

OFFICIAL MINUTES

October 4, 2010, 1ST DAY OF
THE OCTOBER ADJOURN TERM

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

PRAYER & PLEDGE OF ALLEGIANCE

Commissioner Pennel led the Prayer and Pledge of Allegiance.

PREVIOUS MEETING MINUTES

Commissioner Strafuss moved to approve the minutes of 9/20 adding Jim Strafuss to the motion as attending the RAC meeting, and approving 9/27 and 9/29 with grammatical corrections. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

ACCOUNTS PAYABLE

Commissioner Strafuss moved to approve accounts payable as follows:

DATE	10/4/2010		
	CHECKS		
	321679		321689
	321711		321783
	Warrant		#5271

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

BID OPENING – FORD F-150 (SEWER DEPARTMENT)

Linda Gifford opened and announced the following bidders for the Ford F-150: Bill Grant Ford Mercury – No Bid, Tri-Lakes Motors, Friendly Ford, and Jimmy Mitchell Motors.

PUBLIC COMMENT

Bob Schanz spoke to the Commission regarding his concern that Planning & Zoning could be abolished with the current petition being passed among voters. He requested that the proposed Public Hearing be held quickly, and that reforms be initiated instead of abolishing the office.

Josh Smith expressed his support for the Planning & Zoning petition. He provided examples of issues that had occurred with County citizens within the Planning & Zoning office. He requested that voters in cities support those citizens in the unincorporated portion of the County by either voting in favor of the petition, or by not voting at all.

NEW/OLD BUSINESS

FINAL AUDIT REPORT

Andy Marmouget of Davis, Lynn & Moots presented the Final 2010 Audit Report of the County to the Commission.

Mr. Marmouget reported that there was a lack of segregation within the auditing and payroll function of the County, and that there no problems with compliancy concerning contracts, agreements or grants.

Mr. Marmouget presented a recommendation letter which suggested the following:

1. That there be two signatures on all checks issued.
2. That there be a defined policy for the opening of new accounts within the County.
3. That the Auditor's office be the overseer of the payroll and accounts payable processes rather than being the office in which those processes take place.
4. That training sessions be held encouraging all offices to follow the written personnel policies uniformly.
5. That there be a specific individual designated to track and monitor all grants for the County.

ROAD VACATIONS – PORTION OF UNNAMED ALLEY, MEADOW DRIVE, MOUNTAIN DRIVE, PORTION OF NORMAL STREET & WEST STREET

Commissioner Pennel opened the Public Hearing for the vacations of West and Normal Streets.

Attorney Tom Bill came before the Commission representing Garland and Beverly Smith landowners of a portion of a public road within the Morris survey of the Bradleyville District. He stated that they had not yet received the 15 day affidavit of publication from the newspaper, and after discussion with County Attorney Bob Paulson, it was decided that the Commission could open the public hearing on the vacations, and if there were no individuals present in opposition to the vacations they could take the matter into

advisement, receive the publication affidavit at a later date, and vote on the vacations at that time.

Commissioner Strahan expressed concerns about the closing of roads that could affect access for neighbors.

Commissioner Strafuss moved to table the West and Normal Street vacations to October 18, 2010 at 9 am. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

Commissioner Pennel opened the Public Hearing for the vacations of Mountain and Meadow Drive.

Tom Boyce presented his road vacation petitions for Mountain and Meadow Drives to the Commission.

Commissioner Strahan moved to table the Mountain and Meadow Drive road vacations until Oct. 18, 2010 at 9 am. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strahan requested that the Public Hearing for the portion of an unnamed alley in the area of Powersite not be opened due to the illness of the petitioner.

Commissioner Strahan moved to table the Public Hearing for the portion of an unnamed alley in the area of Powersite until October 18th at 9am. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

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

RECESS
10:01 AM

RECONVENED
10:08 AM

ADMINISTRATIVE & DEPARTMENTAL FUNCTIONS

PARK BOARD REQUEST

Commissioner Strahan moved to table the Park Board request until a later date.

The Commission decided to allow the issue to expire so that the citizen could repost their request at a later date.

NIKKI LAWRENCE – WORK SESSION W/ COMMISSION

NUISANCE CASES

Commissioner Strahan moved to table case #10-0818 until October 18, 2010.
Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

The Commission directed Nikki Lawrence to attain a copy of the contract between the owner and individual living on the property, and to have the nuisance case and the contract reviewed by Attorney Bob Paulson.

