE | (3,036.92) | 226,329.33 |
| EXPENDITURES | <u>111.34</u> | <u>24,826.11</u> | RECRDRER TECH FUND | | |
| TOT ELECTION FND BAL | 33.54 | 37,138.60 | BEGINNING BALANCE | 0.00 | 293,634.09 |
| TRANSFER STAT FUND | | | REVENUES | <u>23,820.86</u> | <u>83,514.89</u> |
| BEGINNING BALANCE | 0.00 | 578,192.38 | TOTAL REVENUES | <u>23,820.86</u> | <u>377,148.98</u> |
| REVENUES | <u>61,401.39</u> | <u>346,185.32</u> | TOTAL EXPENDITURES | <u>7,801.41</u> | <u>30,285.62</u> |
| TOTAL TS REVENUES | <u>61,401.39</u> | <u>924,377.70</u> | TOTAL FUND BALANCE | 16,019.45 | 346,863.36 |
| EXPENDITURES | <u>120,905.90</u> | <u>353,429.11</u> | PA DEL TAX FUND | | |
| TOTAL TS FND BAL | (59,504.51) | 570,948.59 | BEGINNING BALANCE | 0.00 | 8,541.73 |
| LEPC FUND | | | REVENUES | <u>994.63</u> | <u>1,282.70</u> |
| BEGINNING BALANCE | 0.00 | 8,487.57 | TOTAL REVENUES | <u>994.63</u> | <u>9,824.43</u> |
| REVENUES | <u>35.36</u> | <u>1,791.83</u> | TOTAL FUND BALANCE | 994.63 | 9,824.43 |
| TOT LEPC REVENUES | <u>35.36</u> | <u>10,279.40</u> | LLEBG | | |
| EXPENDITURES | <u>0.00</u> | <u>1,188.51</u> | BEGINNING BALANCE | 0.00 | 0.21 |

TANEY COUNTY COMMISSION RECORD

| | | | | | |
|-----------------------------|------------------|---------------------|--------------------------|-----------------|------------------|
| TOTAL LEPC FUND BAL | 35.36 | 9,090.89 | TOTAL REVENUES | <u>0.00</u> | <u>0.21</u> |
| | | | TOTAL FUND BALANCE | 0.00 | 0.21 |
| LAW ENFRCE TRAIN FND | | | | | |
| BEGINNING BALANCE | 0.00 | 58.41 | FLOOD CONTROL | | |
| REVENUES | <u>504.96</u> | <u>1,787.73</u> | BEGINNING BALANCE | <u>0.00</u> | <u>46,086.46</u> |
| TOTAL LET REVENUES | <u>504.96</u> | <u>1,846.14</u> | TOTAL REVENUES | <u>0.00</u> | <u>46,086.46</u> |
| EXPENDITURES | <u>0.00</u> | <u>755.64</u> | TOTAL EXPENDITURES | <u>0.00</u> | <u>46,086.46</u> |
| TOTAL LET FUND BAL | 504.96 | 1,090.50 | | | |
| PROS ATT TRAIN FUND | | | | | |
| BEGINNING BALANCE | 0.00 | 9,815.46 | DRUG FORFEITURE | | |
| REVENUES | <u>150.45</u> | <u>551.83</u> | BEGINNING BALANCE | 0.00 | 1,191.24 |
| TOTAL PAT REVENUES | <u>150.45</u> | <u>10,367.29</u> | REVENUES | <u>4.70</u> | <u>21.34</u> |
| EXPENDITURES | <u>0.00</u> | <u>3,793.96</u> | TOTAL REVENUES | <u>4.70</u> | <u>1,212.58</u> |
| TOTAL PAT FUND BAL | 150.45 | 6,573.33 | TOTAL FUND BALANCE | 4.70 | 1,212.58 |
| COUNTY INSURED FUND | | | | | |
| BEGINNING BALANCE | 0.00 | 158,436.63 | SHERIFF REVOLVING | | |
| REVENUES | <u>524.44</u> | <u>2,392.77</u> | BEGINNING BALANCE | 0.00 | 8,958.16 |
| TOT CNTY INSURED REV | <u>524.44</u> | <u>160,829.40</u> | REVENUES | <u>2,343.09</u> | <u>3,551.54</u> |
| EXPENDITURES | <u>7,400.02</u> | <u>33,366.72</u> | TOTAL REVENUES | <u>2,343.09</u> | <u>12,509.70</u> |
| TOT CNTY INSRD FND BAL | (6,875.58) | 127,462.68 | TOTAL EXPENDITURES | <u>0.00</u> | <u>7,324.19</u> |
| 911 FUND | | | | | |
| BEGINNING BALANCE | 0.00 | 1,195,536.29 | VEST GRANT | | |
| REVENUES | <u>49,082.53</u> | <u>186,671.02</u> | BEGINNING BALANCE | 0.00 | 1,813.29 |
| TOTAL 911 REVENUES | <u>49,082.53</u> | <u>1,382,207.31</u> | REVENUES | <u>7.10</u> | <u>25.66</u> |
| EXPENDITURES | <u>76,098.10</u> | <u>123,871.50</u> | TOTAL REVENUES | <u>7.10</u> | <u>1,838.95</u> |
| TOTAL 911 FUND BAL | (27,015.57) | 1,258,335.81 | TOTAL FUND BALANCE | 7.10 | 1,838.95 |

April 30,
2007

EXPBYDEPT

| TANEY COUNTY | | | | | |
|-------------------------------|---------------|---------------|---------------|---------------|----------|
| EXPENSES BY DEPARTMENT | | | | | |
| | 2005 | 2006 | 2007 | 2007 | ACTUAL % |
| | ACTUALS | ACTUALS | APPROVED | ACTUALS | |
| EXPENSES | | | | | |
| COMMISSION | 344,425.64 | 344,288.98 | 599,280.15 | 112,322.18 | 18.7% |
| CLERK | 85,366.35 | 75,753.41 | 82,360.00 | 25,895.88 | 31.4% |
| ELECTIONS | 186,286.92 | 241,122.31 | 142,937.00 | 57,506.80 | 40.2% |
| BUILDINGS & GROUNDS | 415,026.70 | 627,115.35 | 430,788.40 | 139,892.95 | 32.5% |
| EMPLOYEES FRINGE BEN | 1,394,519.61 | 1,610,317.09 | 1,707,500.00 | 459,623.95 | 26.9% |
| TREASURER | 65,892.50 | 77,741.81 | 79,150.00 | 26,939.22 | 34.0% |
| COLLECTOR | 201,311.42 | 207,324.77 | 216,700.00 | 64,163.75 | 29.6% |
| CIRCUIT CLERK | 250,173.44 | 244,360.09 | 290,001.00 | 84,853.11 | 29.3% |
| COURT REPORTER | 2,036.52 | 1,361.12 | 2,112.00 | 861.47 | 40.8% |
| ASSOCIATE COURT DIV 1 | 30,131.79 | 35,486.73 | 37,650.00 | 10,279.18 | 27.3% |
| COURT ADMINISTRATION | 29,310.98 | 23,153.31 | 37,000.00 | 5,124.46 | 13.8% |
| PRESIDING CIRCUIT JUDGE | 27,738.21 | 35,947.74 | 43,548.16 | 10,331.35 | 23.7% |
| PUBLIC ADMINISTRATOR | 81,343.56 | 81,924.00 | 86,015.60 | 27,060.07 | 31.5% |
| OTHER EXPENSE | 1,698,358.80 | 3,974,891.29 | 36,193,552.91 | 3,734,098.26 | 10.3% |
| AUDITOR | 151,947.04 | 160,324.72 | 171,096.00 | 68,268.91 | 39.9% |
| CHILD SUPPORT | 30,645.56 | 26,000.74 | 48,720.00 | 8,776.03 | 18.0% |
| SHERIFF | 1,764,095.80 | 1,918,158.02 | 2,053,971.60 | 648,100.08 | 31.6% |
| JAIL | 993,810.53 | 1,015,321.73 | 1,153,538.50 | 298,840.02 | 25.9% |
| PROSECUTING ATT | 528,042.97 | 547,615.11 | 579,050.00 | 187,739.40 | 32.4% |
| JUVENILE | 106,480.62 | 114,178.37 | 124,715.72 | 40,741.51 | 32.7% |
| CORONER | 45,687.66 | 43,870.50 | 45,012.00 | 12,727.98 | 28.3% |
| HEALTH & WELFARE | 4,500.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TRANSFERS/DEBT SERVICE | 0.00 | 112,800.00 | 2,575,860.00 | 921,425.66 | 35.8% |
| ASSOC COURT DIV 2 | 22,205.47 | 20,448.19 | 37,900.00 | 10,300.04 | 27.2% |
| CIRCUIT CLERK | 17,036.18 | 28,926.28 | 26,800.00 | 7,491.91 | 28.0% |
| INDUSTRIAL DEV | 46,561.97 | 38,909.58 | 66,200.00 | 12,972.67 | 19.6% |
| PLANNING & ZONING | 222,670.94 | 247,108.12 | 263,520.00 | 53,157.38 | 20.2% |
| EXTENSION | 44,734.26 | 46,234.88 | 46,430.00 | 13,209.74 | 28.5% |
| SEWER | 258,891.27 | 287,972.66 | 317,663.00 | 104,060.43 | 32.8% |
| INFORMATION SYSTEMS | 214,897.31 | 239,293.77 | 325,130.00 | 94,192.17 | 29.0% |
| ANIMAL CONTROL | 82,027.40 | 79,242.96 | 93,684.00 | 27,001.91 | 28.8% |
| EM MANAGERMENTS | 181,994.00 | 151,575.36 | 265,473.40 | 44,032.39 | 16.6% |
| AIRPORT | 307,916.66 | 796,140.84 | 802,728.00 | 191,887.28 | 23.9% |
| TOTAL | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 7,503,878.14 | 15.3% |
| GCR BEGINNING BALANCE | 13,154,890.79 | 14,012,380.91 | 16,176,676.53 | 16,176,676.53 | 100.0% |
| GCR TOTAL REVENUES | 10,693,558.20 | 15,619,205.45 | 32,769,410.91 | 7,030,470.96 | 21.5% |
| GCR TOTAL EXPENDITURES | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 7,503,878.14 | 15.3% |

Mr. Findley reported that everyone is on target budget wise and it looks like the county is in pretty good shape

TANEY COUNTY COMMISSION RECORD

ELECTION COST DONNA NEELEY

Donna Neeley, County Clerk reported that the counties election cost for the April 3, 2007 Municipal Election came to \$12,975.98 and \$146.42 for the publication costs making the total election cost \$13,122.40.

Commissioner Strahan made a motion to transfer \$13,122.40 for the April 3, 2007 Municipal Election cost. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

COURTHOUSE CLOSED TRUMAN'S BIRTHDAY

Commissioner Pennel stated that someone in the courthouse has done well to put up signs about the courthouse being closed tomorrow for Truman's Birthday. Commissioner Pennel added that the Commission Office will be closed however, they will have a meeting in the Commission Office.

MICKEY GILLEY BENEFIT

Commissioner Pennel stated that he would like to publicly thank Les Brown, Mickey Gilley Theater for doing another benefit on Thursday and Saturday night. Commissioner Pennel added that he got a pickup load of dog food for the Animal Control Budget and informed that another entertainer by the name of Mike Walker is going to do a benefit next week.

EXTENSION COUNCIL MEETING REBATE

Commissioner Pennel explained that he got a report from Wayne Detrex at the Extension Council meeting last night and Mr. Detrex is administrating a \$50 rebate on education to pump septic tanks.

EXECUTIVE SESSION

Commissioner Pennel made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3) after a five-minute recess. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

RECESS

RECONVENE 2:30 P.M.

The County Commission reconvened in the County Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

CASEY ROAD EASEMENT

Presiding Commissioner Pennel made a motion to accept the following temporary and permanent road easement on Casey Road from Ron and Marsha Wyatt.

GRANT OF PERMANENT EASEMENT FOR PUBLIC ROAD RIGHT-OF-WAY

RON WYATT AND MARSHA WYATT, Trustees of the Wyatt Family Revocable Trust Dated 11/9/2004, of the County of Dallas in the State of Missouri, hereinafter referred to as "GRANTORS" grant and convey unto

TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE", for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent right-of-way easement and right-of-way to locate, construct, maintain, remove, operate, replace and repair and

TANEY COUNTY COMMISSION RECORD

improve the public road now known as Casey Road for the passage of vehicular and pedestrian traffic and for all uses incident thereto, including but not limited to the installation of curbs and gutters, over, upon, under and through the described tract of land laying and being situate in the County of Taney and State of Missouri, *and which is legally described as set forth in Exhibit "A" to this easement document, and is incorporated herein by reference as though fully set out.*

To have and to hold the premises aforesaid for the aforesaid use with all and singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining, unto the GRANTEE, its representatives and assigns forever; the said GRANTORS hereby covenanting that GRANTORS are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that GRANTORS have good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by GRANTORS or those under whom GRANTORS claim and that GRANTORS will warrant and defend the title to the said premises unto the said GRANTEE and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes typed by Melanie Whittaker and taken/edited by: Hillary Bargman



MAY 8, 2007 THE 13TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

SEPTAGON UPDATE JUDICIAL FACILITY

Commissioner Herschend made a motion to approve PR #07 for seven additional fire extinguishers and cabinets to the project at no additional cost to the county. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to reject PR #09 the request by the County to add electrical power to the south retaining wall as the preliminary cost proposals were unrealistic and other options were pursued. Commissioner Pennel seconded the motion to reject. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to reject PR #10 added communication conduits from Hwy 160 to existing courthouse and added communication conduits between the existing courthouse and new facility as the preliminary cost proposals seemed excessive. Commissioner Herschend seconded the motion to reject. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: The County may consider providing additional excavation for the conduits by use of the county workforce.

Commissioner Herschend made a motion to approve PR #11 to add water to the sallyport and a waterline that would extend to the south side of the driveway and capped for future use. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve RFI #098 added steel hoist beam to Room J2009 for use in lowering large equipment to the lower level. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve PR #21 the request to delete the "P" light fixtures located in the module chases from Walton's scope of work as the light fixtures were included in Tindall's scope of work and therefore not needed.

Minutes were taken by Ron Herschend and typed by Hillary Bargman



TANEY COUNTY COMMISSION RECORD

MAY 9, 2007 THE 14TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the County Commission Office at 10:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were heard and made a matter of record.

REAL ESTATE SALE

Bob Paulson, County Counselor explained that this is an emergency meeting as the Commission needed to acquire this property immediately and did not have time to post 24 hours in advance.

Commissioner Strahan made a motion to approve a contract for the sale of real estate owned by Dale and Anita Storts. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PAYMENT APPROVAL

Commissioner Strahan made a motion to approve a \$10,000 check as consideration for the property being sold to the county. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

RECONVENE

2:30 P.M.

The Taney County Commission reconvened in the County Commission Office at 10:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were heard and made a matter of record.

PURCHASE OF PROPERTY

Bob Paulson, County Counselor explained that this is an emergency meeting as the Commission needed to acquire this property immediately and did not have time to post 24 hours in advance.

Commissioner Strahan made a motion to approve the purchase of Mr. Thieme's property for the amount of \$13,500. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve the documentation needed for the acquired sale and authorizing Presiding Commissioner Pennel to sign them. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone and typed by: Hillary Bargman



MAY 11, 2007 THE 15TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 11:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

ANIMAL CONTROL SHELTER IMPROVEMENTS

Commissioner Herschend made a motion to approve up to \$75,000, to be taken out of contingency, for improvements to the Animal Control Shelter. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ANIMAL CONTROL ORDINANCE

The Commission then discussed the Animal Control Ordinance and all three Commissioners agreed that all dogs owned by Jackie Dinley on Monarch Dr shall be released back to there owner upon signature of agreement.

Minutes taken by Tressa Luttrell and typed by Hillary Bargman



MAY 14, 2007 THE 16TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Gary Groman followed by the pledge.

PARADISE POINT, EMORY CREEK, FOREST HAVEN, WILSON'S LAKE ROAD VACATIONS

Bob Paulson, County Counselor stated that he met with Mr. Harry Styron last week in regards to road vacations. Mr. Paulson further stated that Wilson's Lake is waiting for easements and explained that he just wanted to update the Commission as to where they are with these vacations and suggested discussing them later in a work session as needed.

Commissioner Strahan clarified they haven't approved all of these vacations and added that there were some changes being made on the Wilson's Lake Platte. Mr. Paulson informed that a publication is still needed for the Emory Creek road vacation.

Commissioner Strahan made a motion to table the Paradise Point, Emory Creek, Forest Haven, and Wilson's Lake road vacations and discuss them in a work session with Bob Paulson and Harry Styron. Mr. Paulson added that Harry Styron has provided him with amended orders, proofs of publication, and easements to be recorded. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MUTUAL AID AGREEMENT WITH GREENE COUNTY TRESSA LUTTRELL

Tressa Luttrell, Administrator reported that she applied for a reimbursement of ice storm work and FEMA asked that once they have paid the county they would like to have the Mutual Aid Agreement with Greene County. Ms. Luttrell added that Bob Paulson, County Counselor has looked at it and requested the Commission review and sign the agreement.

Commissioner Strahan asked if she or Jacob Rock did all the tracking of hours? Ms. Luttrell clarified that the Road and Bridge Department kept track of the hours and she filled out the necessary paper work for the reimbursement.

Commissioner Herschend inquired who the director of the Highway Department is? Mr. Paulson explained that he changed the wording to Road and Bridge Administrator for Taney County and left the Highway Department Director on the agreement for Greene County. Mr. Paulson added that this was not his document so it was their wording not his and he just revised part of it. Commissioner Herschend suggested specifying who's Director of Highway Department for clarity.

TANEY COUNTY COMMISSION RECORD

Presiding Commission Pennel suggested adding Greene County Director of Highway Department to the agreement. A general discussion ensued.

Commissioner Herschend then read the following from paragraph four: "All these things will be done so that we can recover all of our costs." Commissioner Herschend asked what happened if the county does not recover all of the costs? Mr. Paulson clarified that this is a document to get money back and it is after the fact. A general discussion ensued.

Commissioner Pennel made a motion to approve the document with the addition of "Green County" where it says Director of Highway Department and to cross out "all" and add, "it's cost or any part thereof." Commissioner Herschend seconded the motion.

Commissioner Herschend then asked if this is a one-time agreement or will it go for anytime there is a similar emergency situation. Mr. Paulson expressed that this is not a very good agreement, adding that it doesn't even have a term on it and stated that he would not have drafted it in this fashion.

Commissioner Herschend asked if there is not a starting or termination date, should they add one before signing it? Mr. Paulson stated that he could draft a much better intergovernmental agreement between Taney and Greene County for mutual aid in times of emergency.

Commissioner Pennel suggested after the Commission signs this agreement to take care of this immediate need, to then get a better agreement.

Commissioner Pennel then amended his motion to add "This document will terminate on December 31, 2007 and put today's date of May 14, 2007 on it. Commissioner Herschend amended his second. Mr. Paulson explained that he would change the agreement to read "This agreement remains in affect until December 30, 2007." Commissioner Pennel further expressed that once this all gets worked out Taney County should do the same kind of agreement with all surrounding counties.

Commissioner Strahan expressed that the county already has the check and is not sure what the Commission is doing here. Commissioner Strahan clarified they are just asking for a receipt saying this agreement was in place and added that this was an emergency situation taken care of by the Commission's approval.

Bob Paulson clarified the changes are minor and should be not problem to amend. Commissioner Pennel explained that the Commission agreed to take action and now they need to agree on this document before they sign it.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from March 5 and 7, February 23, and May 2, 2007. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #100882-100931 and warrants #4659, 4660, 4661. Commissioner Pennel seconded the motion.

Tressa Luttrell, Administrator informed the Commission that they have a reimbursement to be included with accounts payable. A general discussion ensued.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to table "Exhibit B" {the reimbursement for disbursement from the construction fund to United Missouri Bank (UMB)} to be discussed in a work session in order to better understand the reimbursement process. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

JAMES STRAHAN ASSESSMENT BOOKS

James Strahan, Assessor reported that tomorrow May 15, 2007 by 5:00 p.m. he would turn in the assessment books for the county due to reassessment. Mr. Strahan added that the personal property book would be turned in and the real estate book would be turned into the County Clerk for certification and added that this book is reflective of approximately a 6% growth in new construction and a 12% growth due to reassessment. Mr. Strahan added that there has been an increase from approximately \$750 million in 2005 to \$901 million assessment for January 1, 2007. Mr. Strahan further expressed his appreciation to his help and staff for getting this done on schedule regardless of the many roadblocks they encountered.

Commissioner Herschend asked for an update as to the state reimbursement situation? Mr. Strahan confirmed that no money has come in from the state.

Commissioner Strahan asked Mr. Strahan if he read the letter from Mr. Epperson, State Tax Commission (STC) that stated the facts about the Assessor being in compliance and added that he doesn't understand why the county still doesn't have the money?

Commissioner Strahan confirmed that he read the letter and Mr. Epperson talked about compliance but they haven't seen any money yet.

James Strahan further informed that there would be some gains and losses during Board of Equalization (BOE) and all increase notices have been sent out with the exception of approximately 300, which will be sent out on Friday, May 18, 2007.

OAKMONT SUBDIVISIONS CRAIG WHITE

Craig White, Member of the Oakmont Subdivision Board of Directors addressed the Commission in regards to taxpayers concerns about several burglaries in the Ridgedale area and asked where southwest Taney County is headed in the future as far as the new airport and law enforcement in that area?

Commissioner Herschend reported as to the status of the airport and asked Mr. White specifically what he is asking the Commission in regards to law enforcement.

Mr. White responded that he and some neighbors have been robbed and have made many calls to the Sheriff's Department to which no one has contacted him or his neighbors in regards to the burglaries. Commissioner Herschend asked if they filled out a report? Mr. White confirmed they did fill out a report and expressed that as a taxpayer when he calls to ask questions he feels like he should have some kind of response. A general discussion ensued.

Commissioner Herschend then referred Mr. White to Sheriff Russell to report his concerns about his phone calls not being returned and expressed he feels this is something the Sheriff would want to know. Mr. White then inquired as to the process for incorporation due to Ridgedale's recent growth and development? A general discussion ensued.

Mr. White then brought up another issue about a dumpsite where Oakmont complained to the Health Department about the site being full of injection needles and pharmaceutical bottles. Mr. White added that the Health Department said the majority of the needles were used for animal health and turned the issue over to Animal Control to which there has also been no response or nothing done in regards to the situation.

Commissioner Strahan asked Mr. White to find out whether the dump site is next to a county road or not and added that if it is, then the county would take care of it and if not a different action would need to be taken. Commissioner Herschend affirmed that Mr. White came to the right people as far as where to start looking for answers and stated he would be happy to schedule a meeting to further discuss these issues.

TANEY COUNTY COMMISSION RECORD

SAFETY CONCERNS PARKING SIGNS

Commissioner Herschend stated that he has been approached by a gentleman who addressed the Commission in the past in regards to, "no parking on my side of street" subdivision signs. Commissioner Herschend added that the concern is for public safety as far as ambulance or fire trucks not being able to get through streets in the event of an emergency because cars are parked on both sides. Commissioner Herschend suggested setting up a work session with the Commission, Bob Paulson, County Counselor, and Sheriff Russell to discuss the possibility of an ordinance or something to make this enforceable.

Presiding Commissioner Pennel informed that the Commission discussed this issue about a month ago at a Road and Bridge Shop Talk. Commissioner Pennel explained that they ordered signs for four subdivisions and also mentioned getting an ordinance for the Sheriff's Department to prosecute or tow vehicles in violation of the ordinance. Commissioner Pennel expressed that he feels they need to move forward with this process and agreed that they need to schedule a work session to further discuss this issue.

Commissioner Strahan added that they had a lengthy discussion about this when Jacob Rock was here and also discussed the possibility of getting signs that they can put stickers on to where in 48 hours the vehicle can be towed. A general discussion ensued.

Commissioner Herschend stated he would report back to the concerned person and asked Tressa Luttrell to set up a work session to further discuss this issue.

BRANSON CITY COUNCIL MEETING

Presiding Commissioner Pennel announces that the Commission will start having quarterly meetings with the Branson City Council and the first meeting is scheduled today.

RECESS
10:00 A.M.

Commissioner Herschend made a motion to recess. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENE
2:00 P.M.

The County Commission and Board of Directors of the Branson, Missouri Regional Airport Transportation Development District met in the Associate Circuit II Circuit Courtroom at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. Also present was Gary Anderson with Gilmore and Bell, Steve Peet with Branson Airport, Mike Lause with Thompson Coburn, Neal Attermann with Citi, Donna Clevenger with Branson Daily News, Tim Bonner with Hometown Radio, Bob Paulson, County Councilor, Rick Findley, Auditor, Helen Souttee, Treasurer, Joe Reish, and Donna Neeley, County Clerk The following proceedings were had and made a matter of record.

PUBLIC HEARING PROPOSED ISSUANCE OF AIRPORT REVENUE BONDS

Gary Anderson with Gilmore and Bell Law Firm Bond Council opened the public hearing required by the Federal Government and explained that the following proper notice was given to the public with publications in the Taney County Times and Branson Daily News.

NOTICE OF PUBLIC HEARING

The Taney County Commission (the "County") and the Board of Directors of the Branson, Missouri Regional Airport Transportation Development District (the "District"), will hold a joint public hearing in the Associate Circuit II Courtroom, located at 132 David Street, in Forsyth, Missouri, on May 14th, 2007, commencing at 2:00 P.M., regarding the proposed issuance by the District of its airport revenue bonds in one or more series in an aggregate principal amount not to exceed \$150,000,000 to provide funds to finance a portion of the costs of the acquisition, construction, improvement, furnishing and equipment of the Branson, Missouri Airport (the "Airport"), to be constructed on an approximately 440 acre tract of land located approximately 1 1/2 miles east of SR 65 and

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approximately 1 1/4 miles north of II highway, nine miles south of the City of Branson, in Taney, County, Missouri, which Airport will include an approximately 7,140 feet long and approximately 150 feet wide runway on an approximately 8,600 feet long platform, taxiways, taxiway connectors, parking aprons, main terminal building of approximately 35,000 square feet with passenger boarding bridges, maintenance buildings and all related infrastructure and support facilities necessary to handle commercial passenger traffic at the Airport, including wastewater treatment, water supply, stormwater management, roads and parking facilities. The Airport will be owned by the County and leased to the District. The Airport is anticipated to be operated by Branson Airport, LLC, a Delaware limited liability company (the "Company") under an operating lease agreement with the District. The bonds will be revenue obligations of the District, payable solely from revenues derived and to be derived by the District from lease payments made under the operating lease to the Company for the Airport. The hearing will be open to the public. All interested persons may attend the hearing and will have an opportunity to express their views with respect to the above-mentioned project and the issuance of bonds to pay a portion of the costs thereof.

Mr. Anderson then opened the meeting up for public comment regarding the issuance of bonds and explained that after the public hearing, the meeting will reconvene in the County Commission Office for further information.

Note: There was no public comment in regards to this issue.

RECONVENE

2:30 P.M.

The County Commission and Board of Directors of the Branson, Missouri Regional Airport Transportation Development District met in the County Commission Office at 2:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. Also present was Gary Anderson with Gilmore and Bell, Steve Peet with Branson Airport, Mike Lause with Thompson Coburn, Neal Attermann with Citi, Donna Clevenger with Branson Daily News, Tim Bonner with Hometown Radio, Bob Paulson, County Councilor, Rick Findley, Auditor, Joe Reish, and Donna Neeley, County Clerk The following proceedings were had and made a matter of record.

PUBLIC HEARING

PROPOSED ACQUISITION AND ISSUANCE OF BONDS BRANSON, MISSOURI REGIONAL AIRPORT

Presiding Commissioner Pennel called the meeting to order to discuss to following:

NOTICE OF PUBLIC HEARING

The Taney County Commission (the "County") and the Board of Directors of the Branson, Missouri Regional Airport Transportation Development District (the "District"), will hold a joint public hearing in the County Commission Conference Room, located at 127 Main Street, in Forsyth, Missouri, on Monday, May 14, 2007, commencing at 2:30 P.M., regarding the following: (a) the proposed acquisition, establishment, construction, ownership, control, equipping, improving, maintaining, regulating, operating and leasing of the Airport described hereafter; and (b) the proposed issuance by the District of its airport revenue bonds in one or more series in an aggregate principal amount not to exceed \$150,000,000 to provide funds to finance a portion of the costs of the acquisition, construction, improvement, furnishing and equipment of the Branson, Missouri Airport (the "Airport"), to be constructed on an approximately 425 acre tract of land located approximately 1 1/2 miles east of SR 65 and approximately 1 1/4 miles north of JJ highway, nine miles south of the City of Branson, in Taney, County, Missouri, which Airport will include an approximately 7,140 feet long and approximately 150 feet wide runway on an approximately 9,000 feet long platform, taxiways, taxiway connectors, parking aprons, main terminal building of approximately 35,000 square feet, maintenance buildings and all related infrastructure and support facilities necessary to handle commercial passenger traffic at the Airport, including wastewater treatment, water supply, stormwater management, roads and parking facilities. Portions of the road improvements and other infrastructure will be located outside of Airport site. The Airport will be acquired and owned by the County and leased by the County to the District pursuant to a long-term lease of approximately 50 years. The Airport is anticipated to be equipped, maintained and operated by Branson Airport, LLC, a Delaware limited liability company (the "Company") under an operating lease agreement with the District. The County and the District propose to cause the acquisition, establishment, construction, ownership, control, equipping, improving, maintaining, regulating, operating and leasing of the proposed Airport pursuant to applicable law, including, but not limited to, Section 305.180 - 305.210 of the Missouri Revised Statutes ("MSR"), the provisions of the Missouri Transportation Development District Act set forth in Sections 238.200 - 238.75 MSR and the provisions on governmental cooperation and cooperation agreements set forth in Article VI, Section 16 of the Missouri Constitution and Sections 70.210 - 70.325 MSR. The public hearing will be held pursuant to and in compliance with the foregoing laws. The bonds will be revenue obligations of the District, payable solely from revenues derived and to be derived by the District from lease payments made under the operating lease to the Company for the Airport. The hearing will be open to the public. All interested persons may attend the hearing and will have an opportunity to express their views with respect to the proposed acquisition, establishment, construction, ownership, control, equipping, improving, maintaining, regulating, operating and leasing of the proposed Airport and the issuance of bonds to pay a portion of the costs thereof. All interested persons may review copies of proposed documentation regarding the Airport project including the proposed form of leases mentioned herein by contacting the County in advance of the hearing.

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Commissioner Herschend made a motion to approve order number 51407 approving the proposed acquisition, establishment, construction, ownership, control, equipping, improving, maintaining, regulating, operating and leasing of the Branson Missouri Regional Airport. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Donna Neeley and Hillary Bargman



The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|----------------------------|
| General County Revenue Warrants | 102791 - 102817 |
| Road & Bridge Trust Warrants | 102760 - 102783 |
| Assessors Fund Warrants | 102784 – 102787, 102818 |
| Transfer Station Warrants | 102788 - 102790 |
| 911 Warrants | None |
| Manual Warrants | 4662 - 4663 |
| Accounts Payable Warrants | 101030 - 101042 |

Commissioner Herschend seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

10:06 A.M.

The Taney County Commission reconvened in the Commission Office at 10:06 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

APPROVAL OF CHANGE ORDER

Commissioner Herschend made a motion to approve change order 03A-011 in the amount of \$1,272.00. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BATHROOM INSTALLATION COURTHOUSE

Commissioner Strahan made a motion contingent upon the approximate cost of \$6,000 to go ahead and install the bathroom downstairs off the open space from the Prosecutor's Office (5/16/07 Doc 2). Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

WORK STATIONS COURTHOUSE

Commissioner Herschend made a motion to add the four workstations that were designed as the Circuit Clerk and Court Reporter space (5/16/07 Doc 1). Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Tressa Luttrell and Hillary Bargman

TANEY COUNTY COMMISSION RECORD



MAY 18, 2007 THE 18TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 12:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

LARGE FORMAT SCANNER RECORDER'S OFFICE

Commissioner Herschend made a motion to go without bid to purchase a large format document scanner for the Recorder's Office due to the fact that the current scanner broke and needs to be replaced immediately. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Note: This was a time sensitive emergency issue, as the Recorder's Office could not wait two weeks to allow for the bid process.

Minutes taken via telephone and typed by: Hillary Bargman



MAY 21, 2007 THE 19TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

AUSTIN ROAD

Randy Haes, Road and Bridge presented a report on Austin Road to the Commission. Presiding Commissioner Pennel read the following review: Section 9, Township 24N, Range 20W subdivision South Park Village, Austin Road not a thru road, 40 ft platted, 1820 ft surface 880 ft length, base and aggregate surface, fair condition, no culverts, road has ditches on both sides working fairly well, two entrances have culverts and one entrance does not, four dwellings, not a school bus route sight distance good in both directions. This road should be surveyed to determine where the cul-de-sac is located, the surface needs four inches of base rock added, there are several bushes and a few big rocks along the edge of surface that need to be removed the cul-de-sac will have to be constructed and is recommended as a Class 5, if taken into the county system. Randy Haes clarified that the road is Platted adding he has checked it out.

Commissioner Pennel asked if the petitioner owns the last property where the cul-de-sac would be? Mr. Haes responded that he owns part of it. Commissioner Pennel then expressed concern as to whether the petitioner would want a cul-de-sac there or not. Mr. Haes emphasized that they would need a turnaround of some kind on the road. Commissioner Pennel added that he has driven Austin Road and it is a decent road.

Commissioner Strahan asked if there are any fence problems? Mr. Haes responded "no".

Commissioner Herschend asked what it would cost to build a cul-de-sac and to add four inches of base rock for 880 ft. Mr. Haes stated that he could get rough figure and estimated that it would take Road and Bridge three to four days of hauling in material and labor wise he is not sure.

Commissioner Herschend made a motion to table Austin Road due to the fact that no one is present representing the road and there is no cost. Commissioner Herschend further asked

TANEY COUNTY COMMISSION RECORD

Randy to go back and verify with the property owner whether he wants a cul-de-sac. Commissioner Pennel seconded the motion to table.

Commissioner Strahan suggested looking at the road beside Austin Road as well, because of the cul-de-sac question.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend asked Mr. Haes how difficult it would be to determine how many roads and miles of roads have been taken in by the county in the past two years? Mr. Haes stated that it would not be too difficult. Commissioner Herschend explained that he would also like to know where the county is as far as the number of roads to be worked on verses staff in order to review the capacity of Road and Bridge.

TANEYVILLE NUISANCE CHUCK PENNEL

Presiding Commissioner Pennel stated that coming into Taneyville there is a salvage yard that burned a while back and it is in city limits of the Village of Taneyville. Commissioner Pennel went on to state that the Commission has received several calls asking if anything can be done under the nuisance ordinance in regards to this issue. Commission Pennel added that since it is within the village and not the county they are not in the right to act under their nuisance ordinance. Commissioner Pennel informed that Shellia Braden, Taneyville Board of Trustees, spoke to him sometime back and they took the counties nuisance ordinance and mirrored it, passed it and have adopted it as a Village ordinance. Commissioner Pennel further explained that the salvage yard is still an issue and asked Bob Paulson, County Counselor if the county could get involved and help with the situation?

Mr. Paulson responded that he has no problem doing something in that area and asked if the Village of Taneyville has an attorney, expressing that he would not want to step on any toes, if they have a lawyer. A general discussion ensued.

Mr. Paulson stated that if this were just one nuisance case he would look at it. Commissioner Herschend inquired as to how the Commission can assure this is only one case, asking if they are setting precedence for other municipalities to use Mr. Paulson's free service? Mr. Paulson clarified that is why he would like to look at it. Commissioner Herschend further emphasized that if the county can do it legally, then they would have to do it for everybody.

Commissioner Pennel stated he would be in favor of Mr. Paulson spending a few minutes to see if the village has an attorney and if not then to show them the way the nuisance ordinance works.

Commissioner Strahan requested that the Commission ask for a letter from Taneyville requesting their involvement and then if someone were in opposition it wouldn't make the county look like they are stepping on toes. Commissioner Strahan further expressed that it is a different situation having a county road on the other side of the area in question and it might me something the county could work from.

Commissioner Herschend stated that until Mr. Paulson comes back and explains this situation according to a statute, then he is not comfortable with this even though there is a county road near the area in question.

Commissioner Pennel reminded that the Commission has assisted other municipalities in the past and clarified that he is not suggesting the county move ahead but to consider assisting the village in filing a law suite. Commissioner Herschend asked who would fight the law suite? Commissioner Pennel stated that the county would have to. Commissioner Herschend then asked what is to stop other municipalities from expecting the same?

Commissioner Pennel stated that he would report back to Shellia Braden with the Village of Taneyville and Mr. Paulson would find out if they have an attorney. Commissioner Herschend further expressed that it seems like they are taking on someone else's responsibility.

TANEY COUNTY COMMISSION RECORD

VICIOUS DOG ORDINANCE CHUCK PENNEL

Presiding Commissioner Pennel met with Jimmy Russell, Sheriff, Jeff Merrell, Prosecutor, and Bob Paulson, County Counselor in regards to the Vicious Dog Ordinance. Commissioner Pennel reported that the meeting went well and both the Sheriff and Prosecutor would be willing to file if there is a need as lined out in the ordinance.

VV HWY UPDATE DANNY STRAHAN

Commissioner Strahan reported that the State is working on a project to fill a dip in Powersite where there have been many fatalities and the county has come along beside them to help and lend equipment to assist in filling the dip. Commissioner Strahan added that the State would work on the overlay later in the year but would start the project the first of June. Commissioner Strahan informed there would be a road detour for approximately two weeks and added that this project is much needed and the road would be raised approximately nine feet for the safety of citizens. Commissioner Strahan further emphasized that a citizen told him there are at least two serious accidents per month at the dip.

Commissioner Herschend expressed his appreciate to Commissioner Strahan for spear heading this project and asked if the county is just bringing in trucks or materials too? Commissioner Strahan explained the process. Commissioner Herschend further inquired as to how the public would know when the work would start? Commissioner Strahan explained this is a State project and they would put up all of the proper signage. Commissioner Herschend expressed that he had the State's signs for the Bee Creek Sewer Project and would appreciate Commissioner Strahan's follow up on the signage. Commissioner Strahan stated he would follow up, adding these are Taney County citizens traveling this road and he wants them to know when this will be taking place.

OUTSTANDING CHECKS SHEILA WYATT

Sheila Wyatt, Collector informed the Commission that she has requested the Treasurer to transfer \$100,000 out of Tax Maintenance Fund into GCR and this exceeds the requirement of the Revised Missouri Statute 52.317. Ms. Wyatt then stated that the next item to discuss is outstanding checks from August 29, 2001 to December 31, 2005 adding that the total is \$2,445.75 and she is turning that amount over to the county treasurer. Ms. Wyatt then read RSMo 30.200 "...checks drawn by the state treasurer not presented in twelve months shall be void..." adding that the independent auditor advised that twelve months is the time frame that they like to see checks cleared on the books. Ms. Wyatt clarified that she has held those checks since 2001 and as attempted to notify, by any means she could find, to get them to cash the checks and the majority of the ones left, she has been unable to notify. Ms. Wyatt informed that once she turns them over to the County Treasurer she will send them to the state's unclaimed funds at the State Treasurer's Office and if the customer ever comes forward they can retrieve there money from there.

DONNA NEELEY

Donna Neeley, County Clerk reported that she finished the aggregate valuation and mailed them out to all of the political subdivisions in the county. Ms. Neeley further reported that the total assessed valuation with real property, personal property, and locally assessed railroad and utility came to \$904,739,358.00 and it is an increase, over last year, of \$123,941,656.00. Ms. Neeley then informed that the Title III deadline is coming up and she has sent out a reminder note to all person's who have ever filed before, adding that she also sent Lisa Owen with the White River Historical Society information as well. Ms. Neeley further reported that the Rockaway Beach Election cost total came to \$939.10.

PRIOR MINUTES

Commissioner Pennel made a motion to table the minutes. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

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ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #100933-101029. Commissioner Herschend seconded the motion.

Rick Findley, Auditor explained that a bill for airport fuel needed to be added to accounts payable.

Commissioner Strahan amended his motion to include warrant #4665 for airport fuel. Commissioner Herschend amended his second.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Donna Neeley, County Clerk added that the increase in assessed valuation would cause a salary change for those officers coming up in the next election and would take the salary up to \$53,000.

BOYS AND GIRLS CLUB SUPPORT LETTER

Presiding Commissioner Pennel explained that Margie Berry, Boys and Girls Club left a document for the Commission to sign on support for Boys and Girls Club Neighborhood Assistance Program (NAP) application and added there are no conflicting issues with any existing programs in the county.

Bob Paulson, County Counselor recommended that the Commission post this on the agenda before voting on it.

LAND DISTURBANCE PERMIT DEPARTMENT OF NATURAL RESOURCES

Presiding Commissioner Pennel explained he received a letter from the Department of Natural Resources reminding that their land disturbance permit expired. Commissioner Pennel added that he believes Taney County is the only county in state that has a permit like this and after visiting with Kurt and Eddie from Planning and Zoning there doesn't seem to be any sense in continuing the permit.

Bob Paulson, County Counselor explained that the county does their own land disturbance permit where they require people to put up a bond when they disturb land.

Commissioner Pennel expressed that he was going to discuss this issue further with Dave Woolery to try and get more information.

SKIP GOBEL

Commissioner Pennel stated that he received a letter from Skip Gobel on an issue he had with a citizen blocking a county road. Commissioner Pennel reminded the Commission that Mr. Gobel approached them before about a similar situation and he is requesting the Commission send a simple letter in order to resolve this issue.

Commissioner Herschend agreed that a simple letter would be appropriate in this situation and it was decided that Mr. Paulson would send a letter in regards to this issue.

RECESS

Commissioner Pennel made a motion to recess. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENE

TANEY COUNTY COMMISSION RECORD

The County Commission reconvened in the Commission Office at 10:42 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

INTERGOVERNMENTAL AGREEMENT FIRE DISTRICT

Commissioner Herschend made a motion to approve an Intergovernmental Agreement with the fire districts. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE 12:00 p.m.

The County Commission reconvened in the Commission Office at 12:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

IDA BOARD MEMBER

Commissioner Herschend made a motion to appoint Charlie Pugh to the IDA Board. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Note: Commissioner Strahan sent a note saying he was in favor of the appointment.

Minutes taken and typed by: Hillary Bargman



MAY 22, 2007 THE 20TH DAY OF THE APRIL ADJOURNMENT

The Taney County Commission met in the County Commission Office at 11:30 a.m. pursuant to adjourn with Chuck Pennel (via telephone), Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were heard and made a matter of record.

NEIGHBORHOOD ASSISTANCE PROGRAM BOYS & GIRLS CLUB

Presiding Commissioner Pennel made a motion to approve the Commission signing a letter of support of the Boys & Girls Club bid for the Neighborhood Assistance Program. Commissioner Strahan seconded the motion. The motion passed by vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

DIRT LLC/ED THORTON AGREEMENT

Presiding Commissioner Pennel made a motion to approve the Dirt LLC/Ed Thorton Agreement, as prepared by Bob Paulson. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by Stacey Clemans

TANEY COUNTY COMMISSION RECORD



MAY 24, 2007 THE 21ST DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 3:55 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

PAYMENT OF COMP/SICK HOURS

Presiding Commissioner made a motion to pay Monty Barclay 40 hours of comp time, Jorge Azuara 52 hours of comp time, and Josh Isaacs 62 hours of sick time. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

Note: This motion was made without being posted on the agenda 24 hours in advance due to time constraints.

Minutes taken via telephone and typed by Hillary Bargman



MAY 29, 2007 THE 22ND DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

CHANGE IN ASSESSED VALUE OF REAL PROPERTY POSSIBLE INCREASE OF R-4 SCHOOL TAX LEVY ILLEGAL IMMIGRATION BOB SCHANZ

Bob Schanz addressed the Commission in regards to illegal immigration and the change in assessed value of real property. Mr. Schanz clarified taxes are going to be going up and he understands that however, there are a lot of retirees on social security who can hardly make it but they have to pay taxes for the children and schools. Mr. Schanz went on to state that back in April the school board put an issue on the ballot to raise the levy and he expressed there is something wrong when the assessments go up \$150,000,000 and in addition to that there is the possibility in August of the levy being raised. Mr. Schanz informed he has spoken to someone at Branson Schools who said the school may not need the levy to be increased and Mr. Schanz added that he does not think they need the increase at all. Mr. Schanz then stated that he also asked the school how many illegal aliens attend the public schools and they printed a chart, which he presented to the Commission. Mr. Schanz explained the chart says they have 265 Hispanics and whether they are illegal aliens or not, they don't know because they can't ask them. Mr. Schanz added that he has also been told the numbers on the chart are not right because if someone fills out a form and checks Caucasian the school cannot question it. Mr. Schanz further reported that the schools do not call these children "illegal aliens" they call them "homeless" and went on to talk about the immunization of students adding that it is the policy of the R4 school district to have all students immunized however, that doesn't apply to the homeless. Mr. Schanz further expressed his concerns in regards to the lack of immunization and requested the Commission do something about this issue. Mr. Schanz further discussed the issue of illegal aliens in general and gave different examples of areas passing ordinances that prohibit illegal immigrants from renting or working.

James Strahan, Assessor spoke to the issue of the increase in assessed valuation and clarified that he has to follow the statutes. Assessor Strahan further clarified the increase is due to the growth of the county and market value.

TANEY COUNTY COMMISSION RECORD

Mr. Schanz asked the Commission if they are going to be able to pass a law or do something in regards to the issues he addressed.

Presiding Commissioner Pennel expressed his appreciation to Mr. Schanz for his passion and concern about these issues and added that the Commission has a lot on their plate. Commissioner Pennel further expressed that he doesn't have an answer for him at this time and suggested Mr. Schanz work with the law enforcement in regards to illegal immigration. Commissioner Pennel asked Mr. Schanz what he would do about this situation.

Mr. Schanz explained that he would try to talk one of the other Commissioners into saying a child cannot go to school unless they are immunized. A general discussion ensued.

Bob Paulson, County Counselor explained it is his understanding that the school districts comply with federal law and they require immunization but they can't discriminate against the people who are called homeless whether they are illegal or legally homeless because of their lack of ability to pay for immunization. Mr. Paulson clarified that they are immunized and it is paid for but they may go to the school for a few days and in some cases a week before it gets done.

Mr. Schanz clarified that he went to Hollister School and they said no child goes to their school without being immunized. Mr. Schanz added that Branson School says it might take a week or a month and that some of them are never immunized.

Mr. Paulson expressed that decision would be up to the school district. Mr. Schanz emphasized that they are taking his tax money and inquired as to why he doesn't have a say in this matter? Mr. Schanz further emphasized that he would like to see something done.

SOLID WASTE DISTRICT COUNCIL & EXECUTIVE BOARD APPOINTMENT CHUCK PENNEL

Presiding Commissioner Pennel stated that the Commission needed to appoint someone to replace Larry Rowland on the Solid Waste District and Executive Board. Commissioner Pennel added he does not have anyone to recommend at this point but wanted to address the issue. Commissioner Strahan added that he doesn't have anyone in mind at this time either.

PARK ISSUES CHUCK PENNEL

Presiding Commissioner Pennel stated the County Park Board made a recommendation for the county to do the mowing at the two parks where the county owns property.

Commissioner Pennel made a motion that the Commission follow the recommendation of the Park Board and have Road and Bridge mow the Mincy and Powersite parks and to have those expenses be taken out of the Park Board budget. Commissioner Pennel clarified the Park Board understood that the cost would be coming out of their budget. Commissioner Strahan seconded the motion for discussion.

Commissioner Pennel stated there was also some discussion in regards to the five acres that were donated for the Mincy Park adding that Brenda Howe expressed some concerns. Commissioner Pennel suggested the Commission get together with the Howe's to see that everybody is on the same page. Commissioner Strahan explained that the controversy mentioned about five acres dealt with the fact the Ms. Howe wished she would have donated more property located at the front end of the park. Commissioner Strahan went on to state that the mowing issue came up in the conversation about the maintenance of the park and informed that the Howe's felt since they had donated the property to the county, that the county should take care of its own property.

Commissioner Pennel explained it was his understanding that the county would provide the labor, pavilion, and basketball court and after they were set up, then the area park boards established for each park would be responsible for the maintenance. Commissioner Pennel added that mowing was not mentioned but his assumption was the county would not be responsible for maintenance. Commissioner Pennel clarified that he looked at the counties Park Board Resolution and it mentions maintenance, so he doesn't think the Commission is out of line to do

TANEY COUNTY COMMISSION RECORD

the mowing however, expressed concern that the county doing the maintenance could eat up part of the budget. Commissioner Pennel further reported after reviewing the resolution he read that the county Park Board is to present a budget to the Budget Officer and suggested, at the next meeting, that someone communicate this to the Park Board.

Bob Paulson, County Counselor inquired as to a project in Bull Creek? Commissioner Pennel explained that Creagh Tucker has presented a project however the budget is still something that needs to be looked at.

Commissioner Pennel expressed he feels the monies have been well spent and went on to describe other projects that have been mentioned and suggested someone check the Powersite park to see if they even need the county to do the mowing.

Commissioner Strahan then described the process of how the Park Boards are formed and expressed the parks have been very successful and popular adding that he counted the people at several activities held at the parks and there were over 1,000 citizens who used the park facilities in the last month.

Commissioner Pennel added there was mention that they would like to see the County Commission increase the budget for the parks and there was talk about a large fair ground for the county. Mr. Paulson clarified that it was more of a dream than a goal.

Commissioner Herschend then expressed concern about the county Park Board saying they would more money but don't have their next project lined out. Commissioner Herschend added that it doesn't seem like good management to ask for more monies without having a plan as to how they are going to spend it and for the Commission to condone it is poor fiduciary responsibility. Commissioner Herschend further reminded that the Commission discussed at length the county not being responsible for the parks. Commissioner Herschend stated they are talking about mowing now, then inquired about electric, water, cleaning, and painting and asked where it stops? Commissioner Herschend reiterated that each park has a board responsible for parks and added he understands the county owns the land and informed they have the option of taking the land the county owns and leasing it back to the Community Park Board for \$1 per year. Commissioner Herschend went on to state that the Commission even talked about the Park Boards having insurance on the property but because it is convenient for the county to maintain this park they are changing the ground rules and that concerns him. Commissioner Herschend further commented that county employee's from the present House Keeping Staff and Road and Bridge would be stretched too thin adding that he has received numerous calls about right of ways not being mowed enough. Commissioner Herschend then inquired as to what happens to the Protem facility when they stop mowing and keeping it up? Commissioner Herschend asked lastly if this is approved, if the county is going to be reimbursed by the Park Board for mowing and maintenance that has already been done?

Commissioner Strahan addressed a few of Commissioner Herschend's concerns and clarified the understanding is that the pavilions themselves, not the land around the pavilions, would be maintained and cleaned by the Community Park Boards and added if the county is going to have a Parks Program, then they have to expect to take care of some things. Commissioner Strahan further expressed that if 1,000 citizens a month are taking advantage of these facilities without costing them anything that it is well worth the time and effort.

Commissioner Pennel clarified he was referring to the Park Boards budget so they could watch and ensure they have enough money for maintenance adding that the Park Board does have a vision and plan. A general discussion ensued.

Commissioner Herschend suggested changing the motion to allow the Park Board to expend funds within their budget to take care of those two parks that the county own, rather than have Road and Bridge or Courthouse Maintenance Staff be responsible to commute to those locations.

Commissioner Strahan clarified, just like other projects that use county labor, those projects are reimbursed from that line item so they don't have to pay prevailing wage or if someone gets injured working on county property they don't end up in court for insurance purposes. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend asked again whether they are going to go back and reimburse the county for the mowing and work that has already been done at the parks?

Commissioner Strahan explained the painting that has taken place has all been volunteered and reminded that if they would have just used the county budget for parks they would only be on their third or fourth pavilion and right now the Park Board is working on their eighth project. Commissioner Strahan further explained the counties involvement with the labor of the parks has been minimal and if not for the donations and volunteer work from the public then they wouldn't be where they are at with the parks.

Commissioner Herschend expressed that he thinks parks are good and added that he budgeted for money for parks even before Commissioner Strahan was a Commissioner and reminded that they did say they are not going to manage this process.

Commissioner Pennel reiterated that he would be in favor of the time spent by Road and Bridge mowing to be taken out of parks budget.

Commissioner Strahan clarified that these kinds of projects are under Building and Grounds and added that they have been very gracious and the parks would not be where they are today, without the funds being raised by the local businesses and community people.

The motion passed by a vote of two: Pennel (yea), Herschend (nea), Strahan (yea).

RECESS

10:00

RECONVENE

10:08

CURB AND GUTTER CARTER ROAD BID AWARD

Tressa Luttrell, Administrator presented the Commission with a copy of the responses she got and stated that she took bids for curb and guttering for Carter Road. Ms. Luttrell explained that out of six she only received two back for 1,052 linear feet of concrete curb and gutter and added that they were from APAC for the amount of \$12,992.20 and Journagan for the amount of \$12,572. Ms. Luttrell clarified that Randy Haes, Road and Bridge said he was fine with both companies and suggested going with the lower bid.

Commissioner Pennel inquired as to the availability of when they could start? Ms. Luttrell stated that Mr. Haes talked to both companies so she is not sure of any problems.

Commissioner Strahan added that the time frame of when this project gets started is a major concern of the Commission.

