

# **OFFICIAL MINUTES**

## **APRIL 2, 2012, 1ST DAY OF THE APRIL ADJOURN TERM**

The County Commission met in the Commission Hearing Room at 8:36 a.m. with Ron Houseman, Danny Strahan and Jim Strafuss present. The following proceedings were had and made a matter of record:

### **PRELIMINARY STUDY**

The County Commission met to review previous meeting minutes and accounts payable.

### **PUBLIC COMMENT**

Mr. Kevin Weigler went before the Commission to give his opinion regarding the Library Board's tax request.

### **CALL TO ORDER**

Presiding Commissioner Houseman called the April 2, 2012 meeting to order at 9:01 a.m.

### **PRAYER**

Treasurer Helen Souttee led the prayer.

### **PLEDGE OF ALLEGIANCE**

Commissioner Strahan led the Pledge of Allegiance.

### **PREVIOUS MEETING MINUTES**

Commissioner Strafuss moved to approve previous meeting minutes with corrections dated March 22 and 26, 2012. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

### **ACCOUNTS PAYABLE/JOURNAL ENTRIES/TRANSFERS**

Commissioner Strafuss moved to approve accounts payable as follows. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye). There were no journal entries or transfers.

## ACCOUNTS PAYABLE

DATE 3/26/2012

CHECKS		WARRANTS			
<u>328467</u>	to	<u>328531</u>			
<u>328532</u>	to	<u>328540</u>			
<del>328533</del>	to	<u>          </u>			

**TRANSFERS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Please sign and date that you have reviewed the included information.

Date	Time	Signature	Comments
3/29/2012	11:00am	JJ	

NOT APPROVED		COMMENTS:
CHECKS	TRANSFERS	

**COMMISSION APPROVAL**

  
 \_\_\_\_\_  
 Ronald D. Houseman, Presiding Commissioner

  
 \_\_\_\_\_  
 Jim Strafuss, Western District Commissioner

  
 \_\_\_\_\_  
 Danny Strahan, Eastern District Commissioner

Please keep accounts payable in the order in which you receive them.

## ROAD VACATES

Randy Haes of Road and Bridge and Legal Counsel Frank Cottey went before the Commission to discuss road vacations.

Hick's Resorts Subdivision road vacation was discussed. Consents were presented by Mr. Merrell. An additional necessary publication would be put in the paper April 4<sup>th</sup>. No remonstrance was filed in opposition. Commissioner Strafuss moved to approve the vacation request for the unnamed 30 foot private road and plat line throughout the Hicks Resort Subdivision and lying north and west of Elbow road. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

A road vacate including a portion of Spruce Drive in OPV South Addition, a portion of Walnut Drive in OPV South Addition, Cypress in OPV South Addition, a portion of Canyon Drive in OPV, Ranch Circle in OPV, Elbow Court in OPV, Cove Circle in OPV, Antler in OPV, a portion of Cove Drive in OPV, Ravine Drive in OPV, Mesa Drive in OPV East Addition, a portion of Ledge Drive in OPV East Addition, Summit Drive in OPV East Addition, Scenic Crest in OPV East Addition and Rock Road in OPV East Addition was presented by Mr. Charles Green, representing petitioners America's Sportsman Holding Company. The first reading was in January. Mr. Green went before the Commission for the second reading. A proposed order was given to Mr. Cottey. No remonstrance was filed in opposition. A cul-de-sac requirement when vacating roads was discussed. Commissioner Strahan stated a concern in regards to a plat without a cul-de-sac on a dead end road. Commissioner Strafuss moved to approve vacations of the following roads referenced in exhibit A. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

EXHIBIT A-1

The following-described property located in Taney County, Missouri:

ALL THAT PART OF A TRACT OF LAND IN THE NE 1/4 OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF THE NE1/4 OF THE NE1/4 OF SAID SECTION 13, THENCE N89°09'00"E, 25.10 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF OZARK DRIVE; THENCE WITH SAID RIGHT-OF-WAY LINE N49°10'00"W, 728.02 FEET; THENCE N89°47'00"E, 183.98 FEET TO IT'S INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF CANYON DRIVE; THENCE WITH SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 65.00, AN ARC LENGTH OF 77.30 FEET TO A COMPOUND CURVE WITH A RADIUS OF 85.00 FEET, AN ARC LENGTH OF 91.98 FEET TO A POINT OF TANGENCY; THENCE S52°41'30"W, 30.00 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE RIGHT, WITH A RADIUS OF 237.67 FEET, AN ARC LENGTH OF 152.62 FEET TO A POINT OF TANGENCY; THENCE N89°31'15"W, 460.14 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 498.11 FEET, AN ARC LENGTH OF 60.21 FEET TO A POINT OF TANGENCY; THENCE S03°30'31"W, 165.95 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 131.39 FEET, AN ARC LENGTH OF 170.96 FEET TO A POINT OF TANGENCY; THENCE N21°55'30"W, 406.46 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF RAVINE DRIVE; THENCE WITH SAID RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 120.91 FEET, AN ARC LENGTH OF 203.91 FEET TO A POINT ON THE WEST L. NE OF THE NE1/4 OF THE NW1/4 OF THE NE1/4; THENCE S00°00'00"W, 523.49 FEET TO THE SW CORNER OF THE NE1/4 OF THE NW1/4 OF THE NE1/4; THENCE S89°49'25"W, 630.63 FEET TO THE SW CORNER OF THE NW1/4 OF THE NW1/4 OF THE NE1/4; THENCE S00°07'40"W, 687.09 FEET TO THE SW CORNER OF THE NW1/4 OF THE NE1/4; THENCE N89°33'53"E, 1975.72 FEET TO THE SE CORNER OF THE SW1/4 OF THE NE1/4 OF THE NE1/4; THENCE S00°06'40"W, 239.59 FEET; THENCE N89°02'53"E, 658.51 FEET; THENCE N00°09'00"E, 232.30 FEET TO THE POINT OF BEGINNING.

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A road vacate was presented including all of Hillcrest Court in Lakeside East Subdivision as per the recorded plat thereof, Book 14, at Page 50, Taney County Recorder's Office (Exhibits A and

F), all of Hillcrest Drive in Lakeside East Subdivision, as per the recorded plat thereof, Book 14, at Page 50, Taney County Recorder's Office (Exhibits B and F), and all of Oakcrest Lane in Lakeside East Subdivision, as per the recorded plat thereof, Book 14, at Page 50, Taney County Recorder's Office (Exhibits D and F). Brian Wade represented petitioner Bluegreen Big Cedar Vacations, in a request to vacate all of Hillcrest Court, all of Hillcrest Drive, and Oakcrest Lane. All three requested road vacations were road that had not been built. Exhibits with legal descriptions were attached. Exhibit f was the petition with signatures. No remonstrance in opposition was filed. A plat map was not attached. Commissioner Strafuss moved to approve all of Hillcrest Court, all of Hillcrest Drive and all of Oakcrest Lane as presented. Commissioner Strahan seconded the motion. Commissioner Houseman requested additional information for a more formal record. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

A petition to vacate a segment of a road pursuant to section 71.270 was presented to the Commission by Sandra Kelley petitioner. Ms. Kelley's property joined Powell Road. Public notice had been given to utilities. No remonstrance was filed in opposition of this road vacation. Commissioner Strafuss moved to approve vacate referenced in Exhibit A for the Powell Road vacate. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

#### **FUEL FLEET CARDS**

Sheriff Jimmie Russell and Purchasing Agent Ron Erickson went before the Commission to discuss Fuel Fleet Cards. Wright Fleet Services offers Fuel Cards, which were reviewed by the Sheriff. Cards had no monthly fees, were already on Missouri State Contract bids and could be issued to a person or a vehicle and automatically return 18.3 cents per gallon sales tax on the fuel give 1% back on fuel purchases. It had a potential estimated savings of \$16,000 per year. Purchasing Director Ron Erickson also reviewed the cards. Discussion ensued. Commissioner Strahan moved to proceed with Wright Express fuel card. Commissioner Strafuss seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

#### **ROAD VACATION CONTINUED**

An additional petition to vacate a portion of Powell Road vacate was brought before the Commission by Mr. Verhagie for Fay Tom Corporation. Public notices were made and utilities were notified. Commissioner Strahan asked if all contracts and agreements were in place. Mr. Verhagie said yes. Commissioner Strafuss moved to approve vacate as presented by Fay Tom listed as exhibit A. Commissioner Strafuss seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**RECESS**  
**9:55 AM**

**RECONVENED**  
**10:00 AM**

## **LIBRARY BOARD: ELECTION DATES AND TAX REFERENDUM AMOUNTS AND BUDGETS**

Sarah Klinefelter, chairman of the Taney County Library District board went before the Commission to discuss election dates, tax referendum amounts and the recommended budget.

