

**DECEMBER 27, 2005 THE 25<sup>TH</sup> DAY  
OF THE OCTOBER ADJOURN TERM**

The County Commission met in Associate II Circuit 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 Chuck Pennel followed by the pledge.

**CLEARWATER DRIVE**

Presiding Commissioner Pennel stated that he spoke to Greg Oller from the Corp of Engineers regarding Taney County maintaining Clearwater Drive. Pennel reported that Oller said this situation is different since the property owners have a permitted dock and that he has no problem with the county continuing to maintain Clearwater Drive.

Commissioner Pennel made a motion to take in Clearwater Drive for county maintenance down to the turnaround on Corp property. Commissioner Strahan seconded the motion.

Commissioner Herschend suggested establishing a guideline as to how far on Corp property the county is willing to service. Commissioner Strahan expressed a concern about setting limits on the Corp. Commissioner Herschend clarified that he is not suggesting limits just guidelines.

Commissioner Herschend then expressed that there might be repercussions of maintaining a road that the county does not have easements for. Bob Paulson, County Counselor explained that citizens could sue the county for maintaining a non-county road. Commissioner Herschend suggested getting an easement for the cul-de-sac just to be safe. Commissioner Pennel explained that he does not have the same concerns as Commissioner Herschend. A general discussion ensued.

The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes).

**TITLE III  
DONNA NEELEY**

Donna Neeley, County Clerk stated that she sent out the letters that the Commission requested her to send asking for invoices from entities applying for Title III Monies. Neeley further stated that she only received invoices from one entity, Protem Fire Protection District and asked if she should go ahead and publish it in the paper?

Presiding Commissioner Pennel asked whom the other applications were from? Neeley stated that Cedar Creek Fire Protection District applied and has been publicized, as they have not received any Title III funds previously to report on.

Commissioner Strahan made a motion to deny any applications that came from political subdivision that had previously received Title III funding but had not provided receipts or reports on their progress. Strahan added that the entities needed to be responsible for getting everything in on time. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Donna Neeley explained that Mark Twain School's Title III project has met all requirements of the Commission and that the Commission can make a decision upon their application. Commissioner Strahan made a motion to approve Mark Twain School's award in the amount of \$11,000 of Title III Monies. Commissioner Herschend seconded the motion.

Commissioner Pennel asked if the Commission has already approved their application? Donna Neeley reminded him that the Commission voted to hold \$11,000 of Title III Monies aside for Mark Twain School and that it has now been published in the newspaper and the 45-day comment period has been met. Commissioner Herschend asked if anyone had any complaints about the Mark Twain Title III Project? Neeley answered that no one complained.

The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Strahan asked Donna Neeley to send a letter to the other entities saying that Title III Monies will not be awarded until June 1, 2006. Donna Neeley asked if the Commission wanted her to hold the current applications or make everyone submit a new one? Commissioner Strahan stated that she could hold on to the applications that have already been submitted. Commissioner Herschend requested that Neeley put in the letter that she is holding the entity's current application unless their Title III Project plans are to change, at which point they will have to resubmit their application.

### **PRIOR MINUTES**

Commissioner Strahan made a motion to approve December 12, 14, 15, & 19 minutes. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **ACCOUNTS ALLOWED**

Commissioner Herschend made a motion to approve accounts payable warrants #92539-92652 and manual warrant #4434. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

### **HILLMAN/THISLE**

Commissioner Herschend reminded the Commission that Mr. Negly was asked to remove items he had placed to block Hillman/Thisle and that it needed to be taken care of by January 12, 2006.

### **RECESS**

Commissioner Herschend made a motion to recess the County Commission meeting and go into Board of Equalization. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **EXECUTIVE SESSION**

Commissioner Herschend made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (12). Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).