Commissioner Strahan made a motion to approve the lower bid of Journagan in the amount of \$12,572 according to specs contingent upon the equipment being available in a timely matter.

Commissioner Herschend suggested changing the motion to award it to the first available being that there is only a \$200 difference. Commissioner Strahan clarified it is a \$400 difference. Ms. Luttrell suggested giving her the opportunity to find out the availability and readdress this issue this afternoon.

The motion died for the lack of a second.

DONATION AGREEMENT BOB PAULSON

Bob Paulson, County Counselor stated that originally there was a donation agreement from the College to the county concerning the M Graham Clark/County Airport and presented a new subsequent agreement drafted by Mike Lawsby. Mr. Paulson added that he had a couple of questions in regards to the agreement but they need to get this done. Mr. Paulson further

TANEY COUNTY COMMISSION RECORD

explained that it is pretty simple he would like to do a survey if one hasn't been done, title insurance, and a closing. Mr. Paulson further explained that it is on the property where the road is being built so they want to get it done.

Presiding Commissioner Pennel made a motion to table this contract until this afternoon. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROAD UPDATES

Commissioner Strahan reminded that last week Commissioner Herschend spoke about the Commission in regards to building a road for the Taney County Airport and stated that he wanted to clarify it was the College Airport not the Branson Regional Airport.

Commissioner Strahan reported that he spoke with Jacob Rock in regards to the Swan Creek project. Commissioner Strahan further reported there have been questions as to the amount of time on this project. Commissioner Strahan explained that the Corp of Engineers requested the county resubmit their actual plans and permits after the project had already been started and that slowed the project down for about six weeks until the Corp re-approved the plans and got them back to county. Commissioner Strahan went on to stated that when they started working on the project again, then they had an issue with timber and they couldn't burn the timber there so they had to haul the stumps and timber off which added to the time delay along with other permit problems. Commissioner Strahan stated he wanted to make the public aware that the Swan Creek project was not held up by the county or Road and Bridge but by the Corp.

Commissioner Herschend added that the nature of work along Swan Creek was tedious and they had to strategically place rocks along the bank for practical purposed. A general discussion ensued.

Commissioner Strahan then reported on the Hwy VV project stating that as far as he knows MoDot's projections for the project start the first few weeks of June. Commissioner Pennel clarified that the county is working with the state to fill in an eight to nine feet dip in order to take out the blind spot.

Donna Neeley, County Clerk inquired as to the time frame for Swan Creek? Commissioner Strahan stated he couldn't give an exact time frame as to when this project will be complete because of the paving company however the counties part will be ready by the end of this week.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from February 16, 23, March 1, 19, April 27, and May 8, 18, 2007. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Presiding Commissioner Pennel made a motion to approve account payable checks #101046-101141 and warrant #4666. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DICK CLARK

Dick Clark commented in regards to the issues Mr. Schanz presented. Mr. Clark compared the situation to killing an elephant with a B.B. gun and stated that the Commission is just one small B.B. gun but if enough of the voting public would "shoot the elephant" sooner or later the elephant is going to notice it. Mr. Clark further stated that the Commission could take some sort of stance and at least make an attempt to be heard.

BOB SCHANZ

Bob Schanz stated that if the Commission wants to get together with him he would be glad to do so.

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Commissioner Herschend expressed that he appreciates the all of the information from Mr. Schanz and needs time to read through it.

CONTRACTS DONNA NEELEY

Donna Neeley, County Clerk explained that Commissioner Strahan asked for a copy of a contract that she was unable to find and the original was at the title company. Ms. Neeley requested that the Commission create a policy or contract where at least three original contracts are created each time, one for her office, one for the Commission, and one for the company that the contract is with. Ms. Neeley further explained that she is going to develop a tracking system and when a contract is made her office is going to contact the Commission each week to request an original. Ms. Neeley further suggested having the individual or company sign the contract first, so they have to return them to the county and that way they know they are getting them back from the company.

Commissioner Strahan stated that he doesn't understand the procedure because every contract has her attesting. Ms. Neeley clarified that she attests to Presiding Commissioner Pennel's signature but they may be the first to sign it and if all three originals are sent to company and mailed back to Commission Office she may never get them.

Bob Paulson, County Counselor informed that the statute says two originals but suggested doing whatever is the most helpful to the process.

Commissioner Pennel clarified that the system would be: when the Commission signs and votes on contract then there would be a sheet to keep track of them. Ms. Neeley stated that part would be taken care of in her office and clarified she was requesting that if the Commission would like to have an original in their office that the Commission start a policy where three originals are created for every contract and two for every resolution.

MODOT

Commissioner Herschend reported that the Commission had an excellent meeting with MoDot on both the round about at Hwy 76 and on the Hollister end of the Branson Bridge as well as upgrading and repairs of the bridge.

BOE

Commissioner Herschend made a motion to table BOE. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Hillary Bargman



MAY 30, 2007 THE 23RD DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District (via telephone), present. Ron Herschend, Western District, was absent. The following proceedings were heard and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 102849 - 102873 |
| Road & Bridge Trust Warrants | 102819 - 102842 |
| Assessors Fund Warrants | 102843 - 102845 |
| Transfer Station Warrants | 102846 - 102848 |
| 911 Warrants | None |

TANEY COUNTY COMMISSION RECORD

Payroll checks (cont.)

| | |
|---------------------------|-----------------|
| Manual Warrants | 4667 - 4668 |
| Accounts Payable Warrants | 101144 - 101155 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

BOLIN TRUSS

Commissioner Strahan made a motion to approve Bolin Truss as the supplier of trusses and roof material for the Judicial Facility in the amount of \$9,036.12. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: This was an emergency need as this was over the purchasing agents head due to the dollar amount.

CURB AND GUTTER CARTER ROAD

Commissioner Strahan made a motion to award the bid for curb and gutter on Carter Road to Journagan in the amount of \$12,572, as they were the low bidder. Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by: Hillary Bargman



JUNE 4, 2007 THE 24TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

HILLSIDE DRIVE

Linda Worster presented the commission with the signatures of nine people whom own property on Hillside Drive and were wondering about the turnaround situation.

Commissioner Pennel asked if those nine people, by signing, were stating that they were willing to give a right of way for the turnaround.

Commissioner Strahan stated that he and Randy Haes, Taney County Road and Bridge, had gone down and visited with Barbara Keys and she had said that she was willing to give land for a turnaround.

Barbara Keys presented the commission with a map of what she will donate for either a cul-de-sac or hammerhead and asked that any part of the land that they don't use be given back.

Commissioner Strahan made a motion to accept and take the road in upon the recommendation of Randy Haes as a class five.

The motion died for lack of a second.

Commissioner Herschend made a motion to accept road into county system as a class six and make the appropriate improvements contingent upon the most recent number of signatures as per state statute and Bob Paulson, County Counselor.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AUSTIN ROAD

Commissioner Pennel made a motion to take in Austin Road as a class six.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BEE CREEK SEWER PROJECT ASPHALT AND OVERLAY

Commissioner Pennel made a motion to schedule overlay this year after construction of sewer.

Commissioner Strahan seconded the motion.

After a lengthy discussion Commissioner Strahan withdrew his second and Commissioner Pennel followed with withdrawing his motion.

Commissioner Pennel made a motion to schedule overlay on Bee Creek Road this year.

Commissioner Strahan seconded the motion of the overlay.

Commissioner Herschend stated that he did not understand, stating he felt that they seemed to be forcing this. Commissioner Herschend added that he did not know why they were moving and forcing this when they could wait and ensure the construction crews were off the roads to make a decision at that time.

The motion passed by a vote of two: Pennel (yea), Herschend (nay), Strahan (yea).

Commissioner Pennel made a motion recommend that they speak with the sewer board to get them to consider one of two option; either ask S. J. Lewis to come up with a change order on overlay, putting in the bid for roads other than Bee Creek Road or to allow them to leave the trenches and gravel and credit the sewer board the contract with sewer district for cost saving for a seven foot patch with commitment from commission to overlay streets upon completion of project.

Commissioner Pennel added that the contract with the construction company was to restore roads and what they have started doing on Bee Creek Road. Commissioner Pennel stated that they have come in and milled seven feet and overlay that seems to be a waste of asphalt.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (nay), Strahan (yea).

NUISANCE ORDINANCE HEARING

Commissioner Pennel stated that nuisance complaints were not being handled in a timely manner. Adding that when the ordinance was passed there was much concern about the ordinance and his understanding was that one of the three commissioners would go take pictures required. Commissioner Pennel added that since complaints were not being processed that they should consider adding an additional employee in Planning & Zoning to be the one to take the pictures.

JUDICIAL REIMBURSEMENT

Tressa Luttrell, County Administrator, presented to the Commission a copy of all reimbursements.

Tressa Luttrell stated that they had made copies of every invoice, kept track and sent copies of everything they had paid. Ms. Luttrell added that UMB had requested copies again.

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Ms. Luttrell stated that this was the ninth time asking UMB Bank to reimburse them for all of the invoices.

After a lengthy discussion it was decided that this issue would be put on hold so that Tressa Luttrell could separate the numbers and it would be approved the following day.

RECESS

10:13

RECONVENE

10:17

BID AWARDS

Tressa Luttrell stated that the chemical feed and storage system sewer had approved its total bid.

Commissioner Strahan made a motion of approval on recommendation of sewer board.

Commissioner Pennel seconded the motion of approval. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FENCING MATERIAL

Randy Haes, Taney County Road and Bridge, stated that there was 5.5 feet of green posts and a schedule of 40 pipes that was discussed in Shop Talk of four bidders. Randy Haes recommended Wheeler and suggested that they not buy treated posts from vendors at this time.

Commissioner Strahan made a motion to accept Randy Haes' recommendation of all bids including no bid.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RIP RAP TRAILER

Tressa Luttrell stated that there were three bidders for this item. Tressa Luttrell added that this was to replace the trailer that turned over on Highway 160. Randy Haes recommended Stem Co.

Commissioner Pennel made a motion to approve as recommended by Randy Haes.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PNEUMATIC ROLLER

Tressa Luttrell stated that there were several bid recommendations, one of which being Van Kepple.

Commissioner Strahan made a motion to accept recommendation of roller.

Commissioner Pennel seconded the motion.

Commissioner Herschend suggested tabling and wanted to make sure that there was not a maintenance issue.

Commissioner Pennel withdrew his second followed by Commissioner Strahan withdrawing his motion.

Commissioner Pennel made a motion to table until 2:00 p.m.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

VV HIGHWAY

Commissioner Strahan stated that there seemed to be some confusion with the state highway project. The initial talk with doing this project would be four to five weeks without our help; with our help a couple of weeks.

A lengthy discussion ensued. Commissioner Pennel suggested setting up an evening meeting next week.

ILLEGAL IMIGRATION PROPOSAL

Commissioner Herschend stated that after meeting with Bob Schanz last week and having given it lots of thought, when it comes to illegal immigration he has come down on the side of a recommendation. Commissioner Herschend stated that he would like to propose a meeting between the commission and Cities of Hollister, Branson, Forsyth and the Federal Department of Immigration to talk about what they could do to aid this effort to protect jobs and employment. Commissioner Herschend added that they need to also find a way to not cause a drain on tax funded programs and suggested a concept to hire in an inspector that would review business licenses in the community and collect fee for violation to see if they had any undocumented workers.

Bob Schanz thanked the commission for discussing this issue. Mr. Schanz added that in Sunday's paper three people were arrested at JFK airport for terror plot and he knew a little about how the criminal mind works and feels this is an area the county needs to look into that. A lengthy discussion ensued.

WORKING CONDITIONS UNDER THE JAIL

Commissioner Herschend stated that he wanted to share with the commission that he received a letter last week presented from Planning and Zoning inclusive of photographs. Adding that while they are all aware of the situation, he believes the Commission has been put on notice that there is a health hazard. Commissioner Herschend recommended finding a place to rent to move the departments to a better location.

Commissioner Strahan stated that he was glad this had come about, but the public needs to know that they sent out for bid for a new roof. Commissioner Herschend added that the major problem coincides with major flooding of the jail. A lengthy discussion ensued.

NUISANCE PETITION BOB PAULSON

Commissioner Herschend made a motion to approve the expense of \$120 up to \$150 for filling fees.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TITLE III

Commissioner Strahan made a motion to table.

Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Tabled for a later time.

TANEY COUNTY COMMISSION RECORD

ACCOUNTS ALLOWED

Commissioner Pennel made a motion of approve accounts payable checks #10156 – 101257, voiding one for Conoco and excluding one for Commissioner Strahan.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve reimbursement for Commissioner Strahan.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

RECESS

RECONVIENE

2:25 p.m.

The Taney County Commission reconvened in the Commission Office at 2:25 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District, present, Danny Strahan, Eastern District (absent). The following proceedings were had and made a matter of record.

PNUEMATIC ROLLER

Commissioner Pennel made a motion to accept the bid from Van Keppel for a Pneumatic Roller contingent upon the east side mechanics not having any problems with the type of machine.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).



JUNE 5, 2007 THE 25TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Also present were Bob Becker, Steve Dunn, and Bob Stuart. The following proceedings were had and made a matter of record.

VV HWY

The Commission met with the State to discuss concerns about filling in the dip on 76 Hwy before VV Hwy and both sides agreed to work 6-10 hour days. A list of equipment to be provided by each entity was discussed.

Note: The start date has been moved to July 9, 2007 and the State agreed to extend both entrances to Silver Creek Rd. It was decided that the County would pay for the Black Base.

RECESS

RECONVENE

10:20 A.M.

The County Commission reconvened in the Road and Bridge Office at 10:20 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

SHOPTALK

The Commission met for shoptalk and it was determined that the Forsyth/Taneyville Road would be open to the public on Monday, June 11, 2007. The Commission also received bids and other issues on the agenda.

RECESS RECONVENE 11:40 A.M.

The County Commission reconvened in the Commission Office at 11:40 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. Also present was Bob Paulson and David Miller, City of Branson Engineer, (via telephone). The following proceedings were had and made a matter of record.

COST SHARING PROGRAM MODOT ALTERNATIVE FINANCING APPLICATION

Commissioner Herschend made a motion to approve the "Cost Sharing Program – MoDOT Alternative Financing Application" with Bob Paulson, County Counselor's corrections. Commissioner Pennel seconded the motion. The motion passed with a vote of two: Pennel (yea), Herschend (yea), Strahan (nay).

Minutes taken and typed by Stacey Clemans and edited by Hillary Bargman



JUNE 8, 2007 THE 26TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission reconvened in the Commission Office at 10:56 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District (absent). The following proceedings were had and made a matter of record.

COMP. TIME

Commissioner Pennel made a motion to approve 40 hours of comp time for Danny Luttrell.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

UMB REIMBURSEMENT #9 & 10

Commissioner Strahan made a motion to approve UMB Reimbursements #9 and #10.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).



JUNE 11, 2007 THE 27TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District present. Ron Herschend, Western District (absent). The following proceedings were had and made a matter of record.

The prayer was led by Larry Van Gilder followed by the pledge.

TANEY COUNTY COMMISSION RECORD

MULTI FAMILY APARTMENT PROJECT SUPPORT LETTER

Commissioner Pennel stated that the commission had been asked to send a support letter for a multi family apartment project for affordable home development in Forsyth close to O'Reilly's. The development would consist of 31, two and three bedroom units. Commissioner Pennel added this outfit is doing a project in Hollister and Springfield where we have supported them in the past.

Commissioner Pennel made a motion to approve the support letter.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

NUISANCE CASES

Commissioner Pennel stated that there were two cases; the one on Hillman had been sent two notices. Commissioner Pennel presented the Commission with pictures.

Commissioner Pennel made a motion to go forward with case # 08.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel stated that he had sent one letter in Cedar Creek to Elbow Road, which was the second nuisance case.

Commissioner Pennel made a motion to go forward on Diana Henson.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TITLE III

Commissioner Pennel stated that there are five applicants for Title III: Bradleyville School, Cedar Creek, Bradleyville Fire, Mark Twain School, Protom Fire. Commissioner Pennel added that these don't have to be acted on until 45 days.

Commissioner Strahan stated that once the public is aware they have 45 days to respond then the Commission would vote on it.

VV HIGHWAY

Commissioner Strahan stated that with the fair and several other activities going on, the state has said they would start the VV Highway project on the 18th, but the fair starts on the 19th so they recommended starting on the 9th of July. Commissioner Strahan added that they apologized for the change as the project was scheduled to be completed by the 4 of July. Commissioner Strahan stated that this project would cause slower traffic movement and requested the media get the word out that the area would be patrolled.

MINCY PARK

Larry Van Gilder stated that last year Commissioner Strahan contacted him asking about surplus lights. Mr. Van Gilder added that they had several lights in storage that they loaned to the park system, pending how many actually worked and now they are in the process of surplus those lights from the city to the county. Mr. Van Gilder stated that it was a great teamwork project and he appreciated the excellent relationship they have in that regard.

Commissioner Strahan stated that those lights were actually being used and that it took them two days to get them to work. Commissioner Strahan added that they thank the City of Branson for their effort in the helping with the park system.

TANEY COUNTY COMMISSION RECORD

WILSON'S LAKE, PARADISE POINT, & EMORY CREEK BOB PAULSON

Bob Paulson, County Counselor, stated that Wilson's Lake had provided easements and that is what the commission wanted, but he was not a surveyor and if they could again table until that afternoon.

Commissioner Pennel made a motion to table Wilson's Lake until 1:00 p.m.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Bob Paulson stated that he would like to put off Paradise Point and Emory Creek as well and do them all at the same time.

Commissioner Pennel made a motion to table Paradise Point and Emory Creek for the same time.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: Commissioner Herschend enters the meeting at 9:24 a.m.

EMERGENCY SHELTER GRANT

Tressa Luttrell stated that The Hiding Place was the only one who applied that year for a \$10,590 in grant money.

BIDS

Tressa Luttrell stated that she had made copies of Randy Haes' recommendations and that there was one bidder for the equipment trailer.

Commissioner Herschend made a motion to approve.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROAD MATERIALS

Commissioner Herschend made a motion to approve all four vendors with stipulation that within next 60 days they test to whatever standard the state tests and follow their lead.

The motion died for the lack of a second.

Commissioner Pennel made a motion to approve all vendors as has been done in the past noting they have the right to test whenever they want to and may exercise that right as needed.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (nay), Strahan (yea).

MECHANICAL SUPPLIES TRESSA LUTTRELL

Tressa Luttrell stated that the annual bid for nuts, bolts, and oil filters came back with four bids, but one was not responsive.

Commissioner Strahan made a motion to approve all four vendors upon Tressa Luttrell's recommendation.

Commissioner Pennel seconded the motion.

Commissioner Herschend amended his motion contingent upon price and location.

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Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AIRPORT AIR CONDITIONER

Tressa Luttrell stated that they took bid and had to resubmit.

Commissioner Herschend made a motion to retroactively approve the awarding of bid to B and B.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TIPPING SERVICES TRESSA LUTTRELL

Tressa Luttrell stated that there were three bids for transfer station landfill to them.

Commissioner Herschend made a motion that they table this issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SHADOW ROCK TRAIL EQUIPMENT TRESSA LUTTRELL

Tressa Luttrell, Commission Administrator, stated that Randy Haes recommended they go with the following bid for the Shadow Rock Trail equipment: \$6,756 plus \$668 freight for one bike rack, eight benches, and eight trash receptacles.

After a lengthy discussion, Commissioner Pennel stated that he had a question about the grant covering cost and would like to check on the freight.

Commissioner Pennel made a motion to table in order to answer these questions about freight and grant.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

10:10

RECONVENE

10:15

GUARD RAIL TRESSA LUTTRELL

Tressa Luttrell stated that she received four bids on this matter.

Commissioner Herschend made a motion to approve as recommended.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TREASURER SERVER TRESSA LUTTRELL

Commissioner Herschend made a motion to table.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

UPDATE ON MANPOWER JIMMIE RUSSELL

Jimmie Russell, Taney County Sheriff, asked the commission to look at the possibility of extra help in the jail. Sheriff Russell added that they would need four extra employees and, from figures he had come up with, \$50,960 for salaries for employees including vests would be around \$52,000 through the end of this year.

Commissioner Strahan questioned that once those four employees were hired they would be able to step in at that point and fulfill maintenance work that needs to be done. A general discussion ensued.

DONATION AGREEMENT

Bob Paulson stated that as they all knew the college was willing and ready for another segment of road back to hanger.

Commissioner Strahan made a motion to accept agreement as presented and revised and pass on environmental or forested land.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to approve the May 8, 11, 16, and 18, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #101258 – 101346 and #101369 – 101370.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

JUDICIAL CENTER REIMBURSEMENT #11

Commissioner Pennel made a motion to approve the Judicial Center Reimbursement #11.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RON HERSCHEND

Commissioner Herschend stated that he wanted to apology for being late to the meeting, their family dog had disappeared.

RECESS

EXECUTIVE SESSION COURTHOUSE REAL ESTATE ISSUES & DONATION AGREEMENT FOR ADDITIONAL AIRPORT PROPERTY PER SECTION 610.021(1)

Commissioner Pennel made a motion to go into Executive Session.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD



JUNE 13, 2007 THE 28TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following were heard and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 102905 - 102929 |
| Road & Bridge Trust Warrants | 102874 - 102897 |
| Assessors Fund Warrants | 102898 - 102901 |
| Transfer Station Warrants | 102902 - 102904 |
| 911 Warrants | None |
| Manual Warrants | 4672 - 4673 |
| Accounts Payable Warrants | 101371 - 101382 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone by: Hillary Bargman



JUNE 14, 2007 THE 29TH DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District, present. Danny Strahan, Eastern District, was absent. The following proceedings were had and made a matter of record.

SHADOWROCK TRAIL EQUIPMENT BID

Commissioner Herschend made a motion to approve the bid for Shadowrock Trail equipment. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Minutes taken and typed by Tressa Luttrell



JUNE 18, 2007 THE 30TH DAY OF THE APRIL ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BRIDGET COLLINS ADOPTING COUNTY ROADS FOR TRASH PICK UP

Bridget Collins presented the Commission with a packet of information regarding the implementation of a program similar to MoDot's Adopt a Highway program that would allow groups or organizations to adopt a stretch of county roads for trash pick up. Ms. Collins

TANEY COUNTY COMMISSION RECORD

explained that she got most of the information from MoDot on the Internet and it shows examples of how this program has helped the State as far as cost savings and how the program is ran. Ms. Collins further explained that volunteers come in and sign agreements to pick up trash twice in a six-month time span and they do three-year contracts. Ms. Collins added that the groups post signs with their organizations name saying they have adopted that stretch of road and they adopt a mile at a time. Ms. Collins informed there are specific rules they must follow and everyone is required to watch a safety video and the state provides safety vests, flags, and trash bags. Ms. Collins further stated that there is a paper volunteers must sign committing to trash pick up along their designated stretch of highway and there is a paragraph in the back with a disclaimer saying they won't hold MoDot liable for injuries. Ms. Collins then reported that she did a comparison of cost of what it would cost Road and Bridge to pick up two miles of road verses having a volunteer group pick up two miles of road. Ms. Collins went on to state that she discovered it would cost the county approximately \$655 for Road and Bride to do trash pick up and it would only cost approximately \$126 (one time cost) for a volunteer group. Ms. Collins expressed that this program would be a great way to get the community more involved and she feels there are many people and organizations that would want to be part of making Taney County more beautiful.

Commissioner Herschend thanked Ms. Collins for doing all of this research and inquired as to whom she sees administrating this project? Ms. Collins replied that she is not sure. Commissioner Herschend then asked if this is a project she would want to take on? Ms. Collins expressed that she would not want it to take away from her current job and added that maybe it could be something she does twice a month. Commissioner Herschend clarified that he envisioned this being something she could do on rain days such as contacting volunteers and the media. Commissioner Herschend added they could also borrow her for a couple of hours for training. Ms. Collins emphasized that if people are willing do this on a volunteer basis, and then she would be willing to do this on a volunteer basis.

Presiding Commissioner Pennel inquired as to picking up the bags once they are full? Ms. Collins stated that Road and Bridge crews could take a few extra moments and pick up the trash bags that were left by volunteers on the side of the roads

Commissioner Strahan expressed there would be a time element involved in this and it would probably have to be set for spring or fall as ditch lines would have tall grass and snakes in them. Commissioner Strahan suggested having the trainings during the off times and applauded Ms. Collins for her efforts to try and keep Taney County looking beautiful.

Commissioner Herschend made a motion to implement an Adopt a County Road Program and ask Ms. Collins to "spear head" it and work with Commission Pennel on this program and to be paid overtime for training sessions as it would be a cost savings to the county. Commissioner Pennel seconded the motion.

Commissioner Pennel suggested trying to get this program going by this fall and suggesting asking Commissioner Herschend to get out his BBQ grill and have an event to get the word out.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AIRPORT RESTAURANT

Commissioner Herschend stated that he would like to give Tressa Luttrell, Administrator the okay to go out for bid for the airport restaurant. Commissioner Herschend explained that the M. Graham Clark Airport wants to put in a sandwich type restaurant with cooking done either in a microwave or outdoors and would like concurrence from the Commission to go out for bid. Commissioner Herschend added he wanted to make the Commission aware that the specs would be unique because they do not want normal cooking stuff such as grills and ovens.

AIRPORT HANGER REQUEST FOR ADVERTISEMENT

Commissioner Herschend informed that Mark Parent, Airport Manager provided the Commission with a proposal and has asked Tressa Luttrell, Administrator to go out for bid for a 10,000 sq. feet hanger and for a bank to loan money for a hanger. Commissioner Herschend

TANEY COUNTY COMMISSION RECORD

stated that he did not see a pro forma for the projected income included verses projected cost to determine whether or not this is a viable project. Commissioner Herschend explained that he didn't know what the total income is, what the total cost would be, or how they would pay it back and he's not sure that the Commission should approve the building of those hangers without that financial information.

Presiding Commissioner Pennel stated that he got the idea the lender would own that building until it was paid for and they surely wouldn't enter into an agreement without the information Commissioner Herschend is talking about. Commissioner Herschend reminded that he was in a meeting a month ago where they said the Commission would not be responsible for a loan without knowing the financial viability of that concept. Commissioner Pennel stated it is kind of like an RFP where they show what they want to do and present a way of doing it.

Bob Paulson, County Counselor clarified that both Commissioners are correct and added that about a month ago the economic feasibility was discussed. Mr. Paulson added at the last meeting it was discussed that the county can't encumber the property based on the Donation Agreement so any loan would be secured only by the hanger building itself and that would be their recourse. Mr. Paulson clarified that Commissioner Herschend still wants the economic viability information that if they haven't provided they probably can provide. Commissioner Herschend expressed that he doesn't know how to bid or ask somebody to loan money when he doesn't know how much it will cost, how long he is going to borrow it, and how he is going to repay. Commissioner Herschend went on that this wasn't a request for proposal it was a request for a bid and they can't select and negotiate when this would be a sealed bid.

Commissioner Pennel suggested that the Commission approve a proposal and not a bid. A general discussion ensued.

Bob Paulson clarified that the airport is not looking for a loan for them they are asking the Commission to do it. Commissioner Herschend explained they are asking the Commission to stand behind it although they can't encumber the land and added that there are financial institutions eager to support the county because they have the Banking Reinvestment Act. Commissioner Herschend recommending getting with Mark Parent and Dave Woolery to address these questions and concerns.

Commissioner Pennel agreed that a work session needed to be set up and suggested Auditor Findley sit in on the work session as well.

THANK YOU TO ELKS LODGE

Presiding Commissioner Pennel explained it came to his remembrance that when the Masons worked with the county to trade property and have a building the county was supposed to pay rent for them while they were temporarily dislocated. Commissioner Pennel clarified the Masons went to the Elk's Lodge and word came to him that the Elks Lodge did not want reimbursement they just wanted a thank you letter. Commissioner Pennel stated that he would get that together.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from October 13, 2006 and May 30, 2006. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #101383-101461 and warrants #4674-4675. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BOB SCHANZ

Bob Schanz stated that he has come to a lot of meetings and Bridget Collins gave the best presentation he as heard. Mr. Schanz added that she was very prepared and the county should count themselves lucky to have her. Mr. Schanz then suggested having the businesses buy their

TANEY COUNTY COMMISSION RECORD

own signs. Commissioner Herschend clarified that the \$126 was for everything including the signs, vests, flags, and trash bags. Mr. Schanz warned the county to be careful about groups like the KKK wanting to put their names on signs.

Commissioner Herschend expressed that the Commission needed to heed his warning but he's not sure legally they could exclude people from the program. Mr. Schanz replied that their lawyer could figure something out.

LIEUTENANT GOVERNOR BRANSON LANDING

Wiley Barnes, Branson Chamber of Commerce explained that she sent an e-mail out on Friday in regards to Lieutenant Governor, Peter Kinder being at the Branson Landing today at 4:00 for Senator Jack Goodman's Senate Bill 64. Ms. Barnes informed that it might not happen because Senator Goodman might not be able to come so there is a possibility it would be postponed and added that if it rains it would be moved to the Welcome Center off of Hwy 65 and Hwy 160.

Commissioner Strahan asked Ms. Barnes if she addressed the issue of it being cancelled and asked how she would notify people? Ms. Barnes explained she would send another e-mail as soon as she received the information.

AUDITOR

Commissioner Herschend thanked Rick Findley, Auditor for working with the outside auditor and Tressa Luttrell, Administrator to improve purchasing.

FAILED LEGISLATION ADULT ENTERTAINMENT

Presiding Commissioner Pennel informed that he read an e-mail on Legislation on something that did not get passed about adult entertainment and added that he would be asking council to research on what regulations the county might want to consider as far as a County Ordinance or Planning and Zoning Development Code in regards to this issue.

Commissioner Herschend expressed that whatever action the county chooses to take he recommends they do it by ordinance and added that anything they do is better enforced as an ordinance as oppose to Planning & Zoning. Bob Paulson, County Counselor stated it might be a good idea to have it in both places.

BOE

Donna Neeley, County Clerk stated that she would like to swear in the members of the Board of Equalization and appoint a Chairman. The Commission took a recess and went into BOE.

Minutes taken and typed by Hillary Bargman



JUNE 20, 2007 THE 31ST DAY OF THE APRIL ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

INTERVIEW REGARDING ILLEGAL IMIGRANTS BOB SCHANTZ

Commissioner Pennel presented a concern to the commission regarding a statement that was made by Bob Schantz during an interview. Commissioner Pennel stated that he was concerned that the public would think that the commission has the same viewpoint.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend told the commission that the Federal Law says the Local Government can seize and detain illegal immigrants if the State has a Statute that gives them the power to do this. Commissioner Herschend said that Missouri doesn't have this statute so the local authorities are not allowed to seize or detain without cause.

Jimmy Russell, Taney County Sheriff, stated that if a crime has been committed then his department is allowed to detain illegal immigrants just like they would anyone else.

Commissioner Strahan stated that he would like the schools to be contacted to see if they had any concerns with children coming in without the proper vaccinations.

Commissioner Herschend had a concern with an increase with the crime rate and if there were a major crime, what would that look like for Branson and Taney County. Commissioner Herschend added that he would like the commission to be pro-active about the issue and not having to react to a situation, but without a Missouri statute the County is unable to do anything.

Commissioner Strahan expressed his concerned with the health issues and if there would be an infectious disease outbreak how would that affect the economy of the county. Commissioner Strahan suggested that the commission speak with the Health Department and the Schools about this concern.

Sheriff Russell agreed that without a statute the commission's best plan would be to consider the health issues.

Commissioner Herschend also thought the school districts might be having a hardship due to having to hire interpreters for non-English speaking children.

Sheriff Russell thought the hiring practices of the businesses would need to be looked at and if there were repeat offenders; then the businesses could be brought up on charges.

Commissioner Herschend stated that he thought that a fine could be placed on businesses that hired illegal immigrants just like it is for other offenses.

Sheriff Russell encouraged the commission to speak with the state legislators about this issue.

Commissioner Pennel asked how the commission was to go forward with this issue and if they should go forward as a commission or do it on a personal level.

Commissioner Herschend stated that he would like to approach this personally, but that he did not want the commission to vote "no" on this issue until it received more information.

Commissioner Pennel stated that he was concerned about how the commission was being perceived by the public.

Sheriff Russell suggested that the commission should step back from the issue so it would not be associated with any bad publicity that the interview would generate. Sheriff Russell explained to the commission that it was not just one ethnic group that they need to consider.

Commissioner Pennel asked Commissioner Herschend to go to the INS and have a one-on-one before they bring in the schools and municipalities. Commissioner Pennel stated that he doesn't want anyone to think that the commission is picking on anyone.

Sheriff Russell stated that the commission could ask the INS to coordinate a meeting with educating the public about this issue being the focus.

Commissioner Herschend stated that he would like to find what was out there that could cause harm to the community and be pro-active about the issue and not have to wait until something happens and then have to react to an issue.

Commissioner Pennel closed the meeting by commending Commissioner Herschend on his comments at the interview.

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**JUNE 25, 2007 THE 32ND DAY OF
THE APRIL ADJOURN TERM**

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Rick Findley followed by the pledge.

SOLID WASTE MANAGEMENT BOARD

Commissioner Pennel made a motion to appoint Dan Nosalek, Planning and Zoning Department, to the Solid Waste Management Board positions of District Councilman and District Executive Board Alternate.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to reappoint Danny Strahan, Eastern District Commissioner, to represent Taney County on the Southwest Missouri Solid Waste Management District Counsel and Executive Board.

Commissioner Pennel seconded the motion. The motion passed with a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

Commissioner Herschend made a motion to reappoint Chuck Pennel, Presiding Commissioner, to represent Taney County to the Southwest Missouri Solid Waste Management District Counsel and Executive Board.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea),

MODOT CONTRACT/APPLICATION

Commissioner Pennel presented the following concerns regarding MODOT's positions on the Hollister Partners For Progress project as expressed in a recent news report:

1. The Hollister bridge would be closed for a year.
2. Cost sharing with the county on the east-west corridor.
3. Set up a meeting to discuss.

Further discussion resulted in deciding to keep this item open and do follow up.

VV HIGHWAY PROJECT DANNY STRAHAN

Commissioner Strahan presented a reminder of the VV Highway Project and recommended that the citizens use Highways 160 or FF instead when work takes place on July 9th.

Patrick Ellison and Debra Ellison, owners of Wistera Cottage in Mildred, expressed concerns about the VV Highway Project having a negative impact on their business.

Discussion of options to alleviate concerns followed.

WHITE RIVER BASIN APPOINTEE RON HERSCHEND

Commissioner Herschend presented information regarding the White River Basin organization and the importance of appointing a replacement for Floyd Gilzow, the previous appointee, who no longer resides in Taney County. Commissioner Herschend recommended

TANEY COUNTY COMMISSION RECORD

appointing Chip Mason who is very familiar with the White River Basin organization and is recognized in Jefferson City.

Commissioner Pennel made a motion to appoint Chip Mason to the position.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TRANSFER DOCUMENTS TO CLERK FOR DESTRUCTION RICK FINDLEY

Rick Findley, Taney County Auditor, requested to be put in the minutes because of the time on documents.

PRIOR MINUTES

The Commission stated that they were not ready to approve minutes at this meeting.

ACCOUNTS PAYABLE

Commissioner Strahan made a motion for approval of accounts payable checks #101462 – 101594 & 10196 – 101605 and warrants #4676, 4677, & 4678.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PUBLIC COMMENT

Bob Schantz addressed the Commission regarding Illegal Immigrant issues.

EXECUTIVE SESSION BOB PAULSON – Contracts 610.021(1)

No discussion.

Commissioner Pennel made a motion to recess.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

10:00 a.m.

RECONVENE

1:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Also present were Ron Houseman, Charlie Pugh, Joan Chowning, Buddy Roberts, Angela Leist, Lisa Owen, Bob Schantz, Jack Harrison, Lonnie Combs, Leon Combs, Bob Paulson, Kevin Kline, and Rick Findley.

PARK BOARD, IDA, & WHITE RIVER HISTORICAL SOCIETY

Commissioner Pennel opened the meeting by asking Commissioner Herschend to explain the reason for the meeting.

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Commissioner Herschend stated that after a lunch with Leon Combs, he thought it would be good to get the Park Board, IDA, and the White River Historical Society together to discuss a tax proposition.

Leon Combs and Lonnie Combs were inquiring about the possibility of placing a 1/16 or a 1/8 of a percent tax rate on the ballot for the purpose of benefiting the county through these entities.

Commissioner Herschend stated that a 1/16 increase would generate approximately \$750,000.00/year. Commissioner Herschend suggested that they have a 10 -year sunset on the tax so the taxpayers would know that it would not be out there forever. Commissioner Herschend also suggested that the money include the operations of the facilities that were built.

Commissioner Strahan stated that he did not think it should sunset, and maybe going through the GCR account would be wise.

Ron Houseman questioned if the money was earmarked in the ballot language. Mr. Houseman also question if it stated the percentage that goes to each entity. Mr. Houseman stated that it would be easier to sell a tax if the ballot language earmarks the money and designates the percentage to be used for what.

Commissioner Strahan had concerns about the possibilities of winning a renewal on a sunset tax.

Lonnie Combs asked about the likelihood of getting a 1/8 percent sale tax that would sunset in 10 years passed by voters.

Bob Schantz stated that he had concerns that the people in Branson feel like they are “taxed to death” and that it may be difficult to their backing on something like this.

Commissioner Pennel asked each entity what would be priority project with the money they received. The White River Historical Society talked about a museum, the IDA spoke of affordable housing in the county, the Park Board spoke of Fairgrounds with facilities, and one full time law enforcement deputy for each of the 8 communities in the county.

Lonnie Combs stated that he would like to see a 1/8 of a percent sales tax to sunset in 10 years and to be split equally among the entities.

Commissioner Herschend suggested that one representative from each of the groups represented get together for a work session and put together a budget plan.

Minutes taken by: Melanie Whitaker and typed by: Gloria Severson



JUNE 29, 2007 THE 33RD DAY OF THE APRIL ADJOURN TERM

The County Commission met in the County Commission Office at 3:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

Note: The Commission called an emergency meeting due to a time constraint issue with MoDOT.

EAST HWY 76 RIGHT-OF-WAY

Commissioner Herschend made a motion to offer Mr. & Mrs. Haynie, regarding the right of way, \$5,700.00 for .2 of an acre and added that this offer is good through July 2, 2007. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Note: The Commission sent the following letter to The Haynie's in regards to this issue.

Dear Mr. Haynie:

As you are already aware, Taney County has stepped up to the plate to assist MODot with its safety improvements to East Highway 76 near its intersection with VV Highway. Motor vehicle accidents are a regular occurrence at this intersection often times resulting in serious injury. It is important to the citizens of Taney County that the improvements be made as soon as possible.

MODot may decide to make the improvements, perhaps as early as next spring. However, the plan to make the improvements this summer will not occur unless the county participates. MODot's usual practice is to pay for right-of-way. The property needed from you for the improvements amounts to .2 (1/5) of an acre. After checking with MODot and its study of comparables, it is the Commission's opinion that property similarly situated to yours is worth \$8,567.00 per acre, making the .2 acres worth approximately \$1,700.00.

It is possible that because the property is located completely within the required setback it is actually worth considerably less than \$1,700.00. If Taney County cannot reach agreement with you by Monday, July 2, 2007 at 12:00 noon, the County will be withdrawing all offers and you may be dealing with MODot next Spring. Our understanding is that MODot's usual practice is to offer market value, and if not accepted it resorts to condemnation.

It is important that you are made aware that the East Highway 76 right-of-way issue cannot be tied to the sewer line issue. The Taney County Regional Sewer District is a separate body politic and the Taney County Commission cannot dictate that the District 'vote to make you any certain offer. Furthermore, the Sewer District Board does not meet again until Tuesday, July 3, 2007 at 1:30PM, and we have a "drop dead" date of Monday July 2, 2007.

Taney County will agree to pay you \$5,700.00 in return for your execution of all required documents conveying the right-of-way to MODot for the necessary improvements to East Highway 76. Taney County can justify this figure because it is the fair market value plus what the County figures would be the most it would cost to go through condemnation.

We look forward to hearing from you by Monday, July 2, 2007. All offers not accepted by noontime on Monday will be withdrawn.

RECESS

RECONVENE

The County Commission reconvened in the County Commission Office at 3:24 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

COUNTRY MUSIC DAY

Commissioner Herschend made a motion to proclaim the last Saturday of June to be Country Music Day and added that this would be in honor of the 40th Anniversary of the Presley Family.

Where as Taney County citizens have enjoyed clean wholesome family entertainment provided by the local county music shows and

Where as Taney County citizens have benefited from increased services made possible by tile growing local country music industry and

Where as visitations to Taney County and Ozark Mountain Country has increased in response to the quality of entertainment provided by our local country music industry and

Where as the country music industry has driven economic growth in Taney County and

Where as the Presley Family have served the community and been great citizens and role models.

Let it be proclaimed by the Taney County Commission on this 29th day of June 2007 that the last Saturday in June of each year be known as Country Music Day in Honor of the 40 years of family entertainment provided by the Presley Family.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken by Stacey Clemans and Angie Anderson and typed by Hillary Bargman

TANEY COUNTY COMMISSION RECORD



JULY 2, 2007 THE 3RD DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Danny Strahan followed by the pledge.

CLEARWATER ACRES VACATE CUL-DE-SAC

Presiding Commissioner Pennel read the following road petition for the vacation of Clearwater Acres:

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

In the Matter of Vacation of a Cul-De-Sac on Replat/Lots A-D of L, Block 11, Clearwater Acres, Taney County, Missouri.

PETITION

Come now Petitioner Barbara Sheldon, a single person, the owner of a certain tract of land located in Taney County, Missouri, being more particularly described as follows:

All of Lots A, B, C & P of Lot 58, Block 11, Clearwater Acres, a subdivision of land in Taney County, Missouri as per the re-plat thereof, recorded at Book 14 Page 60 in the office of the Recorder of Deeds, Taney County, Missouri and the un-plotted part Of Block 11 lying South of Lot A and north of Mo Hwy 86.

Commissioner Herschend made a motion to table the petition to vacate Clearwater Acres. Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

HOLIDAY AVENUE VACATE PORTION OF ROAD

Commissioner Herschend read the following road petition for the vacation of Holiday Avenue.

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

In the Matter of Vacation of that portion of Holiday Avenue located beginning at the SE corner of the NE 1/4 of Section 30, Township 24, Range 20 along the southerly nw line of Holiday Avenue as platted to the NE corner of Lot 3, Block 40, Long Beach, thence East to the NW corner of Lot 1, Block 31, Long Beach, thence north to the SW corner of Lot 6, Block 28 of Long Beach, thence continue North along the east nw line of Summer Avenue to the NW corner of Lot 1. Block 28 Long Beach, thence continue to the SW corner of Lot 24, Block 25 Long Beach, thence continue to the SE corner of Lot 10, Block 22 Long Beach, thence continue west along the north nw of Bass Street t~ the Section line between Sections 29 and 30, Township 24, Range 20, thence South along the section line to the South nw of Bass Street, thence east to the NB corner of Lot 8, Block 39, Long Beach thence South to the SE corner of Lot 14, Block 39 Long Beach thence SW along the north r/w of Holiday Avenue to the Section line between Sections 29 & 30. Township 24, Range 20, thence South along the section line to the point of beginning.

PETITION

Come now Petitioner Carol M. Bailey, a single person, the owner of a certain tract of land located in Taney County, Missouri, being more particularly described as follows:

All of Lots 8, 9, 10, 11, 12, 13 and 14, and that part of Lots 1, 2, 3, 4, 5, 6, and 7 lying east of section line between Sections 29 and 30, Township 24, Range 20, all being in Block 39 in Long Beach, as per the recorded plat thereof.

Commissioner Herschend made a motion to table the vacation that portion of Holiday Avenue. Commissioner Strahan seconded the motion to table. A general discussion ensued.

Commissioner Herschend then amended his motion to table and add that the Commission asked the Assessor's Office to verify the legal description and investigate the roads impacted. Commissioner Herschend clarified that he added this to his motion because the petition specifically says "that portion of Holiday Avenue" and talks about the petitioner owning both sides of the road and it does not appear that she owns both sides. Commissioner Strahan seconded the motion for further investigation. The motion passed by a vote of three: Herschend (yea), Pennel (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

TOP OF THE ROCK ROAD VACATION

Chuck Green, Attorney stated that he is representing Top of the Rock LLC in regards to the road vacation. Mr. Green went on to state that in their file there is a copy of the petition filed, a copy of the notice posted, statutes, and a copy of the affidavit of publication. Mr. Green explained that there was access from Hwy 65 but with the new road the only way to get into it is to turn on Hwy 86, then turn right, and it dead ends at Top of the Rock. Mr. Green added that he is told the old road is dirt and requested that the Commission consider and execute the proposed order.

Commissioner Herschend explained that the State mistakenly gave permission to build across the road, not remembering that it was in fact a county road and the Commission gave them permission to complete their embankment work as approved by the State. A general discussion ensued.

Commissioner Herschend made a motion to approve the abandonment of this property as requested. Commissioner Pennel seconded the motion.

Mr. Green then went on to clarify what would be vacated/abandoned.

Commissioner Herschend explained that after this motion the Commission would ask that Mr. Green go back and check to make sure the road is abandoned and that the State or County right-of-way has been vacated.

Commissioner Herschend amended his motion and added to vacate what they understand to be Top of Rock Road that was built within the last 36 months to county standards by Top of the Rock and Bass Pro Organization. Commissioner Pennel amended his seconded the motion.

Ms. Luttrell recommended that the Commission confer this with Bob Paulson, County Counselor as well and added there are two statutes for vacation. Ms. Luttrell went on to state that one allows the county to take immediate action and it's done and the second allows them to but can't take action until the next term. Commissioner Pennel clarified that this section is petitioned under RSMo 71.240 and asked if this is the statute that allows the county to enter into action immediately? A general discussion ensued.

Commissioner Strahan inquired as to whether the Commission could act on this issue today based on statutory requirements? Ms. Luttrell suggested that the Commission amend their motion and second to be contingent on the advice and recommendation of Bob Paulson, County Counselor.

Commissioner Herschend amended his motion to be contingent upon the statute allowing action today. Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ILLEGAL IMMIGRATION AND CLOSING OF TANEYCOMO BRIDGE BOB SCHANZ

Bob Schanz addressed the Commission in regards to illegal immigration and expressed that they need to get together as a First Class County and figure out a plan then go to Jeff City and try to get them to change the law so that Missouri can act under Federal Law.

Mr. Schanz then addressed the issue of closing the Taneycomo Bridge and expressed his opposition to the concept. Mr. Schanz explained that last Tuesday he spoke with Austin Owen a Senator Kit Bond Representative and he expressed that Senator Bond would like to hear from the Commission in regards to this situation. Mr. Schanz added if the Taney County Commission would go to the Senator then maybe he could do something to get some federal money. Mr. Schanz then went through several reasons why he feels they can't close the bridge.

Gary Groman then spoke to the issue of closing the Taneycomo Bridge and said that unless they have a total plan to fix the whole problem then closing the bridge just to pave it and possibly having to close it later doesn't make sense. Mr. Groman added that the petitions are not a solution and asked why they couldn't do something like what was done in Hollister and before the bridge is closed have a plan that shows how the one-year sacrifice would work.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel expressed that the County Commission is left in the dark and need to get more information before taking action.

Gary Groman then commented on Illegal Immigration and stated that what happens in Missouri on the state level, shouldn't change just because of one entity. Mr. Groman suggested using the coalition the county is a part of to see what the State says before taking action.

AGENDA AMENDMENT

Commissioner Herschend made a motion to amend the agenda to hear John Lavender so he can go back to work. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SUGGESTION BOX JOHN LAVENDER

John Lavender stated that last week he heard a discussion between Commissioner Strahan and Bob Schanz, who were talking about Bridget Collins' idea of how to improve something, and they were so up beat that it put a spark in him. Mr. Lavender then expressed his idea about an employee suggestion program and recommended that the Commission put a suggestion box up and at their leisure go through the ideas instead of people coming to them and presenting during meetings.

Commissioner Pennel expressed that he is excited about the idea and added that the Commission gets e-mails regularly with suggestions.

Commissioner Strahan added that when he first came in to office they had department head meetings once a month over the lunch hour and fewer and fewer people came. Commissioner Strahan went on to state that the Commission has discussed trying to get back into the routine of meeting regularly and then Department Heads could bring those suggestions to the Commission at that time. Commissioner Strahan added that they get so busy sometimes they overlook important things.

Commissioner Pennel stated that Mr. Lavender has his blessing. Commissioner Herschend echoed Commissioner Pennel's blessing and asked permission for Mr. Lavender to do a little more research on the programmable thermostats.

RECESS

10:05

RECONVENE

10:15

VV PROJECT

Presiding Commissioner Pennel made a motion to table the VV Project for later. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

MILEAGE RATE

TRESSA LUTTRELL

Tressa Luttrell, Administrator informed the Commission that the State increased the mileage rate to 45.5 cents per mile from 41.5 cents per mile effective July 1, 2007. Ms. Luttrell reminded that the Commission usually stays with the State and she normally gets something from the Circuit Clerk but since she was out Ms. Luttrell found this in the County Record Publication.

Presiding Commissioner Pennel stated that this is a ten percent increase and inquired as to how it would affect the counties budget? A discussion ensued.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to raise the mileage rate for Taney County from 41.5 to 45.5 in order to match the State standards as the county has always done in the past. Commissioner Pennel seconded the motion.

Commissioner Herschend expressed that he has always blindly follow the State and suggested that the Commission understand not only who would be impacted but by how much. Ms. Luttrell reported that the big users don't turn their mileage in so she is unable to give them an exact number as far as how much it would be impacted.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

PAVEMENT MARKING BID TRESSA LUTTRELL

Tressa Luttrell, Administrator stated that she went out for bid on pavement marking material and explained that it is yellow acrylic, white acrylic, and glass beads. Ms. Luttrell reported that she only got one bid, from Time Stripping Inc. in Van Buren Arkansas for a total amount of \$60,588.90. Ms. Luttrell added that they are getting 60 barrels of yellow, 15 barrels of white, two hundred 50 pound bags of glass beads, and that should take care of the whole season.

Commissioner Herschend made a motion to approve Time Stripping Inc.'s bid for the amount of \$60,588.90 as recommended. Commissioner Strahan seconded the motion.

Commissioner Herschend requested that Ms. Luttrell start identifying someone else interested in the counties \$60,000 year business. Ms. Luttrell expressed that she has tried.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

CENTURYTEL CONTRACT GARY MORGAN

Gary Morgan, IS Administrator presented the Commissioner with the Century Tel bid for phone maintenance effective July 1, 2007. Mr. Morgan explained that the only bid they got in was from CenturyTel for the amount of \$827,377 which is a lot to pay for maintenance for a phone system however they will be merging the new system with the old system and CenturyTel has had it and he feels it would be good to stick with them. Mr. Morgan further explained that the contract expired July 1, 2007 and they can go month to month with them if there is a contract lapse. Mr. Morgan suggested that the Commission sign an agreement effective July 1, 2007 adding that as they move and marry the system it would be nice to have someone already familiar with the counties system.

Commissioner Strahan asked for confirmation that the county has good success when they call CenturyTel on any problems and that they respond quickly? Mr. Morgan responded "yes". Ms. Bilyeu reported that the contract needed to be changed from emergency calls 24 hours to emergency calls 4 hours and 24 hours needed to be put on regular calls.

Commissioner Herschend made a motion to table the Century Tel Contract for further review and get comments from Bob Paulson, County Counselor. Commissioner Herschend added that he is for this contract.

Commissioner Pennel asked if Commissioner Herschend's table was for later that day when Mr. Paulson gets back? Commissioner Herschend clarified they would vote on it as soon as Mr. Paulson gets back.

Commissioner Pennel seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

PAYROLL JAMES STRAHAN

James Strahan, Assessor informed the Commission that Rick Findley, Auditor made him aware that the \$60,000 approved by the Commission to run his office was pending on this court

TANEY COUNTY COMMISSION RECORD

case coming up and would run out after the next pay period. Assessor Strahan requested that the Commission transfer another \$60,000 from GCR to the Assessor's fund to take care of payroll. Mr. Strahan added that on July 12, 2007 the judge would hear the case, assuming there are no delays and that on Friday they filed a suit against the Office of Administration of the State of Missouri.

Commissioner Herschend expressed that he would gladly make a motion but he has a few questions and asked how long the \$60,000 would last? Rick Findley, Auditor estimated three months.

Commissioner Herschend made a motion to approve \$60,000 to be transferred from General County Revenue to the Assessors Fund.

Commissioner Strahan seconded the motion.

Note: Bob Paulson entered at 10:50 a.m.

Commissioner Pennel asked Mr. Findley when he said he would need these funds? Mr. Findley stated that the Assessor could make one more payroll, which would be to about July 12, 2007.

The motion passed by a vote of two: Pennel (nay), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from May 24, June 5, and May 30, 2007. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #101612-101678. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

APPROVAL OF UMB REIMBURSEMENT #12

Commissioner Strahan made a motion to approve UMB Reimbursement #12. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (abstain), Strahan (yea).

BOB SCHANZ

Bob Schanz stated that last week he was at a meeting talking about a 1/8th or 1/16th tax for parks and expressed concern about citizens not being able to afford any more taxes. Mr. Schanz requested that the Commission try to keep taxes down.