Commissioner Strahan moved to send case #04-126 to Attorney Bill McCullough.
Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

VALLEY RIDGE SUPPORT LETTER

Commissioner Strafuss moved to send the Valley Ridge phase three support letter.
Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

HOLLISTER MAINTENANCE FACILITY PURCHASE

Commissioner Strahan moved to approve the purchase of the Hollister Maintenance Facility. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

STAFF DEPARTMENTAL MEETING – PURCHASING

AUCTION ADVERTISING

Linda Gifford presented the Auction brochure to the Commission for their review. She requested direction on how to advertise for the auction.

Commissioner Strahan moved to advertise on the radio at a maximum rate of \$120.
Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strahan moved to advertise in the newspaper at a maximum rate not to exceed \$100 each. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

2010 COPS TECHNOLOGY GRANT APPLICATION

Linda Gifford presented part II of the 2010 COPS Technology Grant application.

Commissioner Strahan moved to approve the application for \$400,000.00.

Auditor Rick Findley requested that maintenance fees be added to the Grant.
Commissioner Strafuss suggested that the next application include maintenance fees.

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

RECESS
10:41 AM

RECONVENED
10:45 AM

Sheriff Jimmie Russell reminded the Commission that he had brought the issue on the increase in maintenance fees in relation to the COPS Grant to the Commission before, and that the Grant would not cover the maintenance fees. He clarified that the fees would be divided amongst the municipalities involved.

BOB PAULSON – WORK SESSION W/ COMMISSION

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

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

EXECUTIVE SESSION
10:53 AM

See Executive Session minutes for actions if any.

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

OUT OF EXECUTIVE
12:00 PM

Commissioner Strafuss moved to table Executive Session - Personnel 610.021 (3) until 1 pm. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

RECESS
12:00 PM

RECONVENED
1:02 PM

STAFF DEPARTMENTAL MEETING – ROAD & BRIDGE

Frank Preston, Road & Bridge Administrator informed the Commission that he was ready to go ahead with the Road & Bridge budget, that there would be only two line items that he was aware that would go over over-budget. The first being the salt line, due to paying for 2009 salt with 2010 funds, and the fuel line due to the many days of service used during storms.

Mr. Preston relayed that the City of Branson was requesting the County charge one dollar per tire for them during their city-wide fall clean-up. The Commission gave their approval.

The Commission and Mr. Preston discussed the case of the burned-out house, and decided that there could be an extension in days for the volunteers to drop off the debris for no charge.

Mr. Preston asked for guidance on the use of the Hilda Quarry as a vendor for rock stockpiles. The Commission directed Frank to coordinate with Purchaser Linda Gifford for the creation of a new bid.

Mr. Preston inquired if the County should snow plow the Corp and Park roads that precede the County's roads. The Commission directed him to do so.

Mr. Preston inquired if used telephone poles could be utilized in the building of the pole barn at the Transfer Station. The Commission agreed that he could take used poles into consideration.

Mr. Preston updated the Commission on the work done at Iowa Colony Road. The Commission directed Mr. Preston to have Randy Haes work toward acquiring right-of-ways on the Road.

Mr. Preston let the Commission know which neighborhoods had upcoming microseal projects.

Mr. Preston gave an update on the T-Highway Project.

Mr. Preston let the Commission know that the Transportation Board was making progress and working well.

The Commission gave Executive Authority to Mr. Preston to distribute dirt loads as he see fits, with a maximum of three loads. If the request is over three loads, the request

must be brought to the Commission. They requested that he write up that directive as a policy and bring it back to the Commission for their review.

Mr. Preston spoke on behalf of the Road & Bridge employees requesting that they remain working ten hour days through the winter.

EXECUTIVE SESSION –PERSONNEL PER SECTION 610.021 (3)

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

EXECUTIVE SESSION

2:00 PM

See Executive Session minutes for actions if any.

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

OUT OF EXECUTIVE

2:20 PM

INSURANCE

Commissioner Strafuss announced his desire that both the insurance agency and the insurance policies of the County be placed up for bid. He requested that the other two Commissioners' consider the matter. They agreed to do so.

Presiding Commissioner Pennel declared a recess.

RECESS

2:26 PM

The minutes were taken and typed by Cristy Smith, Deputy Clerk.