Ms. Klinefelter introduced herself and other board members in attendance. Official representatives from Taney Hills Library and Forsyth Community Library were also in attendance. Two documents were presented. The current plan was reviewed which included subcontracting by Ozark Technical Community College.

Board members Barbara Wehrman and Jim Babcock presented the proposed library budget.

Discussion ensued regarding the Historical Society's part in possible education through the library system, the budget options and election dates. The discretion of the levy amount was discussed.

Commissioner Houseman asked if there were comments from the public. Donna Neeley said this would be the highest county levy, with the second highest being the Health Department at 14 cents. Several local post offices were closed due to internet and email abilities and she inquired of a library study to determine the need.

Kevin Weigler asked the Commission to test and question reasons for or against a public library. He felt a library was a private issue rather than public and felt people were being forced into paying for a public library. Attorney Harry Styron responded to Mr. Weigler's comments. The citizens would be given the option to vote, but weren't forced to. Setting an election date, public versus private issue, and internet was discussed. Kevin Weigler asked about constraining costs.

Sarah Klinefelter stated the average household income for Taney County residents was 23,000. A major responsibility was to provide citizens with information. Jim Babcock said not all things in print were in electronic form.

## **HPRP REALLOCATED FUNDS**

Alan Catron CEO of Christian Associates went before the Commission to tell the Commission more funds in the amount of \$10,000 were available to be obligated by the end of May.

Commissioner Strahan moved to approve the HPRP reallocations grant. Commissioner Strafuss seconded the motion for discussion.

Discussion ensued regarding monies from the previous grant had been received and if monies were used relating to the storm. Mr. Catron said twelve families were rapidly re-housed with the majority funding coming from Christian Associates. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strafuss moved to approve advancement, once confirmation of the HPRP money was available. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**RECESS**  
**11:06 AM**

**RECONVENED**  
**11:12 AM**

Commissioner Strafuss moved to postpone to a definite time of 1 p.m. the Agenda Requests Review and the State Audit Discussion. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

### **STAFF DEPARTMENTAL UPDATE – ROAD AND BRIDGE**

Randy Haes, David Stottle, Harlan Collins and Devon Huff went before the Commission to give a Road and Bridge update. Specifications for aggregates and material compliance were discussed. Cannon Ball Loop drainage issues were discussed. It was agreed to fix the problem on the one property. Fall Creek Road drainage issue; City of Branson wants to upgrade an existing pipe to improve drainage in an area they maintain on Dalton. An issue on Shady Drive was discussed.

An advanced mechanic training was discussed. A schedule for 10 hour days was discussed.

**RECESS**  
**12:13 PM**

**RECONVENED**  
**1:13 PM**

### **STATE AUDIT DISCUSSION**

A letter received on March 27<sup>th</sup> by the state auditor was read and reviewed. A formal request letter needed to be drafted. Discussion ensued. A letter would be drafted by Commissioner Houseman for review on Thursday.

### **AGENDA REQUESTS REVIEW**

The Commission discussed Agenda Requests.

### **F/160 HIGHWAY PROPERTY**

Commissioner Strafuss said there were multiple uses for the land at Hwy F and US 160. Currently, the ambulance district wanted to build a station. Appraisal and survey was discussed. Potential property lines were discussed.

**EXECUTIVE SESSION – PERSONNEL PER SECTION 610.021 (3)**

Commissioner Strafuss moved to go into Executive Session pursuant to RSMo 610.021(3). Commissioner Strahan seconded the motion. The motion passed by roll call vote: Houseman (aye), Strahan (aye), and Strafuss (aye). Commissioner Strafuss withdrew his motion as it was not posted correctly. Commissioner Strahan withdrew his second.

Commissioner Strafuss moved to adjourn. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye) and Strafuss (aye).

**ADJOURN**  
**1:49 PM**

The minutes were taken and typed by Lyn Wieneke, Deputy Clerk.