JONES ROAD

Commissioner Herschend stated that he would like to schedule a road trip with the whole Commission to look specifically at Jones Road in a subdivision with 102 lots on a road that is 12 feet wide. Commissioner Herschend added that they needed to determine whether the county is going to improve the road.

Commissioner Strahan also expressed that he would like to have a work session in regards to this issue.

SHERIFF'S OFFICE CARPET

Commissioner Herschend reported that John Lavender got some estimates back on carpet for the Sheriff's Office. Commissioner Herschend went on to state that the estimate from Combs was for \$595 and Tri Lakes Interior was for \$600 however they wouldn't be able to get to the county for two weeks. Commissioner Herschend suggested going with Combs for carpet in the

TANEY COUNTY COMMISSION RECORD

Sheriff's Office to replace the carpet that had to be removed due to water damage. Commissioner Pennel expressed that Commissioner Herschend has his blessing.

LETTERS

Commissioner Herschend stated that he drafted a letter to the ACLU and would like for the Commission to read and see if it is appropriate to respond to what they sent. Commissioner Pennel stated that he has read it and it looks good to him.

Commissioner Pennel then thanked Commissioner Herschend for initiating a proclamation about the Presley's 40th anniversary.

RECESS

11:15 A.M.

Minutes taken and typed by: Melanie Whittaker and edited by Hillary Bargman



JULY 3, 2007 THE 2ND DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 8:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

CHECK FOR THE HAYNIE'S

Presiding Commissioner Pennel made a motion to request a check from the Auditor in the amount of \$5,700 for Mr. and Mrs. Haynie for the purchase of a right-of-way on East Hwy 76. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken by Stacey Clemans and typed by Hillary Bargman



JULY 9, 2007 THE 3RD DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:06 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

BACKHOE BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Taney County Commission Administrator, stated that she took bids for three backhoes and gave it to Randy Haes, Taney County Road and Bridge, for review and now they want to buy three extended boom.

Commissioner Herschend suggested to Tressa Luttrell that she ask the venders to all come forth and be present at the same time so that they can talk to all of them at one time. Commissioner Pennel added that there were only two of the bidders present.

Commissioner Strahan made a motion to amend the agenda to include this issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PRIOR MINUTES

Commissioner Herschend made a motion to approve the July 5, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #101694 – 101734 and warrant #4682.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ART BECK

Art Beck suggested to the commission that the Commission supply a guardrail around the cooler at the senior center and added that he would like to see money added in the annual budget to help the senior center. Art Beck stated that the people depending on this center would be in trouble if the generator went out, which they are in need of a new one.

Commissioner Pennel asked Mr. Beck how this was funded; wondering if they had raised money or if it was all donations. Art Beck responded that it was all donations adding that they had put on fundraisers.

WATER LEAK REPAIR EDDIE COXIE

Eddie Coxie expressed his thanks to the Commission from Planning and Zoning for the attention given to the building. It was looking really good.

Commissioner Herschend responded that he was sorry that it took so long.

BACKHOE BID (Continued)

Eugene Rogers from Road and Bridge stated to the commission that they had budgeted to buy three backhoes and got the figures in last week. Eugene added that they asked for a buyback program on the backhoes and were offered a 5-year with John Deere and decided the county's best interest would be to add the extended backhoe that would help much more. Eugene added that John Deere bid three extended backhoes at \$264,934.00 offering extended warranty for five years.

After lengthy discussion Commissioner Herschend made a motion to reject all bids and go out very specifically with what they are looking for.

Motion died for the lack of a second.

Commissioner Pennel made a motion to table the issue.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

Commissioner Pennel made a motion to go into Executive Session pursuant to RSMo.

RECESS

RECONVIENE 4:10 p.m.

TANEY COUNTY COMMISSION RECORD

The Taney County Commission reconvened in the Commission Office at 4:10 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Commissioner Herschend made a motion to repair and lay from the mouth of Swan to Highway 160 a 2" overlay as agreed to with the City of Forsyth. As well as fix the spots by the post office road due to the work on the Masonic Lodge.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



JULY 16, 2007 THE 4TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

VACATION OF HOLIDAY AVENUE TOM MOTLEY

Tom Motley addressed the Commission in regards to Holiday Avenue and explained that the road vacation is at the end of Long Beach Road. Mr. Motley went on to state that he is representing, Cara Bailey who lives in Block 39 which is split in half. Mr. Motley presented a map and explained that the area she is requesting to be vacated is highlighted adding that no road presently exists and she has access off of Lot 8 in Block 39.

Presiding Commissioner Pennel expressed that he would like to see an aerial assessors map to see property owners. Commissioner Pennel added that some time ago there was a squabble between property owners and he wouldn't be comfortable taking action without looking into the issue some more.

Commissioner Strahan expressed that he had some concerns but didn't have any questions at this time.

Commissioner Herschend asked for clarity in regards to the fact that the vacation is for Holiday Avenue but it also includes Bass Street and Subner Avenue. Mr. Motley clarified that that the vacation is for a portion of Holiday Avenue, a portion of Bass Street, and a portion of Subner Avenue.

Commissioner Herschend then asked how it was posted in the newspaper? Mr. Motley answered it said "the matter of a portion of Holiday Avenue". Bob Paulson, County Counselor clarified that the publication also mentioned Bass Street and Subner Avenue. Commissioner Herschend had further questions. A general discussion ensued.

Commissioner Herschend made a motion to table the vacation of Holiday Avenue until Mr. Motley could answer questions and address concerns. Commissioner Strahan seconded the motion to table. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

VACATION OF CLEARWATER DRIVE TOM MOTLEY

Tom Motley then addressed the Commission in regards to the vacation of Clearwater Drive in an area that goes into Lots A, B, C, & D and added that one owner owns all of those lots. Mr. Motley explained that the property owner built her house on top of the end of the cul-de-sac years ago and after her husband was killed four years ago she has been trying to refinance

TANEY COUNTY COMMISSION RECORD

her home. Mr. Motley further reported that they informed her if she ever wanted to sell her home, she was going to have to get this worked out because the way she built her house it crosses over Lots C and D and into the main cul-de-sac area. Mr. Motley stated she would sell it as one parcel because that is how she bought it and is requesting to have that area vacated so it is one parcel in order for her to sell it.

Commissioner Herschend made a motion to amend the agenda to table this item and have Mr. Motley bring back an aerial from the Assessor's Office. Commissioner Herschend added that without seeing where the house is located it is hard to make a decision.

Commissioner Strahan expressed that even if the Commission votes to vacate the road, the plat has to be addressed also and inquired as to whether it would go through Board of Adjustments.

Commissioner Herschend clarified that if the county vacates the property then the road no longer exists and the property goes back to the adjacent property owners.

Bob Paulson, County Counselor mentioned that another thing to do if they want to keep a cul-de-sac at the end is to vacate it based upon the filing of an amended plat. Mr. Motley explained that this road comes off of Hwy 86 and it is a driveway to their house.

Commissioner Pennel seconded the motion to amend the agenda.

Commissioner Strahan expressed concern with A, B, C, and D Plots adding that if they sell Plot A or D they would have to get an easement off of the main highway or a private road.

Mr. Paulson stated that he needed to amend the plot. Mr. Motley emphasized that she wants to make it as one plot.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROUND MOUNTAIN ROAD CONCERNS WALTER RIGGAN

Walter Riggan addressed the Commission in regards to Round Mountain Road and added that his wife, Kathy as well as other residents are at the meeting to discuss concerns. Mr. Riggan explained that the concern of Round Mountain Road is between the intersection of Good Night Hollow and Round Mountain and Bradley Hollow adding that the section of about a mile and a quarter is unpaved. Mr. Riggan requested that the Commission look at why the road was never paved and what it would take to get it paved. Mr. Riggan informed that the residents have all agreed to give additional easements. Mr. Riggan then brought up the second issue, which is the low water crossing at Bull Creek.

Commissioner Herschend addressed the first issue and they are looking at \$50,000–\$70,000 to do ditches, repair fence, and put asphalt down, for a traffic count of eight cars a day. Commissioner Herschend explained that the Commission has to either look at the cost of taking on this project or put the money somewhere else where it serves more.

Mr. Riggan stated that he understands but he drove around and has found roads that have been taken over by the county and paved. Mr. Riggan commented that there are four school buses a day, the mail counts as two on the traffic count, and there are at least eight people that use it on a daily basis, there are four people that use it off H Hwy as a cut off to Branson. Mr. Riggan requested another traffic count be done on the road.

Commissioner Pennel asked how many property owners there were? Mr. Riggan responded five but two new houses are being built and Mrs. Riggan added that there are eight property owners.

Mr. Riggan then brought up the low water crossing on Bull Creek that has been a concern for a long time and stated that right now the low water crossing acts more as a dam instead of a bridge. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

The Commission decided to look more into the issue of the low water crossing when the upgrade comes up.

Commissioner Pennel then asked Walter and Kathy Riggan about a nuisance issue to see if there is still junk in the area of concern? Mr. Riggan stated that Brenda did take some action and had the cars hauled off however this morning it looked like a junkyard again.

Commissioner Strahan clarified that he talked to Brenda in regards to cleaning her property and the next time he saw her she informed him it was cleaned up. Mrs. Riggan clarified that Brenda tries but her son is primary responsible for the mess.

Commissioner Pennel expressed that he would still like the Commission to move forward with the nuisance issue.

Commissioner Herschend made a motion to move forward to the next step. Commissioner Pennel seconded the motion and expressed that he doesn't want to be mean but they have gotten calls and he has taken pictures.

Commissioner Strahan expressed that he has a problem punishing a property owner when she is trying to keep it cleaned up.

The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (nay).

CLEAR WATER DRIVE TOM MOTLEY

Tom Motley returned to the Commission meeting with GIS on Clear Water Drive. Commissioner Strahan made a motion to vacate Clear Water Drive and cul-de-sac with an amendment to the plat contingent upon the amended plat. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Tom Motley clarified on Holiday Avenue that he has questions and would like to verify information with the Assessor's Office and requested to leave this issue tabled until he could get it corrected.

Commissioner Herschend made a motion to leave Holiday Avenue tabled. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Bob Paulson, County Counselor assured that this issue wouldn't come up until Mr. Motley brought it back before the Commission.

SEMI ANNUAL TREASURER'S UPDATE HELEN SOUTEE

Helen Soutee, Treasurer stated that according to Missouri State Statute RSMo 54.150 this is the Semi Annual Treasurer's Report to the County Commission. Ms. Soutee reported that the total funds right now in the county is \$3,896,226.11; CD's \$8,375,000; Bonds 39,604,530.55 making the grand total \$51,875,756.66. Ms. Soutee added that she is continuing to hold on to the sales tax revenue as it comes in and the account that it goes into has a rate of 5.37% right now.

FINAL SETTLEMENT AND INVESTMENT REPORT OF TANEY COUNTY TREASURER

HELEN SOUTEE

AS OF JUNE 30, 2007

| | |
|-------------------------|-----------------|
| Total Budget Funds | \$50,951,829.93 |
| Total Treasurer's Funds | \$ 923,926.73 |
| Grand Total All Funds | \$51,875,756.66 |

The attached report illustrates detailed fund balances, with the far right hand column, (Year to date) providing the breakdown of each fund. Beginning with balances as of January 1, 2007, revenues and expenditures and ending balances per fund as of June 30, 2007. This report is per RSMO 54-150 regarding the semi-annual settlement delivered to the Taney County Commission.

TANEY COUNTY COMMISSION RECORD

Investments and breakdown of cash on hand by the County Treasurer's Office as of June 30, 2007 are as follows:

| | |
|----------------------------|------------------------|
| Total Cash in Cash Account | \$ 3,896,226.11 |
| Certificates of Deposit | \$ 8,375,000.00 |
| U. S. Agency Investments | <u>\$39,604,530.55</u> |
| Total All Cash | \$51,875,756.66 |

Helen Soutee
Taney County Treasurer

Commissioner Herschend asked, for the public's information, if Mrs. Soutee would include on her next report the next 12-24 months of major projects that would be eating out those funds? Commissioner Herschend explained that there are some projects for big chunks of money coming out of funds during the next few months.

Rick Findley, Auditor explained that GCR is only 15 million of the 51 million and some of that is bond money they are talking about spending for the jail.

| TANEY COUNTY BUDGET FUND BALANCE 6-30-07 | | | | | |
|--|---------------------|----------------------|---------------------------------|---------------------|----------------------|
| | PERIOD TO DATE | YEAR TO DATE | | PERIOD TO DATE | YEAR TO DATE |
| GCR | | | LW ENFRCE TRAINING FND | | |
| BEGINNING BAL | 0.00 | 16,176,676.53 | BEGINNING BALANCE | 0.00 | 58.41 |
| REVENUES | <u>2,846,840.40</u> | <u>10,758,940.80</u> | REVENUES | <u>174.24</u> | <u>2,738.12</u> |
| TOT REVENUES GCR | <u>2,846,840.40</u> | <u>26,935,617.33</u> | TOT LET REVENUES | <u>174.24</u> | <u>2,796.53</u> |
| TOT GCR EXPEND | <u>2,209,922.99</u> | <u>11,619,601.46</u> | EXPENDITURES | <u>0.00</u> | <u>755.64</u> |
| TOTAL GCR FUND BAL | 636,917.41 | 15,316,015.87 | TOTAL LET FUND BAL | 174.24 | 2,040.89 |
| ROAD & BRIDGE | | | PROS ATT TRAIN FND | | |
| BEGINNING BALANCE | 0.00 | 8,365,292.31 | BEGINNING BALANCE | 0.00 | 9,815.46 |
| REVENUES | <u>153,655.00</u> | <u>844,934.87</u> | REVENUES | <u>90.22</u> | <u>876.88</u> |
| TOTAL RB REVENUES | <u>153,655.00</u> | <u>9,210,227.18</u> | TOTAL PAT REVENUES | <u>90.22</u> | <u>10,692.34</u> |
| EXPENDITURES | <u>392,432.05</u> | <u>1,125,999.13</u> | EXPENDITURES | <u>0.00</u> | <u>3,793.96</u> |
| TOTAL RB FUND BAL | (238,777.05) | 8,084,228.05 | TOTAL PAT FUND BALANCE | 90.22 | 6,898.38 |
| ROAD & BRIDGE TRUST | | | COUNTY INSURED FUND | | |
| BEGINNING BALANCE | 0.00 | 2,707,686.28 | BEGINNING BALANCE | 0.00 | 158,436.63 |
| REVENUES | <u>777,962.35</u> | <u>3,207,829.44</u> | REVENUES | <u>949.03</u> | <u>4,256.67</u> |
| TOTAL RBT REV | <u>777,962.35</u> | <u>5,915,515.72</u> | TOT CNTY INSURED REV | <u>949.03</u> | <u>162,693.30</u> |
| EXPENDITURES | <u>489,671.15</u> | <u>2,383,941.76</u> | EXPENDITURES | <u>2,611.91</u> | <u>44,965.49</u> |
| TOTAL RBT FUND BAL | 288,291.20 | 3,531,573.96 | TOT CNTY INSURED FND BAL | (1,662.88) | 117,727.81 |
| ASSESSMENT FUND | | | 911 FUND | | |
| BEGINNING BAL | 0.00 | 13.78 | BEGINNING BALANCE | 0.00 | 1,195,536.29 |
| REVENUES | <u>62,639.47</u> | <u>328,996.16</u> | REVENUES | <u>52,087.12</u> | <u>290,162.02</u> |
| TOTAL AF REV | <u>62,639.47</u> | <u>329,009.94</u> | TOTAL 911 REVENUES | <u>52,087.12</u> | <u>1,485,698.31</u> |
| EXPENDITURES | <u>60,955.39</u> | <u>305,646.07</u> | EXPENDITURES | <u>12,845.17</u> | <u>149,324.24</u> |
| TOT ASSEMNT FND BAL | 1,684.08 | 23,363.87 | TOT 911 FUND BAL | 39,241.95 | 1,336,374.07 |
| ELECTION FUND | | | SEWER FUND | | |
| BEGINNING BALANCE | 0.00 | 58,043.81 | BEGINNING BALANCE | 0.00 | 19,857,468.53 |
| REVENUES | <u>1,976.06</u> | <u>6,113.90</u> | REVENUES | <u>1,744,155.91</u> | <u>7,134,744.15</u> |
| TOT ELECTION REV | <u>1,976.06</u> | <u>64,157.71</u> | TOT SEWER REV | <u>1,744,155.91</u> | <u>26,992,212.68</u> |
| EXPENDITURES | <u>1,982.28</u> | <u>27,095.31</u> | EXPENDITURES | <u>1,114,104.35</u> | <u>5,330,736.91</u> |
| TOT ELECTION FND BAL | (6.22) | 37,062.40 | TOT SEWER FND BAL | 630,051.56 | 21,661,475.77 |
| TRANSFR STATION FUND | | | SEWER DESIG FUND | | |
| BEGINNING BALANCE | 0.00 | 578,192.38 | BEGINNING BALANCE | (40.96) | (40.96) |
| REVENUES | <u>104,212.86</u> | <u>581,494.92</u> | TOTAL SEWER REV | (40.96) | (40.96) |
| TOTAL TS REVENUES | <u>104,212.86</u> | <u>1,159,687.30</u> | EXPENDITURES | | |
| EXPENDITURES | <u>93,848.56</u> | <u>515,237.93</u> | TOT SEWER FND BAL | (40.96) | (40.96) |
| TOTAL TS FUND BALANCE | 10,364.30 | 644,449.37 | TOT ALL SEWER FNDS | 630,010.60 | 21,661,434.81 |
| LEPC FUND | | | SHERIFF CIVIL FUND | | |
| BEGINNING BALANCE | 0.00 | 8,487.57 | BEGINNING BALANCE | 0.00 | 85,646.91 |
| REVENUES | <u>61.21</u> | <u>1,906.16</u> | REVENUES | <u>5,841.16</u> | <u>52,781.77</u> |
| TOT LEPC REV | <u>61.21</u> | <u>10,393.73</u> | TOT SHERIFF CVL REV | <u>5,841.16</u> | <u>138,428.68</u> |
| EXPENDITURES | <u>0.00</u> | <u>1,277.04</u> | EXPENDITURES | <u>9,903.03</u> | <u>22,969.00</u> |
| TOT LEPC FUND BAL | 61.21 | 9,116.69 | TOT SHERIFF CVL FND BAL | (4,061.87) | 115,459.68 |
| TAX MAINTENANCE FUND | | | TAX MAINTENANCE FUND | | |
| BEGINNING BALANCE | | | BEGINNING BALANCE | 0.00 | 102,043.58 |
| REVENUES | | | REVENUES | <u>5,565.37</u> | <u>66,555.67</u> |
| TOT MAINTENANCE FND REV | | | TOT MAINTENANCE FND REV | <u>5,565.37</u> | <u>168,599.25</u> |
| EXPENDITURES | | | EXPENDITURES | <u>119.01</u> | <u>102,515.17</u> |
| TOT MAINTENANCE FND BAL | | | TOT MAINTENANCE FND BAL | 5,446.36 | 66,084.08 |

Mrs. Soutee said she could bring the projects to the Commission next month if they don't want to wait six months because her next report is not due until the end of the year.

TANEY COUNTY COMMISSION RECORD

TRANSFER OF FUNDS

Rick Findley, Auditor reminded that he had requested a transfer of funds for administrative cost and added they normally transfer for Road and Bridge Patrol and they have not transferred any. Commissioner Pennel thanked Mr. Findley for bringing that to their attention.

Commissioner Herschend asked Auditor Findley if he needed approval? Mr. Findley responded "yes" he would like something.

SALES TAX ELECTION

Commissioner Pennel stated he is sure there's been a newspaper article about; the White River Valley Historical Society, Park Board, and IDA, in regards to running a sales tax and expressed that he would be interested to know what it would cost for the election.

Donna Neeley, County Clerk stated that she could give them what the April Election cost for 2006, which would be the most recent. Mrs. Neeley clarified that the largest cost is for equipment and staffing adding that the April Election cost was \$36,265.03 and the November is \$37,795.32.

Bob Paulson, County Counselor inquired as to the last day for getting an issue on the ballot? Mrs. Neeley responded that the deadline is August 28, 2007.

PRIOR MINUTES

Commissioner Herschend made a motion to approve minutes from June 13, 14, and 29, 2007. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #10174-101867 and warrants #4685, 4686, 4687. Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

Note: Commissioner Pennel abstained due to check #101766, which is a reimbursement to him.

ART BECK

Art Beck stated that he cut an article from the paper to present to the Commission in regards to the Forsyth Senior Center sending well over 100 meals to Branson everyday. Mr. Beck reported that they have the cooler set up and it is working but they want to take care of it because it sits close to the parking lot. Mr. Beck informed that they park a car in front of it to keep someone from running into it. Mr. Beck then explained that he was at the Animal Shelter meeting and didn't see any Commissioner's present. Commissioner Pennel explained that they had a big sewer meeting to attend.

Art Beck then expressed his appreciate for getting Swan Creek Road done and stated it looks good. Mr. Beck further reported there are signs down coming from Hwy 65 down Casey Road.

Commissioner Strahan clarified that the county has a five-man crew on Road and Bridge to replace those adding that Mr. Beck could make a call to Road and Bridge to make them aware of fallen signs.

RECESS

10:45 a.m.

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea)

Minutes taken and typed by Melanie Whittaker and edited by Hillary Bargman



JULY 18, 2007 THE 5TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 2:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

PLANNING AND ZONING COMPLIANCE INVESTIGATOR

Presiding Commissioner Pennel made a motion to add an additional person to Planning & Zoning and explained that the title of the position would be a Compliance Investigator. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minute taken and typed by Tressa Luttrell and edited by Hillary Bargman



JULY 19, 2007 THE 6TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 8:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

ADDITIONAL JAILER BUDGET EXTENSION

Commissioner Strahan made a motion to allow the jail budget to go over in salary as they are adding an additional jailer (Vince Chinell). Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE 1:25 P.M.

The Taney County Commission reconvened in the Commission Office at 1:25 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District present. Danny Strahan, Eastern District was absent. The following proceedings were had and made a matter of record.

TRANSFER STATION BACKHOE

Commissioner Herschend made a motion to order a transmission for the Transfer Station backhoe in the amount of approximately \$7,000. Commissioner Pennel seconded the motion.

Note: This is an emergency purchase as the Transfer Station cannot be without a backhoe.

The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (absent).

Minutes taken and typed by Tressa Luttrell and edited by Hillary Bargman

TANEY COUNTY COMMISSION RECORD



JULY 23, 2007 THE 7TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Ron Herschend, Western District, and Danny Strahan, Eastern District present and Chuck Pennel, Presiding, absent. The following proceedings were had and made a matter of record.

The prayer was led by Ron Herschend followed by the pledge.

TEMPORARY PRESIDING

Donna Neeley, County Clerk swore Commissioner Ron Herschend in as Temporary Presiding Commissioner in the absence of Presiding Commissioner Chuck Pennel.

1% TAX FOR NEW TANEYCOMO BRIDGE BOB SCHANZ

Bob Schanz addressed the Commission in regards to a tax for the new Taneycomo Bridge that was proposed on Thursday and expressed that he was surprised by the number of people who were in favor of it. Mr. Schanz went on to explain that he proposed a bridge before Branson Landing was built and had talked to several people in regards to this issue. Mr. Schanz explained that currently Steve Harris from the Ambulance District said it is currently 1.1 mile from the Taneycomo Bridge to the hospital and takes approximately three minutes and if they have to go around it would be 6.5 miles, which would take eleven minute. Mr. Schanz expressed concern about these figures and said when there is traffic on a two-lane road it would be more than eleven minutes to get there. A lengthy discussion ensued.

Commissioner Strahan stated that he did not see pushing the tax if they could push MoDot into paying, adding that they have other avenues to explore.

TIPPING SERVICE BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Taney County Commission Administrator, stated that they opened bids last month for tipping service where transfer station takes waste. Tressa Luttrell added that she told them at that point she is just interested in a per ton bid.

Commissioner Herschend made a motion to approve of the County using Waste Corp. of Missouri as the primary carrier.

Commissioner Strahan seconded the motion of approval. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

AIRPORT DONATION AGREEMENT/AIRPORT CONTRACTS BOB PAULSON

Bob Paulson, Taney County Attorney, stated that he had set the closing for the airport donation agreement for Friday. A general discussion ensued.

Commissioner Herschend made a motion to approve the agreement as submitted by the airport board.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PERCENTAGE TO SET ASIDE FOR TITLE III PROJECTS DONNA NEELEY

Donna Neeley, Taney County Clerk, stated that they had received funds from Federal Forestry and it was that time of year where they have to approve the amount. Donna Neeley added that traditionally they have designated 16%, the lowest being 15% and highest being 20%.

Commissioner Strahan made a motion to table until later.

Commissioner Herschend suggested next Monday and requested statute. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Tabled

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable check #101969 and had concern with discussion last week on payment. Commissioner Strahan added that he could not get in touch with Mike. With the exception of the Walton contract payment and UMB Reimbursement #13 as they are connected.

Commissioner Herschend seconded that motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

LAVERN CLARK

Lavern Clark stated that she had sent an e-mail to the commission about meeting about the Humane Society being that it is under investigation by the attorney general. A general discussion ensued.

ART BECK

Art Beck asked the commission if they had received any bids for the Taneycomo Bridge. Commissioner Herschend stated that all they had were numbers from the state in the amount of 50 million adding that that was hard for him to comprehend.

Art Beck added that he had talked to prestress people talking about it taking two years to complete and that he thought they could get it done sooner than that. A general discussion ensued.

Commissioner Herschend stated that there have been several options. Commissioner Herschend stated that his concern was that not a year ago it was discussed that it would be 20 years before money comes in on it.

RECESS

RECONVENE

11:30 a.m.

The Taney County Commission reconvened in the Commission Office at 11:30 a.m. pursuant to adjourn with Ron Herschend, Western District, and Danny Strahan, Eastern District, present. Chuck Pennel (absent). The following proceedings were had and made a matter of record.

ACCOUNTS PAYABLE

Commissioner Strahan made a motion to approve the check for Walton Construction.

Commissioner Herschend seconded the motion for approval. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve UMB Reimbursement #13.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

AIRPORT CONTRACT RENEWAL

Commissioner Herschend made a motion to approve the contract renewal with John Lawler as presented by Mark Parent, Airport Manager.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

AIRPORT DONATION AGREEMENT

Bob Paulson, Taney County Attorney, presented the commission with three documents: 1) Donation Agreement, 2) Deed of Dedication, and 3) Amendment #1

Commissioner Herschend made a motion to approve the 2007 Donation Agreement document without the exhibits (#2 and #3).

Commissioner Strahan seconded the motion.

Bob Paulson stated that he would like to mention that there were no environmental clauses in this document. Commissioner Herschend asked why Bob Paulson was bringing this issue up now, when they had a discussion on that very issue previously. Bob Paulson responded that he was just doing his "lawyer" duty. Commissioner Herschend commented that Bob Paulson was bringing this up four days before closing, reiterating why was he bringing it up now.

Commissioner Herschend amended his motion to include that the approval was upon County Counselor's advice.

Commissioner Strahan amended his second. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

AIRPORT CONTRACT - LPA

Commissioner Herschend made a motion to approve the contract as presented by Mark Parent, Airport Manager and recommended by the Airport Board for LPA.

Commissioner Strahan seconded the motion for approval. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).



JULY 25, 2007 THE 8TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 103044 – 103045, 103078 - 103100 |
| Road & Bridge Trust Warrants | 103047 - 103071 |
| Assessors Fund Warrants | 103046, 103072 - 103074 |
| Transfer Station Warrants | 103075 - 103077 |
| 911 Warrants | None |

TANEY COUNTY COMMISSION RECORD

Payroll checks (cont.)

| | |
|---------------------------|---|
| Manual Warrants | 4692 - 4693 |
| Accounts Payable Warrants | 101973-101977, 101982 -101985, 102083-102086 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by Hillary Bargman



JULY 27, 2007 THE 9TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

RADIO TOWER BID

Commissioner Strahan made a motion to award the bid for a Radio Communications Tower to Swager Communications, Inc including the wave-guide entry port for a total amount of \$124,000 as recommended by Septagon. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RINEHART ROAD PLAN

Commissioner Pennel made a motion to approve the Rinehart Road Plan pertaining to the Bee Creek Sewer Project. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BACKHOE BID AWARDS

Commissioner Herschend made a motion to award the bid for 2 backhoes to Murphy and the bid for 1 backhoe to Fabick. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AIRPORT DONATION AGREEMENT

Commissioner Herschend made a motion to approve the Donation Agreement. Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by Hillary Bargman



JULY 30, 2007 THE 10TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

SEDGWICK ROAD

TANEY COUNTY COMMISSION RECORD

Presiding Commissioner Pennel made a motion to table Sedgwick Road due to a lack of information on the turnaround. Commissioner Strahan seconded the motion to table. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel recognized Frank Preston the new Road and Bridge Superintendent.

GARY MORGAN SERVER BID

Gary Morgan, IS Administrator explained that six weeks ago they bid out a server for the Treasurer and Auditor's Office and the bids came back but were higher than what was budgeted. Mr. Morgan went on to state that Tressa Luttrell, Administrator re-bid the servers with the same specifications but different bidding partners and the bids came back in with a good cost range. Mr. Morgan reported that there is a bid from Dell in the amount of \$4488 and from Network Integration Systems in the amount of \$5242. Mr. Morgan recommended the Dell, which includes shipping and would be ready in 14 to 30 days. Mr. Morgan added that this server is needed because of Massninty upgrades that they are not able to make on the current server.

Commissioner Strahan made a motion to accept Dell for the amount of \$4488. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PERCENTAGE FOR TITLE III PROJECTS DONNA NEELEY

Donna Neeley, County Clerk reminded the Commission that last week Commissioner Herschend requested to hold off making a decision on the percentage to set on Title III until this week in order for her to find out what choice of percentages they have. Ms. Neeley stated that they could choose between 15% through 20% for Title III projects and a new decision must be made each year in regards to the percentage.

Commissioner Strahan then asked how many applications were turned in this year? Ms. Neeley responded that five projects have been submitted.

Commissioner Pennel asked if the Commission changed the percentage to 20% would there be more monies available for disbursement? Ms. Neeley clarified that the disbursement comes off of the \$100,000 received each year that already get distributed to schools and Road and Bridge and the remainder goes into Title III which is distributed in a different manner via projects. Commissioner Pennel then clarified if the Commission approves 20% then more monies would be available for Title III disbursement but less would go to the schools. A general discussion ensued.

Commissioner Strahan made a motion to approve 16% for Title III Monies. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PERSONAL FINANCIAL ORDINANCE DONNA NEELEY

Donna Neeley, County Clerk informed the Commission that they needed to approve the Personal Financial Ordinance, which has to do with the different financial officers filing a Personal Financial Disclosure Statement with the Missouri Ethics Commission. Bob Paulson, County Counselor clarified that this is so they can have two or three people report instead of a bunch. Ms. Neeley said she has to send a new ordinance to the Ethics Commission and the Commission can use the same ordinance from past years as a template for creating a new ordinance by updating signatures and dates.

Bob Paulson, County Counselor expressed that he is fine with it and suggested they approve it after it gets typed. Mr. Paulson added that it would be considered a new resolution after this year. Ms. Neeley explained that she is having it typed and would have it ready soon.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to table approving the Person Financial Ordinance until it is typed. Commissioner Strahan seconded the motion to table. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

BOB SCHANZ

Bob Schanz thanked Vonda Sheets, Taney County Times for her article about the proposed 1-cent tax for the Hwy 76 Bridge. Mr. Schanz explained that he has gotten several phone calls as a result of the article and expressed that people are a little disappointed that the Commission said it was a state problem. Mr. Schanz further stated that the same article is in the Branson Daily News and thanked Donna Clevenger.

Presiding Commissioner Pennel clarified that the Commission is not ignoring Mr. Schanz or this issue and assured they are working on it, adding that he thinks there will be a lot of people pulling to keep the bridge open.

Commissioner Strahan explained that the Commission has to check with the cities and get their approval because they don't want to pass a 1 cent sales tax and have the cities get half of it for TIF projects. Commissioner Strahan further explained that Rick Findley, Auditor has some figures that would enlighten citizens as to the dollar amount the TIF projects take in the counties percentage of growth. Commissioner Strahan further explained that they don't want to pass a sales tax and let the State off the hook. Commissioner Strahan then requested that Mr. Schanz pass along that the Commission is moving forward with this project however there are a lot of options to consider and there is no need in everyone riding on their backs.

Mr. Schanz reported that there are some "heavy hitters" wanting to do things about this and the road must benefit everybody.

Commissioner Strahan added that if citizens are upset it is because they were given the wrong information and added that this is a State bridge and State road and the State has responsibility as well as Branson, Hollister, and the County.

PRIOR MINUTES

Presiding Commissioner Pennel made a motion to approve minutes from June 13 and 14, June 29, May 3, and May 22, 2007. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #101986-101995, 101997-102082 and warrant #4694. Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

EXECUTIVE SESSION

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (1). Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).



AUGUST 1, 2007 THE 9TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

TITLE III DISTRIBUTION OF FUNDS

Donna Neeley, County Clerk met with the Commission to discuss the distribution of Title III Funds. Helen Souttee, Treasurer also joined the meeting to advise the Commission of the current funds available. A general discussion ensued.

Commissioner Pennel made a motion to distribute the funds in the following manner: **Protem Fire Protection District** \$4,500 to help finance modifications to their 1200-gallon tank truck, **Cedar Creek Fire Protection District** \$10,000 to help purchase a Brush Fire Truck, **Bradleyville R-1 School District** \$9,735 to educate students on how to preserve & take care of our National Forest, **Mark Twain R-VIII** \$2,500 to develop an outdoor classroom and nature trail, and **Bradleyville Volunteer Fire Department** \$9,735 to assist with building upgrade or replacement. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PERSONAL FINANCIAL ORDINANCE

Commissioner Pennel made motion to approve the Personal Financial Ordinance. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by Donna Neeley



AUGUST 6, 2007 THE 12TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

PUBLIC WATER SUPPLY DISTRICT #2

Commissioner Pennel stated that he has a contract in regards to Public Water Supply District #2 taking over the Valley View Water District. Commissioner Pennel added they would pass the contract to Bob Paulson, County Counselor for review.

Commissioner Herschend made a motion to table the contract until more information is given and to give Bob Paulson a chance to review. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

NUISANCE COMPLAINTS

Commissioner Pennel stated that there are four nuisance complaints that need to be sent out: one on Catfish Road for old cars, one on Hulls Ford Road for cars and trash, one on Forsyth/Taneyville Road for trash and construction, and one on Casey Road for piles of trash and mattresses.

Commissioner Herschend made a motion to a send letter to all four locations. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel added that he is still overwhelmed with keeping up with the nuisance complaints and would like the commission to consider having someone in Planning and Zoning help with them.

Commissioner Pennel made a motion to add 313 Quincy Road to the list of nuisance complaints. The motion died for a lack of a second. Commissioner Strahan stated that he would like to look at pictures regarding this nuisance complaint.

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TRANSFER OF FUNDS TRESSA LUTTRELL

Tressa Luttrell stated that there have been several transfers, one for Road and Bridge, but the one they haven't addressed is Road & Bridge for Patrol. Tressa Luttrell stated that she would like to do them on Wednesday and wanted feedback from the Commission.

Commissioner Herschend mentioned that there is only one month's worth of reports for this year and a number of situations where there was not eight hours a day or forty hours a week devoted to Road Patrol.

Commissioner Herschend stated that he wants to ensure they are using those funds the way the statute allows for them to be used and if they are not, they are then violating state statute. A general discussion ensued.

SHELTER GRANT TRESSA LUTTRELL

Tressa Luttrell informed the Commission that this is the third year to be awarded a Shelter Grant for The Hiding Place and that an agreement would need to be approved by the Commission.

Commissioner Herschend made a motion to approve agreement with The Hiding Place and for Tressa Luttrell to be the administrator and require documents to be submitted for the state to the state.

Commissioner Strahan seconded the motion. Commissioner Herschend asked if it would be appropriate to waive the administrative fee as a service to them.

Commissioner Herschend amended the motion to add waiving their administrative fee therefore passing those monies on to the grantee.

Commissioner Strahan seconded the amended motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), Strahan (yea).

STATE TAX COMMISSION CONFERENCE CALL JAMES STRAHAN

James Strahan, County Assessor, stated that he has a conference call that was made to the State Tax Commission in which Commissioner Pennel asked several questions and thought it would be important for the public to be aware of what was said and would also like the public to make their own opinion. James Strahan mentioned that he would like to run the conference call and add it to the county commission minutes. James Strahan said that he felt that it was important for Commissioner Herschend to hear the conversation as a commissioner.

Commissioner Danny Strahan stated that he has asked that the conversation be transcribed and if transcribed it could be put in the minutes. A general discussion ensued.

SALES TAX RESOLUTION BOB PAULSON

Bob Paulson, County Counselor stated that he had drafted an ordinance according to a conversation at a meeting where there was a discussion about percentage of TIF tax. Gilmore and Bell said the city could not waive the TIF. A general discussion ensued.

PRIOR MINUTES

Commissioner Herschend made a motion to approve minutes from July 19, 25, and 18, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve minutes from August 1, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to leave all Title III Monies out and hold them in case they need to be reallocated.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve UMB #14 reimbursement.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend requested that they look through the reimbursement with Tressa Luttrell, County Administrator, today.

PUBLIC COMMENT JIMMY RUSSELL

Jimmy Russell, Taney County Sheriff, stated that while at a local motorcycle club benefit it was brought up about Monty Cook being killed while in a pursuit and since he was not wearing his seatbelt workman's compensation did not have to pay. Sheriff thought that it was very important that it be mentioned to all employees that if they are in violation of a law, then the responsibility could lie solely on them.

Commissioner Strahan stated that he thought there should be a notation about the seatbelt issue enclosed with the employee checks and that maybe this could help save a life.

PUBLIC COMMENT BOB SCHANZ

Bob Schanz stated that with what happened to the bridge in Minneapolis the matter of the Taneycomo Bridge has become a very important issue. Mr. Schanz also mentioned that he had asked in past meetings that they start a one cent tax and that now he was asking for a resolution to give to the governor and others so something can be done in regards to this situation. Bob Schanz stated that Taneycomo Bridge has been mentioned and that taxpayers said that they would not vote for parks or museum until something is done about the bridge.

PUBLIC COMMENT SPRING MEADOW'S SUBDIVISION LETTER

Commissioner Pennel stated that the Spring Meadows subdivision letter from Randy Haes, Road and Bridge, need all T's crossed and I's dotted.

Commissioner Pennel mentioned that a motion was contingent upon things being done. Randy Haes added that it depended upon a fence being moved.

EXECUTIVE SESSION BOB PAULSON

Commissioner Pennel made a motion to go into Executive Session pursuant to RSMo 610.021 (1).

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



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**AUGUST 8, 2007 THE 13TH DAY OF
THE JULY ADJOURN TERM**

The Taney County Commission met via telephone at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Herschend made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 103210 - 103233 |
| Road & Bridge Trust Warrants | 103180 - 103203 |
| Assessors Fund Warrants | 103204 - 103206 |
| Transfer Station Warrants | 103207 - 103209 |
| 911 Warrants | None |
| Manual Warrants | 4703 - 4704 |
| Accounts Payable Warrants | 102199 - 102210 |

Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

SALARY INCREASE JUVENILE OFFICERS

Commissioner Strahan made a motion to approve the 3% salary increase for the county paid Juvenile Officers to keep them in line with the state paid officers. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken via telephone by Tressa Luttrell and edited by Hillary Bargman



**AUGUST 13, 2007 THE 14TH DAY OF
THE JULY ADJOURN TERM**

The County Commission met in the Associate Circuit II Courtroom at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Donna Clevenger followed by the pledge.

SPEED LIMIT ON FRUIT FARM ROAD STEVE CREEDON

Steve Creedon addressed the commission and inquired as to the process of raising the speed limit on Fruit Farm Road from 25 MPH. Mr. Creedon then stated that when an RV travels on that road it hits branches up and down the road and asked how that could be corrected. Mr. Creedon also reported that vehicles often drive in the middle of the road to avoid the tree limbs.

Commissioner Herschend said the second question is easier than the first and said he has the right crew to go out there and have the problem taken care of within the next two workweeks. Commissioner Herschend then addressed the first question and went through the process of increasing a speed limit. Commissioner Herschend explained that the county follows state guidelines and the state will do a speed study on the road that would capture the average speed on the road. Commissioner Herschend added that they go 75% of the average speed and further expressed that he would guess it wouldn't be increase to more than 35 MPH. Mr. Creedon stated that 35 MPH would be a reasonable speed through there and added that most people go faster than that.

Commissioner Strahan stated that the second problem with the trees is probably the reason for the first problem with the speed limit only being 25 MPH adding that if vehicles need

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to move to the center of the road to avoid trees then they need to keep the speed limit at a range where it's safe for all of the school buses and things like that. Commissioner Strahan further stated that those go hand in hand and once they take care of the tree limb problem then they can do the study and go from there. A general discussion ensued.

ENA & RORY CORDT MURDER BOB SCHANZ

Commissioner Pennel expressed that Jimmie Russell, Taney County Sheriff, did not think the commission meeting would be the best place to discuss a murder case and asked Mr. Schanz to explain why he was presenting this to the commission before he went too deep into the issue.

Bob Schanz stated that he understands and explained that he has gone to Sheriff Russell in the past and that he has been interested in the Ena Cordt Murder for about ten years. Mr. Schanz went on to state that he has 50 hours of tape recordings and information in regards to the case.

Commissioner Pennel asked Mr. Schanz to be specific as to why he was there and added that was not the commission's business. Mr. Schanz explained that he asked Sheriff Russell several years ago for information and said his response was that he was not a lawman and he couldn't share that information with him. Mr. Schanz feels that he has information that could solve the case and he is asking the commission to do something.

Commissioner Pennel asked what Mr. Schanz is thinking the commission should do. Mr. Schanz explained that they should either talk to the Prosecutor or the Sheriff to convene a Grand Jury to let them investigate it and sit down with him.

Commissioner Strahan stated that the commission does not convene Grand Juries and he would have to go before the judges to do so and added that he does not know why he was looking at the commission to help with something that in the Judicial Department. Mr. Schanz explained that he was hoping the commission would put a fire under them and offered to sit in an Executive Session meeting to give them all of the details.

Commissioner Strahan expressed that the commission does not have any fire to put under them and asked how they, as a governing body of the county, have anything to do with judicial court proceedings. A discussion ensued.

Commissioner Pennel suggested Mr. Schanz talk to Sheriff Russell or the Prosecutor to further discuss this issue.

ALTERNATE SCHOOL BUS ROUTES TIM PIERCE

Tim Pierce, Transportation Director Forsyth School District, stated that Forsyth's first day of school is August 20, 2007 and they transport annually about 550 children and there are 1100 children enrolled at the school. Mr. Pierce reported that the heat wave is going to continue for a while and on August 19, 2007 the Highway 160 Bridge painting is going to begin and they claim that there will be electronic signaling devices that will be operational to allow one lane of traffic each direction on a regular basis as oppose to as the need arises. Mr. Pierce stated that in the past morning traffic was controlled, at the 3-way stop, by a County Sheriff Deputy, which eased the flow at the intersection down by the park however even with the officer it is common to see traffic backed up about ¼ mile. Mr. Pierce expressed concern that the officer would not be able to ease congestion with electronic stop light immediately past the intersection. Mr. Pierce further stated that he has monitored traffic in the afternoon and it is no better and with the added delay of a signal and the potential for 100-degree temperature inside a school bus he expressed he is seeing something that could be very dangerous. Mr. Pierce said the estimate for the Highway 160 Bridge is 30 days and went on to explain his plan for alternate routes.

Tim Pierce then brought up his second topic, which concerns the continued growth of Highway 160 and Coy Blvd and expressed there has been a lot of talk about the intersection and lane widening. Mr. Pierce further expressed concern about the land locked position the school is in and in a major accident or any number of scenarios could block the intersection and the school would not have any options for evacuation. Mr. Pierce commented that he would like to see a

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study done on the bottom of Coy Blvd and added that he understands this would be a long term project but it would be a solution to a number of problems created by the growth of the school. Mr. Pierce went on to state that growth is good as long as it's managed properly and he has seen gridlock in Forsyth already adding that it is time to look at the whole picture.

Commissioner Strahan informed Mr. Pierce that there has been a study on the bridge across Coy Blvd and when they made a determination to use funds to widen Casey Road, to work on Swan Creek Road, and to widen the shoulders on Forsyth/Taneyville Road it was because they were concerned with the problem. Commissioner Strahan further stated that the commission has foreseen the problems and have looked at those studies and cost and so far they have made that determination on the cost of the bridge that it was more than what they had anticipated.

Commissioner Herschend added that the traffic load and value verses the cost are not justified at this time.

Tim Pierce clarified that the other two options for the alternate route out of the school are really not options and further explained the options. Mr. Pierce added that there is only one way in and one way out and they are pretty unique as a school district with that situation.

Commissioner Herschend reported that until last year Branson K-6 was only one way in and one way out and added that the school district paid several hundred thousand dollars to change their situation. Commissioner Herschend inquired as to why this is a county issue and added that while he hears Mr. Pierce's presentation he's not sure that he has asked the commission to take action and when. Commissioner Herschend further expressed concern that Mr. Pierce is going to leave the meeting expecting the commission to do something.

Tim Pierce clarified no that he just wanted to bring it out in the open and it sound like the commission has already done that and added that he was not aware that a study was done.

Commissioner Herschend stated there isn't much in the way of residential back there and to have an emergency relieve route you are not going to be driving through there all the time and added that he thinks the school has options. Commissioner Herschend expressed concern about Mr. Pierces 30-day plan and encouraged him to sit down with the Sheriff and the City of Forsyth Police Chief to see if they will work with him during the 30-day period. Commissioner Herschend added when they start routing traffic through multiple intersections as you would to get off of Highway 160 he feels like the likelihood of an accident would be increased. Commissioner Herschend further informed that it seemed like they would be trading heat issues with accident issues and added that he is interested in helping. Commissioner Herschend clarified that he is interested in helping but has concerns with the plans.

RIGHT-OF-WAY AGREEMENT ON NATURAL GAS MICHAEL LUMBY

Michael Lumby, General Manager for Southern Missouri Natural Gas, stated that he sent a company overview prior to meeting for the commission to read. Mr. Lumby went on to explain that Southern Missouri Natural Gas needed to get a right-of-way petition within Taney County, which was basically a utility easement to bring natural gas service to the area. Mr. Lumby further stated that they have been trying to get natural gas in there for seven or eight years and after many negotiations they are finally getting somewhere. Mr. Lumby added that they are currently working with the City of Hollister they run outside of Springfield and run 125 miles to West Plains. Mr. Lumby then explained more about the process and said they needed to have an agreement before they can continue.

Commissioner Herschend stated that they do not normally take up enough right-of-way to plan for utilities in their right of way. A general discussion ensued.

APOLOGY CHUCK PENNEL

Commissioner Pennel apologized for the conversation last week and stated that it was brought to his attention that he lost his cool and apologized to everyone present at last week's meeting.

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REFLECTIONS OF 2007 BOE

Commissioner Pennel stated that since the commission had another meeting at 11:30 he would like to hold off on this issue until a later time.

EFK MOEN STATUS RON HERSCHEND

Commissioner Herschend explained that the commission took action in regards to the EFK Moen Status but there was no motion and that needed to be taken care of.

Commissioner Herschend made a motion to table.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BUDGET JAMES STRAHAN

James Strahan, Taney County Assessor, stated that he would like to go to the budget side of that first and requested that the monies be applied to the Assessor's Fund that has been statutorily driven for the county commission by a court decision.

Commissioner Pennel inquired as to what monies he was talking about. James Strahan responded that it was the monies that were in the budget that should have come from the State Tax Commission that was not coming. A general discussion ensued.

Commissioner Herschend stated that he had read the ledger report from November and read the following on December 4th for \$16,000 and December 12th for \$20,000. Commissioner Herschend added that James Strahan had made him aware that he laid everyone off to show the state his dire need. Further discussion ensued.

STATE TAX COMMISSION CONFERENCE CALL JAMES STRAHAN

James Strahan stated that they had an eye-opening situation stating that Commissioner Pennel had called them and discussed what was happening in the BOE and how Commissioner Pennel believed some of the evidence presented.

Commissioner Pennel responded that the reason he called the STC was that he did not understand that when he was saying there was a 16% increase and was wondering why the monies were still being withheld.

Commissioner Strahan stated that he would like a transcript entered into the minutes. Adding that Commissioner Pennel was correct about why he called.

Commissioner Strahan made a motion to enter the transcription of the conversation with the State Tax Commission into the minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TRANSCRIPTION OF A PHONE CONVERSATION WITH CHUCK PENNEL, DANNY STRAHAN, JAMES STRAHAN, AND THE STATE TAX COMMISSION BOARD OF EQUALIZATION JULY 26, 2007

Chuck Pennel: (reading letter)...“uniformly then we will defer to your judgment. I regret that we didn't resolve this sooner and further regret the extra work and turmoil. If you can currently come to an understanding with the taxpayers, perhaps the general assembly will go on and go forth.”

Chuck Pennel: (speaking) We have, we've come to a tie vote yesterday on all the information we've had and needless to say a tie vote we don't agree...James has...and James is back in the room now...James has got a concern and he and I disagree strongly at times but I...I think I'm right beside him on this one and he has concern that if we follow your directive in this letter...let me back up, Ron and I voted to assess some of these timeshares that have less than 1% nightly rentals as residential. James is concerned that if we do that using his words here some...you guys are going to slap him on the ratio next time around because he had, as I think you both/all know, gone a 30/70 split in situations like this. Can you address that?...Are you all there?

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Bruce Davis: Ya were here we are looking at...we're looking at each other. Ya the...(Chuck Pennel: We've got we...) on the ratio study we just don't know what to do with these things (Chuck Pennel: alright my...the) Maureen in our office looked at what other states have done with these things and quit frankly we had a court case that went against us in St. Charles County. I think that was the genesis of Randy's first shot at this is the courts weighed in on a hotel in St. Charles County we thought that...you know...percentage breakout made a lot of sense well they ruled against that...so that's why we're sitting in a situation where...you know...some people are (? Controlling) 52 owners basically (Chuck Pennel: But...but) and some of them are renting some of them out...some of them aren't and it is a hodgepodge and and we unfortunately don't have a lot of guidance beyond that.

Chuck Pennel: But, but my question is...Ron and I and maybe James and Danny also think what is fair and that's that's our goal...my goal, I think everybody's, is to treat these folks fairly and, and...

Charlie Nordwald: ...to see what the Commission thinks that if we draw a timeshare/condo in a ratio study we will defer to how you...assuming you handle them all the same...defer to how you handle them. You sent us a memo on how you handled them this year and if we (?) one we will defer to your method of classification.

Chuck Pennel: Can James get that in writing?

Bruce Davis: Ya what we'll look at is what his market value that he places those things on and we'll prepare that market value and not so much the assessment ratio.

Chuck Pennel: Can we get that in writing?

Randy Turley: Sure and that depends right now they (?) will want to look at market value.

Chuck Pennel: How did you treat these in 05? Did you treat them that way as far as when you pull those into ratios? If I remember James right...he hasn't had a chance to speak yet...that's ok...I'm the important guy hear anyway. Just a little humor. (? Voice # 4: We appreciate that!) As I remember he said something about 10% or there was quit a number in your ratio that were these type of properties. Did you treat them...how did you do that 05? (Bruce Davis: Bob do you remember how...) I know I am asking you to remember something that was back there but...

Bob Epperson: The sampling would have been based on the county's subclass so if James said the subclass was commercial then there would have been available for possible selection in that subclass.

Bruce Davis: Residential and others...

Bob Epperson: On residential then it would have been a subclass res...likewise if it came out of (?) it would come out of that one.

Chuck Pennel: Ok well I would request a memo, letter, whatever saying/confirming that if if this BOE comprised of three Commissioners and the Assessor agree on a fair treatment, that you won't count that against James on the next ratio.

Bruce Davis: Market value is not going to be any different it is the assessment ratio that is applied to it that will be differential.

Chuck Pennel: Exactly...Exactly and that's that's our big issue, our first big issue. Well if you could fax us a memo I might get my way in this vote I might get to change this...I don't know for sure but...

Charlie Nordwald: When can you expect that Randy? We can do a...

Chuck Pennel: We need it we meet again at 1:00 tomorrow and then that's our last hoorah. (Voice #2: Ok.) I think maybe Danny and James would like to jump in while we've got your audience. But I've got a question before I give them an opportunity and that is this. James has gone from a 1.90 index to a 2.02 this year. He has also raised land values, lots, and subdivisions specifically huge amounts and yesterday it's on tape you can hear me questioning his decisions because we have got...we've got huge increases. He raised log homes like six to eight hundred of them because they were under assessed because of...the interior wall wasn't being assessed and different reasons. We've had a number of residents has come in with 20% increase because of land value and because of the raise in the index and I don't understand why Taney County has not been paid. I know were in a...

Bruce Davis: How...how many people did you have come in front of the board?

