

**FEBRUARY 21, 2006 THE 14<sup>TH</sup> DAY  
OF THE JANUARY ADJOURN TERM**

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

**BACKWOODS ROAD PETITION**

Presiding Commissioner Pennel read the following road petition for Backwoods Road: in Big Creek Township, 12 registered voters, traffic count is 15 to 20 cars per day, no known easement, 14 to 15 feet width, and 2.35 miles in length. Road is in poor condition, dirt, one culvert in fair condition, 3 dwellings. Road and Bridge comments: road is rough and narrow, there are no ditches present, and the surface has ledge rock showing in several place. The road needs to be widened and ditched, with surface graded, and four to six inches of aggregate added, in addition to a turnaround constructed and a right-of-way will need to be obtained to make these improvements.

Roy Baker, Petitioner stated that he has lived on Backwoods Road since 1996 and the road extends down to Arkansas so there are more than three dwellings on the road. Baker also stated that they have a first responder for the fire department and that it is difficult to get out in bad weather. Baker also explained that the school bus attempted to back down the road and couldn't make it, so now the children must walk a mile or more to the end of the road in order to ride the bus.

Commissioner Strahan stated that Randy Haes, Road and Bridge told him that Backwoods Road would have to be completely rebuilt in order to make it decent and the proper easements would need to be required. Baker explained that all of the property owners would give the county whatever was needed. Strahan expressed that rebuilding a road is very expensive for only three dwellings and it is difficult to consider the petition without having traveled to road. Strahan added that the county would need the easements dedicated for the road or something in writing. Baker explained that he was unaware of the Commission needing something in writing or else he would have brought something. Strahan clarified that the county sometimes takes in roads off of a verbal commitment for easements but usual several people must be present to agree. Baker stated that Barton Road only has three dwellings and the county took it in as a county road.

Commissioner Herschend made a motion to deny the petition for Backwoods Road due to the cost ratio and expressed a concerned about the county taking on too many roads stating, "we are not ready to digest what we have eaten." Herschend expressed that rebuilding a road to serve two or six homes isn't the best way to spend the Road and Bridge Fund. Baker clarified that they are just asking for the road to be taken in

to the children not the whole road. Herschend stated that to his knowledge the county has never taken in a road with a 14 feet width.

Commissioner Strahan seconded the motion for now and stated that he would look at the road on a later date.

Roy Baker asked if the Commission would contact him when they drive the road. Commissioner Pennel expressed that he would like to see the petition tabled rather than denied. Pennel added that Randy Haes said four to six inches of rock is needed to get the road workable and suggested asking the property owners to do some work to the road and then bring it back to the Commission to be taken in. A general discussion ensued.

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

**GRADER BLADE BIDS  
TRESSA LUTTRELL**

Tressa Luttrell, Administrator stated that she received three bids for grader blades for the Road and Bridge Department from Van Kepple, Fabick, and Barry Tractor. Luttrell further stated that Randy Haes, Road and Bridge is recommending the Commission accept the bid from Fabick in the amount of \$11,542.00.

Commissioner Herschend made a motion to table the bids for grader blades and explained that on Sunday two mechanics and a foreman expressed concerns about one of the blades that were previously purchased. Commissioner Pennel seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**TRANSFER OF FUNDS  
TRESSA LUTTRELL**

Tressa Luttrell, Administrator stated that she has a request from the Treasurer for a monthly disbursement in the amount of \$33,104.48 from the Road and Bridge Fund to General County Revenue as per the 2006 Budget. Luttrell added this is for the salary and expenses paid from the county Road and Bridge to the Sheriff's Patrol

Commissioner Herschend made a motion to approve the transfer of funds. Commissioner Pennel seconded the motion. Commissioner Herschend requested that the Sheriff's Patrol submit to the Commission documents of time spent and tickets written sometime within the week. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**PARKING POLICY FOR AIRPORT  
TRESSA LUTTRELL**

Tressa Luttrell, Administrator presented the Commission with a parking policy that was approved by the Airport Board for them to review and give input before it is

passed on to Bob Paulson, County Counselor. Luttrell added that the airport wants to start this policy by April 1, 2006.

Commissioner Herschend asked about the rates for long term and short term guests? Luttrell explained for yearly parking it is a dollar a day so they took the average and set the monthly price at \$35.

