

# OFFICIAL

SEPTEMBER 9, 2013, 18<sup>th</sup> DAY OF  
THE AUGUST ADJOURN TERM

The County Commission met in the Commission Hearing Room at 8:43 am with Ron Houseman (present), Danny Strahan (present), and Brandon Williams (present). The following proceedings were had and made a matter of record:

## PRELIMINARY STUDY MEETING

The Commission met to review the day's business.

## PUBLIC COMMENT

There were no Public Comments at this time.

## CALL TO ORDER

Commissioner Houseman called the September 9, 2013, meeting to order at 9:02 am and Auditor Rick Findley led with prayer. Commissioner Strahan led the Pledge of Allegiance.

## COMMISSION REMARKS

There were no Commission Remarks at this time.

## PAYROLL

Commissioner Strahan moved to approve Payroll. Commissioner Williams seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Williams (aye).

## MONTHLY BUDGET REPORT

Auditor Rick Findley came before the Commission to present the County's Budget Report. He stated GCR is down balance wise but not as much as expected.

## ACCOUNTS PAYABLE

Collector Sheila Wyatt came before the Commission to discuss her request for payments of legal fees to the law firm representing her in litigation regarding the distribution of Railroad & Utility taxes.

Commissioner Houseman offered the following points:

- \*There has been a lot of frustration on both sides as to payment of these bills.
- \*We are here today to pay a bill we have no desire to pay, at least from my perspective.
- \*Because there was no legal agreement in place between the law firm in question and the Commission, the Commission sought legal counsel to determine if we were even able to pay the Collector's legal bills.
- \*We have been informed that there is a sentence within the statutes creating the Technology Fund (also known as the Tax Maintenance Fund) that could be interpreted to allow the payment of these attorney's fees.
- \*Based upon County Counsel's information we believe we can move forward by recognizing and accepting the agreement between the Taney County Collector and the law firm in question and pay these invoices.

Commissioner Williams asked if the Collector had reviewed the invoice and was comfortable with the bills presented. The Collector indicated she had looked at the bill and had no choice but to accept it. Commissioner Williams said you have a choice every time you go to the grocery store and get overcharged to dispute the bill.

Commissioner Williams asked if the Collector wanted the Commission to approve the invoices for payment. The Collector answered yes.

Commissioner Williams moved to pay check #336650. Commissioner Strahan seconded the motion for discussion. The motion passed by vote: Houseman (aye), Strahan (aye), and Williams (aye).

Commissioner Houseman asked the Collector if an amendment to the original contract had been agreed to by the Collector. The Collector answered no. Commissioner Houseman asked Mrs. Wyatt to review the invoice submitted because the law firm seemingly was charging more per hour than they had contracted to pay.

Commissioner Houseman added when you combine the salaries of Commission Counsel and the County's five assistant prosecuting attorneys and add them together we are paying all of them combined less than the lead counsel from the firm Mrs. Wyatt has hired. We are paying lead counsel \$375.00 an hour. Commissioner Houseman was hopeful the agreement/contract would come to an end quickly as it was costing the taxpayers a fortune (over \$40,000.00 at this point).

The Collector noted that the reason her counsel had been paid so much money was because these issues had been drawn out by the County Commission. She had been told that the Commission had asked the superintendents to not settle the case and that they did not owe the money. Commissioner Strahan refuted the Collector's claims as did Commissioner Houseman. Commissioner Strahan noted he had only pointed out what Missouri Law clearly stated. The Collector is responsible for any computer errors and that she had openly admitted that this is what had happened. Commissioner Strahan added its easy to blame the Commission, but this is an issue that the Commission has nothing to do with.

The Collector stated that the superintendents reported in the paper that they would be taking advice regarding this issue from the Commission. Commissioner Houseman answered that the Commission invited the superintendents to the County Commission to clear up any misunderstandings that the Commission was or would be involved at all. The Commission had been advised by counsel that this was an issue regarding the Collector and the schools.

A general discussion ensued regarding the issue at hand. Commissioner Houseman asked Mrs. Wyatt to review the invoice just submitted in order that discrepancies could be corrected through future billings.

### **UNIVERSITY OF MISSOURI EXTENSION UPDATE**

Chrystal Irons came before the Commission to present the University of Missouri Extension Update. She stated the University of Missouri has given approval for a 4-H Specialist to be hired and housed here in Taney County. They are looking for volunteers to help with the VITA program.

The Commission asked Mr. Haes to work with the Maintenance Department to look at the questions for the new office space the University of Missouri Extension wants to utilize.

### **COURT ORDERS**

Cristy Smith, Deputy Clerk, came before the Commission to present court orders. Personal Property Abatements as Exhibit A dated September 9, 2013; Real Estate Abatements as Exhibit B dated September 9, 2013; and Real Estate Refund as Exhibit C dated September 9, 2013.

Commissioner Strahan moved to approve Exhibit A dated September 9, 2013, as presented (which include the following abatement numbers: #20140372 – #20140373, #20140377 – #20140378, and #20140383). Commissioner Williams seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Williams (aye).

Commissioner Williams moved to approve Exhibit B dated September 9, 2013, as presented (which include the following abatement numbers: #20140374, #20140376, #20140379 – #20140380, and #20140382). Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Williams (aye).

Commissioner Strahan moved to approve Exhibit C dated September 9, 2013, as presented (which includes the abatement number #20140384). Commissioner Williams seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Williams (aye).

### **ROAD & BRIDGE UPDATES**

Randy Haes, Harlan Collins, David Stottle, Devin Huff, and Scott Starrett came before the Commission to present a departmental update.

Transfer Station: Mr. Starrett stated their DNR Notification Deadline for the County's plans on enclosing the open doorways at the Transfer Station is September 22, 2013. The Commission directed Mr. Starrett to move forward with the letter to DNR and placement of the doors.

**RECESS**  
**10:17AM**

**RECONVENE**  
**10:25 AM**

Chip Seal: a couple more weeks and this should be winding down.

Patching: will be completed 2-3 weeks.

Striping: be done by end of September or until paint is used.

Bridge: Bridge over Bee Creek at Gunnison has been repaired and guardrail will be replaced.

Low Water Structures: There are three low water crossing that are scheduled for work they are on the following roads: Kentucky Hollow Road, Wisconsin Road, and Eagle Ridge Road.

Road & Bridge Office: Will be started soon.

Agreements: Mr. Haes is working with Frank Cottey on agreements with the surrounding counties concerning shared roads.

County Auction: Mr. Haes asked if the County was going to have an auction this fall. He was directed to see if the Sheriff's Office has enough stuff to warrant an auction.

Fall Clean-Up: The Commission set the date to be October 5, 2013. They set a limit of tires accepted during this time to 12 tires at \$1 per tire and will make a separate day and time for Southern Construction as long as they supply the manpower for the loading and unloading.

Snow Rodeo: Is scheduled for October 10, 2013, will start at 8:00 am.

### **EXECUTIVE SESSION PER SECTION 610.021 (3)**

Commissioner Williams 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 Williams (aye).

### **EXECUTIVE SESSION 10:53 AM**

See Executive Session Minutes for actions, if any.

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

### **OUT OF EXECUTIVE SESSION 11:35 AM**

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

### **ADJOURN 11:35 AM**

The minutes were taken and typed by Stacey Clemans, Deputy Clerk.