Chuck Pennel: Oh, I bet we've got maybe 25...different...you know...probably half commercial and half residential, something like that. And and I...this is what I told James yesterday...I said James I only see 25 or whatever it is...but I'm seeing you raise lot values huge amounts and I put him through the task of justifying that and the log homes the one guy that came in, his increase was 37% and James can't answer exactly how come they were that low but I'm seeing that he's corrected a huge amount of properties and we're still sitting here in the position we are. And it doesn't make sense to me...the far...the farther we get down this road...I understand hard heads...I've got one of them too and how things go...but man I'm going to be fighting you guys and I've I've been kind of half way neutral through part of this and I mean last night after I went home and thought about this my...one of my thoughts was...Dennis Wood as kind of half way defended you all and I saw him about a week ago...I think it was a week ago tomorrow at a meeting and I said Dennis what I understand is...analogy is...the State Tax Commission has spanked us and we don't know exactly why and the farther we go it just doesn't make sense to me that that you all are continuing...you're...you've with held funds from this...from 2007 after we have raised these increase or index and made all these increases...James how much has our old construction gone up.

James Strahan: Our old construction is up 16% taking out new construction.

Chuck Pennel: 16% of raising of...in valuation of old construction and the State Tax Commission, and I don't mean this mean towards you, I just...I just can't understand why you are all are stay...staying where you are at and I've taken more time than I should have but do you got any response before Danny jumps in...he's chomping at the bit behind me.

Bob Epperson: No go ahead...go ahead.

Chuck Pennel: Ok.

Danny Strahan: Ok, this is Danny Strahan and I'm looking actually I'm looking at the letter that Randy sent...the last one that's dated July the 18th and I had a couple of questions about this letter. In the first place the response letter for July the 18th we had a...we had started BOE as we're supposed to July the 1st and we get a letter on July the 18th, which virtually says something a little bit different than all of the previous letters that we've had. What if we had made a decision on some of these properties before July the 18th that would effect after the letters had already been sent to these folks saying that we had made a decision about their assessment and then we get this letter which changes, changes our mind. But then then the other second thing that I have is the second paragraph that's in this letter and I may let Chuck read it to you because I've got...I lost my glasses and I've got a pair on here that's not working too good but it's got something on here that I want you to try and explain to me and it it concerns the money that's due to us.

Chuck Pennel: That's that's the same paragraph I read to them earlier. That's what I just read to them...(James Strahan: that they defer to your...) it says (reading) ..."in the mean time it is our position that if Taney County can work out a method of classifying this unique type of property that treats owners fairly and uniformly we will defer to your judgment"... (speaking) and they're going to send us a memo saying that they'll back that up.

Danny Strahan: Alright, here's where I'm going with that. If you're going to see that we treat the owners fairly and uniformly and defer to our judgment why isn't our check in the mail? If you are taking the confidence to put in us to make this strong decision that effects all timeshare and

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all property assessment here in this area, then if you are going to defer that to our judgment, then why isn't our check in the mail to take care of the needs that we have in our county?

Randy Turley: Well first of all on your...on the issue of if you...were you actually issuing orders concerning this before that letter?

James Strahan: We heard lots of appointments.

Chuck Pennel: We heard a number of appointments and in fact we had a number of attorney's in and we had a group of them in Tuesday which one of them named it timeshare Tuesday. And...

Randy Turley: ...I don't know if that means you issues any orders or not but if you issued any orders I think you could rescind those orders and make them uniform with these after this date. The only reason I issued, this...that second letter was because Mr. Paulson called me and said it wasn't working...it was unworkable under the analysis I had given him originally (Chuck Pennel: Right...) and I was trying to cooperate and trying to see if we could work something out...I was trying to help Taney County work through this problem rather than cause a problem and I apologize if I caused you problems...if you've already ruled on the previous memos.

Chuck Pennel: Ok, how about answering my question. I appreciate that...I...that's a good answer. How come your still holding monies when we've got a 16%...?

Charlie Nordwald: Well first of all as of June 30th we no longer have your money...Our accounts have been swept we don't have the money...secondly timeshare issues are just one small portion of the overall assessment process in Taney County and we are in the process of formulating the last of our (?) ratio studies and sales studies and our results are coming out seriously under assessed and in conversations that we've had previous we do not agree with the 2.02 index increase we had originally put out that we would accept a 2.12 and then look at the results of what that did to your values in Taney County but as a result of the independent studies that we've had done and that we've done here the 2.12 is not even going to be sufficient. But that's not to say that we wouldn't be receptive to some measure in that direction and then look at this again in 08 and figure out...and a plan that is going to be due this fall for the next cycle is how we are going to get to the values. But according to our studies and a study done by the independent appraiser from Greene County on residential approved parcels and Taney County the level is somewhere near 70%.

Chuck Pennel: And who's speaking?

Charlie Nordwald: Charlie. Charlie Nordwall.

Chuck Pennel: Charlie you, you say the monies are out of your hands as of June...your talking about last years monies...aren't you? Not this years?

Charlie Nordwald: Yes.

Chuck Pennel: What about this years?

Charlie Nordwald: Well it would be in appropriations they they would be here.

Chuck Pennel: And...and...and a 16% increase in old construction properties and...and you don't think that...

Charlie Nordwald: MMh..mmh (no)! No that's not going to do it...(?) that is the standard in any direction I don't deny that...and I think it's a good...good thing to start but that's that's not even...that's not going to be enough.

James Strahan: Didn't you try to affirm...this is James speaking...to Mr. Pennel that the 2.12 would have to be studied and it doesn't appear that it even comes close either.

Charlie Nordwald: That was that was the original compromise we...you know our original study said something like 2.32 and that was a that was a compromise just in order that we could keep the funding coming and keep it... keep the continuity going but we didn't we didn't get any acceptance of the 2.12 and so you wanted to do a 2.02 and so we ...we're waiting to see and according...and as we have been working on these as far as spring and summer there is an independent studies.

James Strahan: Do you run these independent studies frequently?

Charlie Nordwald: No. (James Strahan: Is this the first...) We are...(James: Is this the first...)

Bruce Davis: We are in litigation....

Charlie Nordwald: We are in litigation and...

James Strahan: Is this the first this the first independent study you've ever run?

Bruce Davis: Oh, no.

Charlie Norwald: No

Bruce Davis: No

James Strahan: You have run independent studies prior to Taney County's independent study?

Bruce Davis: I believe so, yes.

Chuck Pennel: Well, yesterday we came to a point on a decision and I sprung all this stuff on James on how come you raise these lots so much? And how come log homes are up so much? And all these different things and part of my concern was...that he has raised all of these values to...for what reason and because I'm seeing that he's raised the taxes on our residents or the assessed value on our residents this huge amount and we still are...we still don't have anything from the State Tax Commission. And I'm wondering why...I'm asking how come you went from a 1.90 to a 2.02 and we don't have nothing to show for it? We still don't...we don't have anything and from what you just told me now I am going to have to go back...I guess...and say James your nuts how come you...how come you raised all these taxes? They're not...they're going to fight us till who laid the chunk and again I've only seen 25 properties but I've...I've seen some properties that I know the...the people I know the properties, I see one fellow on a weekly basis and he bought the property and James has got it \$93,000 and he paid \$100,000 for it and that's that's in your deal. And and I've looked at them hard. So anyway, I disagree with you I think and...

Charlie Nordwald:...16% increase on your old old your old assessment?

James Strahan: That's based off of your own studies that I received. I also seen... and Charlie I believe you were the one that spoke to me about this increase not only in Taney County but statewide...I've seen counties with a 1% increase and I don't believe there funds are being with held...(Charlie Nordwald: Well...) for this reassessment and I've seen counties...you know... 5, 4, 6%...

Charlie Nordwald: But James according to what we have here on our records for your whole...cyc...cycle your increase is 3.08%.

TANEY COUNTY COMMISSION RECORD

James Strahan: Whoa, whoa, whoa Charlie you're quoting numbers that don't...is irrelevant look at the final line over there says reassessment increase less new construction 16.1 or 7...8%. And I think Charlie you were quoted in the paper...we are actually looking for a 10% increase in Taney County we feel like that would be more than fair. And I'm going to go back and get that newspaper article and mail it to you. (Charlie Nordwald: Ya...ya) Was you quoted saying that?

Charlie Nordwald:...put forth the 2.12 in a good faith effort not knowing what the results were we were going to do the 2.12 and then come in and do our appraisal study and see where that left us. Knowing full well that we might have to make some adjustments beyond that. But according to the independent studies that we've done the sales analysis that have been down here at this office and using your new figures your new values... your prob...it looks like you are somewhere around 70...we haven't done the final certification but it looks like somewhere in the 70's on our studies. That's with your new...that's with your new figures...your new values.

Chuck Pennel: Well, Chuck again...yesterday I challenged these lot prices...and...cause I couldn't believe that...for instance this example I gave you before. Fellow by the name of Lamb...Bob Lamb and James had his lot \$19,000 and I could not imagine that that lot would be worth that much and so James brings me...what do you call them when they...?

James Strahan: Resales. Sales letters. Comparables.

Chuck Pennel: Sales letters...and...they're there, so you know how can I argue that and then check all the values out and granted I'm just looking at a small number but it almost appears the small number I'm seeing is a way different bunch than you are if 16% is not enough increase in Taney County to...to be within that range that we need to be. So anyhow...Well I think we're wore out over here just about but we'd appreciate your letter on this other deal so maybe we can treat it fairly and...

Charlie Nordwald: Ya we'll...we're going to try and get out to you this afternoon.

Chuck Pennel: Anything else...or...you want to throw our way or...?

Danny Strahan: (to Chuck) If they are going to defer to our judgment, then why isn't our check in the mail? They never did answer my question.

Chuck Pennel: Well there's not an answer I don't think.

Danny Strahan: But that's what's in the letter. That's what we had a...

Bruce Davis: ...our study...we have done a sales study where independent people who have sent their sales to us are indicating that you...your not the value with the 2.02 that's why the the checks not...hasn't been sent.

James Strahan: But you have run more than that one independent study in the State of Missouri this year in a county?

Bruce Davis: Not this year but where not in litigation.

Chuck Pennel: Can can...can I see those...could you send me some copies of those that we're so far off on that you got?

Bruce Davis: Well what I can...I, I can't actually do anything unless I go through our... the attorney in...at the AG's office. Now he can probably get with your attorney and be talking about it but I cannot independently send the...send those to you since we're in litigation.

Chuck Pennel: Ok.

James Strahan: Now I thought I heard Charlie say that they wasn't quit completed yet.

Charlie Nordwald: Well they...we're doing some last minute certification they're all here. We're we're just been doing some...compiling some figures and doing some accounting and some certification but we've had preliminary review of them and the preliminary review shows that about 70%.

James Strahan: And so...but now Ms. Pearson letter that I got last week stating that this would be a first time venture into the way you were going to do your ratio's next time and that the counties would have to provide the hard cards...this is nothing to do with that type of ratio that you ran.

Bob Epperson: No there...

Charlie Nordwald: No, no...not at all...

James Strahan: So you're actually experimenting into a new set of way you're judging ratios in the State of Missouri?

Bruce Davis: Ya that's that's a statewide sales ratio that we're looking at doing in first class charters to begin with. People that have certificate of values that we have abundance of sales...so no they...they're mutually exclusive.

James Strahan: Would you...know on abundance of sales would they be over the 1500 that I've got in a study showing that 750 properties are above the one in some of those sales...?

Bruce Davis: ...in the first place we are looking at is about 8 to 9,000 sales.

James Strahan: I see...I may get to there this year but I mean with that amount of 1500 sales working off of medians and means now guys...750 of those is above a 1 and I sure hope some of those appears in your new ratio that you've run and not all below the 1 because I, I have seen a stratification of some sales that yes you could below the 1 and come up with any kind of ratio you wanted to so...well I sure hope there is 1 or 2 or...I would hope that half the median of those would be up in that...some of them show up that's above 750 out of 1500...above that one...I sure hope those sales show up in your study. It'd sure make it easier to swallow on this end.

Charlie Norwald: Ya, ya well I have not taken the time to look at them individual we've looked at them in the aggregate and I'm just saying the aggregate says the ratio is somewhere around 70%...we can consult our attorneys and see what they want us to do.

Chuck Pennel: Ok.

Charlie Norwald: We don't have a problem with that.

Chuck Pennel: Danny's asking about getting our monies but we're not...I don't hear you saying anything about us ever seeing money until the court case is over. Is that about right?

Charlie Nordwald: Well either the court case or if we get some kind of resolution on what we are going to do on value...because I mean we sitting here with what appears to be pretty good evidence that you are 70%...your saying you're, you're...you don't need to do anything more than a 2.02 and we're...according to our statistics that's not going to do it...I mean...

James Strahan: So you're basically with this new study...you finally...on all your other letters said you was waiting on this to determine whether we were non compliant or not. So this study is showing we're non-complaint.

Charlie Nordwald: Yes, yes that'd be right.

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James Strahan: So ok as of this date you...

Chuck Pennel: Well that helps a little bit because that's what I was saying earlier when I was talking to Dennis Wood because I'd understood we'd send a letter asking how it is we're not compliant. So you're saying the information you have is, is...is the reason for us not being compl...why you believe we're not compliant.

Charlie Nordwald: Ya the original sales study and ratio studies were brought us to the fact your out of compliance and what our independent study shows is that our original thought was that their right you're not in compliance.

James Strahan: Well than that original...wasn't they...a bunch of those timeshare 10 out of 35 almost a third of the study was conducted in the commercial end of it was this...this study here in which your appraiser used 80/20, 60/40, 10/90 and the Assessor down here used a 30/70. Is that the same ratio that showed you non-complaint...that Taney County was non-compliant? Is that the same ratio?

Bruce Davis: I don't...it's based on...we ran a comprehensive study last summer if you'll remember that came up with inclusion of where you should go inside the original 2.30 index was about 2.03 or whatever it was and that's what precipitated...I understand that...we set down with you...and then we met in October and said ok look you go get the 2.12 and we'll release the funds and then get things to where they are now...we'll run the test after 2007 to where you are...(James Strahan: But basically...) and you decided not to take that and now we've run the studies and according to these studies would indicate that that you're still...still not getting there and at 15% James that we'll have to look at that because we're not seeing anything that remotely reflects...

James Strahan: Well you want me to fax your own report back to you Bruce it's coming off of your report. If you want me to fax that back to you it came down from the State Tax Commission.

Bruce Davis: Well yeah fax it to...in a value comparison that we had somebody do in...in certain areas that were showing...showing a percent increase...I don't know if it was 16% but we're talking overall.

James Strahan: Ya this is come off 11A's...the Form 11's. Do you not have that report? The same...

Bruce Davis: Our numbers aren't showing that and we're...we have the Form 11 so...ya we'll look at that but we don't see anything that show that they they've had an increase...

James Strahan: Well I'll go...

Bruce Davis: Ozark County just went up 24% by the way...

James Strahan: Who did? Who's county?

Bruce Davis: Ozark County

Danny Strahan: Ozark.

James Strahan: Ozark County did? Boone went up 1.06 didn't it Bruce?

Bruce Davis: Whose has?

James Strahan: 1.06 is Boone.

Bruce Davis: Probably...(James Strahan: Huh!)...value.

James Strahan: Uh huh. That's good to know that values in Boone County didn't increase but 1% over the last two years.

Bruce Davis: ...over the last ten years.

James Strahan: Two-years, there Bruce. The market is in two-year cycles. Very interesting information...I have that information here the same that you know that what I'm quoting from.

Bruce Davis: Well if Boone went up 49% in the last 10 cycles...or 15 years and Taney County went up...what is that figure 9%...ya 9%.

James Strahan: Ya, but in the last two years in this hot market that we have that has forced this issue to Taney County...Boone went up one.

Bruce Davis: I don't see where value bringing this down not going to get us to...

James Strahan: I know you're not...you're not wanting to. So...

Bruce Davis: ...it's the one or two year period...you seem to forget the last three cycles where put you put absolutely nothing on.

James Strahan: Your ratio said I was perfect. Your own studies over that time frame said I was perfect. Your ratios at the State Tax Commission called me compliant with DESI and with your own studies and your own people running them.

Bruce Davis: James let me ask you this, are you at market value?

James Strahan: Yes.

Bruce Davis: You are, ok well that's...I guess that's what you'll have to prove then.

James Strahan: I...I think so.

Bruce Davis: Yes.

Chuck Pennel: One more quick question this is Chuck again we got a letter from...from you Bob on assessing James residents (Bob Epperson: Yes...) and what method...I mean I looked at that and it seems fair, best I can see, and I'm sure it is fair in your eyes or wouldn't have sent it to us.

Bob Epperson: The methodology we use Chuck is we take the Assessor's appraisal that residents and do not do anything with the, the agricultural or commercial property. We take that appraisal we put the map on, make sure the map is right of course, curve the land value and the other land value assignment curves the condition assignment with the other position assignment look to see that it is appraised in a consistent manner with other properties and if it is then we send out that letter. Then we, we confirm or we agree with that...

Bruce Davis: That's done on every Assessor we're required by statute.

Chuck Pennel: Right and that's what I assume to some affect you would say and I looked at my property which is in the same community, Kirbyville and what James as got me assessed at for my house which was built in about the same time and...it's very comparable...and it, it

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seems to be right. I mean his seems to be...they both seem to be in the same valuation and so it just puzzles me when I see you all do one yourself on him and I look at mine and it seems to be done in the same manner. Of course mine wasn't in BOE but it just doesn't make sense to me.

Danny Strahan: Let me ask you something. I'd like to ask all of you something that kind of confuses me just a little bit...is we have these appraisers and that come in and of course James has got his appraisers you know that he sends out but the 25 people that we have bring in here have brought appraisals in on the property that are lower than what James's appraisal is and here we are having to try to sit through BOE and figure out why you would want us to go up even more monies than what area appraisers, who have nothing to do with Taney County and all different forms from commercial all the way to residential appraisals that are less...not...are way less than what James has the property appraised for. I don't understand if everybody else is wrong how you're right.

Bruce Davis: ...How many parcels are there in the county?

Chuck Pennel: 41,000...James told me the other day.

Bruce Davis: And you had 25 come to the board?

Chuck Pennel: Ya.

Charlie Nordwald: And, and I'm, I'm sure the only reason they came is because they got an appraisal that reflected their, their wishes those people whose appraisal was more that James they, they didn't come.

James Strahan: But those 750 that hardly stand true to form because there are 750 sales in my office in my study that says I'm too high. We had 6,000 informal calls and we actually...when you see the number of people that's been here and you like to deal with Bruce's statistics...we have actually probably had as much as 3 or 4 or 5 hundred people in here because some people coming in representing 100 properties some coming in representing 50. These actual appraisals come in on houses and apartment to duplexes lots lower than mine and I sit here and defend myself and Chuck's going "well you raised this James why is these fee appraisals coming in less"...but now your telling me the whole Taney County future hinges on a fee appraiser that you hired on specific properties in Taney County.

Charlie Nordwald: Now there, there are some additional sales that we've gathered on, on our own and stuff that we've done a sales study on and...(?) on basically the same percentage.

James Strahan: Did you not tell this County Commission there was many counties being monies withheld from because the ratio wasn't no good and and they were still being withheld their funding last fall?

Charlie Norwald: Ya there was last fall we had 23 counties with compliance orders that we had we had withholdings on.

James Strahan: But you did not run a study in there that show where it went they just went with your wishes of where to put the values so they could get their funding?

Charlie Norwald: ...some of both...they did they did sales studies and they have indicated by their own sales studies that they go off of value...they came to a...to an agreement with us that they would they would go up a certain level that that got them in compliance and once they agreed to do that and did it, closed the books and reflected the right index...yes we released the money.

James Strahan: Ya but now wasn't my ratio even mentioned at that time was going to be run independently...wasn't there independent appraisers advertised for prior to even that meeting that you was going to run this independent appraisal and prove Taney County wrong?

Charlie Nordwald: No not that I know of.

James Strahan: Oh...well we better...we'll be checking some dates on that one then but I...I'm just seeing Taney County being treated entirely different and I'm seeing other counties that went up 4...1%...I think if you categorize some of that you might see a .086 increase in some of that and but we went up 16% within 8% of what Ozark County went up and I'm...still haven't got the report on Christian County but I'll be requesting that to see what Christian County went up this cycle and like I say the studies you performed on me up through 2003 said I was fine in all your ratios and everything you could do to put me in non-compliance is now available for you.

Bob Epperson: James.

James Strahan: Yes sir.

Bob Epperson: The 16% is that all real estate or is that residential?

James Strahan: That was everything.

Bob Epperson: Oh, ok.

Chuck Pennel: Did you find it?

Bob Epperson: Well, I got to thinking about what you are saying there and, and it finally dawned on me that I thought maybe you were talking about all three subclasses of real estate...and residential subclasses.

James Strahan: Is there something in the statutes that talks about residential subclasses being...don't you run ratios on all three. In your ratio...and actually the one that I failed that really put the light on Taney County was the commercial ratio. I believe that will be correct when you check your records the residential ratio was out the least about and requiring an increase of one and a quarter percent to get me in compliance...the commercial ratio that turned Bruce's light on toward Taney County was the commercial ratio...we were out tremendously bad this 30% we're talking about in commercial ratio which was filled full of these condos with commercial value and was not appraised the same as the Assessor had set this...that you are asking for our judgment this time on saying we should set this.

Chuck Pennel: Well...

Charlie Nordwald: You asked about Christian County a while ago...10-year history on Christian County...

James Strahan: Shut the 10-year stuff down guys...does somewhere in the statue that says I'm to be compared for 10 years. Where do you come up with this statistic?

Charlie Nordwald: You talked about getting the value, don't you think history has something to do with you know the...has to get the value?

James Strahan: Check it out but I believe in 99 I increased values down here upwards of 12, or 13, 15% but through the hearing process my total increase in value didn't reflect much...didn't reflect much...the BOE...

Charlie Nordwald: What year did you say James?

James Strahan: Back in '99 check the increases.

Charlie Nordwald: You went up .63% you went up less than 1%.

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James Strahan: Wait a minute...no your dividing by 10 you guys can't be dividing by 10.

Charlie Nordwald: That's a one-year history...that's a one-year.

James Strahan: One-year of what year?

Charlie Nordwald: 99.

James Strahan: I went up how much?

Charlie Nordwald: .63% just residential...this is just residential.

James Strahan: Total...I want the total...I appraise everything down here and got more commercial than I do residential.

Charlie Nordwald: Our study show or relate to residential.

James Strahan: And so residential study rules in the State of Missouri. I did not know that...but my commercial ratio turned Bruce's light on to Taneycomo (Taney County).

Charlie Nordwald: You asked Christian County and the same 10-year period they went up 50.77.

James Strahan: Why didn't they go up this year...over the last two-year cycle...when the boom of the of the...when the boom of the economy and the boom of the market place and I think I hear from you Charlie say "James you know better...we're having quit a boom even up in our country." That was a quote from your...you Charlie. We're having this boom all throughout the State of Missouri but the boom did not hit Boone or Christian? It hit Greene it just kind of...around I guess that's one of them zeroed in bombs...the boom just hit particular counties but the boom hit Taney and Ozark the heaviest. Is what I'm seeing? If they increased 20% in 03 has nothing to do with the boom of 05 through 07...absolutely, positively nothing.

Chuck Pennel: Well...Chuck, Chuck here...thank you for your time.

Charlie Norwald: Appreciate it Chuck...thank you for calling...appreciate the dialog and...

Chuck Pennel: Thank you for taking time to work us in, interrupting your meeting, and most of all I appreciate you getting that memo to us so we can at least resolve this one issue.

Charlie Nordwald: We'll be glad to.

Chuck Pennel: Ok.

Charlie Nordwald: Thank you.

Chuck Pennel: Thank you.

Transcribed by: Hillary Bargman

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from August 8, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNT ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #102192-102198, 102211-102298 and warrants #4702, 4705, 4706.

Commissioner Herschend seconded the motion and added that this includes the reimbursement for Bob Paulson, Taney County Attorney, for paying to file a petition. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DENNIS WOOD

Dennis Wood, State Representative, stated that a basic bill that passed in house but not senate. Adding that they would try again.

RECESS

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECONVENE

3:45 p.m.

TANEY COUNTY COMMISSION RECORD

The Taney County Commission reconvened in the Commission Office at 3:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

County Counsel presented an emergency need for \$1,000.00 that Judge Justus had granted a TRO against Enterprise but required a 1,000 bond prior to signing order.

Commissioner Herschend made a motion to approve a check for \$1,000.00.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



AUGUST 16, 2007 THE 15TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Conference Room at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. Also present were Bob Paulson, County Counselor, Jack Harrison, Taney County Park Board Chairman, Leon Combs and Lisa Owen from the White River Valley Historical Society, Ron Houseman and Lonnie Combs, with the IDA Board, and Vonda Sheets with the Taney County Times. The following proceedings were had and made a matter of record.

OUTSIDE LEGAL FIRM

Commissioner Herschend made a motion that the Commission hire an outside legal firm to answer how Branson can relinquish TIF claim to any post TIF tax. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SALES TAX PROPOSAL

Presiding Commissioner Pennel then shared comments from Rick Ziegenfuss, Administrator for the City of Hollister, about the sales tax proposal, suggesting that the County should request ½ of 1% and include transportation issues. Commissioner Pennel went on to state that the City of Hollister is planning to place a hotel tax on the November ballot. Commissioner Pennel then asked Bob Paulson, County Counselor if the sales tax issue could include transportation?

Bob Paulson responded that even with the current Road & Bridge tax, the Commission could address transportation, or any other issue under the sales tax language.

Commissioner Pennel made a motion to place on the November 6, 2007 ballot, a ½ of 1 percent countywide sales tax for transportation, a countywide park system, and community development, with a sunset in fifteen years. Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

3:00 p.m.

Minutes were taken and typed by Lisa Owen and edited by Hillary Bargman

RECONVENE

4:00 p.m.

The Taney County Commission reconvened in the Commission Office at 4:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

IS DEPARTMENT RAISES

Commissioner Herschend made a motion to give both Melissa Trotter and Patsy Alexander \$2.00 more an hour; Tim Gilzow and Tonya Friend \$.50 more an hour; to raise Gary Morgan to \$59,000.00 and to hire Shawn McKinley at \$12.00 an hour. Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by Tressa Luttrell



AUGUST 20, 2007 THE 16TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Ron Herschend, Western District, and Danny Strahan, Eastern District present; Chuck Pennel, Presiding, absent. The following proceedings were had and made a matter of record.

The prayer was led by followed by Ron Herschend followed by the pledge.

TEMPORARY PRESIDING COMMISSIONER

Donna Neeley, County Clerk swore Eastern Commissioner Danny Strahan in as Temporary Presiding Commissioner in the absence of Chuck Pennel.

WATER DISTRICT #2 CONTRACT

Bob Paulson, County Counselor requested that the Commission table the Water District #2 Contract until later.

Commissioner Strahan made a motion to table the Water District #2 Contract. Commissioner Herschend seconded the motion to table. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

Note: Commissioner Strahan explained that he and Assessor James Strahan had a funeral to attend at 10:00 and added they would be running through things quickly.

BID AWARDS GUARDRAIL

Tressa Luttrell, Administrator stated she bid another 1,000 linear feet of guardrail and two breakouts. Ms. Luttrell reported that the three bidders were Highway Safety Solutions, Thompson Culvert, and Viebrock Construction and they have been passed on to Road and Bridge. Ms. Luttrell added that Frank recommended Thompson Culvert, as they are the low bidder at \$14,287.50.

Commissioner Herschend made a motion to accept the bid from Thompson Culvert as recommended. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

BID AWARDS PLAT CABINET

Tressa Luttrell, Administrator presented three bids for a plat cabinet in the Records Office from Spectra Associates, Elkin Swyers, and Henry Adkins. Ms. Luttrell reported that she spoke with Bob Dixon, Recorder of Deeds and he recommended Henry Adkins, as they are the low bidder at \$7,279.95.

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Commissioner Herschend made a motion to accept the bid from Henry Adkins as presented. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

BID AWARDS DIRT

Tressa Luttrell, Administrator explained that she bid dirt along with the road materials but didn't receive any bids so she re-bid it and received two bids. Ms. Luttrell further explained that the bids were from Maurice Barth and Larry Scobee adding that she sent it to Road and Bridge and they recommended that both vendors be approved so they could use both as needed.

Commissioner Herschend clarified that this dirt is for finished dirt that is used to back dress slopes and plant grass. Commissioner Herschend added the county used most of the supplies they had on the Table Rock Acres project. Ms. Luttrell stated that both of these are current vendors in which the county receives dirt.

Commissioner Herschend made a motion to approve both Maurice Barth and Larry Scobee for dirt vendors as recommended. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

JAMES STRAHAN ASSESSOR'S BUDGET

James Strahan requested that the Commission table this issue and further expressed that the emergency is still there for budget funding.

Commissioner Herschend reminded that last week the Commission heard from Auditor Rick Findley that the Assessor could probably make payroll through last week and expressed concern about him not having funding. Commissioner Herschend then asked Mr. Strahan what his plan is? Assessor Strahan assured Commissioner Herschend that he does have funding available through last week and some of this week.

Tressa Luttrell reported that Commissioner Pennel is trying to set up a work session for this Wednesday with Rick Findley, James Strahan, and the Commission in regards to the budget.

Commissioner Strahan made a motion to table this issue. Commissioner Herschend seconded the motion to table. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to table the minutes. Commissioner Strahan seconded the motion to table. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #102299-102387 and warrants #4708 and 4709 as presented with the inclusion of bills for Mr. Ice Man 100627, Meeks 21069914, Coastal 8337-8338, R&J 197456, O'Reilly's 193941, Lowes 23320, O'Reilly's 139440, R&J 197494, and Branson Steel 41097. Commissioner Herschend added that these bills were not included in the batch they had to approve last week. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

UMB REIMBURSEMENT #15

Tressa Luttrell, Administrator stated that she is adding another bill to the UMB Reimbursement #15 and she needs to redo the form before she can get it back to the Commission.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to table UMB Reimbursement until this afternoon. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

BOB SCHANZ

Bob Schanz thanked the Commissioner for taking care of putting a tax on the ballot and stated that several people have called saying they don't want to vote for the tax because of the Tax Increment Financing (TIF) situation. Mr. Schanz expressed that something needs to be done in regards to this issue.

Commissioner Herschend informed that the Commission voted as part of their meeting last week to go out for a second opinion and to hire outside council in order to hopefully provide Branson information that there is a way they can release those funds. Commissioner Herschend then reminded that they have an obligation not to the developer but to the people who purchase bonds. Commissioner Herschend further explained that the bond purchaser was told this would be the process by which funding would flow back to them and they have been promised a revenue source so when they seek to divert or change that there is both a legal and moral obligation.

Bob Schanz explained they put their money up, knowing what the future taxes might be at that point and a new tax for a bridge or a playground is a whole other ballgame. Commissioner Herschend expressed that he agrees 100% but the wording of the TIF is what Branson is cautious about and rightly so. Mr. Schanz expressed that he feels it's got to be done by August 28, 2007 (certification deadline for November Election) and added that he wants it on the ballot but not if there is going to be opposition. Mr. Schanz urged the Commission to get it all straightened out before certifying it to be on the ballot in November.

Commissioner Strahan stated there are several misunderstandings about what the TIF is and exactly what the tax is and the Commission is working on it. Commissioner Strahan clarified that the motion was made prior to the tax being put on the ballot that they go out for council and look for any possible way to get this taken care of beforehand.

ART BECK

Art Beck inquired as to whether the Corp of Engineer's is picking up any of the cost of Strawberry Road? Commissioner Strahan answered not that he knows of and added that he doesn't know why they would. Mr. Beck explained that he was at a meeting in regards to the roads that would be flooded. Commissioner Strahan stated Strawberry Road has already been turned in but that doesn't mean the Corp has dollars they put into the road, it means if there is damage and the water goes up over the road, then they pay for the damage done.

Commissioner Herschend clarified they have not paid for nor are they to pay for any of the current work that is done. Commissioner Herschend added Strawberry Road is on a list and they have put the Corp on notice of the roads that would be impacted by raising the level of the lake and they will reimburse the county for damage done. Commissioner Herschend emphasized that there is no agreement for them to participate in the current work on Strawberry Road.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Herschend seconded the motion to second. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

BOE

Commissioner Herschend made a motion to table BOE and reschedule it for 1:00 p.m. today. Commissioner Strahan seconded the motion to table. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).

RECONVENE

2:30 p.m.

TANEY COUNTY COMMISSION RECORD

The County Commission reconvened in the Commission Office at 2:30 p.m. pursuant to adjourn with Ron Herschend, Western District present and Danny Strahan, Eastern District via telephone. Chuck Pennel, Presiding was absent. The following proceedings were had and made a matter of record.

UMB REIMBURSEMENT #15

Commissioner Herschend made a motion to approve the UMB Reimbursement #15 in the amount of \$1,700,410.13. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (absent), Herschend (yea), Strahan (yea).



AUGUST 22, 2007 THE 17TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Pennel made a motion to approve payroll.

| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 103235 – 103236, 103267 - 103292 |
| Road & Bridge Trust Warrants | 103238 - 103260 |
| Assessors Fund Warrants | 103237, 103261 - 103263 |
| Transfer Station Warrants | 103264 - 103266 |
| 911 Warrants | None |
| Manual Warrants | 4711 - 4712 |
| Accounts Payable Warrants | 102396 - 102409 |

Commissioner Strahan seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken via telephone and typed by Hillary Bargman



AUGUST 27, 2007 THE 18TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led and followed by the pledge.

COUNTRY CLUB SUB-DIVISION ROADS

Commissioner Pennel stated that Spring Meadows was supposed to be Country Club Heights and just wanted to make sure everything was taken care of.

Bob Paulson, Taney County Attorney, stated contingency upon water problem being solved.

Commissioner Herschend made a motion that they accept county club roads in entirety since construction and water issues are resolved.

Commissioner Strahan seconded the motion.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel stated that they had posted no parking signs and got them for Meadow Ridge and Savannah Place as well.

Bob Paulson stated 49.266 parking regulations enforced, adding that there needs to be an ordinance in placed.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HOUSEHOLD CHEMICAL FACILITY AND YARD WASTE DEBBIE REDFORD AND LARRY VANGILDER

Larry Van Gilder stated that they had come for brush and limb removal and currently they had a drop off site at the recycling center in Branson. Mr. Van Gilder added that they have been working with Hansen Tree Service and have worked out a contract with them to use city land to set up a machine and produce mulch that can be sold to the public. Mr. Van Gilder stated that it was quality mulch and felt like since a lot of the county was using the facility.

Debbie Redford charged by cubic yards and stated that the city was not out any expenditure except for some road widening. Ms. Redford added that it would also be open on Saturday and that this would also be used for commercial use.

Ms. Redford stated that she had set it up for bid and the Hansens won the bid adding that they were a lot less expensive.

POSSIBLE LEASH LAW IN TANEY COUNTY CHERYL BROWN

No show.

TIMOTHY ROAD PETITION

Residents stated that they were wanting to get the street taken over adding that it was the last street down there that had not been done.

Commissioner Pennel stated that there was only one dwelling. Randy Haes, Taney County Road and Bridge, responded that there was only one dwelling, but several lot owners.

One resident stated that it was not a deeded access and the only legal access was to cut across their lot due to Timothy Road being so rough.

Commissioner Herschend made a motion to deny the petition request at that time.

Motion died for lack of a second.

Commissioner Pennel made a motion to table the petition until they have a chance to go look at it.

Commissioner Strahan seconded the motion. The motion to table passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BRANSON LANDING LOMA EDDIE COXIE

Eddie Coxie presented a letter of a map revision concerning the Branson Landing for flood plains and that was why it required the signature of the county. Mr. Coxie stated that basically LOMA was saying that there were points that are greater than 1 foot in elevation change from what the map is stating so in order for FEMA to review they need to have signatures that say it's ok and can't go any further.

Commissioner Herschend made a motion to table the issue for review.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

TCED APPOINTMENTS

Commissioner Pennel stated that he had received a letter from the board saying they had not voted on the TCED appointments.

Tressa Luttrell, Taney County Commission Administrator, responded that it had been taken care of and they had vote but she didn't see the fax.

SUPPORT LETTER FOR DEVELOPMENT

Commissioner Pennel stated that he had left a support letter for development connections in his office.

Commissioner Pennel read the letter for the proposed funding for this project and if awarded this would be the second longest.

Commissioner Strahan made a motion to table the issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ASSESSOR'S FUNDING REQUEST

Commissioner Pennel stated that James Strahan, Taney County Assessor, had come to the commission and asked for additional funding. Commissioner Pennel added that he wanted to get it on the table to see if they could address it or not.

Commissioner Herschend made a motion that they deny the request to fund the unpaid portion of the state's funding for the office out of GCR, but that they do extend enough monies to pay staff accrued vacation holidays to be taken immediately.

Motion died for the lack of a second.

Commissioner Pennel made a motion to approve of the additional funding needed that is not currently available to keep the Assessor's Office running through September 15th and to pay vacation time.

Motion died for the lack of a second. A lengthy discussion ensued.

AIRPORT APPOINTMENT

Commissioner Herschend made a motion to reappoint Mark Trimble to fill the seat he is currently in since the term had expired.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

NATURAL GASOLINE IN COUNTY RIGHT OF WAY

Commissioner Herschend stated that the county would only consider natural gas lines in county right of ways where they have easements for utilities of 50 feet or more.

Commissioner Herschend stated that a non-agenda item they have been asked to have someone appointed to be responsible for their funds for the jail.

WATER DISTRICT #2 BOB PAULSON

Bob Paulson, Taney County Attorney, stated that they want to work in Valley View subdivision in and along roads. Mr. Paulson added that they would not be going into county roads but across them and they will be at a sufficient depth and comply with all county requirements.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve the contract.

Commissioner Pennel seconded the motion. Further discussion ensued.

Commissioner Herschend amended his motion to drop portion of not requiring bond.

Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SALES TAX LANGUAGE

Commissioner Herschend made a motion to table.

Motion died for the lack of a second.

Bob Paulson recommended tabling this issue until 4:00 p.m.

Commissioner Herschend made a motion to take a 5-minute recess.

BUDGET CRISIS JAMES STRAHAN

James Strahan stated that Commissioner Herschend had brought up that 2008 was the determining factor in getting money and asked where the money will be going and where would they put that. Commissioner Herschend responded that in 2008 if Mr. James Strahan gets the funding it would go into his budget. A general discussion ensued.

SALES TAX LANGUAGE ISSUE

Ron Houseman came to the commission to discuss sales tax ballot language. Discussion ensued.

Commissioner Herschend made a motion to table until 4:00 p.m. and ask Ron Houseman to come back.

Motion died for lack of second. Further discussion ensued.

Commissioner Pennel made a motion to table.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to table.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS PAYABLE

Commissioner Strahan made a motion to approve accounts payable checks #102410 – 102498 and warrants #4710 & 4713.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1).

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

1:05 p.m.

The County Commission reconvened in the County Commission Office at 1:05 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2007 BUDGET

Commissioner Pennel made a motion to approve the following journal entries pursuant to the 2007 budget:

- 780-50-071 – 101-85-024 for \$103,818.93,
- 245-50-042 – 101-85-023 for \$90,291.50,
- 460-50-101 – 101-85-026 for \$7,682.42.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ROAD & BRIDGE

Commissioner Pennel made a motion to approve the following journal entries to reimburse Road and Bridge for work done in other areas:

- \$11,419.55 for the Courthouse,
- \$19,152.84 for the Judicial Facility,
- \$1,006.70 for the Masonic Lodge,
- \$1,187.90 for the Transfer Station,
- \$4,312.47 for Brown School House,
- \$13,688.33 for Animal Control,
- \$23,163.47 for the Airport

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

GILMORE & BELL

Commissioner Herschend made a motion to enter into a contract with Gilmore & Bell to conduct Arbitrage audits on the judicial facility bonds.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

August 1, 2007

Re: \$19,260,000 Taney County, Missouri Certificates of Participation, Series 2006

Dear Ms. Souttee:

Gilmore & Bell acted as special tax counsel for this financing that closed November 30, 2006. Based on a brief review of the transaction documents, we believe this financing is subject to arbitrage rebate and therefore may require a rebate computation. Gilmore & Bell can assist you in determining whether a computation is required and if so, in determining any arbitrage rebate liability that has been accumulated. The remainder of this letter discusses the procedures we would propose to follow in fulfilling the duties of Rebate Analyst, if we were chosen to act in that capacity by the County.

Records

We understand that UMB Bank, as the Trustee, would provide us with copies of the account statements for all certificate-related funds. The funds for which we will need statements and investment records are as follows:

- Construction Fund
- Certificate Payment Fund
- Reserve Fund
- Prepayment Fund
- Rebate Fund (if funded)

TANEY COUNTY COMMISSION RECORD

The trust accounting statements generally contain all of the information we will need to perform the computation. We will contact you if we have any difficulty getting investment records directly from the Trustee or if we need any additional information.

Rebate Computations

Generally, 90% of the rebate amount must be paid to the IRS within 60 days after each rebate installment computation date. The first rebate installment computation date must be on or before the fifth anniversary of the issue date (November 30, 2011) or the date the last bond is paid, whichever occurs first.

We usually find that the best practice is to perform annual rebate computations prior to the first installment computation. We will be able to identify and correct any accounting and record keeping problems as well as retrieve any lost or missing records. For the County, completing annual computations allows it to not only make informed and timely accounting elections that can reduce the amount of rebate owed, but also reserve ahead of time for any eventual rebate payment to the IRS. For these reasons, we suggest performing annual rebate computations as of November 30 each year, beginning November 30, 2007.

Our fee for acting as Rebate Analyst would be \$1,075 per year payable at the time each annual computation is completed.

Unless special arrangements are made with us, we will undertake to perform the rebate calculation and begin working only after receipt of all requested account statements, along with a signed copy of this letter acknowledging your agreement to this arrangement. Typically, we will be able to complete the calculation within 30 days thereafter, although in some special cases additional time may be needed.

If the foregoing is acceptable to you and you would like to hire us as Rebate Analyst, please sign the enclosed copy of this letter in the space provided and return it to us. Do not hesitate to call Travis Newman or me if you have any questions.

Very truly yours,
Michael D. McRobbie

RECESS

RECONVENED

4:05 p.m.

The Taney County Commission reconvened in the Commission conference room at 4:05 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

COUNTY-WIDE SALES TAX

Commissioner Herschend made a motion that the commission approve as presented the ordinance placing a one-half of one percent county-wide sales tax on the November 6, 2007 election date for the purposes of addressing transportation, recreation, and community development needs.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AN ORDINANCE SUBMITTING A BALLOT QUESTION FOR THE NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION IN TANEY COUNTY, MISSOURI

WHEREAS, Taney County, Missouri is a non-charter county of the first classification, duly organized and existing under the laws of the State of Missouri, and

WHEREAS, Taney County is a fast growing area with considerable new residential and commercial growth; and

WHEREAS, residents living in the County need an effective and safe method of crossing Lake Taneycomo on their way to work on East Highway 76, and a convenient way of returning home after work; and

WHEREAS, a more effective road system over Lake Taneycomo and the development of other significant transportation projects, such as the east-west corridor road, will promote economic development in Taney County; and

WHEREAS, recreational facilities that attract visitors to Taney County constitute economic development and bring additional monies to the businesses of Taney County, and to Taney County Government; and

WHEREAS, quality of life in a community is a major factor in businesses relocating to an area, and a major contributor to quality of life for the citizens of Taney County would be the development of recreational facilities to be utilized not only for attracting tourists, but serving as a county-wide parks system enhancing quality of life in Taney County, Missouri; and

WHEREAS, a sales tax of one-half of one percent (1/2 of 1%) available pursuant to Section 67.1305 of the Revised Statutes of Missouri would serve to create and promote the above-stated economic purposes and needs of Taney County and its citizens;

NOW, THEREFORE, BE IT ORDERED, RESOLVED AND ORDAINED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

Section 1. It is hereby ordered that a ballot question be submitted for placement on the ballot for the General Election to be held in Taney County, Missouri, on the 1st day of November, 2007, and the question to be submitted is the following question to impose a sales tax for economic development purposes pursuant to Section 67.1305 of the Revised Statutes of Missouri.

SPECIAL ELECTION

TANEY COUNTY COMMISSION RECORD

SALES TAX PROPOSITION

TUESDAY, NOVEMBER 6, 2007

TANEY COUNTY, MO

PROPOSITION A

Shall the county of Taney impose a countywide sales tax at the rate of one-half of one percent (1/2 of 1%) for a period of fifteen (15) years from the date on which such tax is first imposed for economic development purposes?

Yes
No

Instructions to Voters: If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Note: Commission priorities include, but are not limited to "Taneycomo Bridge and community recreation facilities." All expenditures under this tax are subject to the final approval of the Commission.

Section 2. The Presiding Commissioner is hereby authorized and directed to notify the County Clerk of Taney County, Missouri, of the adoption of this Ordinance no later than 2:00 p.m. on the 28th day of August, 2007, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

Section 3. This order is hereby certified to the Clerk of the County Commission of Taney County, Missouri, as election authority for the County, and the Taney County Clerk is hereby requested to conduct the election by paper ballot.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the County Commission this 27 day of August, 2007.

Chuck Pennel, Presiding Commissioner
Ron Herschend, Western Commissioner
Danny Strahan, Eastern Commissioner

ATTEST:
Donna Neeley, Taney County Clerk

CERTIFICATE REGARDING NOTICE OF MEETING

I hereby certify that the attached notice of meeting of the County Commission of Taney County, Missouri, held on the 27th day of August, 2007, was posted at least 24 hours prior to the commencement of the meeting on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for posting notices at the County Courthouse, the principal office and meeting place of the County Commission, and was made available at least 24 hours prior to the commencement of said meeting to any representative of the news media who requested notice of the meeting.



AUGUST 31, 2007 THE 19TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:26 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

EASEMENTS

Commissioner Pennel made a motion to approve the following Grant of Permanent and Perpetual Easement for both Dean Road and Barton Road for the amount of \$1.00 each. Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSE AND TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS

Nancy S. Edwards, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTOR", on this 24th day of August, 2007

grant and convey unto

TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successor: heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Dean Road for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following being situated in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in "Attachment A" incorporated herein by reference as though fully set out.

TANEY COUNTY COMMISSION RECORD

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit*:

A permanent and perpetual easement as described in "Attachment A" of said Dean Road. In addition, GRANTEE shall have a temporary construction easement as described in "Attachment A" of said Dean Road.

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES AND TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS

Harold R. and Catherine S. Jeffery, Husband and Wife, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 23rd day of July, 2007.
grant and convey unto

TANEY COUNTY, MISSOURI, do Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE",
for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Barton Road (00-15) for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land laying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Exhibit "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit*:

A permanent and perpetual easement fifty (50) feet in width, to be twenty-five (25) feet on each side of the centerline of said Barton Road (00-15). In addition, GRANTEE shall have a temporary construction easement sixty (60) feet in width, to be thirty (30) feet on each side of the centerline of said Barton Road (00-15).

Minutes taken and typed by Hillary Bargman



SEPTEMBER 4, 2007 THE 20TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:0 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel followed by the pledge.

RIGHT-OF-WAY ISSUES DAN EPPS

Don Epps wanted to let the commission know where they were at with the gas project. Don Epps added that they were not at the point of getting engineering done.

Commissioner Herschend stated that he had contacted Mr. Epps as he did the other company when they decided to go with a 50-foot right of way. A general discussion ensued.

WRVHS STATUS REPORT LISA OWEN

Lisa Owen presented the commission with an update about what they had done and expressed their appreciation of funding they have received. Ms. Owen added that they had increased membership to 300 members and had gotten many donations and invited everyone at meeting to the Taney County Ice Cream Social at 1:00 p.m.

Commissioner Pennel asked how much the security system would cost. Ms. Owen answered that for a three-year contract it would probably be around \$800, including free installation.

Commissioner Pennel made a motion to approve \$815 for the Sunrise Security System the expenditures.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BRANSON LOMA EDDIE COXIE

Eddie Coxie, from LOMA, stated that he was there because the issue was tabled last time and they needed to sign off on the county.

Commissioner Herschend apologized for not getting through the books.

Commissioner Strahan made a motion to table concerns and questions until later that day.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

LETTER FOR DEVELOPMENT CONNECTIONS

Commissioner Pennel made a motion to send a letter of support.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UPDATE ON ASSESSOR'S FUNDING

Commissioner Herschend asked James Strahan, Taney County Assessor, if he had said 10% was quoted in the newspaper. James Strahan responded that it was an '07 document.

Bob Paulson asked James Strahan if he could report to them that day what Mr. McCoullough was doing. A general discussion ensued.

FLOOD PLAIN MAP ERRORS

Commissioner Pennel stated that there was an issue in Stone Bridge where there was an error in the flood plain map. Commissioner Pennel added that they had an area that was below the flood plain.

A general discussion ensued.

COUNTY AUCTION

Commissioner Pennel stated that a date needed to be established for the County Auction. Tressa Luttrell, Taney County Commission Administrator, stated that they needed to know whether or not they are to go out for bid on an auctioneer.

Rick Findley, Taney County Auditor, stated that Jimmy Russell, Taney County Sheriff, talked to him about maybe having it the first weekend in October. Commissioner Herschend asked if having it on September 29th would be pushing it. Commissioner Strahan expressed that he had no problem with having it then.

Commissioner Strahan made a motion to table the issue until later in the day to contact people involved to see if they want to go out for bid.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

LIDAR INFORMATION AGREEMENT

Tressa Luttrell stated that all they have left is that they need to get them approved.

Commissioner Strahan stated that in the past they have had different municipalities.

Commissioner Herschend made a motion to approve.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BOE MINUTES

Commissioner Strahan stated that this actually pertains to the STC and their conversation in the BOE minutes.

Commissioner Strahan made a motion to fund the Assessor's Office for the remaining part of the year until December, when things can be sorted out with STC.

Motion died for the lack of a second.

Commissioner Pennel stated that he had put this issue on the agenda for tomorrow and asked if he had anything about the actual minutes.

James Strahan, Taney County Assessor, stated that he had a mandatory conference and would be unavailable to be at the meeting tomorrow.

Commissioner Herschend stated that he was not against moving forward and believed they had asked Mr. Strahan's attorney to go to STC and feels it is not the right time to reverse action.

WHEEL LOADER BID AWARDS TRESSA LUTTRELL

Tressa Luttrell, requested that this issue be tabled due to not having information from the Road and Bridge Department

Commissioner Herschend made a motion to table.

Commissioner Pennel seconded the motion.

Commissioner Strahan asked if they would want in which they have a vendor in the audience and could they do it today. Tressa Luttrell replied that tomorrow would be fine as well.

Commissioner Herschend stated that if they hussed through this they might get down to Road and Bridge to get information.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to table this issue until later.

Commissioner Herschend stated that a work session would be beneficial because there were some issues with things happening nine months ago.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #102499 – 102594 and warrant #4714.

Commissioner Herschend seconded the motion. Commissioner Herschend questioned whether or not there was any UMB Reimbursements. Tressa Luttrell, replied that there was only one invoice, but that they will do that next week.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

BOB SCHANZ

Bob Schanz stated that he was thankful of them for putting the tax issue on the ballot, however the ½ cent tax doesn't quite specify bridge.

Commissioner Pennel stated that the idea came from Rick Zeigenfuss.

Commissioner Herschend stated that he supports going through Branson Landing Blvd., conceptually, and that there were a lot of issues beyond the landing and further explained. Commissioner Herschend added that the idea has merit, but if people want to focus on that, they are missing the point that the commissioners are not engineers.

Bob Schanz stated that he was so glad there would be four entities sharing this, so if they are all out there trying to get votes they will pass.

Commissioner Strahan stated that Mr. Schanz has some confusion; the commission is not going to be the ones voting, the voters are.

Commissioner Herschend expressed his thanks to Mr. Schanz for coming so they could know what the questions are and he would encourage Mr. Schanz to say this is something that is good for everyone in the county.

RICK FINDLEY

Rick Findley, Taney County Auditor, stated that they have a letter in their office from Cox Health Plans offering the same thing they had down here on the grounds and people had an interest. A general discussion ensued.

9/11

Commissioner Herschend stated that a week from that day would be September 11th and asked if they wanted to have a moment of silence or prayer at the flag next week.

Commissioner Herschend added that Branson was having something for their First Responders.

Commissioner Pennel questioned what would be wrong with just participating there in Branson.

Commissioner Strahan stated that the prayer would be for them to gather there before coming in.

Commissioner Herschend clarified that if someone could not make the Branson event they would have something here for this area.

Commissioner Herschend made a motion that they put together a small memorial service at 9:00 a.m. on Tuesday, September 11th.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel stated that he wanted to recognize the former County Auditor.

Commissioner Strahan added that he wanted to recognize Hillary Bargman as this being her last commission meeting.

RECESS

Commissioner Strahan made a motion to recess.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD



SEPTEMBER 5, 2007 THE 21ST DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission office at 9:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Accounts Allowed

Commissioner Pennel made a motion to approve the following payroll warrants.
Payroll checks:

| | |
|---------------------------------|---------------|
| General County Revenue Warrants | 103321-103345 |
| Road & Bridge Trust Warrants | 103293-103314 |
| Assessors Fund Warrants | 103315-103317 |
| Transfer Station Warrants | 103318-103320 |
| 911 Warrants | None |
| Manual Warrants | 4715-4716 |
| Accounts Payable Warrants | 102604-102616 |

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Herschend arrived at 9:23am.

SEDEGWICK ROAD

Frank Preston, Road and Bridge Administrator, presented information pertaining to Taney County taking over a section of Sedgewick Road and the required repairs. He suggested either a modified hammerhead or cul-de-sac be added at a cost of \$5000 - \$10,000 for materials only.

Commissioner Herschend made a motion to take in Sedgewick Rd. contingent on property for a modified hammerhead is provided.

Commissioner Strahan seconded the motion.