Commissioner Pennel asked how they plan to regulate the new parking policy? Luttrell explained that the airport would use color-coded permits printed on different card stock and that dates would be checked regularly.

Commissioner Strahan expressed a concern about someone flying somewhere for an extended weekend or holiday and coming back to find that their vehicle has been towed. Luttrell explained that guest permits are good for up to two weeks. Strahan asked how they would regulate that? Bob Paulson, County Counselor stated that they would probably post a sign and have airport workers ask everyone about their vehicles before they get on the plane.

Commissioner Herschend clarified that the Commissions role is to offer input and if they are not comfortable with car being towed then something should be said. Herschend also expressed that they should charge \$250 dollars a year for parking. Luttrell stated that she would take the Commissions input back to Mark Parent.

### **BRANSON SPORTS CLUB**

Presiding Commissioner Pennel stated that he spoke with Margie Barry at the Boys and Girls Club, OACAC, and Max Lytle and none of them had a problem with the Commission supporting the Branson Sports Club. Pennel further stated that Jennifer Hewitt with the YMCA had a problem with it but the general consensus from the others was that it is up to those entities to lobby the funds and that the Commission is only showing support.

Commissioner Strahan clarified that Margie Barry felt that it isn't in the Commissions hands to decide whether the entities receive tax credits or not, that is in the Commissions hands to either show support for it or not.

Commissioner Herschend explained that if the Reeds Spring Boys and Girls Club were to fail, there is a parent organization that would receive the tax dollars. Herschend asked what would happen to the grant money if this private 501 3C fails? Commissioner Pennel added that Jennifer Hewitt expressed a problem with getting grants because the Hollister YMCA is tied to the Springfield YMCA. Pennel asked what would happen five years from now if the Branson Sports Club went a different direction? Bob Paulson, County Counselor explained that those funds would go to different places but not to the private entity. Pam Dapprich, Branson Sports Club stated that assets would go to another 501 3C.

Commissioner Herschend made a motion to approve the request from the Branson Sports Club for a support letter. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **PRIOR MINUTES**

Commissioner Herschend made a motion to approve the minutes from February 13, 14, and 15 as amended. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **ACCOUNTS ALLOWED**

Commissioner Strahan made a motion to approve accounts payable warrants # 93295-93318 and # 93320-93399 and manual warrant # 4462. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **SIGN AT THE FORSYTH METHODIST CHURCH**

Tressa Luttrell, Administrator stated that someone from the Forsyth Methodist Church is inquiring about one of their signs that has been taken down by the county. Luttrell explained that the Church has a permit from MoDot to put the sign at the location and that they are asking if the county is going to relocate their sign or will they need to go back to MoDot for another permit to put it somewhere else?

Commissioner Pennel asked if it was on MoDot property? Luttrell said it was on the right-of-way where the county was clearing. Commissioner Herschend stated that if the sign was on MoDot property then we don't have a say but if it is on county property then why is MoDot giving permission to put signs there?

Commissioner Strahan explained that the sign was in the brush where you couldn't see it and John Lavender contacted someone at the Methodist Church before the sign was removed. Strahan added that Lavender has taken the sign to the Methodist Church.

Tressa Luttrell clarified that David Arms from the Methodist Church wants to know if they can put the sign back up or does it need to go to another location. A general discussion ensued. Commissioner Pennel suggested that the Commission give them temporary permission to put it back up until further clarity as to whether it is on county property or MoDot property.

### **SNOW REMOVAL**

John Simperts, Western Fire Station # 11 complimented and thanked the Road and Bridge crews for their hard work over the weekend with removing the snow and ice. Simperts added that it made it easier for engines to respond when needed. Commissioner

Herschend asked Simperts how the roads were? Simperts stated they were a little icy after the second storm but the mixture that was dropped made them drivable.

Commissioner Strahan also complimented the Road and Bridge crew and stated that there were only a few complaints from citizens about clearing the county roads.

### **SELLING OF VEHICLES**

Rick Findley, Auditor stated that he has had two calls from people wanting to know about details on the vehicles being sold. Tressa Luttrell explained that a contract was approved last week and sent out, so as soon as they hear back they will get started.

### **EXECUTIVE SESSION**

Commissioner Herschend made a motion to go into Executive Session in regards to the Airport Contract and Branson TIF. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).