WHEEL LOADER PURCHASE

Frank Preston presented bid spreadsheets for wheel loaders. He recommended the purchase of a CAT with the cost to the county of \$200,000 and a buy back cost of \$110,000. A discussion of the recommendations for CAT versus the other makes followed.

Commissioner Strahan made a motion to accept Mr. Preston's recommendation to purchase the CAT.

Commissioner Herschend seconded the motion. It was agreed to order loader with the positrack option. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ASSESSOR'S BUDGET

Commissioner Herschend presented his concerns regarding the resolution of the issues surrounding the Assessor's maintenance program and its approval by the State Tax Commission. Specific concerns expressed were the ability to complete the 2008 budget, impact on employees and continuing to deal with the same issue throughout 2008.

Commissioner Herschend, said, "I move that the commission agree to fund, as budgeted, the assessor's office through the end of 2007, contingent upon 1 of 2 things happening. 1. By Oct. 15, the Assessor has an approved maintenance plan approved by the State, or 2. We have mediation scheduled with the State."

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (nay).

HOLLISTER BRIDGE MEETING

The County Commission met at the Hollister City Hall at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

It was decided that Frank Preston, Road and Bridge Administrator, would attend the Value Engineering Meeting Sept. 10-13, 2007.

Minutes taken and typed by: Gloria Severson.



SEPTEMBER 10, 2007 THE 22ND DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Danny Strahan followed by the pledge.

PUBLIC APPOINTMENTS 911 ADVISORY BOARD-MESH NETWORK

Shawn Barnwell, Branson Police Department and 911 Board member, presented the commission with a request to expand their emergency services by the use of a Mesh Network.

Commissioner Herschend made a motion to table the 911 issue until it could be determined if they had to go out for bid for a grant writer and requested further explanation as to what a Mesh Network was.

Commissioner Strahan seconded the motion. Motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

TIMOTHY ROAD

Commissioner Pennel mentioned that he had gone out to look at the road and considering the property owner would not give up any easement and that a power line would have to be moved he felt that he could not see the road being taken in. Randy Haes, Road and Bridge, provided photos to the commissioners and mentioned that there is only one resident that would be served.

Commissioner Herschend made a motion to deny the request to take in Timothy Road, because the road is serving only one resident and it would be cost prohibitive.

Commissioner Strahan seconded the motion. The motion to DENY passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

ASSESSOR'S BUDGET - EMPLOYEE ISSUES

Commissioner Danny Strahan discussed employee layoffs and the effect on the county if the Assessor's Office is not funded through the end of the year. A lengthy discussion ensued.

Commissioner Herschend made a motion to table. The motion died for lack of a second. Further discussion ensued including Commissioner Strahan complimenting several employees of the Assessor's Office, including Kenny Davis, for their dedication to their work.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to fund the Assessor's Office pursuant to the budget in place for the remainder of 2007.

Commissioner Pennel seconded for discussion. The motion passed by a vote of two: Pennel (yea), Herschend (nay), and Strahan (yea).

Commissioner Herschend made a motion to direct council to request mediation from the judge to settle the Assessor's lawsuits.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

ENCLOSED TRAILER BID AWARD

Commissioner Pennel made a motion to table this discussion until 2:00 p.m. that day.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

LEVY REVIEW

Donna Neeley, County Clerk, requested that the issue be tabled until Monday, September 24, 2007.

Commissioner Pennel made a motion to table.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

SPEED LIMIT ON FRUIT FARM ROAD

Commissioner Herschend gave the results of a study done on the speed limit for Fruit Farm Road. Frank Preston, Road and Bridge Administrator, suggested that the speed limit be set at 30 mph.

Commissioner Herschend made a motion to increase the speed limit to 30 mph.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

ELECTED OFFICIALS UPDATE

Commissioner Herschend informed the commission that Highway 86 would be rerouted almost to the Arkansas line at Rochester Road back up to old Highway 86. Work will begin next Monday.

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from May 7, 9 11, 14, 16, 21, 24, 29, and 30, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from September 5, 2007 with the correction of listing his arrival time for that meeting.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve the accounts payable checks 102595-102603, 102617-102686 and warrant 7417.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UMB REIMBURSEMENT #16

Commissioner Herschend made a motion to approve the UMB reimbursement #16.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

1:30 p.m.

ENCLOSED TRAILER BID

The County Commission reconvened in the County Commission Office at 1:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Commissioner Pennel made a motion to award the bid to A1A2Z in the amount of \$9,934.00.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Jackie Rogers



SEPTEMBER 14, 2007 THE 23RD DAY OF THE JULY ADJOURN TERM

The County Commission met in the County Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District (was absent), and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

KISSEE MILLS PARK AGREEMENT

Commissioner Strahan made a motion to approve the Kisse Mills Park Agreement.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed (via phone) by: Jackie Rogers



SEPTEMBER 17, 2007 THE 24TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District (absent), and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

TANEY COUNTY COMMISSION RECORD

Note: Commissioner Herschend joined the meeting at 9:08 a.m.

HOMESTEAD ESTATES ROAD PETITION

Randy Haes, Taney County Road and Bridge, presented the commission with pictures and a petition to take in the roads of Homestead Estates.

Commissioner Strahan made a motion to take in Tully, Montana Road (up to Blue Sky Court), and Blue Sky Court.

Commissioner Herschend seconded the motion.

Frank Preston, Taney County Road and Bridge, stated that it would cost \$35,000 in materials alone to get the roads to what he would deem acceptable. Mr. Preston added that since those roads are now county roads they need to get them to county standards.

Commissioner Herschend stated that he felt that this issue should be tabled.

Commissioner Strahan withdrew his motion.

Commissioner Herschend withdrew his second.

Commissioner Strahan made a motion to take in Tully.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to table and have a work session with Randy Haes and Frank Preston about Montana Road.

Commissioner Pennel seconded to table the issue. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PLANNING AND ZONING CODE AMENDMENTS

Bob Paulson, Taney County Attorney, stated that it was proposed and worked upon and that he was available but not present when it was done. Mr. Paulson added that there are some significant revisions he would suggest before it is passed. Mr. Paulson stated that he likes what is there but feels that there are some problems. A general discussion ensued.

Commissioner Herschend made a motion to approve paragraphs 1 and 2 of the amendment on height requirements. The motion died for lack of a second.

Commissioner Pennel made a motion to approve the height regulation including infrastructure.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (nay).

BLACC (BRANSON LAKES AREA CHAMBER OF COMMERCE)

Commissioner Pennel stated that it has been requested of them to make an exception for a special use permit that the BLACC could use the road that runs in front of the charcoal plant for their Ozark Mountain Christmas Festival of Lights project. Commissioner Pennel added that they should discuss going further with approving a 60-day limit on this special permit with Planning and Zoning instead of 14 days. Shawn Pinkelton, Chairman of BLACC, brought this request to their attention.

Commissioner Strahan made a motion to approve the permit but that making sure that they have notified citizens of that area.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion.

Commissioner Herschend stated that he was concerned that on busy nights the line of traffic caused by construction could upset the citizens in that area. Commissioner Herschend added that he was concerned that if one family were to complain would they have to cancel this project.

Donna Neeley, Taney County Clerk, stated that what if they were to have Shawn Pinkelton get approval from all the citizens before moving ahead.

Commissioner Pennel withdrew his second.

Commissioner Strahan withdrew his motion.

Commissioner Pennel made a motion to table the issue until they can get all questions answered.

Commissioner Herschend made a motion to approve the permit contingent upon all residents and businesses provided BLACC written approval of the concept.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

LEVY REVIEW DONNA NEELEY

Commissioner Pennel stated that the Levy Review was listed on the agenda in error and would be addressed next Monday.

PRIOR MINUTES

Commissioner Pennel made a motion to approve the September 10, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

Commissioner Herschend explained that he abstain because he had not gotten the chance to read those minutes yet.

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #102687 – 102820 (with the exception of check #102803, for the amount of \$26.84, being held out) and warrants #4719, 4720, 4721, 4722, 4723, and 4727.

Commissioner Pennel seconded the motion.

Helen Souttee added that there was an exception of check # 102803 for the amount of \$26.84.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UMB REIMBURSEMENT #17

Commissioner Herschend made a motion to approve the UMB Reimbursement #17.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PUBLIC COMMENT

James Strahan, Taney County Assessor, stated he thought it was a shame that voters declined implementing building codes, but the commissioners were trying to go ahead and do it anyway.

Art Beck stated that he did not get to vote on building codes in Taney County and was told that it was because he lives in the city of Forsyth. Mr. Beck added that if the entire city could vote; they would have a different outcome on the issue.

Commissioner Pennel stated that it is not anyone at the county level that regulates that issue; it is the state law that regulates that.

David Easley, Taney County Resident, stated that he was at one of the hearings before the vote of building code and felt that there was a definite opposition by the citizens of the county and it fail. Mr. Easley expresses his disappointment if the commission moves ahead with any regulations with that regard.

Commissioner Pennel stated that in regards of the height regulations he would bring up the 45 ft. concern to Planning and Zoning meeting that night. The voters did say clearly that they did not want building codes. Planning Zoning will consider what has been said and he would pass on the concerns and possibly they will revise that. A general discussion ensued.

RECESS

10: 18 a.m.

Donna Neeley stated that she would like to request that they do BOE before Executive Session.

Commissioner Pennel agreed with Donna Neeley's request.

RECONVENE

10:30 a.m.

BOE

Commissioner Herschend made a motion to approve abatement 2008-0351.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel stated that he brought up the Mountain Music Inn because he felt that they had made a mistake on the value.

Commissioner Strahan stated that he wanted to see the minutes for Mountain Music Inn.

Commissioner Herschend made a motion that they adjourn BOE.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Jackie Rogers



**SEPTEMBER 19, 2007 THE 25TH DAY OF
THE JULY ADJOURN TERM**

The County Commission met in the County Commission Office at 9:18 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District (was absent), and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 103346 – 103347, 103376 – 103397 |
| Road & Bridge Trust Warrants | 103349 – 103369 |
| Assessors Fund Warrants | 103348, 103370 – 103372 |
| Transfer Station Warrants | 103373 – 103375 |
| 911 Warrants | None |
| Manual Warrants | 4725 – 4726 |
| Accounts Payable Warrants | 102832 – 102846 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

RECONVENE

10:30 a.m.

The Taney County Commission reconvened in the Commission Office at 10:30 A.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

Commissioner Pennel made a motion to call this meeting to order.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

BEE CREEK SEWER UPDATE

Commissioner Herschend stated that the county was taking over and maintaining Bee Creek until rebuild or the asphalt gets done. Commissioner Herschend recommended that they accept the cost of adjusting the manhole covers at base grade.

Commissioner Strahan asked if Road and Bridge Funds would be reimbursed from Sewer Funds. Commissioner Herschend answered that it would come out of Road and Bridge Funds because they will be bringing base to county standards, but that Sewer Funds would asphalt.

Minutes taken and typed by Jackie Rogers.



SEPTEMBER 20, 2007 THE 26TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

LEVY REVIEW

Commissioner Pennel read statute 137.055 for the record:

County commission to fix rate of tax, when--public hearing to be held, when, notice, effect.

137.055. 1. After the assessor's book of each county, except in the city of St. Louis, shall be corrected and adjusted according to law, but not later than September twentieth, of each year, the county governing body shall ascertain the sum necessary to be raised for county purposes, and fix the rate of taxes on the several subjects of taxation so as to raise the required sum, and the same to be entered in the proper columns in the tax book.

TANEY COUNTY COMMISSION RECORD

2. Prior to fixing the rate of taxes, as provided in this section, the county governing body shall hold a public hearing on the proposed rate of taxes. A notice stating the time and place for the hearing shall be published in at least one newspaper qualified under the laws of Missouri of general circulation in the county at least seven days prior to the date of the hearing. The notice shall include the aggregate assessed valuation by category of real, total personal and other tangible property in the county as entered in the tax book for the fiscal year for which the tax is to be levied, the aggregate assessed valuation by category of real, total personal and other tangible property in the county for the preceding taxable year, the required sums to be raised from the property tax for each purpose for which the county levies taxes as approved in the budget adopted under chapter 50, RSMo, and the proposed rate of taxes which will produce substantially the same revenues as required by the budget. Failure of any taxpayer to appear at said hearing shall not prevent the taxpayer from pursuit of any other legal remedy otherwise available to the taxpayer. Nothing in this subsection absolves county governing bodies of responsibilities under section 137.073 nor to adjust tax rates in event changes in assessed valuation occur that would alter the tax rate calculations.

(RSMo 1939 § 11044, A.L. 1945 p. 1778, A.L. 1976 H.B. 1162)

Prior revisions: 1929 § 9871; 1919 § 12863; 1909 § 11420

Commissioner Strahan stated that according to statute 137.055 the levy was required to be set the 20th of September.

Commissioner Strahan made a motion that they establish the levy for the county knowing that the public hearing wasn't published prior to the meeting as a mistake was made and establish the levy at General County Revenue .2523 and Road and Bridge .1893.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to roll both levies back to zero because of adequate sales tax.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



SEPTEMBER 21, 2007 THE 27TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission reconvened in the Commission Office at 9:30 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel.

TAX MONEY

The Taney County Commission met with individuals to discuss the matter of citizens concern of how the tax money was to be spent. Individuals present were The White River Valley Historical Society, members of the Park Board, and persons interested in the Taneycomo Bridge. It was decided that they would create a question and answer brochure and do some media releases including setting possibly public hearings to discuss the issue.

Minutes taken by: Donna Neeley and typed by: Jackie Rogers



SEPTEMBER 24, 2007 THE 28TH DAY OF THE JULY ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Jane Robertson followed by the pledge.

TANEY COUNTY COMMISSION RECORD

NOVEMBER 2007 BALLOT ISSUE CHUCK PENNEL

Commissioner Pennel stated that last Friday a good discussion was held about the November 2007 ballot issue and that he would like to open it up for discussion. Commissioner Pennel suggested holding a couple, maybe four, public meetings.

Commissioner Strahan stated that the Taney Center sounded like a good location or the Forsyth or Kirbyville School. Commissioner Strahan added that they need to do this in the next couple of weeks to get educational information out to the public. Commissioner Strahan added that the bridge was the immediate action that needed to be taken care of with the tax listed on the November ballot. A general discussion ensued.

Commissioner Strahan made a motion that they set up a conference with a board and go out for bid proposal for countywide transportation assistance.

Commissioner Herschend seconded the motion.

Bob Schanz stated that he felt that they needed to do something quick. Mr. Schanz added that he had spoke everywhere about the bridge and had even met with Congressman Roy Blunt on the issue. Mr. Schanz stated that he felt that putting another bridge along side with the other bridge was not right.

Gary Groman stated that they needed to get the tax passed, that it was a positive thing. Mr. Groman added that something is going to happen at that bridge no matter what. Mr. Groman told the commission to take whatever time they needed in order to take the steps they need to take.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel stated that there are some folks that don't want to get out at night and that it would be great if they could get a daytime meeting.

Gary Groman suggested that maybe they should have one in the day and one at night so that all citizens can go.

Commissioner Herschend recommended that they get to the media so that people have the opportunity to see where their heart is in this matter.

LOMR RON HERSCHEM

Commissioner Herschend stated that he had never suggested that they not proceed with change; he couldn't find a reason other than one project that would benefit if they change the flood elevations. Commissioner Herschend added that he recommend that they write a letter stating that they are not in favor of this change.

Commissioner Pennel stated that he was a little fuzzy as to why they were being looked to for support in changing the flood levels. Commissioner Herschend responded that since the flood elevations have been established in the county, they are the responsible party to review and make recommendations.

Bob Paulson, Taney County Attorney, stated that they are looking for a letter due to the application process. Mr. Paulson added that they could do a letter of opposition, neutral, or a support letter.

Frank Preston, Taney County Road and Bridge, stated that he felt that they would be jeopardizing any reimbursement from FEMA when they make those kinds of changes, especially when they are so close to lake levels.

Commissioner Herschend made a motion that they send a letter stating that they do not support the change because they have a concern about future floods affecting citizens.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel added that he feels that they should direct Bob Paulson to set up the letter.

KAMO EASEMENTS BOB PAULSON

Bob Paulson, Taney County Attorney, stated that an easement was needed from them in order to move the lines for the airport.

Commissioner Herschend made a motion to approve the easement that would be approved by Commissioner Strahan.

Commissioner Pennel seconded the motion.

Commissioner Strahan stated that he would like to know what he is changing before he changes it. Bob Paulson suggested that they might want to table the issue.

Commissioner Pennel stated that the motion should stay the same, but only if Commissioner Strahan is comfortable with it. Bob Paulson added that this was going to be a big deal; they will need to schedule outages of electricity.

Frank Preston, Taney County Road and Bridge, stated that it is that party's responsibility to set up a meeting so that the commission knows what they are dealing with. Mr. Preston added that that party should be presenting this to the commission and that they should be doing the work, not the commission.

Commissioner Herschend amended his motion stating that he be the one to meet with them if Commissioner Strahan was not comfortable with doing it.

Commissioner Pennel amended his second that Commissioner Herschend take the lead.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

4X4 TRUCK BID AWARD TRESSA LUTTRELL

Commissioner Herschend made a motion to approve for submitting.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Herschend made a motion to approve the minutes from September 17, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #102821 – 102831 and #102847 – 102938.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PUBLIC COMMENT

ABSENTEE BALLOT BOB SCHANZ

Bob Schanz expressed his great concern that he had received an absentee ballot for his mother who had passed 15 months ago. Mr. Schanz added that he was worried that if someone else had gotten a hold of it they might have voted in her place.

Donna Neeley, Taney County Clerk, stated that a glitch in their system had been found and they were working to correct that problem from ever happening again.

APOLOGY ART BECK

Art beck stated that he figured he owed Commissioner Herschend an apology for what he had said at last Monday's meeting.

Commissioner Herschend accepted and expressed his thanks for the apology.

HIGHWAY 86 AND 65 PROJECT RON HERSCHEND

Commissioner Herschend stated that the Highway 86 and 65 project was moving along and should be completed in the morning of next Tuesday or Wednesday. Commissioner Herschend added that they had hoped that it would be done this weekend, but it was going to take a couple more days.

COUNTY AUCTION/TRASH PICKUP

Commissioner Pennel stated that there would be a county auction this coming Saturday.

Commissioner Strahan added that the trash pickup was scheduled for October 13th.

BRIDGE PROGRESS REPORT ART BECK

Art beck stated that he was wondering if the commission had a progress report on the bridge. Mr. Beck added that he thought they needed to check in with them, because a lot of people were getting fed up with the light system and it was quite a hassle in the mornings.

Commissioner Strahan stated that they had listed a three-month time limit on the bridge project.

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS 10:15 a.m.

RECONVENE 11:15 a.m.

The Taney County Commission reconvened in the Commission Office at 11:15 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

ECONOMIC DEVELOPMENT SALES TAX

The Commission called a meeting together with various people of the media and other to discuss questions and answers concerning the Economic Development Sales Tax. They went over correct wording that should be used in order to make this educational when presented to the public. The commission also devised a plan of order in which the questions/answers should be delivered to citizens.

Minutes taken and typed by: Jackie Rogers



SEPTEMBER 25, 2007 THE 29TH DAY OF THE JULY ADJOURN TERM

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

COURT REPORTER

Bob Paulson, Taney County Attorney, commented that his advice would be to have a court reporter at every BOA (Board of Adjustment) meeting.

Commissioner Herschend made a motion to hire a court reporter if this was going to be the official record.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OZARK MOUNTAIN HELICOPTER

Commissioner Strahan made a motion to approve the contract for Ozark Mountain Helicopter.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OZARK MOUNTAIN HELICOPTER ROAD SUPERINTENDENT

Commissioner Herschend made a motion to allow up to \$1,000 worth of airtime for Frank Preston, Road and Bridge Superintendent, with Ozark Mountain Helicopter, as this would give him a better understanding of roadways etc. within the county.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Minutes taken and typed by: Tressa Luttrell and edited by: Jackie Rogers



TANEY COUNTY COMMISSION RECORD



OCTOBER 1, 2007 THE 1ST DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

PINEWAY ESTATES VACATION

Jim Stephenson presented the commission with maps and stated that he had been working with Mr. & Mrs. Smalley to vacate a section of road that does not service anyone.

Commissioner Herschend made a motion to approve vacation as presented.

Commissioner Pennel seconded the motion adding that the petition present was signed by all residents that would be affected. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

COLLECTING OF TRANSPORTATION NEEDS DATA DAN WATTS (SW MO COUNCIL OF GOVERNMENTS)

Dan Watts presented the commission with maps representing and listing of the current needs identified for Taney County that they were made aware of. Mr. Watts added that this was compiled back in January of that year, it is a 10-County jurisdiction, and that they were meeting with all commissions to see if anything needed to be added to the list.

Mr. Watts stated that the list is collected through meetings like this one and through surveys that are mailed out. Mr. Watts added that it is an unconstrained list; a tool that MoDot uses.

Dawn Gardener, MoDot, stated that the needs were going to be funded by the state. Adding that they get to know what the needs are and then compete with the other needs within the state for the funds.

Commissioner Herschend asked why the issue of the Highway 76 Bridge for reason of congestion was not on the list. Ms. Gardener responded that the list could be changed.

Commissioner Strahan stated that some adjustments would need to be made to the list stating that some of the things listed had already been completed. Commissioner Strahan added that they would be willing to help in prioritizing the list.

Commissioner Herschend stated that he appreciated them for helping them with their needs and their willingness to help get the priorities updated.

Bob Schanz expressed to the commission his great concern that SMACOG was not up to date on important issues of the county and felt that the job was not getting done.

Frank Preston, Taney County Road and Bridge, expressed his wishes that citizens direct their passion in helping the community to get things done in a positive, not negative manner.

ROAD & BRIDGE EASEMENTS DANNY STRAHAN

Commissioner Strahan stated that Randy Haes, Taney County Road and Bridge, was going to present the two right of way easements on Dean Road, but he had just gone on vacation. Commissioner Strahan added that these easements were up for approval, but the one easement located on Hillside Drive was not on there

Commissioner Strahan stated that he would like to table until they can do all of them at once. Commissioner Strahan added that he would like to have these in a packet and be able to

TANEY COUNTY COMMISSION RECORD

approve them all at once. Commissioner Herschend added that he thought that was a very professional approach.

Commissioner Strahan made a motion to table.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

REVIEW NUISANCE CASES CHUCK PENNEL

Commissioner Pennel stated that there were two nuisance cases located on Flynn Road and Highway 248. Commissioner Pennel added that it was not a real populated area, still a dangerous issue and it needs to be cleaned up.

Commissioner Herschend added that the nuisance area was located within 100 feet of county road and that there are kids in the neighborhood.

Commissioner Pennel stated that there was one other nuisance case located on Amherst by Mount Branson. Commissioner Pennel added that the location, like the other two was not very populated, but was a total mess. Commissioner Pennel stated that he would like the other commissioners to stop by and take a look at it.

I.T. CLOSET BID AWARDS TRESSA LUTTRELL

Tressa Luttrell, County Administrator, stated that there were six bids for switchboards for the new judicial buildings. Tressa Luttrell added that Gary Morgan, I.S. Department Administrator, had gone over all of the bids and recommended PC Net in the amount of \$24,120.⁰⁰.

Commissioner Strahan made a motion to approve the bid as recommended by Gary Morgan.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

DATA AND TELEPHONE CABLING BID AWARDS TRESSA LUTTRELL

Tressa Luttrell stated that the recommendation by Gary Morgan was that they go with the bid from CenturyTel for \$68,885.⁸⁴.

Commissioner Strahan made a motion to approve the bid as recommended by Gary Morgan.

Commissioner Pennel seconded the motion.

Gary Morgan stated that he wanted to make one comment that CenturyTel gave them a fiber option and in the amount of \$79,104.³³ that he would recommend that they go with it. Mr. Morgan added that this was still \$50,000 under any other bids that they had received. Mr. Morgan stated that later on they would probably have to end up adding that option and by doing it now would save them a lot of money.

Commissioner Strahan amended his motion to include that option.

Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend requested that Gary Morgan share with everyone what good results he and a few other had with the concessions at the County Auction. Mr. Morgan stated that they raised right at \$500 for the families in need.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel added that the County Auction brought in about \$14, 023.⁵⁰.

Commissioner Herschend stated that he wanted to recognize Frank Preston, Taney County Road and Bridge, for all of his dedication to the county. Commissioner Herschend added that Mr. Preston was out working the day before, on a Sunday, looking at county roads and identifying needs that need to be met. Commissioner Pennel agreed.

PRIOR MINUTES

Commissioner Pennel stated that he did not see any ready to be approved at that time.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable check #102939 – 103045 and warrant #4728.

Commissioner Strahan added that he had one to be paid.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstain).

PUBLIC COMMENT

Angela Liest, Park Board, stated that she wanted to discuss whether or not the Park Board would be able to make a budget adjustment of \$12,000. Ms. Liest added that they were on their third project and did not want to get half way through and not be able to finish.

Rick Findley, Taney County Auditor, stated that the county does have enough funds available contingency to cover that adjustment.

Bob Paulson, Taney County Attorney, suggested that they give the issue a 24-hour period and be put on the agenda given that the issue is of high importance.

Commissioner Herschend stated that they would be putting the issue on the agenda and address it then.

Tressa Luttrell stated that she wanted to announce that the Fall Cleanup would be held on the 12th and 13th of that month.

EXECUTIVE SESSION **PERSONNEL** **PER SECTION 610.021(3)** **BOB PAULSON**

Commissioner Pennel made a motion to go into Executive Session per Section 610.21(3).

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS
10:02 A.M.

RECONVEINE
3:50 p.m.

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, (absent). The following proceedings were had and made a matter of record.

SANTE FE VACATION

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel read into record the proposed vacation for Sante Fe.

Commissioner Strahan made a motion to table.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).



OCTOBER 3, 2007 THE 2ND DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission reconvened in the Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding (via telephone), and Danny Strahan, Eastern District, present. Ron Herschend, Western District, (absent). The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|--|
| General County Revenue Warrants | 103399 – 103410, 103412, 103440 – 103460 |
| Road & Bridge Trust Warrants | 103413 – 103433 |
| Assessors Fund Warrants | 103398, 103411, 103434 – 103436 |
| Transfer Station Warrants | 103437 – 103439 |
| 911 Warrants | None |
| Manual Warrants | 4729 – 4730 |
| Accounts Payable Warrants | 103046 – 103058 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PARK BOARD BUDGETARY REQUEST

Commissioner Strahan made a motion to extend the park board budget to \$12,000 out of contingency.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

SANTA FE VACATION

Commissioner Pennel made a motion to approve vacation of Santa Fe Road as presented by Steven Bradford.

Commissioner Strahan seconded the motion. Further discussion ensued.

Commissioner Strahan withdrew his second once discovering that the cul-de-sac was only 65 feet in diameter instead of 80 feet.

Commissioner Pennel withdrew his motion.

Commissioner Pennel made a motion to table the issue.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Minutes taken and typed by: Jackie Rogers

TANEY COUNTY COMMISSION RECORD



OCTOBER 9, 2007 THE 3RD DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:08 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Commissioner Pennel followed by the pledge.

OLD GLORY ROAD PETITION

Commissioner Pennel stated that there was a request to take in Old Glory Road as a Class 5 County Road. Commissioner Pennel read the petition for Old Glory Road: "Request that County take over Old Glory Road T24/23 North 23 West. Old Glory begins at intersection of Eagle Rock & Stone Circle."

Commissioner Strahan made a motion to approve taking in Old Glory Road as a Class 5 County road contingent upon paperwork for a turnaround being completed. .

Commissioner Pennel seconded the motion.

After discussion Commissioner Strahan amended his motion to include that they have documentation to record what they are accepting.

Commissioner Pennel amended his second. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HOLIDAY AVENUE VACATION

Discussion ensued: After discussion Commissioner Pennel made a motion to table so that they could go look at the road.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ETIQUETTE OF ROAD MAINTENANCE BOB SCHANZ

Bob Schanz presented the commissioners with pictures of roads that he and others had concerns with. Discussion ensued.

Mr. Schanz addressed an issue with trash being left possibly by the road and bridge crew. Mr. Schanz also indicated there were problems with Lookout Ridge where there was a culvert full of mud from water flow problems. Mr. Schanz added that some of those people could not get to their homes due to the issue.

Mr. Schanz discussed pictures of lake Taneycomo and a growth from sewer or other things and that it looked like a swamp.

Mr. Schanz addressed concerns he had over comments that were made at the October 1, 2007 meeting. Discussion ensued.

Bob Schanz thanked the commission for their time and requested that they please take care of that trash for those people. Commissioner Herschend asked Mr. Schanz if he could keep the pictures that he brought before the commission so that they could get those things taken care of. Mr. Schanz responded that they could.

ASSESSMENT PROCESS JAMES STRAHAN

TANEY COUNTY COMMISSION RECORD

James Strahan, Taney County Assessor, stated that the assessment process has proceeded and levies had been turned over. James Strahan discussed roll back issues regarding levies.

Donna Neeley, Taney County Clerk, explained that many levies stayed the same, some decreased, and only a few went up on their total levy. A general discussion ensued.

PRIOR MINUTES

Commissioner Strahan made a motion to approval minutes from September 4, 5, 14, 19, 20, 21, 24 and 25, 2007, October 1 and 3, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #300001 – 300098 and #300099 – 300110, voided checks #300000 and 300077, and warrants #4731, 4732, and 4733.

COMMISSIONER PENNEL SECONDED THE MOTION. THE MOTION PASSED BY A VOTE OF THREE: PENNEL (YEA), HERSCHEND (YEA), STRAHAN (YEA).

PUBLIC COMMENT

Commissioner Herschend stated that the trash cleanup was going to be held that week.

EXECUTIVE SESSION

Commissioner Pennel made a motion to go into an emergency executive session.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

Minutes taken and typed by: Jackie Rogers



OCTOBER 11, 2007 THE 4TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the County Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

911 ADVISORY BOARD GRANT WRITER BID AWARD TRESSA LUTTRELL

Tressa Luttrell, Taney County Commission Administrator, stated that Jeff Merryman had responded to the 911 grant writer bid in the amount of \$12,000.⁰⁰. Tressa Luttrell added that the 911 Board said that it was a good proposal.

Commissioner Pennel made a motion to approve.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

KAMO EASEMENT BOB PAULSON

County Attorney Bob Paulson mentioned that the Branson Airport needed an easement for KAMO approving the moving of the electric lines and a resolution permitting the signing of

TANEY COUNTY COMMISSION RECORD

the easement. A general discussion ensued concerning the KAMO easement for the airport resolution.

Commissioner Strahan made a motion to approve the resolution and easement regarding the easement change contingent upon KAMO agreeing to release the old easement once the lines were moved.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HEALTH INSURANCE BID

Commissioner Herschend made a motion to have Tressa Luttrell go out for bid on the Health Insurance.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

2008 BUDGET

Discussion ensued concerning budget issues with Rick Findley, Taney County Auditor. The commission informed Mr. Findley that an outside auditor suggested that Accounts Payable and Payroll be moved to the clerk's office and a new position would be set up in the clerk's office for a Financial Director.

Minutes taken by: Donna Neeley and typed by: Jackie Rogers



OCTOBER 12, 2007 THE 5TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

RENEWAL RATES FOR DELTA DENTAL

The commission reviewed renewal rates for Delta Dental Insurance with Vickie Rice from Akers and Arney.

No motions made.

CLERK'S OFFICE POSITION - Discussion -

The commission met with a job applicant for the clerk's office position.

Discussion ensued about wages for this position.

Commissioner Strahan directed Donna Neeley, Taney County Clerk, to post the position.

Commissioner Pennel requested that Donna Neeley do a second interview for someone who was interviewed previous to this meeting. Donna Neeley responded that she did not feel that that applicant was well qualified for the position.

DESIGNATING MARKETING ORGANIZATION

Ross Summers, Gary Groman and Ed Akers presented a sample resolution to the Commission to appoint the DMO for the Division Coop. Commissioner Herschend made a motion to approve the sample resolution provided by the state and to appoint the DMO for Division Coop Marketing – Branson Lakes area Chamber and CVB Convention Bureau.

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Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).



OCTOBER 15, 2007 THE 6TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:04 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

The prayer was led by Commissioner Chuck Pennel followed by the pledge.

RESPECT FOR TAX PAYERS BOB SCHANZ

Bob Schanz stated that Roberts Rules of Order was not followed adding that people who approach the podium should talk to the commission not individuals in the audience.

Mr. Schanz expressed his hopes that there would soon be some changes as far as the process of approving minutes goes.

ASSESSMENT INCREASE JAMES STRAHAN

James Strahan, Taney County Assessor, stated that the headline of this should have been Assessment Process, not Assessment Increase. James Strahan stated that the assessment process was continuing on and that the Assessor's Office has a tremendous amount of work before they are able to close the books and go on to next year. A general discussion ensued.

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from October 9, 2007 contingent upon the petition for Old Glory Road that was read into the minutes being added.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #300111 – 300175 and warrant #4734.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PUBLIC COMMENT

Lucy Combs brought before the commissioners her general questions about the conduct of minute taking. Further discussion was held.

Art Beck brought forth to the commission his concern with first responders not following the rules of traffic when going to a fire, etc. A general discussion was had on the issue.

Rick Findley addressed the commission and a lengthy discussion was held involving the changes considered by the commission for the Auditor's and Clerk's Offices.

RECESS 10:16 a.m.

Commissioner Pennel made a motion to recess.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. Motion passed.

Note: Executive Session Notes were received on October 2, 2007 for:

JULY 9, 2007 LITIGATION

Chuck Pennel, Ron Herschend, Danny Strahan, Tressa Luttrell, and Bob Paulson were all present.

Bob Paulson updated the commission regarding the Peter Rea case.

JULY 30, 2007 CONTRACTS

Chuck Pennel, Danny Strahan, Tressa Luttrell, and Bob Paulson were all present C of O donation agreement; acknowledge receipt of Wilkerson Building with changes made from Bob Paulson.

Commissioner Strahan made a motion to approve.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

AUGUST 6, 2007 LITIGATION

Chuck Pennel, Ron Herschend, Danny Strahan, Tressa Luttrell, and Bob Paulson were all present.

Commissioner Herschend asked about Lady Bug. Bob Paulson stated that it had not been resolved.

Bob Paulson provided an update on the Peter Rea case as well as the State Tax Commission.

SEPTEMBER 20, 2007 LITIGATION

Chuck Pennel, Ron Herschend, Danny Strahan, Tressa Luttrell, and Bob Paulson were all present.

The commission was updated on:

1. Wrongful Death Case – Ozark/Christian/Taney
2. EPA – Rockaway Beach – negligence regarding operating procedures

Minutes taken and typed by: Jackie Rogers



OCTOBER 17, 2007 THE 7TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:11 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

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| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 103461 – 103462, 103493 – 103518 |
| Road & Bridge Trust Warrants | 103464 - 103485 |
| Assessors Fund Warrants | 103463, 103486 - 103488 |
| Transfer Station Warrants | 103489 - 103492 |
| 911 Warrants | None |
| Manual Warrants | 4735 - 4738 |
| Accounts Payable Warrants | 300176 - 300190 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

FUNDING FOR ROAD & BRIDGE FROM SHERIFF DEPT. GCR TRESSA LUTTRELL & FRANK PRESTON

A general discussion was held between the two commissioners present, Tressa Luttrell, Frank Preston, Road and Bridge, Jimmy Russell, Taney County Sheriff, and Rick Findley, Taney County Auditor. The discussion concerned the matter of what percentage the Sheriff's Department budget should go towards Road and Bridge.

Commissioner Pennel asked Sheriff Russell to come up with a percentage of time they assist the Road and Bridge Department.

Note: Sheriff Russell and Rick Findley exit meeting at 9:35 a.m.

ROAD & BRIDGE DEPARTMENT FRANK PRESTON

Frank Preston expressed that he felt that Commissioner Strahan said, in a previous meeting, that he could suspend an employee, but needed to inform the commission about it.

Commissioner Strahan explained that the commission would need to know if an employee was to be terminated. Tressa Luttrell, Taney County Commission Administrator, stated that she thought Commissioner Strahan meant to say termination, but said suspension.

Commissioner Strahan clarified that Frank Preston does not have to inform them if he suspends an employee, only terminates.

Note: Rick Lunt and Susan McGuire enter meeting at 9:40 a.m.

ANIMAL CONTROL EMPLOYEE ISSUE RICK LUNT & SUSAN M^CGUIRE

Commissioner Pennel stated that he had received a report that employees told Stephanie, Animal Control Supervisor, she wasn't their boss and that he was.

A general discussion was held concerning the matter.

ROAD & BRIDGE EMPLOYEE ISSUE

Frank Preston stated to the commission that one of his employees was unhappy with their salary. Mr. Preston explained that they were a great employee and would hate to lose her.

After discussion Commissioner Pennel stated that he felt that they should go ahead with the raise. No motion or action was taken.

WEST BARN ADDITION FRANK PRESTON

Frank Preston proposed to the commission an idea to add two storage containers and a free standing roof to the West Barn.

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Commissioner Strahan expressed that he had no problem with them doing this. Commissioner Pennel added that he felt that they should go ahead and do it. It was agreed by both commissioners.

CASEY ROAD SEWER PROJECT

Road improvements for Casey Road were estimated by the engineer to cost two million dollars and the Road and Bridge department only had a budget of 1.2 million dollars for this project.

Commissioner Strahan stated that in the beginning they had talked about it only costing \$600,000. Frank Preston said that he would look further into it, but thought that they should wait for bids to come back. Tressa Luttrell stated that bids were already sent out.

BEE CREEK BRIDGE

Frank Preston stated that the guardrails were no longer up to standard. Mr. Preston added that he would like to upgrade and replace all four posts instead of just replacing the one and expressed concerns that area was a bad spot and drivers are driving very fast through this area. It was agreed to proceed.

ROAD STANDARDS

Frank Preston explained that he would like to work together on getting road standards summarized for future referencing. Commissioner Strahan responded that he felt that it would be money well spent to adopt this standard. Adding that there is a lot of overkill. Commissioners listed to the update but there was no direction decided on.

BRADLEYVILLE PAVILION

Commissioner Pennel stated that scheduling is on hold as far as Frank Preston and the Road and Bridge department. Commissioner Strahan stated that this was coded as the park board. Commissioners added that the cost talked about before was for materials and labor.

MEDICAL INSURANCE/EMPLOYEE EVENT QUESTIONNAIRE TRESSA LUTTRELL

After discussion it was decided that Tressa Luttrell was to send out a questionnaire to all employees asking them if they are in favor of a change, if they prefer St. John's or Cox, their thoughts on the current prescription plan, and if they prefer PPO or HMO. Also to be listed on the questionnaire was the matter of the employee event. Questions concerning this issue were: if employees still wanted to have an employee event and when they would like it to be held.

BRADLEYVILLE FIRE DEPARTMENT TRESSA LUTTRELL

Tressa Luttrell informed the commissioners that there was a Grant problem with the money Bradleyville Fire Department had received for Title III monies. Ms. Luttrell explained further that the Grant was held out and the Fire Department was not sent a notice of this decision.

Commissioner Strahan stated that the commission had voted to put it back in. Tressa Luttrell responded that she could not find that vote in the minutes. No action was taken.

GAS REIMBURSEMENT

Tressa Luttrell stated that gas reimbursements were denied, as sales tax on gas purchased for county vehicles did not qualify for reimbursement. The Department of Revenue in Jefferson City informed Ms. Luttrell that gas reimbursements were only good for off road vehicles and the county has none. Ms. Luttrell stated that the independent auditor had suggested that the county apply since the county should not be paying sales tax at the pump. A general discussion ensued.

TANEY COUNTY COMMISSION RECORD

ROAD & BRIDGE EQUIPMENT

Tressa Luttrell informed the commission that Merriam Woods Village requested that repairs on a broken down tractor be paid for my Taney County. Commissioner Pennel and Commissioner Strahan both agreed that this issue had already been discussed and that they decided not to pay for repairs and that the tractor could be used for other things.

WEST BARN ADDITION & POWERS OF DEPARTMENT HEADS REVISITED

The Commission had discussed early in the meeting the issue of making additions to the Western Barn. Discussion ensued and the following motions were made.

Commissioner Pennel made a motion to make the additions to the West Barn.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Discussion ensued as to responsibilities of department heads. Commissioner Pennel made a motion to allow department heads to suspend employees without the commission's prior approval.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

BACKWOODS ROAD FRANK PRESTON

Frank Preston stated that he had received a question from Mr. Baker as to why Backwoods Road was not being taken in.

Commissioner Strahan explained that the road easement was the reason why they did not take in backwoods road. Commissioner Pennel stated that he would like to discuss the issue with Randy Haes in Road & Bridge department before giving a reason.

COUNTY ROADS CRITERIA WORK SESSION FRANK PRESTON

Frank Preston expressed to the commission that he would like to set up a work session with them to work out details of the actual criteria a road has to meet to be taken in as a county road. After discussion it was decided that they would set up a work session with Randy Haes and invite some developers to help work this out.

COUNTY UNIFORMS FRANK PRESTON

Frank Preston made a request for heavy neon green winter coats to be purchased for the Road and Bridge Department in the amount of \$4,000.⁰⁰.

Commissioner Strahan made a motion to provide the coats for the Road and Bridge Department in the amount of \$4,000.⁰⁰ to \$5,000.⁰⁰.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

NO PARKING SIGNS

Bob Paulson, Taney County Attorney, entered the meeting and read statute 49.266:

TANEY COUNTY COMMISSION RECORD

After discussion Commissioner Pennel stated that they would post this for discussion on Monday.

HAND SANITIZER DISPENSERS

Discussion ensued regarding the value of putting hand sanitizer in the entrance to the courthouse. Commissioner Strahan made a motion to put hand sanitizer dispensers at every entrance in the county facility.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

12:00 p.m.

RECONVENE

1:50 p.m.

Commissioner Pennel made a motion to send out Request For Prices for hanger building at the County Airport.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to go out for bid for a chain-link fence for the County Airport.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ANIMAL CONTROL CONFERENCE CALLS

A dispute occurred between the Animal Control Supervisor and an employee resulting in the employee being sent home. After two conference calls made to the supervisor and then to the employee explaining the situation it was decided that the employee would come back to work tomorrow am, but were not sure if she would last long in their position.

Note: Commissioner Herschend joined the meeting at 2:08 p.m. by conference call to discuss Casey Road.

CASEY ROAD SEWER PROJECT - Discussion Resumes -

Commissioner Pennel explained that he had talked to John Souttee, Sewer Department, and it was estimated that the line is up to \$100,000.⁰⁰, but that the high end is up to \$200,000.⁰⁰.

Commissioner Herschend stated that as long as it is in the matrix he is in 100% agreement to put it in the ground. Commissioner Herschend added that it is well worth the money. No action was taken, project is out for bid.

Note: John Hooker and John Souttee enter the meeting at 2:19 p.m.

TRANSFER OF FUNDS.

Commissioner Pennel made a motion that they transfer \$282,478.65 from Road & Bridge to General County Revenue for the purpose of road patrol. This amount was lowered to 15% of the Sheriffs budget rather than the 25% that was budgeted as the Commission felt 15% was move justified.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

RECESS

2:35 p.m.

ADJOURNED

Minutes taken & typed by: Jackie Rogers

Finished typed: 10/18/07

Submitted to Commission: 10/18/07

Commission Approved: 11/21/07



OCTOBER 22, 2007 THE 8TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

The prayer was led by Pastor Fred Zumait; followed by the pledge.

DEAN ROAD & BARTON ROAD EASEMENTS

Commissioner Pennel made a motion to accept the easement for Barton Road from Timothy and Laura Schwarts.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to accept the easements for Dean Road, which had already been engineered from Randy and Linda Henson, Lex and Helen Smith, and Ronald and Connie Yarger.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

STABILITY IN THE ACCOUNTING OFFICE RICK FINDLEY

Rick Findley, Taney County Auditor, addressed the commission with issues concerning the move of Accounts Payable and Payroll to the Clerk's Office.

ASSESSMENT PROCESS JAMES STRAHAN

James Strahan, Taney County Assessor, addressed issues with Board of Equalization duties and his office.

Representative Dennis Wood addressed the newspaper article written by James Strahan and corrected errors in that article.

NOVEMBER 6th SALES TAX ISSUE, ASSESSMENT PROCESS, AUDITOR/CLERK PAYROLL ACCOUNTS PAYABLE FUNCTION CHUCK PENNEL

Commissioner Pennel reported on public meetings concerning sales tax issues that had taken place and did not need to discuss other issues further.

GRANT WRITER CONTRACT TRESSA LUTTRELL

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve the contract with Jeff Merriman for the 911 Grant Writer.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

CLERK'S DUTIES & DEMEANOR DANNY STRAHAN

Commissioner Strahan stated that he had spoke with Donna Neeley, Taney County Clerk, personally and no further discussion was needed.

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes from March 13, 20, April 3, and 17, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to table approval of last week's minutes until 1:30 p.m. that day.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED UMB REIMBURSEMENT #18

Commissioner Strahan made a motion to approve UMB Reimbursement #18 and accounts payable checks #300191 – 300316 and warrant #4739.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ADJOURNED

Minutes taken by: Donna Neeley & typed by: Jackie Rogers

Finished typed: 10/25/07

Submitted to Commission: 10/30/07

Commission Approved: 11/21/07



**OCTOBER 23, 2007 THE 9TH DAY OF
THE OCTOBER ADJOURN TERM**

The Taney County Commission met in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

MoPEB HEALTH INSURANCE

TANEY COUNTY COMMISSION RECORD

Kerry Kisslinger and Rod Weaver of MoPEB (Missouri Public Entity Benefits) health insurance group gave a presentation of the various insurance options they had to Presiding Commissioner Pennel, Commissioner Danny Strahan, Tressa Luttrell, Rick Findley, and Dixie Wagner. No action was taken.

ADJOURNED

Minutes taken by: Donna Neeley & typed by: Jackie Rogers

Finished typed: 10/24/07

Submitted to Commission: 10/30/07

Commission Approved: 11/21/07



OCTOBER 24, 2007 THE 10TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend (via telephone), Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

UPDATE TO COMMISSIONER HERSCHEMEND HEALTH INSURANCE

General discussion was held updating Commissioner Herschend over details concerning different health insurance coverage.

Commissioner Herschend made a motion to resend decision to go out for bids for new agents and direct Akers & Arney to price St. John's against Cox and look into additional coverage.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UPDATE TO COMMISSIONER HERSCHEMEND ACCOUNTING FUNCTIONS

General discussion was held updating Commissioner Herschend over details concerning the recommendation of moving the accounting functions from the Auditor's Office to the Clerk's Office. Adding that many County offices had concerns for the two employees that would be involved in that move.

Commissioner Pennel made a motion to stop the process at that time of making the move of the accounting functions from the Auditor's Office to the Clerk's Office.

Commissioner Strahan seconded the motion.

Commissioner Herschend made a motion to table the issue until his return to work for discussion.

Commissioner Herschend's motion to table the issue died for lack of a second.

Commissioner Pennel's motion to stop the process of moving the accounting functions passed by a vote of two: Pennel (yea), Herschend (opposed), Strahan (yea).

Note: Conference call with Commissioner Herschend ends.

Commissioner Strahan made a motion to recess the meeting.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

RECESS

RECONVENE

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

INGENTHRON ROAD BRENT BLEVINS

Brent Blevins came before the Commission to request work be done on Ingenthron Road to maintain it as a County road.

Commissioner Strahan made a motion that the Commission take the recommendation of the County Road Superintendent by pulling trees, establishing ditch lines, putting a base down, and maintain Ingenthron Road as a Class 6 County road.

Commissioner Strahan withdrew his motion.

Commissioner Strahan made a motion to extend County maintenance of Ingenthron Road approximately two-tenths of a mile as a Class 6 road from the end of the paved section at the Sade property to the next section line along the 40-foot wide road as set forth in the 2007 judgment in Taney County Case Number 05 AF-CV00244.

Commissioner Pennel seconded the motion for discussion.

After a general discussion, the motion was dropped.

Commissioner Strahan made a motion to table the issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ADJOURNED

Minutes taken by: Donna Neeley & typed by: Jackie Rogers

Finished typed: 10/30/07

Submitted to Commission: 10/30/07

Resubmitted after changes made: 12/17/07

Commission Approved:



OCTOBER 29, 2007 THE 11TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

The prayer was led by Austin Sutton; followed by the pledge.

INGENTHRON ROAD BRENT BLEVINS

A general discussion was had concerning whether the County Commission should maintain Ingenthron Road as a class 6 County road.

TANEY COUNTY COMMISSION RECORD

Brent Blevins stated that he was not asking for the County to take in the road. Mr. Blevins added that the road had been maintained in the past.

Commissioner Strahan made a motion that the road, being a County road, be taken in to the intersection line of those three property owners and be maintained as a class 6.

Commissioner Pennel stated that he was not going to second it, because he had not heard anything to change his mind and could not support it.

Motion died for lack of a second.

PEBBLE DRIVE

Commissioner Strahan made a motion to table Pebble Drive until afternoon around 1:00 p.m.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

REQUESTING REAL ESTATE REFUND GRACE & JAMES BRIAN

James Brian stated to the Commission that back in 2000 he and his wife purchased a home in Rockaway Beach. Mr. Brian added that last year they received a notice from the Board of Equalization that the property was commercial not residential. Mr. Brian stated that the classification was changed to residential, but was told to go to the County Commission to see about getting a refund for the difference.

Commissioner Pennel made a motion to approve a refund of one year.

James Strahan, County Assessor, stated that if the Commission would prefer they get the calculation of the exact amount of the refund so that they can make an accurate motion, then they could do that.

Commissioner Pennel made a motion to table the request and have Bob Paulson, County Counselor, see how far back the refund can go and come back to the issue at 1:00 p.m.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

NO PARKING SIGNS CHUCK PENNEL

Commissioner Pennel made a motion to take the No Parking signs down until an ordinance could be written and approved.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PZ CODE IV.4.B CONCERNING SALVAGE YARDS CHUCK PENNEL

After a lengthy discussion Commissioner Pennel made a motion to ask Planning and Zoning to consider adopting the definition for inoperative vehicle currently in the nuisance ordinance.

Motion died for lack of a second.

Commissioner Pennel made a motion that the County Commission ask the Planning and Zoning Commission to consider writing a definition for the term "inoperative vehicle" and bring it back to the Commission, and that in their decision making process, they consider the definition in the nuisance ordinance for inoperative vehicle so that they can be consistent.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion that they instruct the Planning and Zoning staff to cease enforcement of the salvage yard part of the code until they can get a definition worked out.

Commissioner Strahan seconded the motion.

Commissioner Pennel amended his motion to include directing Planning and Zoning to send letters to those they have notified already that there was an issue and let those citizens know that Planning and Zoning has been instructed to cease their enforcement of salvage yard code.

Commissioner Strahan amended his second. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANDEM TRUCK BID AWARD TRESSA LUTTRELL

Tressa Luttrell, County Administrator, presented the bid to replace the tandem truck that had been damaged. Tressa Luttrell added that Frank Preston, Road and Bridge Superintendent, recommended a 2008 Sterling in the amount of \$115,028.

Commissioner Strahan made a motion to take Frank Preston's recommendation and approve the bid for a 2008 tandem truck.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel stated that they take a 5-minute recess.

RECESS
10:34 a.m.

RECONVENE
10:43 a.m.

Commissioner Pennel called the meeting back to order.

2006 MINUTES DANNY STRAHAN

After general discussion Commissioner Pennel made the following recommendations: when the Clerk presents the minutes for approval that she would email them to the three Commissioners, Tressa Luttrell, and Nikki Lawrence. Then Tressa Luttrell will instruct Nikki Lawrence to print off those minutes for Commissioners Danny Strahan and Ron Herschend to put in their boxes. Nikki Lawrence is to put on the agenda a listing of minutes that have not been approved. Commissioner Pennel said he wanted to have Public Comment above Routine Business and have Accounts Allowed before Prior Minutes. Commissioner Pennel stated that after changes made to a set of minutes by the Commission; the Clerk is to resubmit the corrected minutes with all changes in red.

Commissioner Strahan added his recommendation that any time there is a question the tapes be submitted to the Commission so that they know exactly what was said. Donna Neeley, County Clerk, responded that the meetings are being recorded digitally and suggested that the digital minutes be forwarded by computer.

Counselor Paulson asked if a draft of the minutes to be approved in each meeting could be posted on the board outside the courtroom. Commissioner Pennel responded that that was a good idea.

TANEY COUNTY COMMISSION RECORD

ACQUISITION OF PREVIOUSLY RECORDED PROPERTY RECORDS

Commissioner Pennel made a motion to approve the contract for the Records Office for a computer index exchange agreement contingent upon corrections suggested being made.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

BILLBOARD LEASES

Commissioner Pennel made a motion to approve the agreements for the Billboard Leases. The Billboards are located at the Taney County Airport at College of the Ozarks.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

LPA CONSULTANT AGREEMENT

Commissioner Pennel made a motion to approve the Airport Layout Plan Consultant Agreement with the addition of the auditor's certification.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

2-YEAR PLAN, FALSE ACCUSATIONS FROM DENNIS WOOD & CHUCK PENNEL JAMES STRAHAN

Assessor James Strahan stated that he was required to have a 2-year plan completed and submitted by January 1, 2008. Assessor Strahan stated that he was having a problem doing that; he had heard of possible budget cuts in his office. Assessor Strahan added that it was going to be hard to do so when the funds are not there. Assessor Strahan discussed other issues he had with Representative Dennis Wood and Commissioner Chuck Pennel, lengthy discussion ensued, no action was taken.

TURN OVER TAX SALES SURPLUS SHEILA WYATT

Sheila Wyatt, County Collector, informed the Commission that the annual tax sale was held on August 27, 2007 and any property that was bid above the amount due to the County was surplus. The current amount was \$75,406.²³ Collector Wyatt was asking the Commission for approval to turn the check over to the County Treasurer and be placed in the School Trust Fund.

Commissioner Pennel made a motion to approve turning the check over to the County Treasurer.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from October 11, 12, and 15, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable checks #300317 – 300405 and warrant #4740 with the exception of an attorney bill for Randy Anglen.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

EXECUTIVE SESSION

Commissioner Pennel made a motion to go into Executive Session pursuant to section 610.021.1 RSMo. and section 610.021.12 RSMo.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

12:17 p.m.

RECONVENE

1:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

Commissioner Pennel made a motion to call the meeting to order.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Donna Neeley met with the Commission to request and an additional staff person to handle the minutes along with possibly some filing. Donna Neeley expressed concern that she did not have the staff to complete the work being asked.

1:55 p.m.

Mike Smith with Septagon presented two change orders to the Commission. PR 24 in the amount of \$12,217 for changes to the Circuit Clerk's office, bathroom facilities for the future judge, and taking out a wall to enlarge that judge's office. PR 30 in the amount of \$3,237 for changes to Juvenile Office to wall off a reception area.

Commissioner Strahan made a motion to approve PR 24 and PR 30.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ADJOURNED

Minutes taken & typed by: Jackie Rogers & Donna Neeley

Finished typed: 11/1/07

Submitted to Commission: 11/1/07

Resubmitted after changes made: 11/28/07

Commission Approved: 12/3/07



**OCTOBER 30, 2007 THE 12TH DAY OF
THE OCTOBER ADJOURN TERM**

The Taney County Commission met for a public meeting at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present. Ron Herschend, Western District, was absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

“PROPOSITION A” PUBLIC MEETING

Commissioner Pennel called the meeting to order. Commissioner Pennel stated that nobody had shown up to the meeting.

Commissioner Pennel made a motion to recess.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ADJOURNED

Minutes taken via telephone by: Stacey Clemans and typed by: Jackie Rogers

Finished typed: 10/30/07

Submitted to Commission: 10/30/07

Resubmitted after changes made: 11/28/07

Commission Approved: 12/3/07



OCTOBER 31, 2007 THE 13TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 8:54 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present and Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 103547 - 103569 |
| Road & Bridge Trust Warrants | 103519 - 103540 |
| Assessors Fund Warrants | 103541 - 103543 |
| Transfer Station Warrants | 103544 - 103546 |
| 911 Warrants | None |
| Manual Warrants | 4741 - 4742 |
| Accounts Payable Warrants | 300417 - 300430 |

Commissioner Pennel seconded the motion. The motion carried by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve an accounts payable request from Brenda Neal, Circuit Clerk, regarding check #300381 for Randy Anglen, which had been held out on Monday, October 29, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

8:58 a.m.

RECONVENE

1:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Danny Strahan, Eastern District, present, Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

ADMINISTRATOR'S UPDATE FRANK PRESTON & TRESSA LUTTRELL

Frank Preston, Road and Bridge Superintendent, and Tressa Luttrell, County Administrator, met with the Commission to provide updates to the County Commission. The following were items for discussion.

PRIOR MINUTES

Tressa Luttrell informed the Commission that she had been going through the spreadsheet provided by the County Clerk and had some recommended changes for the tracking sheet and minutes.

PAY INCREASE DEBBIE CAMPBELL

Frank Preston stated that he was again before the Commission to request a raise for Debbie Campbell. He stated that she is an outstanding employee who he would hate to see leave. A general discussion ensued regarding performance.

The Commission asked what Mr. Preston was asking for in which he replied \$11.00 an hour.

Commissioner Pennel made a motion to take Debbie Campbell to \$10.00 an hour and then look at it again at budget time.

Motion died for lack of a second.

After discussion, Commissioner Strahan made a motion to increase Debbie Campbell to \$9.50 an hour and to look at it again at budget time, based on Mr. Preston's recommendation.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yea), Herschend (absent), Strahan (yea). Said raise to take affect on the next payroll.

GENERAL ROAD ISSUES

Mr. Preston brought up several road issues to both inform and seek input from the County Commission. Some of which included Brass Lantern Road and Casey Road. Mr. Preston was currently working on the road standards for Taney County and would seek additional information from adjoining counties.

Mr. Preston informed the Commission that there was a problem with the newly purchased steam cleaner in that the Hilda Barn does not have 3-way electric. After a general discussion the Commission directed Mr. Preston to proceed with getting quotes on getting the appropriate electricity to the Hilda Barn.

It was agreed that a work session on MoDot's road relinquishing agreements would be set for the next week.

UNIVERSITY EXTENSION BY LAWS TOM KOEHN

Tom Koehn, representing the University Extension, presented the County Commission with their By-Laws and requested that they be entered into the record of the County Commission.

Commissioner Pennel made a motion to recognize the By-Laws presented by the University Extension as their operating By-Laws per the recommendation of the Extension Council.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

**University of Missouri Extension
Council of Taney County**
Approved and adopted on September 4, 2007
These by-laws supersede any previous approved by-laws

The Taney County Extension Council comprised of representatives from the two districts within Taney County of the State of Missouri, having nine (9) representatives from each of the districts, and a representative from the county commission, a representative from a designated city, and a representative from qualified farm organizations and other appointed members to the council stated as follows Taney County Commission per 252.563 RSMO; being no less than ten (10) elected members and not more than twenty (20) elected members. Appointed members in part is to mean those who comply with state law, not those appointed to fill a term of elected position vacancy.

These by-laws shall not detract from state law and shall be in compliance with state law. The purpose of the county extension is defined by state law and to fulfill the land grant mission of extension. Copies of these by-laws are being filed in the office of the County Extension and available to all citizens of this state. This Extension council shall work with the County Program Director, all Staff of the county (specialists, para-professionals, and administrative staff) and the Regional Director to ensure funding for county wide program support and the extension services needed by the citizens of Taney County.

The County Extension council shall work in partnership with the University of Missouri and Extension staff assigned to the county according to state law and policy adopted by the Administration of the University of Missouri Extension.

The Taney County Extension Council shall select at least one member to represent them on the regional council, which includes participation at the regional council meetings and regular reports and updates to the county council who has appointed them as a representative.

Article I

Name

The name of the group shall be University of Missouri Extension Council of Taney County.

Article II

Purpose

The purpose of the Taney County Extension Council is to be a forum through which county council members can cooperate in providing effective educational program support for the county citizens by:

1. Exchanging information and discussing issues of concern and need.
2. Making recommendations on topics and issues related to concerns within the county.
3. Assisting the County Program Director (CPD) with extension council training
4. Promoting and supporting county planning and programming as appropriate and according to state laws and administrative guidelines.

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5. Fostering the partnership of University of Missouri Extension, University of Missouri Extension State Council, Regional Councils, and Extension Staff serving the county.
6. Supporting the policies and procedures jointly with the Taney County Extension Council, University of Missouri Extension State Council and regional council.
7. Following the state laws and supporting the funding for county office operations.
8. Programs, Governance, and Membership, in that order, are the areas Taney County Council will dedicate council time in meetings.
9. This Taney County Extension Council shall meet monthly.

Article III

Membership and Quorum

1. The elected membership shall include members from the districts within the county. A member's principle residence must be within the district he/she is elected to serve.
2. All terms are for a two (2) year period. No member may serve more than two (2) successive two (2) year terms, but may be re-elected after a lapse of one (1) year.
3. The appointed member shall be a member of the organization they represent and must reside within the county. An appointed member may serve as a council member until such time that he/she resigns or is replaced by the organization being represented.
4. Membership needed for a Quorum is eight (8) of all current filled positions (elected or appointed) per state law.

Article IV

Vacancy for Appointed Members

If an appointed member position is vacated for over three (3) months or upon death or resignation of an appointed member, the council may appoint a member from that organization to fill the vacancy after first giving the appointed members organization written notice and at least fifteen (15) days to fill that vacancy after their next board meeting.

Article V

Vacancy of an Elected Member

If an elected member position is vacated for over three (3) months or upon death or resignation of an elected member, the council may appoint a member from the vacant member's district to fill the vacancy until the next council election.

If an executive member position is vacated, then a vote at the next regular county council meeting must be taken to fill that position.

Article VI

Age of Members

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All voting members of the council must be at least eighteen (18) years of age at the time in which council elections take place.

Article VII

The Taney County Extension Council Structure

1. The Taney County Extension Council will elect at its February Meeting the executive committee and this shall include a Chair, Vice Chair, Secretary, and Treasurer.
2. The order of executive command shall be Chair, Vice Chair, Treasurer, and Secretary.
3. The duty of the Chair is to preside over all meetings and will only vote in case of a tie. The Chair cannot make motions or second motions.
4. The duty of the Vice Chair is to act in the absence of the chair and be the chair of the program committee.
5. The Secretary is responsible for the minutes of the meetings and roll call for attendance and for the recording of all votes according to the Sunshine Law of the State of Missouri. In the absence of the Secretary the Chair will appoint someone to fulfill the duties of secretary for that meeting.
6. The Treasurer is head of the budget committee and reports to the full council monthly as to the financial status of all accounts.
7. Each office shall also fulfill their duties per state law, the University of Missouri Extension Administration, and the County Council.
8. The executive committee and newly elected members upon oath of office shall take office at the annual meeting in March.

Article VIII

Taney County Extension Council Finances

1. The funding for the county extension council may come from the county appropriations, but is not limited to county funding only.
2. The Taney County Extension Council may accept gifts of cash, real property, and personal property.
3. All non-budgeted expenditures shall first be reviewed by the Treasurer and the County Program Director and then submitted for approval by a majority of County Council.
4. All issues related to finances shall be in keeping with accepted accounting practices and all accounts shall be audited yearly.

Article IX

Attendance of Appointed or Elected Members

1. A member of the council who shall be absent from three (3) consecutive regular scheduled meetings shall be dropped from membership unless confirmed by illness or other absence approved by a majority vote of those

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voting at any meeting thereof, provided a letter from the chair has been sent to the member and no reply is received within fifteen (15) days.

2. An unexcused absence is defined as a member failing to contact the County Program Director, the county extension office staff, or another member of the council of their intent not to be present for the meeting.
3. Appointed member is replaced as specified in Article IV. Elected member is replaced as specified in Article V.

Article X

Amendments

1. The by-laws may be amended with a signed petition of at least thirty (30) percent of the current members to the chairman and giving thirty (30) days written notice to all current members. The Extension council by-laws shall be reviewed at least bi-yearly to ensure compliance with change in policy or laws.
2. Any changes must have two-thirds (2/3) vote of the members present to be approved, amended, or changed.

Adopted September 4, 2007
Date

Amended July 10, 2007
Date

Article XI

Parliamentary Authority

The current edition of Roberts Rules of Order shall be the final source of authority in all questions of parliamentary procedures when such rules are not inconsistent with the charter or by-laws of the Taney County Extension Council.

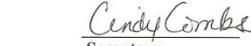
APPROVED AND ADOPTED BY MOTION ON :

THIS 4th DAY OF September MONTH OF THE
YEAR 2007.


Chair


Vice-Chair

Revised July 10, 2007


Secretary


Treasurer

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WINGS OF THE OZARKS

Commissioner Strahan made a motion to approve the contract with Wings of the Ozarks as per the recommendation of Mark Parent, Airport Manager.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PEBBLE BEACH ROAD VACATION

Commissioner Strahan made a motion to approve that portion of Pebble Beach Drive as petitioned.

Commissioner Pennel seconded the motion.

Commissioner Strahan amended his motion that the petition is approved with the contingency upon them providing a hammerhead for a turnaround.

Commissioner Pennel amended his second. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

GUTTERING QUOTES

Commissioner Strahan made a motion to approve the proposal from Melton Enterprises, LLC for the amount of \$1,412.⁰⁰ for the guttering along the existing Sheriff/Planning & Zoning roof that was recently replaced.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

ADJOURNED

Minutes taken and typed by: Tressa Luttrell and Jackie Rogers

Finished typed: 11/6/07

Submitted to Commission: 11/15/07

Resubmitted after changes made: 11/27/07

Commission Approved: 12/3/07



NOVEMBER 2, 2007 THE 14TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:13 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present, Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

Commissioner Pennel called the meeting to order.

CenturyTel Contract

Bob Paulson, County Counselor, informed the commission that the CenturyTel Contract needed to be changed from Taney County Court House to Taney County Commission.

Commissioner Pennel made a motion to approve the CenturyTel Contract contingent upon a retype of the contract to correct the changes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel made a motion to approve August 28, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to approve September 5, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve September 11, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve October 2, 2006 minutes contingent upon the budget reports being inserted.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve October 23, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve October 26, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve November 22, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve November 27, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve December 4, 2006 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Tressa Luttrell, County Administrator, stated that the minutes for July 17, 2006 needed to have John Strahan changed to John Strahan Jr.

RECESS

10:20 a.m.

RECONVENE

10:21 a.m.

SEPTAGON EMERGENCY MEETING

Commissioner Pennel called the emergency Septagon meeting to order. Commissioner Pennel explained that it the meeting was considered emergency because it was not put on the agenda 24 hours prior to the meeting. Commissioner Pennel stated that it was also an emergency due to time and possible loss of money if they do not discuss matters now.

Mike Smith with Septagon stated that this meeting was called in regards to changes and revised drawings. Mr. Smith added that the material cost was okay, but that the labor cost seemed to be inflated. Mr. Smith stated that the proposal (PR31) or the Circuit Clerk Office and Juvenile section was good until Friday, today's date, but if they postpone it will cost them.

TANEY COUNTY COMMISSION RECORD

Commission Strahan made a motion to accept PR31 revision in the amount of \$37,484.00 with Walton Co.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

NOTE: COMMISSIONER STRAHAN STEPS OUT OF THE MEETING – NO QUORUM.

RECESS
10:34 a.m.

Note: Commissioner Strahan returns to the meeting.

RECONVENE
10:41 a.m.

Commissioner Pennel calls the meeting back to order.

BOARD APPOINTMENTS

Commissioner Pennel stated that he had four people who had agreed to be on the tax board: Jim Youngblood, Dr. Rick Davis, Jeff Wood, and Joe Reisch. Commissioner Pennel explained that the Board for Sales Tax, if the tax passes, would say how those monies are to be spent.

PRIOR MINUTES

Discussion was held on the September 18, 2006 minutes. No motions were made, no actions taken.

Note: Commissioner Pennel leaves the meeting – No Quorum.

RECESS
10:55 a.m.

ADJOURNED

Minutes taken and typed by: Jackie Rogers

Finished typed: 11/8/07

Submitted to Commission: 11/8/07

Resubmitted after Corrections: 12/14/07

Commission Approved: 12/17/07



NOVEMBER 5, 2007 THE 15TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Danny Strahan, Eastern District, and Ron Herschend, Western District present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel, presiding commissioner, followed by the pledge.

HEALTH INSURANCE & VOLUNTARY BENEFITS TERRY KISSINGER (MO PUBLIC ENTITY BENEFITS)

Commissioner Pennel announced that Terry (should have been listed as Kerry) Kissinger was not present.

TANEY COUNTY COMMISSION RECORD

COX ROAD RICHARD OVERCAST

Richard Overcast came before the commission to discuss maintenance issues on Cox Road. Mr. Overcast lives on Cox Road and stated that the county maintained the road for a period of 12 years and for some reason stopped.

Commissioner Strahan stated that he and Frank Preston, Road & Bridge Administrator, had discovered that there had been base put down and a 10" horn, as well as ditch lines pulled and a row of dirt left along the side of the road.

Commissioner Herschend asked if the road had ever officially been taken in by the county. Commissioner Pennel asked if the road had been asphalted. Mr. Overcast said yes, but it hasn't been finished. . Randy Haes with Road & Bridge stated that the county reworked the road down to the last resident at the time and that they had to repair the culvert.

Commissioner Strahan made a motion to maintain Cox Road to the 10" horn where they had maintained in the past as a class 6 road.

Commissioner Pennel seconded the motion.

Commissioner Herschend asked if the county was planning to chip and seal the additional road to the 10" horn. Commissioner Strahan responded no.

Commissioner Herschend asked why we don't follow the process and take the road in properly.

Mr. Haes stated that the maintenance was only done when the road would get washed out.

Motion was passed by vote of Pennel (yea), Strahan (yea), Herschend (abstain).

ROUND HILL, SHADOW LAKE, MESQUITE & SHADOW VIEW PETITION

The Commission discussed taking in Round Hill, Shadow Lake, Mesquite & Shadow View roads.

Commissioner Herschend made a motion to table the issue.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Nuisance Cases; Nuisance Ordinance Review

Commissioner Pennel informed the commission that he needed assistance with the nuisance cases. He added that he was overwhelmed and way behind. Commissioner Herschend stated that he was willing to take half of the cases. Discussion ensued.

New Dollar Coins

Commissioner Pennel announced that he had concerns with the new dollar coin and that "IN GOD WE TRUST" was on the edge of the coin and not on the face of the coin. Commissioner Pennel expressed his concerns and asked the commission to write a resolution and send to federal legislators.

Commissioner Herschend made a motion to write a resolution to address the issue and send it to the federal mint, our congress, and at least one congressman for each state.

Commissioner Herschend also asked the commissioners, whom believe in this issue, to fund the postage personally.

Commissioner Pennel seconded the motion.

TANEY COUNTY COMMISSION RECORD

Bob Schanz stated that “IN GOD WE TRUST” is on the side of the coin and that is good enough. Mr. Schanz informed the commission that they needed to take care of the county business. Commission Pennel said he didn’t agree, and said that he was not talking about taking a lot of time. Bob Schanz repeated that the commission should take care of the things in Taney County.

Donna Neeley, County Clerk, thanked the commissioners for writing the resolution and stated that she was proud of the commissioners for making this effort.

Sheila Wyatt, Collector of Revenue, stated that she had received many comments about the coin as well. Ms. Wyatt stated that she had to get a magnifying glass to read the coin and that she applauded the commission. Ms. Wyatt added that she felt the commission should not take care of the postage on there own and offered to help pay the postage. Ms. Neeley state she would assist with the postage as well.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HISTORIC PLACE NOMINATION

Lisa Owen with White River Historical Society requested the Commission to write a letter of support for Elizabeth Tomelary for a historic preservation application. Ms. Owen further explained that the property that Ms. Tomelary is trying to preserve is the Samuel P. and Mary B. Parnell House built in 1912 during the time that the Powersite Dam was built.

After a general discussion Commissioner Strahan made a motion to write a letter of support for a Ms. Tomelary in her efforts to preserve the Parnell House.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

HEALTH INSURANCE

Tressa Luttrell informed the commission that Mr. Kissinger was not aware that he was on today’s agenda. Vicki Rice with Akers & Arney Insurance discussed various types of insurance possibilities with the commission.

No motions were made, no actions taken.

Minutes In General (Tressa)
Danny Strahan

Commissioner Strahan discussed the progress the commission had made last week in approving minutes. Commissioner Pennel updated Commissioner Herschend the changes to the minute’s process that occurred while he was absent. Those procedures included: posting the previous week’s minutes on the bulletin board outside of the court room, posting the minutes not approved on the agenda, and putting the un-approved minutes in a binder for each commissioner.

MONTHLY BUDGE REPORTS

Rick Findley, Auditor, presented budget reports to the Commission for review and to be inserted into the minutes:

| FUNDBALANCE 10/31/07 | TANEY COUNTY BUDGET FUND BALANCES | | FUNDBALANCE 10/31/07 | TANEY COUNTY BUDGET FUND BALANCES | |
|-------------------------|---|-----------------------------|-------------------------------|---|---------------------------|
| | PERIOD TO DATE ACTUAL | YEAR TO DATE ACTUAL | | PERIOD TO DATE ACTUAL | YEAR TO DATE ACTUAL |
| GENERAL COUNTY REVENUE | | | LEPC FUND | | |
| BEGINNING BALANCE | 0.00 | 16,176,676.53 | BEGINNING BALANCE | 0.00 | 8,487.57 |
| REVENUES | <u>2,089,788.97</u> | <u>21,569,115.47</u> | REVENUES | 3,691.92 | 5,707.79 |
| TOTAL REVENUES GCR | <u>2,089,788.97</u> | <u>37,745,792.00</u> | TOTAL LEPC REVENUES | 3,691.92 | 14,195.36 |
| TOTAL GCR EXPENDITURES | <u><u>1,834,077.54</u></u> | <u><u>20,082,653.59</u></u> | EXPENDITURES | 50.00 | 553.28 |
| TOTAL GCR FUND BALANCE | 255,711.43 | 17,663,138.41 | TOTAL LEPC FUND BALANCE | 3,641.92 | 13,642.08 |
| ROAD & BRIDGE | | | LAW ENFORCEMENT TRAINING FUND | | |
| BEGINNING BALANCE | 0.00 | 8,365,292.31 | BEGINNING BALANCE | 0.00 | 58.41 |
| REVENUES | <u>133,638.42</u> | <u>1,359,369.89</u> | REVENUES | 3,061.90 | 7,357.95 |

TANEY COUNTY COMMISSION RECORD

| | | | | | |
|-----------------------------|-------------------|---------------------|------------------------------------|------------|--------------|
| TOTAL RB REVENUES | <u>133,638.42</u> | <u>9,724,662.20</u> | TOTAL LET REVENUES | 3,061.90 | 7,416.36 |
| EXPENDITURES | <u>249,879.04</u> | <u>2,211,282.67</u> | EXPENDITURES | 2,806.12 | 4,748.82 |
| TOTAL RB FUND BALANCE | (116,240.62) | 7,513,379.53 | TOTAL LET FUND BALANCE | 255.78 | 2,667.54 |
| | | | | | |
| ROAD & BRIDGE TRUST | | | PROSECUTING ATTORNEY TRAINING FUND | | |
| BEGINNING BALANCE | 0.00 | 2,707,686.28 | BEGINNING BALANCE | 0.00 | 9,815.46 |
| REVENUES | <u>656,211.12</u> | <u>6,011,879.19</u> | REVENUES | 131.63 | 1,467.48 |
| TOTAL RBT REVENUES | <u>656,211.12</u> | <u>8,719,565.47</u> | TOTAL PAT REVENUES | 131.63 | 11,282.94 |
| EXPENDITURES | <u>740,049.86</u> | <u>4,775,554.02</u> | EXPENDITURES | 346.04 | 4,769.63 |
| TOTAL RBT FUND BALANCE | (83,838.74) | 3,944,011.45 | TOTAL PAT FUND BALANCE | (214.41) | 6,513.31 |
| | | | | | |
| ASSESSMENT FUND | | | COUNTY INSURED FUND | | |
| BEGINNING BALANCE | 0.00 | 13.78 | BEGINNING BALANCE | 0.00 | 158,436.63 |
| REVENUES | <u>2,225.97</u> | <u>450,959.98</u> | REVENUES | 669.17 | 6,388.35 |
| TOTAL AF REVENUES | <u>2,225.97</u> | <u>450,973.76</u> | TOTAL COUNTY INSURED REVENUES | 669.17 | 164,824.98 |
| EXPENDITURES | <u>52,366.61</u> | <u>482,870.27</u> | EXPENDITURES | 5,630.40 | 66,456.61 |
| TOTAL ASSEMENT FUND BALANCE | (50,140.64) | (31,896.51) | TOTAL COUNTY INSURED FUND BALANCE | (4,961.23) | 98,368.37 |
| | | | | | |
| ELECTION FUND | | | 911 FUND | | |
| BEGINNING BALANCE | 0.00 | 58,043.81 | BEGINNING BALANCE | 0.00 | 1,195,536.29 |
| REVENUES | <u>6,240.18</u> | <u>12,723.26</u> | REVENUES | 89,572.05 | 483,474.57 |
| TOTAL ELECTION REVENUES | <u>6,240.18</u> | <u>70,767.07</u> | TOTAL 911 REVENUES | 89,572.05 | 1,679,010.86 |
| EXPENDITURES | <u>150.95</u> | <u>15,380.50</u> | EXPENDITURES | 15,377.74 | 209,610.81 |
| TOTAL ELECTION FUND BALANCE | 6,089.23 | 55,386.57 | TOTAL 911 FUND BALANCE | 74,194.31 | 1,469,400.05 |
| | | | | | |
| TRANSFER STATION FUND | | | | | |
| BEGINNING BALANCE | 0.00 | 578,192.38 | | | |
| REVENUES | <u>91,543.14</u> | <u>1,026,083.81</u> | | | |
| TOTAL TS REVENUES | <u>91,543.14</u> | <u>1,604,276.19</u> | | | |
| EXPENDITURES | <u>94,235.30</u> | <u>888,312.18</u> | | | |
| TOTAL TS FUND BALANCE | (2,692.16) | 715,964.01 | | | |

USE TAX

| | | |
|----------------------------------|---------------------|----------------------|
| FUNDBALANCE | TANEY COUNTY | |
| 10/31/07 | BUDGET | |
| | FUND BALANCES | |
| | PERIOD TO DATE | YEAR TO DATE |
| | ACTUAL | ACTUAL |
| | | |
| SEWER FUND | | |
| BEGINNING BALANCE | 0.00 | 19,857,468.53 |
| REVENUES | <u>2,115,336.22</u> | <u>15,303,617.07</u> |
| TOTAL SEWER REVENUES | <u>2,115,336.22</u> | <u>35,161,085.60</u> |
| EXPENDITURES | <u>1,630,251.72</u> | <u>11,964,544.94</u> |
| TOTAL SEWER FUND BALANCE | 485,084.50 | 23,196,540.66 |
| | | |
| SEWER DESIGNATED FUND | | |
| EXPENDITURES | | |
| | <u>485,084.50</u> | <u>23,196,540.66</u> |
| TOTAL ALL SEWER FUNDS | <u>485,084.50</u> | <u>23,196,540.66</u> |
| | | |
| SHERIFF CIVIL FUND | | |
| BEGINNING BALANCE | 0.00 | 85,646.91 |
| REVENUES | <u>467.71</u> | <u>54,775.16</u> |
| TOTAL SHERIFF CIVIL REVENUES | <u>467.71</u> | <u>140,422.07</u> |
| EXPENDITURES | <u>4,841.53</u> | <u>40,213.38</u> |
| TOTAL SHERIFF CIVIL FUND BALANCE | (4,373.82) | 100,208.69 |
| | | |
| TAX MAINTENANCE FUND | | |
| BEGINNING BALANCE | 0.00 | 102,043.58 |
| REVENUES | <u>4,846.84</u> | <u>112,350.82</u> |
| TOTAL MAINTENANCE FUND REVENUES | <u>4,846.84</u> | <u>214,394.40</u> |
| EXPENDITURES | <u>1,666.97</u> | <u>104,604.47</u> |
| TOTAL MAINTENANCE FUND BALANCE | 3,179.87 | 109,789.93 |

EXPBYDEPT

TANEY COUNTY
EXPENSES BY DEPARTMENT

| | | November 30, 2007 | | | | |
|------------|-----------------------|-------------------|--------------|---------------|---------------|----------|
| | | 2005 | 2006 | 2007 | 2007 | ACTUAL % |
| | | ACTUALS | ACTUALS | APPROVED | ACTUALS | |
| EXPENSES | | | | | | |
| 101-??-??? | COMMISSION | 344,425.64 | 344,288.98 | 599,280.15 | 334,235.53 | 55.8% |
| 102-??-??? | CLERK | 85,366.35 | 75,753.41 | 82,360.00 | 75,883.97 | 92.1% |
| 103-??-??? | ELECTIONS | 186,286.92 | 241,122.31 | 142,937.00 | 95,080.72 | 66.5% |
| 104-??-??? | BUILDINGS & GROUNDS | 415,026.70 | 627,115.35 | 430,788.40 | 400,096.38 | 92.9% |
| 105-??-??? | EMPLOYEES FRINGE BEN | 1,394,519.61 | 1,610,317.09 | 1,707,500.00 | 1,151,692.48 | 67.4% |
| 106-??-??? | TREASURER | 65,892.50 | 77,741.81 | 79,150.00 | 67,110.56 | 84.8% |
| 107-??-??? | COLLECTOR | 201,311.42 | 207,324.77 | 216,700.00 | 178,977.92 | 82.6% |
| 108-??-??? | CIRCUIT CLERK | 250,173.44 | 244,360.09 | 290,001.00 | 223,474.88 | 77.1% |
| 109-??-??? | COURT REPORTER | 2,036.52 | 1,361.12 | 2,112.00 | 1,001.66 | 47.4% |
| 110-??-??? | ASSOCIATE COURT DIV 1 | 30,131.79 | 35,486.73 | 37,650.00 | 29,041.03 | 77.1% |
| 111-??-??? | COURT ADMINISTRATION | 29,310.98 | 23,153.31 | 37,000.00 | 16,332.95 | 44.1% |
| 112-??-??? | PRESIDING CIRCUIT | | | | | |
| 112-??-??? | JUDGE | 27,738.21 | 35,947.74 | 43,548.16 | 27,978.56 | 64.2% |
| 113-??-??? | PUBLIC ADMINISTRATOR | 81,343.56 | 81,924.00 | 86,015.60 | 71,016.71 | 82.6% |
| 114-??-??? | OTHER EXPENSE | 1,698,358.80 | 3,974,891.29 | 36,193,552.91 | 11,129,574.64 | 30.8% |
| 115-??-??? | AUDITOR | 151,947.04 | 160,324.72 | 171,096.00 | 142,685.58 | 83.4% |
| 116-??-??? | CHILD SUPPORT | 30,645.56 | 26,000.74 | 48,720.00 | 24,603.47 | 50.5% |
| 117-??-??? | SHERIFF | 1,764,095.80 | 1,918,158.02 | 2,053,971.60 | 1,700,043.08 | 82.8% |
| 118-??-??? | JAIL | 993,810.53 | 1,015,321.73 | 1,153,538.50 | 936,182.19 | 81.2% |

TANEY COUNTY COMMISSION RECORD

| | | | | | | |
|------------|------------------------------------|---------------|---------------|---------------|---------------|--------|
| 119-??-??? | PROSECUTING ATT | 528,042.97 | 547,615.11 | 579,050.00 | 471,155.73 | 81.4% |
| 120-??-??? | JUVENILE | 106,480.62 | 114,178.37 | 124,715.72 | 100,482.12 | 80.6% |
| 121-??-??? | CORONER | 45,687.66 | 43,870.50 | 45,012.00 | 41,887.70 | 93.1% |
| 122-??-??? | HEALTH & WELFARE TRANSFERS/DEBT | 4,500.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 124-??-??? | SERVICE | 0.00 | 112,800.00 | 2,575,860.00 | 1,449,408.19 | 56.3% |
| 125-??-??? | ASSOC COURT DIV 2 | 22,205.47 | 20,448.19 | 37,900.00 | 21,004.34 | 55.4% |
| 126-??-??? | CIRCUIT CLERK | 17,036.18 | 28,926.28 | 26,800.00 | 20,275.84 | 75.7% |
| 127-??-??? | INDUSTRIAL DEV | 46,561.97 | 38,909.58 | 66,200.00 | 37,225.35 | 56.2% |
| 130-??-??? | PLANNING & ZONING | 222,670.94 | 247,108.12 | 263,520.00 | 197,749.07 | 75.0% |
| 133-??-??? | EXTENSION | 44,734.26 | 46,234.88 | 46,430.00 | 37,521.67 | 80.8% |
| 134-??-??? | SEWER | 258,891.27 | 287,972.66 | 317,663.00 | 286,541.43 | 90.2% |
| 135-??-??? | INFORMATION SYSTEMS | 214,897.31 | 239,293.77 | 325,130.00 | 254,700.10 | 78.3% |
| 136-??-??? | ANIMAL CONTROL | 82,027.40 | 79,242.96 | 93,684.00 | 129,649.63 | 138.4% |
| 137-??-??? | EM MANAGERMENTS | 181,994.00 | 151,575.36 | 265,473.40 | 50,823.59 | 19.1% |
| 140-??-??? | AIRPORT | 307,916.66 | 796,140.84 | 802,728.00 | 661,390.58 | 82.4% |
| | TOTAL | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 20,364,827.65 | 41.6% |
| 101-30-000 | GCR BEGINNING BALANCE | 13,154,890.79 | 14,012,380.91 | 16,176,676.53 | 16,176,676.53 | 100.0% |
| (1018???) | GCR TOTAL REVENUES | 10,693,558.20 | 15,619,205.45 | 32,769,410.91 | 21,569,265.47 | 65.8% |
| | GCR TOTAL EXPENDITURES | 9,836,068.08 | 13,454,909.83 | 48,946,087.44 | 20,364,827.65 | 41.6% |

ELECTED OFFICIALS AND DEPARTMENT HEADS

Commissioner Herschend stated that he wanted to publicly thank his staff and the commission for helping him during his absence.

ROAD & BRIDGE UPDATE FRANK PRESTON, ROAD & BRIDGE ADMINISTRATOR

Mr. Preston presented an update on Bee Creek Road. Mr. Preston informed the commission that a newspaper article had been in the Taney County Times regarding recent road improvements.

PUBLIC COMMENT

There was no public comment.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable checks #300406 – 300416 and #300431 – 300556.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan requested a 5-minute recess.

RECESS

10:09 a.m.

RECONVENED

10:21 am.

PRIOR MINUTES

Commissioner Pennel made a motion to approve minutes for June 26, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes for July 17, 2006.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes for July 31, 2006.

Commissioner Pennel seconded the motion. The motion was passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to approve minutes for August 21, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes for September 18, 2006.

Commissioner Pennel seconded the motion. The motion was passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes for October 6, 2006.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes for October 10, 2006.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes for October 16, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes for November 6, 2006.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes for November 13, 2006.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to table minutes for December 11, 2006.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to table the following minutes January 16, 2007 through October 30, 2007.

Commissioner Pennel seconded the motion. The motion to table passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

11:13a.m.

ADJOURNED

Minutes taken by: Jackie Rogers & typed by: Donna Neeley & Jackie Rogers

Finished typed: 11/8/07

Submitted to Commission: 11/8/07

Resubmitted after changes made: 11/27/07

Commission Approved: 12/3/07

TANEY COUNTY COMMISSION RECORD



NOVEMBER 6, 2007 THE 16TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TRANSFER OF FUNDS

Commissioner Herschend made a motion to adjust the 2007 Budget to reflect a 15% transfer from Road & Bridge for patrol as the original 25% budgeted cannot be justified. This motion will finish the remaining information needed for the Independent Auditor since the 2006 audit is still open.

A general discussion ensued.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Strahan made a motion to change 2006's budget as well.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Minutes taken by: Tressa Luttrell & typed by: Tressa Luttrell & Jackie Rogers

Finished typed: 11/16/07

Submitted to Commission: 11/30/07

Commission Approved: 12/12/07



NOVEMBER 7, 2007 THE 17TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

BILLBOARD SIGN CONTRACT SPRAGUE ENTERPRISES

Commissioner Herschend made a motion to approve the Billboard sign contingent upon the County Commission approving the look of the signs.

Commissioner Pennel seconded Sprague Enterprises. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Santa Fe Vacation

Commissioner Pennel made a motion to table the issue.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

2008 BUDGET PARKS BOARD

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve \$30,000 for the Parks Board 2008 budget.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (nay).

2008 BUDGET DONNA NEELEY – COUNTY CLERK

Donna Neeley, Taney County Clerk, came before the Commission to discuss her 2008 budget.

2008 BUDGET BRENDA NEAL – CIRCUIT CLERK

Brenda Neal, Circuit Clerk, came before the Commission to discuss her 2008 budget.

ADJOURNED

Minutes taken by: Donna Neeley & typed by: Donna Neeley & Jackie Rogers

Finished typed: 12/18/07

Submitted to Commission: 12/18/07

Commission Approved:



NOVEMBER 8, 2007 THE 18TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present, Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

KASSEL ROCK/ROUND MOUNTAIN ROAD GREAT RIVER ENGINEERING SPENCER JONES

Spencer Jones of Great River Engineering provided the Commission with information regarding Kassel Rock's position. Mr. Jones made clear, however, that he did not represent Kassel Rock and GRE was an independent party that became involved at the County's request.

Discussion ensued concerning the construction of a year-round replacement bridge on Round Mountain Road and a possible cooperative effort and agreement with the developer to pay for the bridge. It was discussed that the County wanted any year-round bridge over Bull Creek to serve all residents in the area and not just the proposed development.

Commissioner Pennel made a motion to approve the construction of a year-round replacement bridge on a county road, specifically, Round Mountain Road, at a cost of approximately \$850,000.00, contingent upon \$500,000.00 from Kassel Rock paid into escrow or into the County Road & Bridge Fund and contingent upon an agreement signed for Kassel Rock to donate the easements necessary to the bridge and associated road construction. Once the \$500,000.00 is paid, and the easement agreement signed, the County will sign off on the plat as long as all other Planning & Zoning plat requirements are met. The County will begin the design and engineering process toward bridge construction within three months of the payment by Kassel Rock of the \$500,000.00.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

CASEY ROAD

TANEY COUNTY COMMISSION RECORD

Note: Commissioner Herschend enters meeting at 10:20 a.m.

The Commission held a general discussion concerning Casey Road.

MEADOW RIDGE ROAD

Commissioner Herschend made a motion to table the Meadow Ridge Road issue to November 9, 2007 at 2:30 p.m.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

OLD GLORY ROAD EASEMENT

Commissioner Pennel made a motion to accept the easement on Old Glory Road received from Marvin and Louise Edwards.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

RECONVENE

10:45 a.m.

PRIOR MINUTES

The Taney County Commission reconvened in the Commission Office at 10:45 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Commissioner Strahan made a motion to approve minutes from October 10, 2006.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes from December 11, 2006.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes from January 16, 2007.

Commissioner Strahan seconded the motion.

After a general discussion Commissioner Strahan withdrew his second and Commissioner Pennel withdrew his motion.

Commissioner Pennel made a motion to table the minutes from January 16, 2007.

Commissioner Strahan seconded the motion to table that set of minutes. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes from January 22, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to table minutes from January 29, 2007.

Commissioner Strahan seconded the motion to table that set of minutes. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve minutes from February 12, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

Commissioner Herschend made a motion to approve the minutes from February 19, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve the minutes from February 20, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve the minutes from February 27, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve the minutes from March 13, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from March 21, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from March 26, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes from April 2, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from April 9, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to approve minutes from April 18, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Herschend steps out of the meeting at 11:48 a.m.

Commissioner Strahan made a motion to approve minutes from April 23, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve the minutes from April 30, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Note: Commissioner Herschend enters meeting at 11:52 a.m.

Commissioner Herschend made a motion to approve minutes from June 4, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from June 8, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from June 11, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from June 18, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from June 20, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to approve minutes from June 25, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

12:15 p.m.

ADJOURNED

Minutes taken by: Bob Paulson & Jackie Rogers & typed by: Jackie Rogers

Finished typed: 11/14/07

Submitted to Commission: 11/14/07

Commission Approved: 11/21/07



**NOVEMBER 9, 2007 THE 19TH DAY OF
THE OCTOBER ADJOURN TERM**

The Taney County Commission met in the Commission Office at 1:05 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TIM CONNELL, CONNELL INSURERS COUNTY PROPERTY/LIABILITY INSURANCE

Tim Connell representing Connell Insurers gave a presentation to the Commission regarding the County's property and liability insurance. A general discussion regarding options ensued and the County Commission agreed to go out for bid.

SANTA FE VACATION

Commissioner Herschend made a motion to approve the Santa Fe vacation.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ADJOURNED

Minutes taken & typed by: Tressa Luttrell; edited by: Jackie Rogers

Finished typed: 11/14/07

Submitted to Commission: 11/14/07

Commission Approved: 11/21/07



NOVEMBER 13, 2007 THE 20TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:07 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Gary Groman; followed by the pledge.

BUILDING HEIGHT RESTRICTIONS MARK TUTTLE

Mark Tuttle called and canceled his meeting with the Commission at 8:05 a.m. that morning.

NEW FOCUS ON LAKE TANEYCOMO BRIDGE BOB SCHANZ

Bob Schanz expressed his concerns involving the Taneycomo Bridge. Mr. Schanz stated that he would like to see a new bridge built and not to close the Taneycomo Bridge. Mr. Schanz added that he felt that if the sales tax issue that was on the November 6th Special Election ballot was solely for the bridge it would have passed. Mr. Schanz went on to state his concerns for the local water supply. Stating that lake levels were low and drinking water was dirty.

No actions taken. No motions made.

PEPPER TREE ROAD PETITION

Oliver Hursh presented the Commission with pictures of Pepper Tree Road for review. Mr. Hursh stated that the road had been deteriorating and was hazardous to vehicles like postal trucks, etc. to drive on as well as school children to travel up and down. Mr. Hursh added that he and another resident had worked on the road filling potholes, pruning trees, etc. with his own equipment.

After a lengthy discussion, Commissioner Herschend stated that he would like to table the Pepper Tree Road Petition request for 90 days to give petitioners the opportunity to review the requirements needed to take in a road.

Commissioner Pennel made a motion to table the Pepper Tree Road Petition at that time.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

POVERTY POINT - PUMP STATION REPAIR CHUCK PENNEL

Commissioner Pennel stated that he had spoke with John Hooker with the Taney County Sewer District about the deterioration of the Poverty Point Pump Station number 1.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel added that Mr. Hooker had called that morning stating that repairs would cost \$65 – 66,000.⁰⁰.

Commissioner Pennel asked the other Commissioners if they wanted to go forward with this or talk to both John Hooker and John Souttee of the Sewer District first.

Bob Paulson, County Counselor, stated that this was probably a Sewer District issue, but if the County was funding the project then the Commission should discuss the matter with the Sewer District before proceeding. Commissioner Pennel responded that he believed that was why the Sewer District came to the Commission about the issue.

2007 MINUTES DANNY STRAHAN

Commissioner Strahan stated that the Commission had approved a great deal of minutes through work sessions. Tressa Luttrell, County Administrator, added that 21 sets of minutes had been approved.

Commissioner Strahan stated that the Commission was starting to do Budget Hearings and were continuing to make a large effort to get the minutes approved.

APOLOGY TO VOTING TAX PAYERS DANNY STRAHAN

Commissioner Strahan apologized for the turmoil of the past few months with the news coverage focused on County issues and suggested that the Commission move forward. Commissioner Strahan added that he felt that the Commission needed to get back to the jobs that it needed to do.

CLARIFYING STATEMENTS MADE IN THE PAST JAMES STRAHAN

James Strahan, County Assessor, held a general discussion concerning statements made in the past involving Real-estate Taxes. Assessor Strahan added his feelings towards statements made by Paul Link.

Note: Commissioner Strahan steps out of meeting at 10:10 a.m.

Commissioner Herschend stated that he had gone through the BOE that weekend adding that he was unable at that time to recommend for approval.

Commissioner Pennel stated that this issue would need to be posted.

HISTORICAL SOCIETY UPDATE LISA OWEN

Lisa Owen with the Taney County Historical Society updated the Commission stating that she had gone to Jefferson City and the Missouri Advisory Council for Historic Preservation recommended the Parnell House for the National Register of Historic Places. Ms. Owen added that the Missouri Advisory Council for Historic Preservation tour one or two places a year in the state and requested that Taney County Historical Society invite them in May or August to tour Taney County. Ms. Owen stated that the Historical Society would have an open house at the old jail.

Commissioner Herschend congratulated Ms. Owen on the Parnell House being recommended. Adding that they had discussed the historical society looking at the Sycamore Church. Commissioner Herschend stated that the Commission would be at a meeting at Lake of the Ozarks and would not be able to make it to the open house.

Ms. Owen thanked the Commission for their help.

TANEY COUNTY COMMISSION RECORD

PUBLIC COMMENT ART BECK

Art Beck expressed to the Commission his concerns with the traffic project down at Shadow Rock adding that he felt that a flagman should be at the light.

Commissioner Herschend responded that he would look into the issue.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable checks # 300557 – 300639 and warrants # 4743, 4744, 4745, 4746, and 4747.

Tressa Luttrell stated that one check for MoDOT needed to be held out until documentation could be received. Rick Findley, County Auditor, added that they would like to have documentation to go along with the check.

Commissioner Pennel made a motion to approve accounts payable checks contingent upon receiving documentation on the check for MoDOT.

Helen Souttee added for the record that the MoDOT check was check #300627 for transportation engineers.

Motion died for lack of a second.

Commissioner Pennel called for a 5-minute recess. Commissioner Herschend requested that they recess to their offices.

Commissioner Pennel stated that they would recess and take up minutes at their office.

RECESS 10:26 a.m.

RECONVENE 3:50 p.m. (Minutes taken via telephone)

The Taney County Commission met in the Commission Office at 3:50 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Ron Herschend, Western District, present; Danny Strahan, Eastern District, absent. The following proceedings were had and made a matter of record.

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable checks #300557 – 300639 and warrants #4743, 4744, 4745, 4746, and 4747.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), and Strahan (absent).

RECESS 3:52 p.m.

ADJOURNED

Minutes taken by: Jackie Rogers & Carol Williams & typed by: Jackie Rogers

Finished typed: 11/27/07

Submitted to Commission: 11/30/07

Commission Approved: 12/3/07

TANEY COUNTY COMMISSION RECORD



NOVEMBER 14, 2007 THE 21ST DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present, Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Pennel made a motion to approve payroll:

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 103599 – 103619 |
| Road & Bridge Trust Warrants | 103570 – 103592 |
| Assessors Fund Warrants | 103593 – 103595 |
| Transfer Station Warrants | 103596 – 103598 |
| 911 Warrants | None |
| Manual Warrants | 4749 – 4750 |
| Accounts Payable Warrants | 300640 – 300652 |

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

RECONVENE

9:20 a.m.

The Taney County Commission reconvened in the Commission Office at 9:20 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

COUNTY INSURANCE

VICKY RICE

Vicky Rice with Akers & Arney Insurance presented the Commission with health plan options. Ms. Rice explained that the Cox Renewal monthly premium cost was \$81,045 and \$93,488 if the County was to switch to Mercy. Ms. Rice added that the County would be paying \$149,316 more a year. Ms. Rice explained that these figures were on the current employee status.

A lengthy discussion ensued going over different options involved in the insurance policies and Flex Plan.

Commissioner Pennel suggested having a work session to try and carry through with promoting wellness in employees. Commissioner Pennel added possibly having motivational speakers in to change employee mindsets on health issues, heart attacks, stress, etc.

Commissioner Herschend made a motion to renew the County's health plan with Cox, but the exact plan was still to be determined.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

EMERGENCY SEWER ISSUE

Commissioner Pennel called John Hooker with the County Sewer District concerning Victor Rosetta restoring the Poverty Point #1 Pump Station.

TANEY COUNTY COMMISSION RECORD

A general discussion ensued concerning details on restoration of the Poverty Point #1 Pump Station.

Commissioner Herschend made a motion to award a bid to Victor Rosetta, the amount not to exceed \$65,000.00, to make emergency repairs to Poverty Point #1 Pump Station. There was concern that if repairs were not made immediately, sewage could leak into the lake.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Herschend instructed John Hooker to get with Victor Rosetta to create a contract. Mr. Hooker was also directed to have Suzy Braden write the purchase order. It was noted that the Commission felt that this was an emergency situation and the Commission felt that this would be a soul source bidder for the project.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from July 2, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Pennel made a motion to approve minutes from July 9, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Herschend made a motion to table minutes from July 23, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (abstain), Herschend (yea), and Strahan (yea).

Commissioner Pennel made a motion to approve minutes from July 27, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Pennel made a motion to approve minutes from July 30, 2007.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Pennel made a motion to approve minutes from August 1, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Herschend made a motion to approve minutes from August 6, 2007 contingent upon the conference call transcription being inserted into the minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Herschend made a motion that they recess.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

RECESS
12:16 p.m.

TANEY COUNTY COMMISSION RECORD

RECONVENE

1:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2008 BUDGET

General discussion held concerning budget and general revenue.

Commissioner Strahan made a motion that the Commission post a meeting to go into Executive Session to discuss salary and wage increases.

Motion died for lack of a second.

Commissioner Strahan made a motion to recess.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

RECESS

3:06 p.m.

ADJOURNED

Minutes taken by: Donna Neeley & Jackie Rogers & typed by: Jackie Rogers

Finished typed: 11/20/07

Submitted to Commission: 11/30/07

Commission Approved: 12/3/07



NOVEMBER 15, 2007 THE 22ND DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, (via telephone) and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

CRISIS CENTER FUNDING HELEN SOUTEE

Commissioner Strahan made a motion to approve the funding for the Crisis Center and Hiding Place pursuant to RSMo 455.

Helen Soutee, County Treasurer, explained that the total amount was \$7,600.⁰⁰, but estimated to be around \$8,000.⁰⁰ at the end of the year. Ms. Soutee further stated that 90% of the funding was to be evenly split between the Crisis Center and the Hiding Place and 10% kept by the County. Both the Crisis Center and the Hiding Place would be receiving an estimated \$3,600.⁰⁰ each.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

9:07 a.m.

TANEY COUNTY COMMISSION RECORD

RECONVENE

11:08 a.m.

The Taney County Commission reconvened in the Commission Office at 11:08 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

WORK SESSION WITH COMMISSION FRANK PRESTON & TRESSA LUTTRELL

CREATING A NEW POSITION

A general discussion was held concerning possibly opening up a new position. Commissioner Pennel stated that he was looking at taking some of the load off of Tressa Luttrell, County Administrator, and splitting up her duties.

Commissioner Strahan stated that he felt that they should have a separate work session for this issue.

SCHEDULING

Commissioner Strahan discussed problems with the County Commission's scheduling. Commissioner Strahan added that he would like to see the Commission make better use of their time in scheduling.

TANEYCOMO BRIDGE

Commissioner Strahan stated that the Taneycomo Bridge was MoDOT's bridge adding that the County Commission had gone above and beyond to help by setting up a tax, which the people turned down.

Frank Preston, County Road & Bridge Superintendent, informed the Commission that MoDOT was planning on putting in a round about and closing the bridge for a year.

HEALTH INSURANCE

Tressa Luttrell stated that Dixie Wagner wanted to talk to the Commission about the insurance issue.

Commissioner Strahan stated that he felt that the Commission should recess for lunch and get back to the insurance issue when they return.

RECESS

11:55 a.m.

RECONVENE

1:09 p.m.

The Taney County Commission reconvened in the Commission Office at 1:09 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

WORK SESSION WITH COMMISSION FRANK PRESTON & TRESSA LUTTRELL

(Work session continues)

HEALTH INSURANCE

(Resumes)

Commissioner Pennel made a conference call to Dixie Wagner to see if she was coming over to the Commission office to discuss the health insurance issue. Commissioner Pennel was

TANEY COUNTY COMMISSION RECORD

informed that Ms. Wagner was out for the day and was turned over to talk to Rick Findley, County Auditor, about the issue. Auditor Findley stated that he was under the impression that Tim Connell of Connell Insurers was supposed to come over and help Ms. Wagner collect information that he needed, but was yet to do so. A general discussion ensued and the conference call ended at 1:14 p.m.

ROAD & BRIDGE UPDATES

Frank Preston updated the Commission that he was currently working on putting together a detailed report for Horizon Hills and would have a map drawn up by the next day showing any and all discrepancies.

Mr. Preston gave an update to the Commission that Cox Road would be completed the following week.

TRANSFER STATION

Mr. Preston informed the Commission that, Lewie, the gentleman who pushes the trash at the Transfer Station, had asked that he not be required to unload citizen's trailers anymore stating that it took up too much time. Mr. Preston stated that he had talked to Commissioner Herschend about the issue, but wanted to bring it to all the members of the Commission's attention. Mr. Preston added that Lewie was worried about damaging people's trailers if he were to unload them. Mr. Preston expressed that he felt that they should go with his request.

Note: Commissioner Herschend enters the meeting at 1:20 p.m.

After a general discussion Commissioner Herschend made a motion that Lewie use a chain only to drag off trash from citizen's trailers.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

BEE CREEK SEWER PROJECT

Frank Preston informed the Commission that a car was totaled on location of the Bee Creek Sewer Project due to hitting a manhole. Mr. Preston added that the citizen whose car was totaled was suing the County in the amount of \$6,400 or more for medical costs.

BEE CREEK SEWER PROJECT BILLS

Frank Preston stated that the cost of asphalt for the Bee Creek Sewer Project was currently at an estimated \$112,000.⁰⁰.

A general discussion concerning cost figures ensued. Mr. Preston stated that he felt that numbers needed to be refigured due to finding that the contractor was not originally going to take roads back to spec standards.

Commissioner Pennel stated that he felt that Road & Bridge department should cover 20% of the asphalt costs and 100% of the road construction costs.

The Commission also discussed possibly getting a hold of other contractors to get the Bee Creek Sewer Project completed due to complications with Journagan, the current contractor for the project.

TANEYCOMO BRIDGE

A general discussion was held concerning the Taneycomo Bridge closing issue.

Commissioner Pennel stated that he felt that the Commission should put a little thought together about the bridge before meeting with anyone.

TANEY COUNTY COMMISSION RECORD

ROAD STANDARDS

Frank Preston informed the Commission that he was about 75% of the way done in completing a draft document to the Commission of about four years of road standards information.

SWEEPER DEMO

Frank Preston informed the Commission that the Sweeper Demo was going to be held on November 29, 2007.

CASEY ROAD PROJECT

Frank Preston updated the Commission that the Casey Road Project was estimated at \$1.8+ million including the County doing \$300,000.⁰⁰ worth of dirt hauling. Mr. Preston clarified that that was \$300,000.⁰⁰ of effort in dirt hauling, that the dirt was free to the County.

Note: Frank Preston exits the meeting at 1:58 p.m.

BRANSON CHRISTMAS LIGHTS

Commissioner Herschend stated that the Branson City Council was concerned about the \$30,000.⁰⁰ cost for the Branson Christmas Lights. Commissioner Herschend requested that the County support the lights by contributing \$5,000.⁰⁰.

Commissioner Strahan made a motion to DENY supporting the Branson Christmas Lights.

Commissioner Pennel seconded the motion.

Commissioner Pennel added that he was seconding the motion although he would like to help.

Commissioner Herschend stated that the County derives an estimated \$500,000.⁰⁰ from Christmas spending in Branson and feared that the County not supporting the Branson Christmas Lights may be the start of a loss in those collected funds. Commissioner Herschend added that he would ask that the Commission support the \$5,000.⁰⁰ donation out of the Economic Development Contingency Fund.

The motion to DENY supporting the Branson Christmas Lights failed by a vote of two: Pennel (nay), Herschend (nay), Strahan (yea).

Commissioner Herschend made a motion that the County support the City of Branson and fund \$5,000.⁰⁰ to the Branson Christmas Lights program.

Motion died for lack of a second.

Commissioner Pennel stated that he was not going to second the motion. Discussion ensued.

Note: Commissioner Herschend exits the meeting at 2:25 p.m.

RECESS

2:26 p.m.

RECONVENE

2:37 p.m.

The Taney County Commission reconvened in the Commission Office at 2:37 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

TANEY COUNTY COMMISSION RECORD

HEALTH INSURANCE

Commissioner Pennel made a conference call to Tim Connell of Connell Insurers to discuss information that Mr. Connell was requesting Dixie Wagner attain from County employees. A general discussion ensued.

RECESS

2:40 p.m.

RECONVENE

2:45 p.m.

The Taney County Commission reconvened in the Commission Office at 2:45 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

CREATING A NEW POSITION

(Discussion resumes)

A general discussion resumed concerning the possibility of creating a new position to alleviate some of the duties from Tressa Luttrell's load.

Commissioner Pennel stated that Frank Preston had shown interest in the position.

2:51 p.m.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to section 610.021(3).

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

Commissioner Pennel made a motion to recess Executive Session.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

ADJOURNED

4:50 p.m.

Minutes taken & typed by: Jackie Rogers

Finished typed: 11/28/2007

Submitted to Commission: 11/30/07

Commission Approved: 12/3/07



**NOVEMBER 16, 2007 THE 23RD DAY OF
THE OCTOBER ADJOURN TERM**

The Taney County Commission met in the Commission Office at 2:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

SALARY COMMISSION BRIAN ASBERRY

Commissioner Strahan stated that he had no problem with Pat Keck.

TANEY COUNTY COMMISSION RECORD

DIXIE STAMPEDE CONTRACT

Commissioner Strahan made a motion to approve the Airport Indoor Billboard lease with the Dixie Stampede.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstain), Strahan (yea).

OZARK MOUNTAIN HELICOPTER CONTRACT

Commissioner Strahan made a motion to approve the lease with Ozark Mountain Helicopters, LLC.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

MoDOT FINANCIAL (LPA) CONTRACT

The contract offered by MoDOT required an ordinance BP boiler plat contract.

County of **TANEY** State of Missouri

TANEY COUNTY COURTHOUSE
P. O. BOX 1086 • FIDELITY, MO 65653
(417) 546-7201 • FAX: (417) 546-3911

ORDINANCE No. *07-11-16*

**ORDINANCE APPROVING
AIRPORT AID AGREEMENT**

An Ordinance to authorize the Presiding Commissioner to execute an Airport Aid Agreement between the County of Taney and the Missouri Highways and Transportation Commission providing for 90% funding by MoDOT and 10% match by Taney County to fund an Airport Layout Plan.

BE IT ORDAINED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI AS FOLLOWS:

Section 1. That the Presiding Commissioner is hereby authorized to execute on behalf of the County of Taney a contract with the Missouri Highways and Transportation Commission providing for 90% funding by MoDOT and 10% match by Taney County to fund an Airport Layout Plan.

Section 2. That all ordinances or parts of ordinances previously enacted which are in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval. Passed and approved this *16th* day of November, 2007.

ATTEST:
Donna Neely
Donna Neely
Taney County Clerk

Robert R. Paulson
APPROVED AS TO FORM
Robert R. Paulson
Taney County Counselor

Chuck Pennel
Presiding Commissioner
Chuck Pennel

Ron Herschend
Ron Herschend
Western Commissioner

Danny Strahan
Danny Strahan
Eastern Commissioner

Commissioner Strahan made a motion to approve.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ANCHOR FENCING BID AWARD

Mark Parent stated that bids for fencing had gone out and the Airport Board has recommended the lowest bid, which was Anchor Fencing.

Commissioner Strahan made a motion to approve the bid.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

CASEY ROAD BID AWARD

With the recommendation of Frank Preston, County Road & Bridge Superintendent, being reluctant to take this project on by their selves Commissioner Strahan stated that they should go ahead and approve the Casey Road bid from Herion Company.

Commissioner Herschend stated that the Commission did not know it would cost \$1.8 million.

Commissioner Strahan made a motion to table the issue.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable checks # 300653 – 300759.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

UMB REIMBURSEMENT #19

Commissioner Strahan made a motion to approve UMB Reimbursement #19 in the amount of \$1,718,553.⁵⁷.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Pennel made a motion to recess.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

3:03 p.m.

ADJOURNED

Minutes taken by: Donna Neeley & typed by: Jackie Rogers

Finished typed: 12/14/07

Submitted to Commission: 12/14/07

Commission Approved: 12/17/07



NOVEMBER 21, 2007 THE 24TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:08 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from August 13, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve minutes from August 16, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from August 20, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from August 22, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from August 27, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from August 31, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from October 17, 2007 contingent upon the addition of the motion for the Bradleyville Fire Department on the Title III Monies.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from October 22, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from October 23, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to table minutes from October 24, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to table minutes from October 29, 2007.

Motion died for lack of a second.

Commissioner Pennel made a motion to have Jackie Rogers, County Deputy Clerk, do Track Changes on the minutes from October 29, 2007 indicating all changes made in red and resubmit those minutes to the Commission for review.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to have Jackie Rogers, County Deputy Clerk, do Track Changes on the minutes from October 30, 2007 indicating all changes made in red and resubmit those minutes to the Commission for review.

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to have Jackie Rogers, County Deputy Clerk, do Track Changes on the minutes from October 31, 2007 indicating all changes made in red and resubmit those minutes to the Commission for review.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to table minutes from November 2, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from November 5, 2007.

Commissioner Pennel rescinded the motion to approve.

Commissioner Pennel made a motion to have Jackie Rogers, County Deputy Clerk, do Track Changes on the minutes from October 31, 2007 indicating all changes made in red and resubmit those minutes to the Commission for review.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from November 8, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve minutes from November 9, 2007.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Christmas Holiday

Commissioner Pennel stated that Stone, Greene, and various other Counties would be closed on Christmas Eve. Commissioner Pennel added that it had been asked of the Commission that the County be closed as well.

Commissioner Strahan made a motion to approve the closing of the County offices on Christmas Eve.

Commissioner Pennel seconded the motion.

Bob Paulson, County Counselor, asked how the State was treating that day.

Note: Conference call with Ron Herschend, Western District Commissioner, begins at 10:05 a.m.

Commissioner Pennel updates Commissioner Herschend about the Christmas Eve issue.

Tressa Luttrell, County Administrator, stated that Brenda Neal, Circuit Clerk, expected that the Circuit Clerk's Office would be closed, but had not been informed by the State at that time.

Commissioner Strahan amended his motion to be contingent upon the State being closed that day.

Commissioner Pennel amended his second.

TANEY COUNTY COMMISSION RECORD

Note: Conference call with Commissioner Herschend lost signal and was dropped at 10:08.

The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

CANNON BALL LOOP CLAIM

Commissioner Pennel questioned Counselor Paulson if this issue should be scheduled in Executive Session. Counselor Paulson responded that it should.

Commissioner Strahan made a motion to table the Cannon Ball Loop Claim for Executive Session at a later date.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECENT ISSUE IN THE MEDIA

Commissioner Pennel made a motion to amend the agenda and move “Recent Issue In The Media” to after “Bee Creek Sewer Project Roads”.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

WEST BARN REPORT

Commissioner Pennel stated that he wanted to discuss a possible expansion and/or privacy fence for the County Road & Bridge Department West Barn.

Frank Preston, County Road & Bridge Superintendent, stated that he would like to look into the issue and get back to the Commission with the County’s options.

BEE CREEK SEWER PROJECT ROADS

Frank Preston updated the Commission on the Bee Creek Sewer Project Roads stating that their current contractor, Journagan, had been unavailable. Mr. Preston added that another contractor, APAC, had stated that they could start that coming Monday, but would require a contract stating that APAC would be the sole contractor to complete the project at the originally stated bid price.

Note: Commissioner Herschend enters meeting at 10:19 a.m.

Commissioner Pennel updated Commissioner Herschend on the current issues for discussion.

Commissioner Herschend stated he had not been able to talk to Journagan, but would as soon as the meeting was over to try and get things resolved.

TANEYCOMO BRIDGE

Frank Preston stated that he would like to have a statement prepared concerning the Taneycomo Bridge just in case for the upcoming Monday meeting.

Commissioner Herschend stated that he would like to put the Taneycomo Bridge on the agenda for the City/County luncheon to discuss the closing of the bridge and any negative feedback.

RECENT ISSUE IN THE MEDIA

(Discussion Resumes)

Commissioner Pennel read aloud the title in the Taney County Times November 15, 2007 issue: “County Commission Considers Not Funding IDA” adding that it troubled him. Commissioner Pennel went on to state that the article portrayed that the Commission was breaking promises of funding the IDA.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel questioned the other Commissioners if either of them had felt that the Commission had made a promise to fund the IDA to which both responded, “no”.

A general discussion ensued. Commissioner Pennel asked the media that they be more careful with what they write.

RECESS

11:10 a.m.

Commissioner Strahan made a motion to recess.

Commissioner Pennel seconded the motion. The motion to recess passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ADJOURNED

Minutes taken & typed by: Jackie Rogers

Finished typed: 11/27/07

Submitted to Commission: 11/30/07

Commission Approved: 12/3/07



NOVEMBER 26, 2007 THE 25TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit II Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Pastor Danny Hankins; followed by the pledge.

HUNTER’S GLEN ROAD & FOX TRAIL ROAD PETITION

Randy Haes, County Road & Bridge Coordinator, presented the Commission with pictures of both Hunter’s Glen Road and Fox Trail Road. After reviewing both roads, Randy Haes recommended that the Commission not take in Fox Trail Road for reason being that the road would need to be rebuilt and would cost between \$25 – 30,000 to fix.

After discussion Commissioner Strahan made a motion to take in Hunter’s Glen Road as a County road.

Commissioner Pennel seconded the motion.

Commissioner Strahan stated that he would like to go look at Fox Trail Road before they consider taking it in.

John Tate, resident of Fox Trail Road, stated that he could peel away the chip and seal that was currently on the road, if the Commission needed to see what was underneath. Commissioner Strahan responded that if Mr. Tate were to do that that he should then get a hold of Frank Preston, County Road & Bridge Superintendent, or Randy Haes and have them go out and take a look at it.

The motion to take in Hunter’s Glen Road passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to table Fox Trail Road.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

FUNDING FOR THE ASSESSOR'S OFFICE CHUCK PENNEL

Commissioner Pennel stated that he had a comment from the public concerning funding for the County Assessor's office. Commissioner Pennel explained that the County Assessor, James Strahan, had presented a budget with funding from both the General County Revenue (GCR) Fund and the State because he had no way of knowing if the State was going to go through with funding or not. Commissioner Pennel further stated that Assessor Strahan did not originally want the Commission to use GCR to fund his office, but the Commission did commit funds from GCR so that Assessor Strahan would not have to lay off employees. Commissioner Pennel added that later Assessor Strahan did ask for money from GCR.

Commissioner Pennel made a motion that the Commission approve the 2008 budget submitted by Assessor James Strahan for approximately \$245,000.⁰⁰ coming from GCR funds with the understanding that if the State issue is resolved and the Assessor is funded by the State, that Assessor Strahan would not use the funding from GCR.

Commissioner Strahan seconded the motion to fund the Assessor's office from GCR.

Commissioner Herschend stated that he felt that the Commission would be sending a message to the State that Assessor Strahan's office was already funded and wouldn't need their funds if the Commission funds the Assessor's office through GCR.

The motion passed by a vote of two: Pennel (yea), Herschend (opposed), Strahan (yea).

BOARD OF EQUALIZATION (BOE) Appointments CHUCK PENNEL

Commissioner Pennel stated that he would like to have a discussion concerning possibly appointing five members from the public to be seated on the Board of Equalization (BOE) instead of the three Commissioners.

Donna Neeley, County Clerk, stated that she knows that the Commission has a very busy schedule and that it had been difficult to get a regular appointment set for the BOE. Ms. Neeley added that perhaps if the County appointed a board that would work solely on BOE, we might be able to move things through faster.

Assessor James Strahan stated that he saw no problem with how the Commission set the BOE up as long as the County achieved stability for the BOE. Assessor Strahan stated that he believed that the County had a major problem with getting with the citizen(s) when an abatement was turned down and letting that citizen know what information they needed to bring in to get the issue resolved.

Ms. Neeley stated that she had a new employee, Tony Na'ayem, in her office that they would be working with the BOE to improve the process. Ms. Neeley added that she and Mr. Na'ayem were working to generate a letter that would go out letting citizens know if they were approved or turned down.

Commissioner Herschend stated that the volume of reading to be done for BOE was large and was not sure if the Commission would be able to find five citizens willing to do all the work involved. Commissioner Herschend expressed his gratitude in that any time that he had asked Assessor Strahan a question he was good about getting an answer back to him.

Bob Paulson, County Counselor, stated that if the Commission were to appoint five citizens, those citizens would have to know something about the Abatement Process in order to provide services to the County.

Commissioner Herschend made a motion that the Commission go out to find two new board members to serve on the BOE.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

PROPER HANDLING OF PUBLIC SERVICE REQUESTS MADE BY COUNTY OFFICIALS DONNA NEELEY

Donna Neeley stated that generally when her office received a request to search for a document and make copies for an elected official her staff performed those duties at no cost. Ms. Neeley added that recently her office received a large request, which took up a lot of manpower in her office. Ms. Neeley requested that maybe they set up a policy to have the elected official or a member of their staff come over and look at the documents and make the needed copies.

Counselor Paulson stated that he did not believe that it could be considered a *Public Service Request* if it was from an elected official.

Ms. Neeley reiterated that she would just suggest that the elected official requesting a document have one of their employees come over and look at the documents, find what they need, and make the needed copies so that it did not take up her employees' time and manpower.

Counselor Paulson stated that he felt that it would be a good idea to have a work session with the County Clerk's office to figure out what would work best. Commissioner Pennel responded that he felt that was a good idea.

PUBLIC COMMENT JAMES STRAHAN

Assessor James Strahan stated that he was really impressed at the M.A.C. Conference last week. Assessor Strahan read the quote "we arrive as many and leave as one" which was posted at the conference adding that he felt that it was very appropriate.

PUBLIC COMMENT

Bob Schanz stated that there were petitions going around to audit the Ambulance District.

Art Beck responded that he was on the Ambulance District Board for years and explained that the ambulance district vehicles were sitting at those restaurants so that they were out and ready to go to an emergency when they were needed.

Commissioner Herschend stated that he did not believe that taxpayers should pay for the ambulance districts' restaurant receipts.

Commissioner Pennel stated that there is an Ambulance Board for this type of discussion and it should not be discussed during the County Commission's meeting.

PUBLIC COMMENT SHEILA WYATT

Sheila Wyatt, County Collector, expressed concern to the Commission concerning the abatements that needed to be completed. Ms. Wyatt explained that the County was required by law to have tax bills mailed out by Friday, November 30, 2007. Ms. Wyatt added that taxpayers were supposed to have their tax bills in hand by December 1st.

Counselor Paulson questioned how many tax bills the County had left to do. Commissioner Herschend responded that there were 200+.

Commissioner Pennel stated that the Commission would get together and get a work session set.

PUBLIC COMMENT CHUCK PENNEL

Commissioner Pennel stated that he had received a letter from FEMA on the issue that Eddie Coxie brought to them on the Loma map revision.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel added that he had also received a call from Tom Snider from the Powersite Dam about minimum flow issues. Commissioner Pennel added that Tom Snider had suggested that the Commission call Mike Biggs who was a presenter at the Taney Center on that issue.

accounts allowed

Commissioner Strahan made a motion to approve accounts payable checks #300760 – 300888 and warrants # 4751 and 4752.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PRIOR MINUTES

Commissioner Pennel stated that there were no minutes available to be approved today.

Commissioner Herschend stated that he would like an update in Executive Session for a legal update. Counselor Paulson responded that they were not posted to go into Executive Session but would not mind visiting with each Commissioner and give them an update on motions involving litigations.

RECESS

10:23 a.m.

Reconvene

2:14 p.m.

(Via Telephone)

The Taney County Commission met in the Commission Office at 2:14 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Liability/Property Insurance Worksession

Commissioner Strahan made a motion to approve ASI Flex Insurance.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Strahan made a motion to continue with Akers and Arney as the County's insurance agent and to accept the health plan for Cox Health as presented.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Recess

2:18 p.m.

Reconvene

2:29 p.m.

The Taney County Commission met in the Commission Office at 2:29 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Liability/Property Insurance Worksession

(Discussion Resumes)

Commissioner Strahan made a motion to table the Tim Connell insurance issue.

Commissioner Pennel seconded the motion.

TANEY COUNTY COMMISSION RECORD

A general discussion was held. Commissioner Pennel stated that he was willing to wait and see what the dollar amount of savings would be and go out for bid. Rick Findley, County Auditor, agreed with the recommendation.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend reiterated that the County was going to have Dixie Wagner get a quote from the County's existing carriers to see what the County's increases were.

Recess
3:04 p.m.

adjourned

Minutes taken by & typed by: Jackie Rogers

Finished typed: 11/26/07
Submitted to Commission: 11/28/07
Commission Approved: 12/12/07



NOVEMBER 28, 2007 THE 26TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL

Commissioner Strahan made a motion to approve payroll:

| | |
|---------------------------------|-------------------------------------|
| General County Revenue Warrants | 103620 – 103621, 103652 – 103673 |
| Road & Bridge Trust Warrants | 103623 – 103645 |
| Assessors Fund Warrants | 103622, 103646 – 103648 |
| Transfer Station Warrants | 103649 – 103651 |
| 911 Warrants | None |
| Manual Warrants | 4753 – 4754 |
| Accounts Payable Warrants | 300983 – 300989 |

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS
9:05 a.m.

RECONVENE
9:20 a.m.

The Taney County Commission reconvened in the Commission Office at 9:20 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

USED MONITORS GARY MORGAN

Gary Morgan, I.S. Administrator, informed the Commission that the I.S. Department had too many monitors starting to stack up. Mr. Morgan added that none of the school districts in

TANEY COUNTY COMMISSION RECORD

Taney County wanted them, but that the Chadwick School did want them. Mr. Morgan stated that their only other option was to pay \$5.⁰⁰ per monitor to get rid of them.

Commissioner Pennel stated that if Gary Morgan could not find someone in Taney County to take the monitors that Mr. Morgan could do what he wants with them.

Commissioner Strahan suggested that Mr. Morgan contact the surrounding churches too to see if any of them need them.

Note: Commissioner Herschend enters meeting at 9:30 a.m.

Commissioner Herschend suggested putting something on the County website and let everyone know that the County was needing to get rid of monitors; first come, first serve. Auditor Findley added that someone should talk to Bob Paulson, County Counselor, to see if there were any legal conditions that would be involved.

HEALTH INSURANCE BID VICKI RICE

Vicki Rice with Akers and Arney Insurance informed the Commission that the County needed to pick an option for the PPO plan and was recommending #1 or #3.

A general discussion was held concerning the County possibly putting a match with a Flex plan.

Commissioner Pennel made a motion to go with option #3 on the PPO and stay with the current plan on the HMO.

Commissioner Strahan seconded the motion.

Note: Commissioner Herschend exits the meeting.

The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion that the County continue to put \$100.⁰⁰ towards the dependent coverage for the employees.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Note: Commissioner Herschend returns to the meeting.

Commissioner Herschend noted that he would have voted yes to both motions that the Commission had just voted on.

CASEY ROAD BID AWARD

Commissioner Strahan made a motion to table the Casey Road Bid Award issue due to the Taneycomo bridge situation and a scheduled meeting with MoDOT.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

PARK BOARD BUDGET

Commissioner Herschend made a motion to establish the 2008 Park Board Budget at \$42,500.⁰⁰ noting that \$12,500.⁰⁰ will be a carryover from the 2007 Budget as the Bradleyville project would not be done in time for the 2007 budget deadline.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

adjourned

Minutes taken by: Tressa Luttrell & typed by: Jackie Rogers

Finished typed: 11/29/07

Submitted to Commission: 11/29/07

Commission Approved: 12/12/07



NOVEMBER 29, 2007 THE 27TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

COUNTY EMPLOYEE RETIREMENT FUND (CERF)

Commissioner Strahan made a motion to keep the payroll deduction for CERF at 4% for employees, as it was the previous year.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

SALARY COMMISSION ATTORNEY

Commissioner Strahan made a motion to hire Pat Keck to represent the members of the Salary Commission.

Commissioner Pennel seconded the motion.

The Commission was made aware that it could cost as much as approximately \$20,000.⁰⁰.

The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Bob Paulson, County Counselor, commented that Pat Keck was a good attorney.

2008 BUDGET ISSUE FOR COUNTY CLERK

Donna Neeley, County Clerk, discussed budget issues with the Commission.

No actions taken. No motions were made.

EXECUTIVE SESSION NOTES (Notes received on November 29, 2007)

NOVEMBER 6, 2007 LITIGATION

Members Present: Chuck Pennel, Presiding Commissioner, Ron Herschend, Western District Commissioner, Danny Strahan, Eastern District Commissioner, Tressa Luttrell, County Administrator, and Bob Paulson, County Counselor

Visitors Present: Mike Smith & Ian Hagan with Septagon, Karen Opplinger, Robert Koenig, and Nick Smith

Topic of Discussion: Walton Construction pay app #14.

TANEY COUNTY COMMISSION RECORD

NOVEMBER 8, 2007 LITIGATION

Members Present: Chuck Pennel, Ron Herschend, Danny Strahan, Tressa Luttrell, and Bob Paulson

Visitors Present: Mike Smith and Ian Hagan

Topic of Discussion: Walton Construction pay app #14.

Commissioner Pennel made a motion to pay app #14 by November 9, 2007 at noon.

Commissioner seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

NOVEMBER 13, 2007 PERSONNEL

Members Present: Chuck Pennel, Ron Herschend, Tressa Luttrell, and Bob Paulson

Visitors Present: No visitors present

Topic of Discussion: Employee complaints/Commission concerns

NOVEMBER 15, 2007 EMPLOYEE ISSUE – PERSONNEL

Commissioner Pennel made a motion to go into Executive Session per Section 610.021(3).

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

A general discussion ensued concerning personnel and pay.

No actions taken or motions made.

Commissioner Herschend made a motion to adjourn.

Commissioner Strahan seconded the motion. The motion to adjourn passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

adjourned

Minutes taken by: Donna Neeley and Tressa Luttrell & typed by: Jackie Rogers

Finished typed: 11/30/07

Submitted to Commission: 11/30/07

Commission Approved: 12/3/07



NOVEMBER 30, 2007 THE 28TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

Pepper Tree Road

TANEY COUNTY COMMISSION RECORD

Oliver & Harriet Hursh met with the Commission to discuss their road petition for Pepper Tree Road. A lengthy discussion was had. The County Commission requested additional documentation.

ADJOURNED

Minutes typed by: Jackie Rogers

Finished typed: 12/13/07

Submitted to Commission: 12/13/07

Commission Approved: 12/17/07



DECEMBER 3, 2007 THE 29TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

BOARD APPOINTMENTS MAX LYTLE

Max Lytle with Developmental Connections came to the Commission to request the reappointment of board members, stating that they currently had three vacancies. Max Lytle further stated that they had lost a member through the course of a year and asked that the Commission reappoint the two members who's terms were up.

After a general discussion, Commissioner Pennel made a motion to reappoint Tim Connell and Don Ingram as board members.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel thanked Max Lytle for serving in the community.

BELL RINGERS DICK GASS (BRANSON ALDERMAN)

Dick Gass went to the Commission and explained that they have people ring a bell for a day for donations. Mr. Gass further stated that all the proceeds stay in Taney County and on average each pot collects around \$1,200.⁰⁰. Mr. Gass added that this organization started in 1897 in San Francisco, California. Mr. Gass stated that he and Jack Alderman were at the meeting that day to help get people to volunteer to help this cause.

Jack Alderman requested that Commission to help them by recruiting people to get together and help them raise money.

Commissioner Pennel stated that hopefully the County could get a crew together to help.

JUDICIAL SITE > ROOF CURB ISSUES MIKE SMITH

Commissioner Pennel made a motion to table the Judicial Site Issue to 1:00 p.m. that day.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PROSECUTOR'S SALARY

TANEY COUNTY COMMISSION RECORD

CHUCK PENNEL

Bob Paulson, County Counselor, explained the current situation concerning the change in income for the County Prosecutor's. Counselor Paulson further explained that there was a debate over the issue adding that Webster County was planning to go ahead and pay the increase.

Commissioner Strahan made a motion that the Commission approves the increase in pay for the County Prosecutor.

Counselor Paulson questioned Commissioner Strahan if the motion was to include going back to July 1st. Commissioner Strahan responded that he believed that it would have to.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

CHRISTMAS DECORATIONS CHUCK PENNEL

Commissioner Pennel stated that in an email he had put out to the elected officials, he asked if people would like to donate decorations for the front yard area of the courthouse.

A general discussion ensued.

ANIMAL CONTROL UPDATE/SATELLITE PEN LOCATION CHUCK PENNEL

Commissioner Pennel stated that Animal Control had made quite a few updates with chain link fence pens, adoptions, transfers, and more. Commissioner Pennel further stated that he was seeking permission to place one or more of the pens at the tower and a couple of them at his house. Commissioner Pennel added that he gets calls in the evening and on the weekends to take in animals and would rather not have to drive to Hollister to drop them off.

Jimmie Russell, County Sheriff, suggested that instead of the tower, they set the pens up at the mechanics shed.

Commissioner Strahan responded that he felt that would be better.

Bobbie Clay stated to the Commission that he felt that there should be some kind of deal that limits a person to how many cats, dogs, etc. that you can have. Commissioner Pennel responded that the County could do that.

Commissioner Strahan responded that he felt that limiting the number of dogs is like limiting the number of kids you can have. Commissioner Strahan added that he felt that it was taking away more free rights to the citizens.

Art Beck suggested the Commission check with the City of Forsyth. Mr. Beck clarified that a person could have so many animals then if they have more then they could purchase a kennel license.

P & Z CODE AMENDMENT

Commissioner Pennel stated that the Planning and Zoning Code Amendment pertained to the definition for inoperative vehicles.

Dan Nosalek with Planning and Zoning left the meeting to get the copy of the definition for inoperative vehicle from his office.

Commissioner Pennel stated that the Commission would go on to the next issue and come back to this when Mr. Nosalek returned.

GUARDRAIL BID AWARD TRESSA LUTTRELL

TANEY COUNTY COMMISSION RECORD

Tressa Luttrell, County Administrator, stated that the bid was to replace the Bee Creek Bridge guardrail. Ms. Luttrell further stated that Frank Preston, County Road and Bridge Superintendent, recommended Highway Safety Solutions in the amount of \$4,214.⁷⁰.

Commissioner Strahan made a motion to approve the recommended guardrail bid.

Commissioner Pennel seconded the motion.

Frank Preston clarified that this bid was to fix the guardrail as well as update both sides of the bridge with the exception of one corner stating that it was already up to today's standards.

The motion passed by a vote of two: Pennel (yea), Herschend (absent), and Strahan (yea).

PUBLIC COMMENT

Gary Groman stated that there had been a lot of talk of replacing the word "Christmas" with the word "Holiday". Mr. Groman presented the Commission with a draft copy of a resolution to show that they, the Commission, support the use of the word "Christmas".

P & Z CODE AMENDMENT

(Dan Nosalek returns to meeting & discussion resumes)

Commissioner Pennel made a motion to accept the recommendation of the Planning and Zoning Commission in the inoperative vehicle definition to be used in the P & Z Code.

Commissioner Strahan seconded the motion.

After a general discussion the motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PUBLIC COMMENT

(Discussion resumes)

Bob Schanz brought up a general discussion concerning wrecking companies being on a rotation. Jimmie Russell, County Sheriff, responded that the rotation was discontinued.

Commissioner Pennel stated that he would rather they discuss this issue at another time.

Sheriff Russell added that it was a court order from the judge stating that the rotation was illegal.

ACCOUNTS ALLOWED

Commissioner Pennel made a motion to approve accounts payable checks #300967 – 300982, 300888 – 300966, and 301026 - 301028 plus three checks that Helen Souttee, County Treasurer, brought up as long as they are not on the previous list.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

PRIOR MINUTES

Commissioner Strahan made a motion to approve the October 29, 2007 minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve the October 30, 2007 minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

Commissioner Strahan made a motion to approve the October 31, 2007 minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve the November 2, 2007 minutes.

Commissioner Pennel seconded the motion.

After a general discussion Commissioner Pennel withdrew his second and Commissioner Strahan withdrew his motion.

Commissioner Pennel made a motion to approve the November 5, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve the November 13, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve the November 14, 2007 minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve the November 15, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Strahan made a motion to approve the November 21, 2007 minutes.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Commissioner Pennel made a motion to approve the November 29, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Recess

10:39 a.m.

RECONVENE

1:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

VACATION TIME TRESSA LUTTRELL

Commissioner Pennel made a motion that Tressa Luttrell, County Administrator, and Bob Paulson, County Counselor, use up as much vacation time as they can before the end of the year and have the rest carry over.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

RENOVATION TRESSA LUTTRELL

A general discussion was held concerning the location of offices in the Court House.

Commissioner Pennel stated that he wanted to look over the changes in the layout plans before he decided.

SNOW RODEO FRANK PRESTON

Frank Preston, County Road and Bridge Superintendent, informed the Commission that the Snow Rodeo would be held at 7:00 a.m. on December 7th.

WEST BARN FENCE FRANK PRESTON

Mr. Preston stated that due to the layout of the West Barn it would be hard to do a fence. Mr. Preston recommended that the County plant bushes and gave the example of a juniper bush.

EMPLOYEE ISSUE FRANK PRESTON

Mr. Preston informed the Commission that Bill Guerin would like to be put on as a full-time employee.

Commissioner Strahan made a motion to go ahead and put Bill Guerin on as full-time.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

Mr. Preston added that Mr. Guerin was hired to be a mower man, but was capable of doing many jobs.

ROAD STANDARDS FRANK PRESTON

Mr. Preston updated the Commission that he had a new document that contained a compilation of road standards information. Mr. Preston added that he would prefer that the Commission review the document first before it becomes available to the public.

RECYCLE CENTER FRANK PRESTON

Mr. Preston requested that the recycle center have a cover for the workers.

Commissioner Pennel stated that he would like to see the County clean the South side out and put an open sided poll barn.

Mr. Preston added that it is part of his budget request that he was going to put in for.

Commissioner Strahan commented that he felt that as far as the location was concerned, he would put the poll barn on the North side.

Ms. Luttrell added that whatever kind of building they decided to put in there, they should remember that there is an annual auction held there.

BEE CREEK JOB FRANK PRESTON

TANEY COUNTY COMMISSION RECORD

Mr. Preston updated the Commission where Road and Bridge was on the project.

CHRISTMAS EVE FRANK PRESTON

Mr. Preston questioned the Commission if they had come to a decision on whether the County was going to be closed the day before Christmas.

Ms. Luttrell responded that the decision was contingent upon the State and at that point they were going to be open.

Commissioner Strahan requested that Ms. Luttrell talk to Brenda Neal, Circuit Clerk, about that and see if there was any new news.

Note: Commissioner Herschend entered the meeting at 1:27 p.m.

BRIDGE COUNTY FUNDING ISSUE

A general discussion was held concerning the closing of the Taneycomo Bridge.

Note: Counselor Paulson entered the meeting at 1:35 p.m.

A lengthy discussion continued over details of the bridge.

Mr. Preston stated that he felt that there was a need to look at the superstructure of the bridge as well, not only the deck. Mr. Preston added that as far as funding; he didn't feel that they were looking enough into it.

Commissioner Herschend questioned why MoDOT wasn't looking into the bridge, adding that it is their bridge.

Rick Ziegenfuss, City of Hollister Administrator, stated that he felt that the Commission should be prepared with a plan. Mr. Ziegenfuss added that he would like to see them go with option B10; a 3-lane plan. Mr. Ziegenfuss further stated that the new bridge would go to the Branson Landing and the signal at Long Street would be gone. A general discussion ensued.

RECESS

3:16 p.m.

RECONVENE

5:00 p.m.

The Taney County Commission reconvened in the Commission Office at 1:00 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

EXECUTIVE SESSION

Commissioner Herschend made a motion to go into Executive Session pursuant to statute per section 610.021(1) regarding a matter subject to litigation.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to deny the extension option and instead have the County Commission direct them to use manufacturer's standard construction as designed, one piece roof curbs, as approved by submittal.

A lengthy discussion ensued.

The motion died for lack of a second.

TANEY COUNTY COMMISSION RECORD

It was discussed and generally agreed that Commissioner Strahan was going to contact Rick Quint on the roof curb issue in the morning. Therefore, the Commission decided it would take up this issue again tomorrow morning.

Commissioner Pennel made a motion to table until 9:00 a.m. tomorrow morning, December 4, 2007.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to go out of Executive Session.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Commissioner Herschend made a motion to adjourn.

Commissioner Strahan seconded the motion. The motion to adjourn passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

ADJOURNED

5:55 p.m.

Minutes taken by: Jackie Rogers, Bob Paulson, & Tony Na'ayem & typed by: Jackie Rogers

Finished typed: 12/13/07

Submitted to Commission: 12/13/07

Commission Approved:



ECEMBER 4, 2007 30TH DAY OF THE OCTOBER ADJOURN TERM

Presiding Commissioner Chuck Pennel called the meeting of the Taney County Commission to order at approximately 9:00 a.m. to take up the roof curb issue that had been tabled until 9:00 a.m. on December 4, 2007 by a motion of the Taney County Commission made the afternoon of December 3, 2007. Commissioner Pennel called the meeting to order by telephone as he was not present at the Commission Offices. Commissioner Strahan and Commissioner Herschend were both present in person.

Presiding Commissioner called the office to take up the tabled matter of the roof curbs, because time was of the essence, and the issue needed to be handled immediately. The Office of the Taney County Clerk was contacted and a representative of that office attended the meeting by telephone in order to take minutes. Ron Herschend stated his intent to make the same motion he had made the afternoon before, and asked County Counselor, Robert Paulson to provide him with the draft of the minutes from the previous afternoon that included the motion. Upon being provided with the information, Commissioner Herschend made a motion to deny the extension option and instead have the County Commission direct the contractor to use manufacturer's standard construction as designed, one piece roof curbs, as approved by submittal.

Commissioner Strahan seconded the motion. Presiding Commissioner Pennel called the vote and the motion passed by voice vote. All three Commissioners voted aye.

Presiding Commissioner Pennel called for a recess immediately after the motion, and the telephone connection was then ended.

[These minutes are reconstructed by Taney County Counselor Robert Paulson, because the Taney County Clerk has no record of the occurrences on December 4, 2007.]

Minutes taken and typed by Bob Paulson.

TANEY COUNTY COMMISSION RECORD

Finish type: 1/8/2008

Submitted to Commission: 1/8/2008



DECEMBER 5, 2007 THE 31ST DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

2008 BUDGET HEARING JEFF MERRELL – COUNTY PROSECUTOR 9:00 a.m.

Note: Commissioner Herschend enters the meeting at 9:15 a.m.

Jeff Merrell, Taney County Prosecutor, came before the Commission to discuss his 2008 budget.

Note: Prosecutor Merrell exited the meeting at 9:50 a.m.

2008 BUDGET HEARING CHRIS BERNDT – EMERGENCY MANAGEMENT 9:51 a.m.

Note: Commissioner Pennel exited the meeting at 9:51 a.m. – No Quorum.

Chris Berndt, Taney County Emergency Management, came before the Commission to discuss his 2008 budget.

Note: Commissioner Pennel returned to the meeting at 9:56 a.m. – Quorum Resumes.

Note: Mr. Berndt exited the meeting at 10:05 a.m.

INSURANCE ISSUE VICKI RICE & DIXIE WAGNER 10:06 a.m.

Vicki Rice with Akers and Arney presented the Commission with the insurance offer details.

The Commission requested that Ms. Rice go back and get more information on the life insurance and see if they could increase the amounts.

Commissioner Herschend made a motion to go from voluntary to life insurance benefit staying with Akers and Arney and increase spousal coverage from \$2,500 to \$5,000 and child coverage from \$1,000 to \$2,000.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Ms. Rice & Ms. Wagner exited the meeting at 10:29 a.m.

Note: Commissioners Pennel & Strahan exited the meeting at 10:30 a.m. – No Quorum.

2008 BUDGET HEARING ROBERT DIXON – RECORDER OF DEEDS 10:30 a.m.

Note: Commissioner Strahan returned to the meeting at 10:31 a.m.

TANEY COUNTY COMMISSION RECORD

Note: Commissioner Pennel returned to the meeting at 10:33 a.m. – Quorum Resumes.

Robert Dixon, Recorder of Deeds, came before the Commission to discuss his 2008 budget.

Note: Mr. Dixon exited the meeting at 10:57 a.m.

2008 BUDGET HEARING HELEN SOUTEE – COUNTY TREASURER 11:00 a.m.

Helen Soutee, County Treasurer, came before the Commission to discuss her 2008 budget.

Commissioner Herschend stated that he wanted to thank Ms. Soutee for all her good work and added that the Commission had no questions with her budget.

Note: Ms. Soutee exited the meeting at 11:03 a.m.

Rick Findley, County Auditor, stated that the Public Budget Hearing would be held on December 28, 2007.

Tressa Luttrell, County Administrator, stated that the final budget approved and signed needs to be bound and stay in the Commission office.

Commissioner Herschend stated that he would be gone on December 27th and 28th and asked if they would want to move the Public Budget Hearing to the 26th, so that he could be there.

Note: Commissioner Pennel exited the meeting at 11:11 a.m. – No Quorum.

Note: Commissioner Pennel returns to the meeting at 11:13 a.m. – Quorum Resumes.

After a general discussion, it was decided that the Commission would keep the date of the Public Budget Hearing on December 28th 2007.

2008 BUDGET HEARING FRANK PRESTON – COUNTY ROAD & BRIDGE 11:14 a.m.

A general discussion was held concerning the issue of putting a light in at Casey Road and Highway 160.

A general discussion was held concerning the issue of having police patrol to help at Road and Bridge construction sites.

A general discussion was held concerning the issue of having an inventory audit on Road and Bridge tools.

**RECESS
12:30 p.m.**

**RECONVENE
1:19 p.m.**

2008 BUDGET HEARING DONNA NEELEY – COUNTY CLERK 1:19 p.m.

Note: Donna Neeley, Taney County Clerk, was not present, but had sent over an email detailing a few things in her budget.

TANEY COUNTY COMMISSION RECORD

A general discussion was held over the County Clerk's wages.

Note: Commissioner Herschend entered the meeting at 1:22 p.m.

2008 BUDGET HEARING FRANK PRESTON – COUNTY ROAD & BRIDGE 1:30 p.m. (Discussion Resumes)

Frank Preston, County Road and Bridge Superintendent, came before the Commission to discuss his 2008 budget.

After a general discussion concerning hourly wage increases across the County; Commissioner Strahan suggested a \$1,000 increase, a year, raise for all hourly paid County employees.

Commissioner Herschend suggested that the County do individual percentage raises.

A general discussion ensued.

Note: Mr. Preston exited the meeting at 2:11 p.m.

Note: Commissioners Herschend and Pennel exited the meeting at 2:11 p.m. – No Quorum.

Note: Commissioner Herschend returned to the meeting at 2:14 p.m.

Note: Commissioner Pennel returned to the meeting at 2:16 p.m. – Quorum Resumes.

2008 BUDGET HEARING WAYNE DIETRICH – EXTENSION COUNCIL 2:19 p.m.

Wayne Dietrich, Extension Council, came before the Commission to discuss his 2008 budget.

Note: Mr. Dietrich exited the meeting at 2:45 p.m.

COUNTY CLERK (General Discussion resumes)

Commissioner Pennel stated that he felt that they should give Ms. Neeley what she was requesting: five full-time employees and a part-time employee.

A general discussion ensued.

CONCERNS ON ANIMAL CONTROL DIANE MALL 3:03 p.m.

Note: Bob Paulson, County Counselor, was present.

Diane Mall presented the Commission with her topics of discussion, ideas, and suggestions for the Animal Control center.

A general discussion ensued.

Note: Ms. Mall exited the meeting at 3:40 p.m.

Note: Commissioner Herschend exited the meeting at 3:40 p.m.

Note: Commissioner Pennel exited the meeting at 3:41 p.m. – No Quorum.

Note: Counselor Paulson exited the meeting at 3:41 p.m.

TANEY COUNTY COMMISSION RECORD

Note: Commissioner Pennel returned to the meeting at 3:45 p.m. – Quorum Resumes.

Note: Commissioner Herschend returned to the meeting at 3:46 p.m.

COUNTY ASSESSOR'S OFFICE NEEDING AN EMPLOYEE (General Discussion)

Ms. Luttrell informed the Commission that James Strahan, County Assessor, was requesting a part-time employee for 2008. The Commission decided that they would be in contact with Assessor Strahan in the near future to discuss the issue.

MAILROOM NEEDING AN EMPLOYEE (General Discussion)

Ms. Luttrell discussed the Mail Room situation and the possibility of looking into hiring someone to do all duties involved with mail.

A general discussion ensued. Commissioner Pennel suggested that the Commission discuss the mailroom issue with Assessor Strahan and Sheila Wyatt, County Collector, and see how they feel about it.

HISTORICAL SOCIETY PURCHASE (General Discussion)

A general discussion was held concerning purchases made by the Historical Society.

2008 BUDGET HEARING IDA BOARD

Commissioner Pennel stated that he felt that the County should keep the IDA Board for bonding. Commissioner Pennel added that he felt that the Commission should consider funding.

RECESS
4:43 p.m.

ADJOURNED

Minutes taken & typed by: Jackie Rogers

Finished typed: 12/13/07

Submitted to Commission: 12/13/07

Commission Approved: 12/17/07



**DECEMBER 6, 2007 THE 32ND DAY OF
THE OCTOBER ADJOURN TERM**

The Taney County Commission met in the Commission Office at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2008 BUDGET HEARING TAMMY HAGLER – 911 ADMINISTRATION 9:05 a.m.

Note: Commissioner Herschend exited the meeting at 9:07 a.m.

Note: Commissioner Herschend returned to the meeting at 9:10 a.m.

TANEY COUNTY COMMISSION RECORD

Tammy Hagler, Taney County 911 Administration, came before the Commission to discuss her 2008 budget.

Note: Ms. Hagler exited the meeting at 9:56 a.m.

Note: Commissioner Strahan exited the meeting at 9:56 a.m.

2008 BUDGET HEARING SHEILA WYATT – COUNTY COLLECTOR 9:58 a.m.

Note: Commissioner Strahan returned to the meeting at 9:59 a.m.

A general discussion was held concerning the mailroom issue of hiring an employee to take care of all the mail.

Sheila Wyatt, Taney County Collector, came before the Commission to discuss her 2008 budget.

Commissioner Herschend thanked Collector Wyatt for all her good work.

Note: Collector Wyatt exited the meeting at 10:20 a.m.

Note: Commissioner Pennel exited the meeting at 10:20 a.m. – No Quorum.

2008 BUDGET HEARING JOHN SOUTEE – SEWER DISTRICT 10:21 a.m.

Note: Commissioner Pennel returned to the meeting at 10:22 a.m. – Quorum Resumes.

John Soutee, Taney County Sewer District, came before the Commission to discuss his 2008 budget.

Note: Mr. Soutee exited the meeting at 11:01 a.m.

Note: Commissioner Herschend exited the meeting at 11:02 a.m.

Note: Commissioner Herschend returned to the meeting at 11:05 a.m.

Note: Commissioner Pennel exited the meeting at 11:05 a.m. – No Quorum.

Note: Rick Findley, County Auditor, exited the meeting at 11:06 a.m.

Note: Commissioner Pennel returned to the meeting at 11:07 a.m. – Quorum Resumes.

Note: Auditor Findley returned to the meeting at 11:07 a.m.

Note: Commissioner Herschend exited the meeting at 11:08 a.m.

2008 BUDGET HEARING KURT LARSEN – PLANNING & ZONING 11:09 a.m.

Kurt Larsen, Taney County Planning & Zoning, came before the Commission to discuss his 2008 budget.

Note: Commissioner Herschend returned to the meeting at 11:14 a.m.

Note: Commissioner Herschend exited the meeting at 11:21 a.m.

TANEY COUNTY COMMISSION RECORD

RECESS
11:31 a.m.

ADJOURNED

Minutes taken & typed by: Jackie Rogers

Finished typed: 12/13/07
Submitted to Commission: 12/13/07
Commission Approved: 12/17/07



DECEMBER 10, 2007 THE 33RD DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:05 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Danny Strahan; followed by the pledge.

Casey Road Bid Award
Tressa Luttrell

Commissioner Ron Herschend made a motion to accept the bid for Herion Company as recommended by Frank Preston, Road & Bridge Superintendent, and to proceed with contracting for Casey Road improvements.

Commissioner Danny Strahan seconded the motion.

Mr. Preston stated that he expected construction to begin on January 1, 2008 and that he expected the project to be completed before school starts next fall.

The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Transfer of Funds
Tressa Luttrell

Tressa Luttrell, County Administrator, requested the commission to transfer \$218,807.⁰² from 911 Administration to General County Revenue for annual dispatch services provided by the Sheriff's Department.

Commissioner Herschend made a motion to transfer the funds from 911 Administration to General County Revenue.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

SALARY COMMISSION CERTIFICATION

Donna Neeley

Donna Neeley, County Clerk, presented the Commission with the Salary Commission minutes and certification pursuant to statute to be entered into the minutes. Commissioner Herschend read the following certification:

CERTIFICATION

TANEY COUNTY COMMISSION RECORD

Attached hereto and incorporated as part of these minutes is the Certification of the Report of the compensation by Salary Commission to the Clerk of the Taney County Commission.

I, Donna Neeley, Taney County Clerk and Secretary of the Taney County Salary Commission, do hereby certify that the Salary Commission for Taney County has met pursuant to law to compute salaries for the effected county offices during the next term of office and that the salary commission reports that the salaries for county officers be set at 100% percent of the salary schedules contained in Section 50.343, 56.265, 57.317 and 58.095 RSMo for those County offices. Salaries shall be adjusted each year on the official's year of incumbency for any change in the last completed assessment that would affect the maximum allowable compensation for that office and that the foregoing is a true and accurate account of the deliberations and actions of the Taney County Salary Commission held in Taney County, November 9, 2007.

Commissioner Pennel informed the audience that the Salary Commission minutes were being entered into the minutes as a matter of record and that the Commission was taking no action and also informed the public the Salary Commission was made up of the Elected Officials and not the Taney County Commission.

PUBLIC COMMENT

No public comment.

Accounts allowed

Commissioner Pennel made a motion to approve accounts payable checks #300990 – 301025, 301113, and 30114 – 301140 and warrants #4755 and 4756 with the exception of Commissioner Herschend mileage reimbursement.

Commissioner Herschend seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (abstained).

Commissioner Pennel made a motion to approve the mileage reimbursement for Commissioner Herschend.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (abstained), Strahan (yea).

prior Minutes

Commissioner Strahan made a motion to table minutes.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS

9:22 a.m.

RECONVENE

12:30 p.m.

The Taney County Commission reconvened in the Commission Office at 12:30 p.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

WHITE RIVER HISTORICAL SOCIETY

Ingrid Albers and Lisa Owen with the White River Historical Society met with the Commission to discuss their 2007 and 2008 budget.

TANEY COUNTY COMMISSION RECORD

Discussion ensued regarding achievements made by the society in 2007 and those they hoped to make in 2008.

Commissioner Herschend made a motion to roll the remainder of the 2007 Historical Society Budget into 2008's budget.

Rick Findley, County Auditor, suggested that this would not be a good practice.

Motion died for lack of second.

After further discussion, Commissioner Herschend made a motion to add the remaining balance of the 2007 budget to the amount previously set for the 2008 budget to use as the Historical Society has budgeted.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), and Strahan (yea).

RECESS

Minutes taken and typed by: Jackie Rogers and Donna Neeley

Finished typed: 12/11/07

Submitted to Commission: 12/11/07

Commission Approved: 12/17/07



DECEMBER 11, 2007 34TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission's Office at 1:00 p.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

SEPTAGON MONTHLY UPDATE

The County Commission met with members of Septagon and HMN for the monthly update on the Judicial Facility.

Commissioner Herschend made a motion to approve Proposal Request #34 to delete the aluminum gutter along the canopy that covers the sidewalk between the parking garage and the courts building for a credit in the amount of \$671.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve Proposal Request #35 to replace the abrasion resistant wallboard with Type X wallboard in Rooms 130 Elevator Lobby and 136 Corridor from 4 feet above the floor to the deck for a credit in the amount of \$1,027.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

APPOINT PRESIDING

Donna Neeley, County Clerk appointed Commissioner Herschend temporary Presiding Commissioner as the Presiding left the meeting.

Commissioner Herschend made a motion to approve Proposal Request #36 to replace the 5 specified roof hydrants with a different style of roof hydrant. The replacement hydrants will have less maintenance and can be sealed better by the roofing for an additional amount of

TANEY COUNTY COMMISSION RECORD

\$406.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (absent), Herschend (yes), Strahan (yes).

It should be noted that Presiding Commissioner Pennel re-entered the meeting at 2:10 p.m.

Commissioner Herschend made a motion to approve Request for Information #223 which changed the casework in Coffee 264 and 285 and added a receptacle to each for a microwave oven for an additional amount of \$1,124.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve Request for Information #231 which deleted floor boxes for power, telephone and data in the courtrooms and replaced them with boxes located in the baseboards of the casework for an additional amount of \$884.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan made a motion to approve Request for Information #242 for the plumbing contractor to "T Drill" the small copper waterlines instead of using copper fittings for a credit of \$348.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve Request for Information #274 & #275 making clarifications and modifications to the light switching in the prosecutors area and the juvenile area for \$1,000.00. Motion died for a lack of a second.

Commissioner Herschend made a motion to deny Request for Information #274 & #275. Motion died for a lack of a second.

Commissioner Strahan made a motion to approve Request for Information #274 & #275 in the amount of \$1,075.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes).

Commissioner Herschend made a motion to approve RFI#195 which defined a wall type above four modules at the corridor to meet security and fire safety issues in the amount of \$7,922.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken by Donna Neeley and typed by Tressa Luttrell as Clerk Neeley stated she would rather not type them.

Received: 1/9/08
Finished Type: 1/10/08
Submitted to Commission: 1/10/08
Commission Approved:



DECEMBER 12, 2007 THE 35TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern District, present; Ron Herschend, Western District, absent. The following proceedings were had and made a matter of record.

PRIOR MINUTES

Commissioner Pennel made a motion to approve November 6, 26, and 28, 2007 minutes.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

TANEY COUNTY COMMISSION RECORD

APPROVAL OF PAYROLL

Commissioner Pennel made a motion to approve payroll.

| | |
|---------------------------------|-----------------|
| General County Revenue Warrants | 103756 – 103778 |
| Road & Bridge Trust Warrants | 103727 – 103749 |
| Assessors Fund Warrants | 103750 – 103752 |
| Transfer Station Warrants | 103753 – 103755 |
| 911 Warrants | None |
| Manual Warrants | 4757 – 4758 |
| Accounts Payable Warrants | 301323 – 301336 |

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (absent), Strahan (yea).

RECESS

9:10 a.m.

RECONVENE

9:33 a.m.

The Taney County Commission reconvened in the Commission Office at 9:33 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2008 BUDGET HEARING

KEVIN TWEEDY – COUNTY CORONER

9:33 a.m.

Note: Commissioner Herschend exited the meeting at 9:36 a.m.

Note: Commissioner Herschend returned to the meeting at 9:45 a.m.

Kevin Tweedy, Taney County Coroner, came before the Commission to discuss his 2008 budget.

Note: Mr. Tweedy exited the meeting at 10:08 a.m.

Note: Commissioner Herschend exited the meeting at 10:08 a.m.

Note: Commissioner Herschend returned to the meeting at 10:10 a.m.

2008 BUDGET HEARING

CAROL DAVIS – PUBLIC ADMINISTRATOR

10:10 a.m.

Note: Commissioner Herschend exited the meeting at 10:13 a.m.

Note: Commissioner Pennel exited the meeting at 10:15 a.m. – No Quorum.

Note: Commissioner Herschend returned to the meeting at 10:16 a.m.

Note: Commissioner Pennel returned to the meeting at 10:17 a.m. – Quorum resumes

Carol Davis, Taney County Public Administrator, came before the Commission to discuss her 2008 budget.

Note: Ms. Davis exited the meeting.

2008 BUDGET HEARING

MARK PARENT – AIRPORT BOARD

TANEY COUNTY COMMISSION RECORD

Mark Parent, Taney County Airport Board, came before the Commission to discuss his 2008 budget.

Note: Mr. Parent exited the meeting.

IDA

Commissioner Herschend made a motion that the County NOT fund the IDA.

Motion died for lack of a second.

Commissioner Herschend made a motion to budget any unused 2007 IDA and the 2008 budget.

Motion died for lack of a second.

Commissioner Pennel made a motion to approve \$66,200 for the IDA 2008 budget.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

The Commission discussed how the board would operate and whether they would hire a full-time person or a part-time person to handle projects to present to the Commission.

No decision was made.

ROAD & BRIDGE TRANSFER

Commissioner Strahan made a motion to approve transfer of 15% of the Sheriff's salaries to Road and Bridge.

Commissioner Herschend seconded the motion.

After a general discussion Commissioner Herschend withdrew his second and Commissioner Strahan withdrew his motion.

RAISES

Commissioner Strahan made a motion to do a \$1,040.00 yearly increase for each hourly employee hired before August 1, 2007 – Countywide; treating all employees the same including any that had been discussed in prior budget meetings.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

FUNDS TRANSFER

Commissioner Strahan made a motion to transfer funds over.

After a general discussion the motion died for lack of a second.

RECESS

12:27 p.m.

RECONVENE

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

TANEYCOMO BRIDGE

TANEY COUNTY COMMISSION RECORD

Gary Groman and Sandy Brooks came before the Commission to discuss the Taneycomo Bridge issue.

Commissioner Herschend stated that he did not want to see the Taneycomo Bridge close before looking into an alternative.

RECESS
12:45 p.m.

RECONVENE
1:23 p.m.

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2008 BUDGET

A general discussion was held concerning the 2008 budget.

Commissioner Herschend made a motion to enter into Executive Session pursuant to statute per section 610.021(3) regarding a matter subject to personnel.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

RECESS
1:35 p.m.

RECONVENE
2:27 p.m.

The Taney County Commission reconvened in the Commission Office pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

MoDOT MEETING COY ST. & HWY 160 WIDENING

Members Present:

Chuck Pennel – Taney County Commission – Presiding
Ron Herschend – Taney County Commission – Western District
Danny Strahan – Taney County Commission – Eastern District
Bob Becker – MoDOT
Andy Mueller – MoDOT
Frank Miller – MoDOT
Chad Zickefoose – MoDOT
Randy Haes – Taney County Road & Bridge
David Oliphant – City of Forsyth Alderman
Chris Robertson – City of Forsyth – City Supervisor
Buddy Roberts – City of Forsyth Alderman
Donna Clevenger – Branson Daily News – Reporter

A general discussion was held concerning the Highway 160 and Coy Boulevard intersection improvements. Chad Zickefoose with MoDOT stated that the preliminary estimate for construction alone was going to cost \$426,000.

Mr. Zickefoose explained that the project was a lot longer than the previous plans that were drawn up a few years back. Mr. Zickefoose added that asphalt was going to cost an estimated \$116,000. Mr. Zickefoose further stated that the current plans drawn up were a 20-year plan and would be building right up to the easement lines.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion that the Taney County Commission contribute \$25,000 in funds for the project.

After a general discussion the motion died for lack of a second.

Commissioner Pennel made a motion that the Taney County Commission contribute \$50,000 towards the project for improvements to be made to the Highway 160 and Coy Boulevard intersection.

Commissioner Strahan seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (opposed), Strahan (yea).

Mr. Zickefoose explained total estimates for the project:

Construction = \$426,000

Construction Inspection = \$36,000

Easements = \$10,000

Utilities = \$25,000

Engineering = \$78,000

Total Est. Cost = \$575,000

RECESS

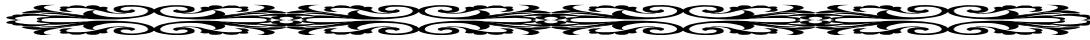
3:13 p.m.

Minutes taken by: Jackie Rogers & Donna Neeley & typed by: Jackie Rogers

Finished typed: 12/14/07

Submitted to Commission: 12/14/07

Commission Approved: 12/17/07



DECEMBER 14, 2007 THE 36TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Commission Office at 10:31 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

2008 BUDGET

JOHN SOUTEE – SEWER DISTRICT

10:31 a.m.

John Soutee and John Hooker, Taney County Sewer District, came before the Commission to discuss employee salaries for the 2008 budget.

Commissioner Herschend made a motion to make William E. Eubanks a Crew Leader and budget his salary to be \$13.50 an hour.

Commissioner Pennel seconded the motion. The motion passed by a vote of two: Pennel (yea), Herschend (yea), Strahan (opposed).

Commissioner Herschend made a motion that from that point forward the Taney County Commission had to approve any expenditure of the Sewer Sales Tax Monies before any commitment was made.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yea), Herschend (yea), Strahan (yea).

Note: Commissioner Herschend exited the meeting at 11:21 a.m.

Note: Commissioner Herschend returned to the meeting at 11:25 a.m.

TANEY COUNTY COMMISSION RECORD

Note: John Soutee and John Hooker exited the meeting at 11:25 a.m.

2008 BUDGET ANIMAL CONTROL

Commissioner Herschend instructed Rick Findley, County Auditor, to budget an extra \$10,000 for Animal Control for future bills of 2007 that would be coming in during the 2008 budget.

2008 BUDGET COUNTY PICNIC

A general discussion was held concerning having money budgeted for the County Picnic. It was decided that there should be monies budgeted for that event.

EXECUTIVE SESSION

Commissioner Pennel made a motion to enter into Executive Session pursuant to statute per section 610.021(3) regarding a matter subject to personnel.

Minutes taken & typed by: Jackie Rogers

Finished typed: 12/14/07

Submitted to Commission: 12/14/07

Commission Approved: 12/17/07



DECEMBER 17, 2007 THE 37TH DAY OF THE OCTOBER ADJOURN TERM

The Taney County Commission met in the Associate Circuit II Courtroom at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District, present. The following proceedings were had and made a matter of record.

The prayer was led by Chuck Pennel; followed by the pledge.

2006 AUDIT RECOMMENDATIONS ANDY MARMOUGET

Andy Marmouget came before the Commission and announced that the 2006 audit had been completed and congratulated the County on a clean audit. Mr. Marmouget went on to discuss weaknesses he found pertaining to duties performed throughout the County offices.

Commissioner Herschend questioned how often Mr. Marmouget felt that the tax books should be reconciled between the County Collector and Clerk. Mr. Marmouget responded that they should be reconciled at least monthly.

After a lengthy discussion Commissioner Pennel thanked Mr. Marmouget for the service he provides to the County.

FRIENDLY HILLS SUBDIVISION & ROAD IMPROVEMENTS BRYAN WADE (HUSCH & EPPENBERGER)

Commissioner Pennel stated that he did not see Bryan Wade present and asked if there was anyone present to speak on the issue.

Dan Ruda came before the Commission and stated that there had been a 20-year controversy involving the two subdivisions; Friendly Hills and The Majestic.

TANEY COUNTY COMMISSION RECORD

Robert Johnson of the Friendly Hills subdivision stated that he and the other were coming before the Commission that day to ask for the Commission's support in preserving their neighborhood.

Charlie Earls stated that they were dealing with a public road adding that it was in a very dangerous state of being. Mr. Earls further stated that they were present that day to ask for the Commission's support to get their road taken in to become a County road.

Commissioner Herschend stated that the County requires that any road requesting to be taken in as a County road file a petition and follow the recommended process.

Mr. Earls stated that they had not yet followed that procedure but would be doing so. They just felt that they needed to notify the Commission first.

A general discussion ensued.

BOE APPOINTMENTS CHUCK PENNEL

Commissioner Pennel made a motion to appoint Dr. Robert Rose and Mr. David Oliphant to sit on the County's BOE.

Commissioner Herschend seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

SB 765 CHUCK PENNEL

Commissioner Pennel asked the Commission if they would like to send a response to the "fiscal note" sent to the County regarding SB 765.

Commissioner Herschend stated that he would like to see the Commission have a work session and work a letter out.

Bob Paulson, County Counselor asked when a letter had to be done. Commissioner Herschend responded that it had to be done by December 21, 2007.

Commissioner Herschend made a motion to table the issue until 9:00 a.m. the following morning.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

INTEREST INCOME RON HERSCHEND

Commissioner Herschend asked Helen Souttee, County Treasurer, if she would, by early to mid January, make a recommendation to the Commission as to what action the County should be taking in that the County has a good reputation of paying bills as soon as they come in, however those on contracts could earn the County interest should they be held.

Commissioner Herschend further stated that the County has 30 days, by contract, to pay a bill. Commissioner Herschend explained that he had calculated that by paying an \$800,000 bill 10 days early the County lost out on \$3,000 in interest.

A general discussion ensued.

MINUTES PROBLEMS RON HERSCHEND

Commissioner Herschend stated that in the previous week the Commission had an issue with a construction company wanting minutes and those minutes not being able to be found. Commissioner Herschend added that since the minutes were not found the Commission had to

TANEY COUNTY COMMISSION RECORD

ratify their motions. Commissioner Herschend stated that in the past the Commission had discussed who was the one to “take” the minutes vs. depository of the minutes.

Commissioner Herschend made a motion that the Commission takes its own minutes and the County Clerk is the depository of those minutes.

Commissioner Strahan seconded the motion.

Commissioner Strahan added that the situation that happened last week was not the first time that the Commission had problems with the minutes. Commissioner Strahan complimented Jackie Rogers, County Deputy Clerk, on her efforts as well as Tressa Luttrell, County Administrator, in getting the minutes done and presented to the Commission.

Donna Neeley, County Clerk, stated that since she took over the minutes in her office there had been a decrease in personnel. Ms. Neeley added that there have been more duties added to her office and had requested more staff, but was told that she did not need the extra staff.

Ms. Neeley stated that she had asked the Commission for the minutes from the previous week she was told that they had contacted her office, but all of her staff had told her that they did not take the minutes. Ms. Neeley added that when she asked who the Commission had talked to they told her that they could not remember who took the minutes.

Commissioner Pennel asked Ms. Neeley if in any of the County’s shortcomings did she feel that any were her responsibility. Ms. Neeley responded, “yes.”

After a general discussion the motion to have the Commission take their own minutes passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

WHITE RIVER HISTORICAL CONTRACT TRESSA LUTTRELL

Ms. Luttrell informed the Commission that the White River Historical Society presented their budget and requested support in the amount of \$50,000.

Commissioner Herschend made a motion to approve the White River Historical Society budget request.

Commissioner Strahan seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

TRANSFER OF FUNDS TRESSA LUTTRELL

Ms. Luttrell presented the Commission with the second half of the “Administrative” transfers pursuant to the 2007 Budget. Said transfers as follows: \$103,818.92 from Sewer Sales Tax, \$90,291.52 from Road & Bridge and \$7,682.42 from Transfer Station all going to General County Revenue.

Commissioner Herschend made a motion to approve transfer of funds.

Commissioner Pennel seconded the motion. The motion passed by a vote of three: Pennel (yes), Herschend (yes), Strahan (yes).

MEDICAL EXAMINER BOB PAULSON

Bob Paulson informed the Commission that it was time to decide whether the County would continue with a County Coroner or have a Medical Examiner. Pursuant to 58.700, it states that we may adopt the order of appointing a medical examiner. And since the position of Coroner would be up for election in 2008, the decision has to be made by December 31, 2007 or the decision will be made for you.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion that the County not add a medical examiner at that time and continue with their Coroner who seems to be performing adequately. Commissioner Pennel seconded the motion. Paulson stated that he believed that the County could retain the coroner at this time...I would just like for you to look at the advantages and disadvantages. Commissioner Pennel stated that they had taken a good look at it and commented that he saw Alissha Woody shaking her head.

Alissha Woody, who temporarily held the position at one time, commented that this county should have a medical examiner. You are going to see it more and more as our numbers in population grows. You will see the need. We do outsource and we handle it in a much more efficient way in money...it's a very low budget position.

Commissioner Herschend stated that we are an unusual 1st class county. We are probably the smallest in the state. Herschend added that we will grow and felt Ms. Woody's assessment was true.

Jimmie Russell, Sheriff stated that he felt the County needed to look at Springfield and their ability to be able to help us prior to making a decision. Commissioner Pennel commented that if they are close to being overloaded we might have to take a look at somewhere else to take them. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

2008 SPONSORSHIP OF NATIONAL ASSOCIATION OF COUNTIES DONNA NEELEY

Donna Neeley stated that she received a letter regarding the 2008 NACO conference that will be in Kansas City in July. They are requesting that Taney County help out by contributing \$10,000.

Commissioner Herschend made a motion to deny. It would be nice to support them but with very little return does not make sense. Commissioner Pennel seconded the motion. Pennel asked if Ron would like to add to the motion that when Donna responds, add that we appreciate their work.

Commissioner Strahan added that he thought they should. Motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

INCORRECT ADDRESSING OF TAX BILLS JAMES STRAHAN

James Strahan, County Assessor expressed his concerns to the Commission regarding the incorrect addressing of tax bills. If people would stay put...but they don't. I would ask the press to help with getting the word out that if you have not received a real estate tax bill to contact the county. Strahan added that he was astounded with the number of people not getting their tax bills noting that several were motels. Strahan commented that these addresses are taken off the deeds.

Strahan added that maybe some additional funds could be spent on an outside source to help get these addresses as it's a no win situation for anybody. Once January 1st rolls around, we get calls from individuals who say they never received their bill and then get slammed with the penalty.

Commissioner Herschend asked Ms. Luttrell if she had found the Mr. Hill bill. Luttrell stated that she had contacted the Clerk's Office and was informed that it would be done immediately.

Herschend commented that there are several hundred abatements that we have approved in the past 30 days and Mr. Hill was in that. Sheila Wyatt, County Collector stated that the bills are over at the Clerk's Office and added that she went over Friday afternoon and left a note for special attention.

Commissioner Herschend stated that he just used Mr. Hill as an example. Ms. Wyatt stated that if we could have a meeting of all the offices involved to work it out and get these done. Our whole object is to serve the customer. Herschend asked if Ms. Wyatt would like that once they are approved there are copies made? Wyatt stated that that would be fine. We need to get the bills out as soon as possible.

TANEY COUNTY COMMISSION RECORD

General discussion over tax books/BOE ensued.

PUBLIC COMMENT

John Logan discussed with the Commission his unhappiness regarding the fact that Taney County was not listening to the people who said “no” to the County spending money on a State bridge.

TRANSFER STATION CHRISTMAS EVE

Commissioner Herschend stated that the County has elected to close for Christmas Eve and I would like to close the Transfer Station at 2:00 to allow those employees to travel and be with family. Commissioner Pennel and Commissioner Strahan stated that Commissioner Herschend had their nod of approval.

ACCOUNTS ALLOWED -UMB REIMBURSEMENT #20

Commissioner Pennel made a motion to approve accounts payable checks #301141 through #301339, warrants #4759 through #4762 with the exception of Mr. Herschend's. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

Commissioner Pennel made a motion to approve Mr. Herschend's. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (abstain), Strahan (yes).

Commissioner Strahan made a motion to approve UMB Reimbursement #20. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Note: 5 minute recess
Reconvened at 12:10

PRIOR MINUTES

Commissioner Pennel made a motion to approve prior Commission Minutes dated November 2, 2007. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to approve prior Commission Minutes dated November 16, 2007 with the corrected spelling for Pat Keck. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated November 30, 2007. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to table prior Commission Minutes dated December 3, 2007 for corrections. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated December 5, 2007. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan made a motion to approve prior Commission Minutes dated December 6, 2007. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to approve prior Commission Minutes dated December 10, 2007 with the corrected spelling of Albers. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve prior Commission Minutes dated December 12, 2007 with the word "closed" added after Taneycomo Bridge. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan made a motion to approve prior Commission Minutes dated December 14, 2007. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to table prior Commission Minutes dated January 16, 2007; January 29, 2007; July 23, 2007; and October 24, 2007 until corrected. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

12:17 p.m.

RECONVENE

3:00 p.m.

The County Commission reconvened in the Commissions Office with all members present and the following proceedings were had and made a matter of record.

WORKSESSION

FRANK PRESTON & TRESSA LUTTRELL

The County Commission had a general discussion regarding the recent motion made where the Commission would take their own minutes.

Frank Preston, Road & Bridge Superintendent discussed the following:

1. County Roads within the City Limits of Branson: Mr. Preston showed the Commission a map indicating the various roads within the City Limits that are being discussed as to giving them to the City for maintenance or continuing to maintain as county.

Frank noted that the priorities of the City are specifically Fall Creek Road, Bird Road and Flynn Road. Commissioner Herschend stated that he would like to meet with Frank and possibly have a public hearing so that the citizens would have a place to comment regarding the change in service.

2. The quarterly inspection report for the Transfer Station was presented: Mr. Preston asked if the deficiencies were to be handled through him or Commissioner Herschend. Commissioner Herschend noted that they would go over it.
3. Animal Control: Frank noted that there was some confusion regarding the installation of the drop ceiling at the pound, however once he went out there, he wasn't sure if it was poor communication or poor listening skills, but that it was handled.
4. Dean Road: Frank asked the Commission how these projects get put on the list or get bumped up the list.
5. Wallen Bluff: Commissioner Herschend asked if Wallen Bluff was finished. Frank stated yes, however it was poor quality. Mr. Preston stated that he would like to address the proper way of maintaining. Commissioner Herschend suggested that it be put in writing for the drivers.
6. Interviews: Mr. Preston asked who would be setting in on the interviews for the receptionist position. Commissioner Herschend stated that it would be the Commission and Mr. Preston and without any prepared questions.

LISA OWEN
EXTERNAL SIGN

TANEY COUNTY COMMISSION RECORD

Lisa Owen, Historical Society Director presented the Commission with three quotes for an external sign to be placed right beside the City of Forsyth's sign. Owen stated that the Historical Society was not making a recommendation as there are some personal and business relationships with the companies.

Commissioner Herschend inquired as to if there is an easement to place the sign on. Owen commented that she spoke with Ruth Whitley from the City of Forsyth who said that since they were replacing the existing sign there was nothing needed.

Commissioner Pennel asked if the lease for the Society was with the City. Owen stated yes, and the City's lease was with the Corps of Engineers.

A general discussion regarding the different quotes ensued. Commissioner Herschend made a motion to approve the quote from Sharp Signs as a turn-key mason and sign vendor in the amount of \$2,500. Commissioner Strahan seconded the motion.

Commissioner Herschend added that prior to any funds being spent that Ms. Owen ensure that there is an easement. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

RECESS

4:20 p.m.

RECONVENE

4:26 p.m.

MIKE ZIMMERMAN / JOHN SOUTEE SEWER ISSUES

Mike Zimmerman, representing Archer Engineers and John Soutee, Sewer District Administrator met with the Commission to discuss sewer issues.

Zimmerman stated that he had a request for a change order on the Bee Creek pump station #3 for \$18,347. Commissioner Herschend stated that Branson can't change the controls without our approval because we still own it. Commissioner Herschend made a motion to deny the request.

Soutee asked why the County would be asked to pay anything. Commissioner Pennel asked where the numbers came from. Zimmerman stated spare parts and programming. Soutee again asked why they would look to us. Zimmerman commented that Branson stated that they had told us Allen Bradley only.

Commissioner Herschend asked if Branson approved the bid. Zimmerman stated yes. Commissioner Herschend asked then why are they coming to us? Commissioner Pennel asked if Archer Engineering picked the controls. Zimmerman stated that they did.

Commissioner Strahan seconded the motion and stated that they would have to tell him why they were bypassing the board. Zimmerman stated that it was because he was already coming today and frankly didn't want to be embarrassed in the public.

Commissioner Herschend stated that he was not saying that they shouldn't switch the controls but that the County shouldn't be paying and the only one out any money is the county. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Zimmerman gave the Commission an update on the Rockaway Beach issue and a lengthy discussion regarding how they got to this stage and what is needed to upgrade and expand ensued.

Commissioner Strahan stated that before they go anywhere, there needs to be new agreements in place. Commissioner Herschend commented that maybe the County manages the plant? Commissioner Pennel reiterated the suggestion.

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Commissioner Pennel asked if this issue was on the sewer board agenda tomorrow. Soutee stated no, the board has already approved it. Commissioner Strahan added that he didn't feel that the sewer board was as informed as the Commission is. Commissioner Herschend stated that he felt the board approved it because Merriam Woods and Bull Creek would be accepted in on the project.

Commissioner Herschend pointed out that the sewer board approved the plan conceptually not the plan. Zimmerman stated that no one has approved funding. Commissioner Strahan stated that if this is not an emergency then we shouldn't be rushing into anything. Zimmerman added that it was not.

Minutes taken & typed by: Jackie Rogers & Tressa Luttrell

Finished typed: 12/18/2007

Submitted to Commission: 12/19/2007

Commission Approved:



DECEMBER 18, 2007 THE 38TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission Office at 9:05 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

SB 765 FISCAL NOTE

The County Commission met with County Counselor, Bob Paulson to develop language for a response to the SB 765 Fiscal Note. Some of the areas included: it would save legal fees in fighting what could be improper incorporation, protects the tranquility and continuity in government in not having little municipalities governed by inexperienced administration, prevention of TIF's, possible corruption and cost overseeing the liquidation of assets.

Note: Ron stepped out at 9:11 a.m.

Commissioner Strahan added that it should also note that the Taney County Commission supports the correction of the measure and that they are in unanimous support. Commissioner Pennel pointed out that the legislature intended for counties to be protected by the statutes with the responsibilities in there. This measure would correct the move and added that the legislatures had good reason to have the requirements.

Counselor Paulson noted that it circumvents county ordinances and resolutions and could have economic impact on the county. Commissioner Pennel stated that it could affect the quality of life.

Commissioner Strahan made a motion to support the legislative change. Commissioner Pennel seconded the motion. The County Commission directed Counselor Paulson to draft said letter. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS
9:20 a.m.

RECONVENE
9:40 a.m.

The County Commission reconvened with Commissioner Pennel and Commissioner Herschend.

Note: Commissioner Strahan entered the meeting at 9:45.

The Commission had a general discussion regarding how the office was going to implement taking the minutes. Commissioner Herschend stated that he would like to see them

TANEY COUNTY COMMISSION RECORD

use Susie Braden or Bonita Kissee for the Monday meetings and any other big meetings as Tressa would not be able to take minutes and respond too. Commissioner Herschend added that this would only be until we find out whether Nikki would be transferring to Road & Bridge.

The Commission agreed to post for approval of minutes both Monday and Wednesday's and the recordings would be put on the computer system.

Commissioner Strahan asked Jackie Rogers from the County Clerk's Office about those minutes that needed to be finished...would the Clerk's Office be doing that. Commissioner Strahan further stated that he would like for those to be done prior to the end of the year.

Minutes taken & typed by: Tressa Luttrell

Finished: 12/18/2007

Submitted to Commission: 12/19/2007

Commission Approved:



DECEMBER 19, 2007 39TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission Office at 9:12 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

JOHN LAVENDER JAIL ISSUES

John Lavender, Maintenance Supervisor informed the Commission that there were some problems with a couple of the toilets and a shower in the jail which is causing water to run down into the Sewer District. Lavender suggested calling in a plumber and work with Charlie's crew to pour a concrete shower floor which should solve the problems.

The County Commission concurred with John.

GARY MORGAN CONTRACTS

Gary Morgan, IS Administrator met with the Commission regarding a couple of contracts he wished to get cancelled as well as a couple to get approved. The contracts with Telecommunication Services and PC Net are the two contracts wishing to be cancelled and replaced by Ozark Mountain Underground and Centurytel. These are for the rack and server space as well as the internet access.

Mr. Morgan stated that the contracts would end in February 2008 and have consulted with Counsel who concurred. Morgan's suggestion would be to enter into the new contracts as they would save the county money as well as increase the benefit.

Commissioner Pennel made a motion to accept Mr. Morgan's recommendation. Commissioner Herschend seconded the motion. Commissioner Herschend noted that although he doesn't have a personal interest in the Underground, he does spend a lot of time there and thinks he should abstain. The motion passed by vote: Pennel (yes), Herschend (abstain), Strahan (yes).

CULVERT BID

Tressa Luttrell, County Administrator presented the culvert bid to the Commission noting that there were three bidders. Said bid was sent to the road & bridge department for review in which Frank Preston, Road & Bridge Superintendent recommended the lowest bid submitted by Viebrock Construction in the amount of \$22,642.39.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve Viebrock once Mr. Preston has made sure they were comparing apples to apples and to call a couple of references. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MINUTES

Jackie Rogers stated that she found 3 tapes for 1/16/2007 but that 2 were blank and the 3rd one only had the section with James Strahan about the State Tax Commission and then drops off.

Commissioner Herschend made a motion to note on the minutes of 1/16/2007 that the tapes were blank or missing and that the minutes reflect motions and votes only. All discussion to be taken out. Commissioner Strahan seconded the motion.

Commissioner Herschend amended his motion to direct Jackie Rogers to make those changes and return to the Commission. Commissioner Strahan amended his second. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Jackie Rogers stated that there were no tapes for the meeting of 1/29/2007. Commissioner Strahan made a motion to copy the same as the prior motion. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated 7/23/2007 as changed and presented. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated 10/24/2007. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to table the remainder of the minutes and continue after Mr. Redford.

STEVE REDFORD NOLAND ROAD

Commissioner Herschend stated that in a phone conversation with Mr. Redford, Mr. Redford indicated that he would not be doing the work he committed to on Noland Road.

Steve Redford stated that he had been driving around the county and has seen where the county has fixed roads where it is going to two houses...you fixed Whitetail Crossing...it appears that there is two standards. Commissioner Herschend addressed the Whitetail Crossing issue.

Mr. Redford continued stating that the county is letting developers build roads with 15 foot slopes...planning & zoning is approving the plats...I will just give you fair warning I will start building 15 foot slopes.

Commissioner Pennel stated that he believed the county had short comings but we have hired a professional in hopes of things getting better...are you willing to do anything. Mr. Redford asked for the Commission to tell him how they would feel.

Commissioner Pennel commented that evidently you felt you had a responsibility then, I am just asking if you feel that way now. Commissioner Strahan stated that he took it a little different as Mr. Redford was the one that brought the issue to the Commission 18 months ago not the other way around. I understand how you're aggravated with the slip ups in another department.

A general discussion regarding roads and planning & zoning ensued. Mr. Redford agreed to finish the work he promised to do.

TANEY COUNTY COMMISSION RECORD

RECESS

The Commission recessed until afternoon.

RECONVENE

MINUTES CONTINUED

Commissioner Herschend made a motion to approve prior Commission minutes dated 11/7/2007. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to table the minutes of 12/3/2007 until a representative from the Clerk's Office could be present. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated 12/17/2007 with changes. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve prior Commission Minutes dated 12/18/2007. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend stated that he would like to thank Ms. Luttrell for jumping in and taking on this responsibility through these difficult times. Commissioner Pennel responded dido.

DONNA NEELEY MINUTES

The County Commission met with Donna Neeley, County Clerk to discuss some minutes that were gone through earlier today noting that their understanding was that Jackie Rogers had quit and there were minutes that needed to be corrected by her office. Commissioner Pennel also gave Ms. Neeley the necessary corrections for the 12/3/2007 set. The Commission also informed Ms. Neeley that they would like to have those minutes taken care of by the end of 2007.

A lengthy discussion regarding the minutes, Ms. Neeley and her office ensued.

Minutes taken and typed by: Tressa Luttrell

Finished Type: 12/19/2007

Submitted to Commission: 12/26/2007

Commission Approved:



DECEMBER 21, 2007 THE 40TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Missouri Bar Office at 326 Monroe St, Jefferson City at 10:00 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

MEDIATION STATE TAX COMMISSION

The County Commission met in mediation to discuss the pending lawsuit between Taney County and the State Tax Commission. No motions made, no votes taken.

ADJOURNED

TANEY COUNTY COMMISSION RECORD

1:00 p.m.

Minutes taken by Bob Paulson and typed by Tressa Luttrell

Finished typed: 12/26/07

Submitted to the Commission: 12/31/07



DECEMBER 26, 2007 THE 41ST DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission's Office at 9:20 pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

APPROVAL OF PAYROLL ACCOUNTS PAYABLE

Commissioner Pennel made a motion to approve the following payroll checks:

General County Revenue: #103781- #103782, #103814 - #103837

Road & Bridge: #103784 - #103807

Assessment Fund: #103783, #103808 - #103810

Transfer Station: #103811 - #103813

Manual Warrants: #4764 - #4765

Accounts Payable Warrants: #301399 - #301414

ARBITRAGE INVOICE

Tressa Luttrell, County Administrator presented an invoice for Gilmore & Bell for legal services rendered. Luttrell added that the county had entered into a contract for these services to be performed, however it was not something she understood and wanted the Commission to review before submitting for payment.

Bob Paulson, County Counsel reviewed the document and stated that Mr. Herschend was the person that really understood arbitration. Commissioner Pennel made a motion to approve for payment in the amount of \$1,075.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve prior Commission Minutes dated 12/19/07. Commissioner Pennel seconded the motion. Both motion and second were amended to include the opening time. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Ms. Luttrell informed the Commission that she has not received anything from the Clerk's Office regarding the prior minutes that the Commission had requested be done prior to the end of the year.

Note: Commissioner Herschend entered the meeting.

ARBITRAGE CONTINUED

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend further explained the reason for arbitrage further noting that the County could not borrow money to make money and added that that is why we spend ours down first.

AMEND AGENDA

Commissioner Herschend made a motion to amend the agenda to include Sheriff Russell's budget question since we need to get it resolved prior to Friday's approval. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

JIMMIE RUSSELL BUDGET REQUEST

Ms. Luttrell presented an email from Jimmie Russell, Sheriff stating that the U.S. Marshals Service has offered to include our office in a task force to track down suspects with violent or special interest warrants in our jurisdiction or warrants issued from our jurisdiction. This would give us access to resources to finding these people that we normally would not have. To do this we would need to dedicate two deputies to this task force. The total cost for two deputies and vehicles would be \$97,000. With the large number of sexual assault and fraud warrants that we have this would greatly help bring people to justice.

Russell stated that the Marshals have resources that we don't to get these warrants done. Counselor Paulson asked if this was just to find them. Sheriff Russell stated it was to find and arrest...they will go after them. Counselor Paulson commented that it would only be those in our jurisdiction then....don't we have someone doing warrants. Sheriff Russell stated that there is one deputy designated to warrants but also takes calls.

Commissioner Pennel asked if the Marshals would be paying for the deputies. Sheriff Russell answered no.

Commissioner Herschend made a motion to deny the request as we still have a deficit situation with the budget. Commissioner Strahan stated that the last time he spoke with Auditor Findley; he indicated that we were in the black. Commissioner Herschend stated that we were already taking away from the contingency.

Commissioner Herschend stated that he wasn't saying we couldn't do it later. Commissioner Pennel asked why a task force. Sheriff Russell commented that the Marshals have more people for warrants...could we do it without the task force...yes, but very limited.

A general discussion ensued regarding the task force.

Counselor stated that all this is going to do is allow them to go look for individuals. Commissioner Herschend commented "allegedly". Sheriff Russell indicated that the County has a complete file cabinet full of warrants; the Marshals have people dedicated to warrants. Counselor Paulson asked if we had a lot of warrants for serious crimes. Sheriff Russell noted yes...several sexual and fraud.

Commissioner Pennel asked if there was a deadline...so if the Commission denies the request today could they go back and amend the budget in a month. Sheriff Russell stated that there was no deadline.

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

PAYROLL/ACCOUNTS PAYABLE CONTINUED

Dawn Bilyeu, Payroll Clerk informed the Commission that an accounts payable check needed to be added. As Conoco Phillips has made a charge against the credit card and it needs to be paid. Commissioner Herschend questioned why it was a credit card. Ms. Bilyeu stated that it is how the Treasurer has it set up for payment.

TANEY COUNTY COMMISSION RECORD

Commissioner Herschend made a motion to approve warrant #4763. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS
10:00 a.m.

RECONVENE
1:05 p.m.

TIM CONNELL COUNTY INSURANCE BIDS

Tim Connell, representing Connell Insurors met with the Commission to go over the recent insurance bids for liability, workers compensation, and property. Mr. Connell noted that in a recent meeting Auditor Findley had expressed his comfort with MAC and MOPERM. Mr. Connell stated that if the County was looking at long term there would be a savings of approximately \$20,000. What Mr. Findley had thrown out was that there were some cases that needed to be closed.

Mr. Connell informed the Commission that MAC renews on 1/1/08 and the Beacon would start on 4/1/08. Mr. Connell added that if the County chooses to use Connell's there were additional services that would benefit the County such as Human Resource Advantage.

A general discussion ensued regarding the insurance and human resources. Auditor Findley asked if the County were to leave MOPERM, how long would it be before we could get back in. Mr. Connell stated that he knew there was a 3 year wait in MAC but would have to double check on MOPERM but didn't think that there was any wait.

Commissioner Herschend asked if the County could carve out just the property portion on Beacon. Mr. Connell stated that he would have to find out. Commissioner Pennel noted that they would make a decision once the budget is approved on Friday. Mr. Connell will forward information to Dixie Wagner in the Auditor's Office.

RECESS
1:50 p.m.

Minutes taken and typed by Tressa Luttrell

Finished Type: 12/26/07

Presented to Commission: 12/31/07

Commission Approved:



DECEMBER 28, 2007 THE 42ND DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission's Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

APPROVAL OF THE 2008 BUDGET

The County Commission worked with County Auditor, Rick Findley on the final preview of the 2008 Taney County Budget.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel made a motion to approve the 2008 Taney County Budget as presented by the County Auditor with four changes. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

COUNTY INSURANCE LIABILITY/PROPERTY

The County Commission had a general discussion regarding the renewal of liability/property insurance for the County. Auditor Findley suggested that the Commission talk to the current carriers so that they could understand the issue prior to possibly changing carriers.

Commissioner Pennel made a motion to table the issue until 11:00 a.m. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS 9:55 a.m.

Minutes taken and typed by Tressa Luttrell

Finished Type: 12/28/07
Presented to Commission: 12/31/07
Commission Approved:



DECEMBER 31, 2007 THE 43RD DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Associate Circuit Courtroom II at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

CONCRETE CULVERT BIDS

Tressa Luttrell, County Administrator informed the Commission that bids had been taken on concrete culverts for the Dean Road project and had been forwarded to Frank Preston, County Road Superintendent for review.

Ms. Luttrell noted that there were two bids submitted; one from Dura-Kats for \$6,318.00 and one from Scurlock Industries for \$6,462.00. Ms. Luttrell stated that Mr. Preston's recommendation was to go with Scurlock Industries due to the ability of delivery now. Ms. Luttrell added that Scurlock Industries has the materials in stock and Dura-Kast would have up to a two week delivery

Commissioner Strahan made a motion to approve Mr. Preston's recommendation. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECORDED DOCUMENTS

County Auditor, Rick Findley informed the Commission that he had spoken with County Recorder, Robert Dixon noting the amount of recorded documents for 2007 versus 2006. Auditor Findley stated that as of Friday, there were 69,300 recorded and for 2006 there were 67,743. Auditor Findley commented that it was a good economic indicator for Taney County. Commissioner Pennel noted that we are fortunate in that it helps with our budget.

BOB PAULSON CONTRACTS

TANEY COUNTY COMMISSION RECORD

County Counsel, Bob Paulson informed the Commission that he was working on some contracts that needed to be approved for the Underground as well as terminating the existing one with Springfield. Counselor Paulson stated that he was not ready for approval yet, that he had been working on them over the weekend and would like to visit with Gary Morgan, IS Administrator.

Commissioner Pennel made a motion to table said contracts till Wednesday, January 2, 2008. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Counselor Paulson noted that it had been brought to his attention that the White River Historical Society contract was not actually approved only that funding was approved for \$50,000.00.

Commissioner Pennel made a motion to approve the White River Historical Society Contract. Commissioner Strahan stated that it was his belief that it was an obligation for two years, renewed annually. Commissioner Pennel added that his remembrance was to fund them for two years. Counselor Paulson commented that it is for them to provide identical services for \$50,000.00 and just for the coming year.

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

PRIOR MINUTES

Commissioner Pennel made a motion to approve prior Commission Minutes dated 12/21/07, 12/26/07 and 12/28/07. Commissioner Strahan seconded the motion.

Commissioner Strahan noted that he still had 12/3/07 in his book. Ms. Luttrell stated that there were three outstanding sets of minutes in the Clerk's Office which is 1/16/07, 1/29/07 and 12/3/07 noting that Commissioner Pennel had handed the changes for 12/3/07 to Donna Neeley in the Commission Office and that the Commission had made a motion to take all discussion out of 1/16/07 and 1/29/07 and only have the motions and votes. Donna Neeley, County Clerk stated that her office had been busy with Board of Equalization and hadn't had time to do it, if you want Ms. Luttrell to make those changes that would be fine.

Commissioner Strahan asked how Commissioner Pennel would like to proceed.

Commissioner Pennel made a motion to approve 12/3/07 with the following corrections: "under Bell Ringers, Dick Gass came before the Commission and invited them to compete against other organizations...change Jack Alderman to Alderman Jack Purvis...change Judicial Site to Judicial Facility...under Prosecutor's Salary change income to salary and take the plural off Prosecutor's...under vacation time add "to 2008" ...under bridge funding take out a 3-lane plan and change be gone to not be needed."

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

PUBLIC COMMENT

Clerk Neeley stated that she had attended training with the Secretary of State's Office and was commended on her election training procedures.

PRIOR MINUTES CONT.

Commissioner Pennel stated that he would rather not change the minutes to just motions. Commissioner Pennel made a motion to table the minutes until 10:00 a.m. so that Bob could review them. Commissioner Strahan asked if they would need to rescind the motion.

Counselor Paulson stated that they would not be rescinding. Ms. Luttrell again explained the motion Commissioner Strahan was referring to. Counselor Paulson then stated that they could amend their motion.

TANEY COUNTY COMMISSION RECORD

PUBLIC COMMENT

Commissioner Pennel asked Counselor Paulson if he had received the written proposal from the Attorney Generals Office regarding the mediation. Counselor Paulson stated that as of Friday he had not but would check when he got back to the office. Commissioner Pennel stated that if he hadn't he would request that Counselor Paulson contact them.

RECESS

9:25 a.m.

RECONVENE

10:15 a.m.

WORKERS COMPENSATION RENEWAL

Commissioner Pennel made a motion to approve continuing with MAC on workers compensation at this time. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PROPERTY/LIABILITY INSURANCE

Commissioner Pennel asked Ms. Luttrell if she had the documents from Mr. Connell. Ms. Luttrell stated no. Tim Connell, representing Connell Insurers informed them that he would be sending that directly.

Commissioner Strahan stated that he hated to not understand why the County would leave a company they have been with through thick and thin for 22 years. Mr. Connell recapped his previous presentation and added that he had gone back to the carrier with the request to split out just the property. They noted that they were so thin on the property they couldn't split it out...that they were doing the whole package.

Commissioner Strahan asked about the guarantee. Mr. Connell stated that he had negotiated a 3-year rate guarantee if the loss ratio is at 50%. Mr. Connell noted that the County had been at a 25% ratio in the last 5 years or lower. Commissioner Strahan commented that Mr. Connell had supplied sufficient evidence to change carriers.

Dixie Wagner, Benefits Coordinator asked if there were any liability cases still out there. Mr. Connell noted that there is nothing showing.

A general discussion regarding MOPERM, lawyers and loss prevention ensued. Commissioner Strahan noted that the \$60,000.00 in savings is substantial.

Commissioner Strahan made a motion to approve the change in carriers to One Beacon. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PRIOR MINUTES

Counselor Paulson edited and read his version of the minutes regarding the State Tax Commission for the minutes of 1/16/07. A general discussion of the changes ensued. Commissioner Pennel made a motion to approve prior Commission Minutes dated 1/16/07 and 1/29/07 with Ms. Luttrell and Counselor Paulson's changes. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

RECESS

10:55 a.m.

Minutes taken and typed by Tressa Luttrell.

Finish Type: 12/31/07

TANEY COUNTY COMMISSION RECORD

Submitted to Commission: 1/2/07

Commission Approved:



JANUARY 2, 2008 44TH DAY OF THE OCTOBER ADJOURN TERM

The County Commission met in the Commission's Office at 9:05 pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

ACCOUNTS PAYABLE

Commissioner Pennel made a motion to approve accounts payable warrants #301340 through #301398, #301419 through #301422, manual warrant #4766. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve prior Commission Minutes dated 12/31/07. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Tressa Luttrell, County Administrator informed the Commission that she had misinformed the Commission regarding the outstanding minutes. Ms. Luttrell noted that when she cross referenced the spread sheet previously made by Jackie Rogers, December 11, 2007 had not been submitted to the Commission yet. Ms. Luttrell stated that she had contacted the County Clerk to let her know.

Commissioner Pennel inquired to the permanent minute book as well as the index and stated that the Commission needs to periodically check to see if the book is printed and that there is an index.

Ms. Luttrell asked the Commission what they would like to do for the minutes of December 4, 2007 as the Commission states they called the Clerk's Office but the Clerk's Office states that no one took the minutes. We have considered it an adjourned term but something should be put in there so that in 10 years they don't think we just don't know how to count. Counselor Paulson stated that he would reconstruct those minutes and then the Commission just needs to ask the Clerk to put them in the book. Commissioner Pennel directed Counselor Paulson to type them up so we can enter the 12/4/07 minutes.

RECESS

9:20 a.m.

RECONVENE

10:00 a.m.

FRANK PRESTON & TRESSA LUTTRELL ADMINISTRATIVE WORKSESSION

Tressa Luttrell, County Administrator took up the following with the Commission and Frank Preston, Road Superintendent:

1. Road Vacations and Petitions: Ms. Luttrell stated that there are several on the list that hasn't been finished.

Quebec Road – Counselor Paulson is finished so it will be scheduled for Monday.

Holiday Avenue – As the legal description still needs to be determined, Counselor Paulson will send a letter to the petitioning Attorney.

Clearwater Acres – Counselor Paulson is finished so it will be scheduled for Monday.

Pebble Drive – As an amended plat has not been received, Counselor Paulson will send a letter to the petitioning Attorney.

TANEY COUNTY COMMISSION RECORD

Old Glory Road – Mr. Preston stated that he has documentation in his office and will forward it to the Commission for review.

Homestead Estates – This petition was tabled for a work session regarding road standards. Mr. Preston commented that they are almost finished and estimated a February 1st deadline.

Round Hill Rd, Shadow Lake Dr, Mesquite Dr & Shadow View Dr – Mr. Preston stated that he would send the Commission a copy of his report noting the deficiencies of these roads for review.

Pepper Tree Rd – It was previously agreed that this road would get a one time grader maintenance every year noting the following:

- ❑ It is agreed that there is good evidence that the County has worked on this road in the past.
- ❑ Approximately \$15,000-\$20,000 has been spent on the road in the past.
- ❑ It has been worked on within the last 10 years.
- ❑ Because of this evidence, we will continue with a once a year grader maintenance program.

It should be noted that this petition would not likely have been approved as it did not meet any of the criteria except for this evidence.

2. Board Appointments: Ms. Luttrell noted that there were several board appointments to be made.

Developmentally Disabled – Commissioner Strahan made a motion to appoint Cheri Coffelt to the Developmentally Disabled Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Planning & Zoning – A general discussion regarding 2007 appointments were had. Ms. Luttrell stated that she would do some research through the minutes to confirm said appointments. Ms. Luttrell also informed the Commission of the 2008 appointments that would need to be made.

Sewer District: Commissioner Strahan made a motion to reappoint Larry Gardner to the Sewer District Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

3. Drug Screening Vendor – Ms. Luttrell stated that Commissioner Herschend asked her to look at another drug screening company who was interested in the County's business. Ms. Luttrell noted that she was confident with the current company and should the Commission wish to split the screenings she would ask that it be the Non-Dot. A general discussion was had noting that Non-Dot pre-employment screenings would be done by Missouri Screening Services rather than Skaggs.

4. Donut Vendor – Ms. Luttrell noted that the Commission had been requested to allow a vendor to sell donuts and coffee in the Courthouse. Ms. Luttrell noted that she knew of four offices that had requested the vendor to contact the Commission, however she had not personally spoken to the offices. The Commission did not feel that it was appropriate at this time.

Commissioner Pennel noted "FYI" he had spoken with Chad Zickefoose with MoDot and he is trying to get together with Bob McDowell, Branson City Alderman to go over his concerns. We need to keep the ball rolling. Ms. Luttrell asked if there was anything the County should be doing in regards to the 1/9/08 deadline. Commissioner Pennel stated that he asked that question regarding the deadlines that were given at the Partners meeting and Mr. Zickefoose stated that the stake holders would need to meet by the 1st of February with MoDot. Commissioner Pennel added that the County would need to have a plan by then. Commissioner Strahan asked if we would be having a hearing.

Commissioner Pennel stated that he had asked where we are as far as monies and Mr. Zickefoose stated that they needed 5.1 million local match monies to make it happen. In the 5.1 the \$428,000 that we committed way back as well as the \$750,000 that the City had committed, which they have already spent \$350,000 so far, so they are on the hook for \$400,000. The 5.1 is assuming they will have the \$400,000.

Commissioner Pennel stated that his thoughts were that the County should make an offer of whatever dollars it is to get the ball rolling within the next week. Mr. Preston asked what that would buy us. Commissioner Pennel stated that B-10.

TANEY COUNTY COMMISSION RECORD

Commissioner Pennel added that the State is not saying they will do that but in order to get the ball rolling...we need to make a decision that the County will put in this much. The feeling I get from Mr. Zickefoose is that the State...there would be a good chance they will do it.

Commissioner Pennel noted as far as a public meeting...and asked Mr. Preston if he was comfortable with the B-10. Mr. Preston stated that he was very comfortable but his only concerns were in reading the newspaper and speaking with Mr. Miller is that Branson is a major player and they are concerned about the traffic that would impact Branson Landing. Mr. Preston further added that he knew the study didn't really address that. It was a really close vote at Branson.

Commissioner Pennel further explained that the meeting he was talking about regarding Bob McDowell...Chad thinks that by meeting with Mr. McDowell and Mr. Miller that they would resolve or try to resolve his concerns and if he is convinced that this is not a bad thing for the City then Sandra Williams might follow which would leave one. That's the number one hurdle at this time.

Ms. Luttrell asked if the Commission wanted to go ahead a schedule time for them to get their plan together. Commissioner Pennel noted that he thought about talking about it on Monday but wanted to wait until Mr. McDowell is either satisfied or not. Commissioner Pennel asked Mr. Preston about his thoughts...is this a good thing. Mr. Preston stated that he thought it was a good thing, it's what the valued engineering study proved. It will not alleviate Branson's traffic concerns...it just shifted them around a little bit. Mr. Preston stated that he hoped that there was not an expectation of eliminating Branson lower traffic problems because it won't. It will give us redundancy which we don't have right now.

Mr. Preston noted that his other concern was that there are citizens that voted against the tax, what are they going to say. They said no to the tax, will there be a lot of vocal opposition to the County spending tax dollars. If this group thought that they voted against the tax and the County is going to spend the money anyway...it concerns me.

Commissioner Strahan stated that there is a lot of concern out there...I get phone calls daily. That is why I have been calling to see what help Joann Emerson would give us. The last word I got was that they wanted to come in January and set in on a meeting. Commissioner Strahan stated that he didn't want to spend any Taney County tax dollars if we can get federal dollars.

Commissioner Strahan added that he didn't understand where we were on this as the State has come up with \$8m in emergency funds for the Highway 54 project, why can't they come up with funding on this bridge for us. If we don't have any other funding then I will have to reconsider it.

Mr. Preston noted that ideally what he would like to see, since there is a time limit, is if the County would front load this with County dollars and get some agreement with the Fed's or the State that they would pay us within a couple of years. Commissioner Strahan added that he would like to talk to Mr. Zickefoose because it seems like things are changing on a weekly manner, as at one time we were going to have to front the money for the State. It wasn't that we were fronting \$328,000 that then went to \$428,000...we were fronting their part which was 1.4m...which wasn't going to be paid back until 2011 or 2012. So I would like to see where we are at and questioned that our portion was 5.1m.

Commissioner Pennel commented that the State needs 5.1m to present an application for cost sharing monies and added that there is STIP monies for Hollister...I don't think it's counting the \$428,000 that we have committed, it is counting the \$400,000 from the City. The bottom line is we need a commitment of 5.1m to submit an application. My thoughts are that we go ahead and put up the money working with them...whatever to get the 5.1m back so we could go ahead and then put that towards the East/West project.

Commissioner Pennel stated that he had another idea...what if we had us a survey that had a dozen or so questions to get a sense of peoples pulse...not sure why...those that are against spending the dollars would still be against spending the dollars. But the County Commission would have a better sense of the people. Do they think it's an important project. Commissioner Pennel added that maybe places like Great Southern Bank, QuickMart and Primetime would

TANEY COUNTY COMMISSION RECORD

have the surveys, then schedule a public meeting and talk about what the surveys said. Commissioner Strahan stated that it sounded good, we promised a public hearing.

Commissioner Pennel asked what if we schedule a public meeting and get these surveys out...but I will be on record unless someone convinces me otherwise, it's the right thing to do.

A general discussion regarding the surveys ensued.

Frank Preston, Road Superintendent gave the Commission the following update:

1. Daily Inspection of Vehicles – Mr. Preston stated that he had learned a lot about the Snow Rodeo in that employees were not doing their vehicle inspections properly. Mr. Preston presented a copy of the new procedure that will be required of all drivers on a daily basis.
2. Linda Gifford – Mr. Preston stated that their new girl had started and was doing well.
3. Budget – Mr. Preston inquired as to whether they could start, as the backhoe had broken down again at the Transfer Station.
4. Cotton Rock Road – Mr. Preston noted that they had received a nasty letter a while back and didn't know if Commissioner Strahan had responded. Mr. Preston added that he was working on the project list and would be placing this on the list. Commissioner Pennel suggested doing a traffic count before talking about doing a major improvement. Mr. Preston asked the Commission to think about projects to be placed on the list.
5. Glenda Crouch – Mr. Preston inquired if anyone had contacted Ms. Crouch, she was one who interviewed. Commissioner Strahan noted that Commissioner Herschend had done some work with Gary Morgan, IS Administrator. Commissioner Pennel noted that someone should check on that.
6. Casey Road – Mr. Preston informed Ms. Luttrell that he needed a meeting set up with at least two Commissioners for a Pre-Construction meeting on Casey Road.
7. CART Monies – Mr. Preston stated that Auditor Findley had asked if they tracked the CART funds. Mr. Preston stated that he couldn't find where they did. Commissioner Pennel inquired about CART funds. Mr. Preston noted that should we be audited and asked where we spent those monies, we should be able to tell them. Ms. Luttrell noted that she had a map showing the CART roads but did not know how much money was received for each road. Mr. Preston stated that he would work with Kathy and set up a computer program and then come take a look at the map.
8. Three Year pay increase – Mr. Preston informed the Commission that some employees had inquired whether the three year pay increase was still in place. Commissioner Strahan noted that when the Commission equalized the pay at road and bridge that issue was taken care of.
9. Time Sheets – Mr. Preston stated that while signing time sheets he has noticed several employees who abuse the sick leave. Mr. Preston stated that it was based on patterns, on the west side Mark Hall and Emmet Hand take the same day every month. According to Sam they take off to go to baseball games. It will not be happening anymore. There are others who are habitual abusers and the Personnel Policy states that we as managers can require a doctor's note.

Commissioner Strahan stated that time and time again they use all their sick leave up and when something happens they come to the Commission requesting time because their leave is gone. I know of at least 5 people on the east side who will never have any.

Ms. Luttrell stated that there was a request for those who don't use their sick leave. Luttrell noted that they feel like they are being treated differently because they are not abusing their sick leave...and what we can do I don't know. Mr. Preston stated that in places where he worked, if you didn't take your sick leave within a one year period, January to December, they received a paid day off.

Commissioner Pennel asked if we should think about it or just do it. Ms. Luttrell commented that she was working on the Personnel Policy. Commissioner Pennel added that he

TANEY COUNTY COMMISSION RECORD

was thinking about periodically emailing the elected officials on different issues and asked Ms. Luttrell to send an email to the Elected Officials and get their opinion.

RECESS
12:00 p.m.

Minutes taken and typed by Tressa Luttrell

Finished Type: 1/3/08
Submitted to Commission: 1/3/08
Commission Approved:



**JANUARY 4, 2008 45TH DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission's Office at 11:15 a.m. with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

LENHART LANE

The County Commission met with representatives of Lenhart Lane to discuss possible solutions to their road problems. The Commission agreed to set up another meeting when Commissioner Herschend was present to look into some recommendations.

Minutes taken by Frank Preston, typed by Tressa Luttrell

Finished Type: 1/4/08
Submitted to Commission: 1/4/08
Commission Approved:

TANEY COUNTY COMMISSION RECORD

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