

**APRIL 24, 2006 THE 8TH DAY
OF THE APRIL ADJOURN TERM**

The County Commission met in Associate II Circuit Courtroom at 9:02 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 the led by Art Beck followed by the pledge.

**BRANSON TECHNICAL COLLEGE
JEFF IRELAND**

Jeff Ireland, Human Resource Director, updated the Commission in regards to the Branson Technical College. Ireland explained that they are planning on doing another set of Conversational Spanish classes this summer and that a number of employers have expressed interest in the course. Ireland expressed that if county employees are interested in the class to contact him. Ireland also informed the Commission on other upcoming classes to be offered this summer. Ireland further stated that a variety of things are going on at the campus and some final changes are being made.

Presiding Commissioner Pennel asked Ireland whom he is talking to besides the Commission? Ireland explained that he is trying to get involved in the community and has gone to several meetings such as the Chamber of Commerce, updating them on the college. Pennel suggested Ireland get in touch with the county's Workforce Development Board because they are wanting to see more people educated.

Commissioner Strahan stated that there is a growing demand for many languages especially since the influx of people from Hurricane Katrina. Ireland stated that they have students from many different states enrolled at the college.

Commissioner Herschend encouraged Ireland to get with the Chamber of Commerce and get the names of people on the Restaurant, Hotel/Motel, and Theater Associations, stating that those people can get information out to many people in the business community who might be interested in the program. No motions were made a no votes were taken.

SEWER DISTRICT CHANGE ORDER

Presiding Commissioner Pennel stated that the Sewer Board approved a contract with Kennedy Contractors that reduces the amount of the Table Rock Acres Project by more than \$800,000.

Commissioner Herschend stated that he would appreciate the opportunity to review the contract against documents that he has from other meetings to make sure everything has been captured.

Commissioner Pennel explained that Table Rock Acres' first contractor had some problems and that a new contractor is starting on the project. Commissioner Herschend added that things are being done outside of the easements that were created in the original construction process and now the county is going back and addressing those issues. Herschend further explained there was some question about the work being done on the project and the county felt it could be done more quickly and at less cost.

Commissioner Strahan asked if this is above and beyond bonding capacity? Commissioner Herschend explained that it is above the original bond. Commissioner Herschend expresses that the people at Kennedy Construction have been very cooperative and have moved very quickly. No motions were made and no votes were taken.

CENTURY TEL RIGHT AWAY ALONG BIRD ROAD

Commissioner Herschend stated that Century Tel approached Road and Bridge with a request for an application to run poles on the county right-of-way along Bird Road in order to install a fiber line to serve the new Branson Hills Development. Herschend added that the line would be put on the outer five feet of the forty foot road easement. Herschend clarified that the poles would be put on the present road and that Century Tel would relocate the line at their own expense if the road is to be relocated.

Commissioner Pennel explained that the county normally charges for easements. Tressa Luttrell expressed that she thinks phone companies are exempt from easement charges.

Commissioner Herschend made a motion to grant an easement, as drawn, for the phone company to run fiber optic on poles on the outer edge of the Bird Road easement. Commissioner Pennel seconded the motion and asked how many poles? Herschend stated that he thinks there would be nine poles up the side of the right-of-way and that the poles will not be in a position to be a danger to the public. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Pennel made a motion to table minutes from March 6, April 5, 6, 12, 19. Commissioner seconded the motion to table. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Herschend made a motion to approve accounts payable warrants # 94450-94558. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

RESULTS OF LAKE ACCESS CLOSING

Commissioner Strahan updated that Commission about a meeting that was held with the Missouri Department of Conservation, Corp of Engineers, Highway Patrol, and the public in regards to the lake access issue. Strahan explained that there was opposition to the access closures and they wanted to bring it to the people. Strahan added that there were several good comments and points made and that they have not made a decision yet however, decided to appoint a group of individuals to help in the decision. Strahan expressed that he is against any access closings because once they are closed it is very difficult to get them reopened. Strahan further stated that a few people were in favor of it closing but most were strongly against it.

Commissioner Herschend expressed that he is also opposed to the lake access closing and stated that the Commission should work hard to maintain open access to the lake.

Presiding Commissioner Pennel clarified that the trash and ATV misuse were the two reasons for looking to close access. Pennel added that Sheriff Jimmy Russell encourages people to report things that they have seen and file a complaint so the Sheriff can do something about it. A general discussion ensued. No motions were made and no votes were taken.

TRANSFER STATION

Commissioner Herschend stated that he sent out a press release on Friday in regards to the Transfer Station changing its hours. Herschend explained that when he took over, the Transfer Station was running 30 to 50 tons of trash a day and now it is running on average 80 tons a day and that number is expected to increase. Herschend stated that they have looked at adding equipment and staff and have concluded that being closed on Mondays has put an artificial demand on Tuesdays. Herschend explained that the Transfer Station is now going to be opened on Mondays in the hope that it will relieve some of the rush. Herschend clarified that as a result of being open on Monday's, it will now be closing earlier on Saturday at 12:45.

Art Beck asked if anybody has looked in to getting a sludge cooker? Commissioner Pennel stated that there was a mini demo on one in Branson. Pennel added that it would be a regional operation. Commissioner Herschend stated that they needed to ensure that it is truly a local and regional asset and that the city is talking about putting one next to the Cooper Creek. No motions were made a no votes were taken.

EXECUTIVE SESSION

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (1)(2)(3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan.

RECONVENE

The County Commission met in the County Commission Office at 1:45 p.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.

BUCHANAN ROAD EASEMENT

Commissioner Herschend made a motion to increase the offer for the easement for the improvement on west Buchanan Road from \$20,000 to \$25,000. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DEVELOPMENTALLY DISABLED BOARD APPOINTMENTS

Max Lytle, Executive Director DDB approached the Commission in regards to the reappointments of three sitting board members. The following letter was presented:

Dear Commissioner Pennell:

As provided for in the state statutes governing the activities of Developmental Connections, the terms of service of three members of the Taney County Board for the Developmentally Disabled expire each year. Those board members whose terms have expired this year are Tracey Barton, Clint Smith and Jack Urbec.

We advertised the availability of positions on the board, as you previously instructed us, so that other county residents may submit their names for your consideration in filling these vacancies. However, there were no responses to the advertised notice of available positions this year.

Each of the three current board members has added significantly to the operations and Clint Smith future planning of services for county residents with developmental disabilities. Two of the three, Tracey Barton and Clint Smith, currently serve as officers of the board. Their unique perspectives as parents of children with a disability and community leaders have aided us greatly during the past three years.

Each of these individuals has confirmed the desire to serve again on the Developmental Connections board of directors, and we respectfully request that you re-appoint them to another three-year term of service.

Sincerely,

Max Lytle
Executive Director

Cc: Danny Strahan, Eastern District Commissioner
Ron Herschend, Western District Commissioner

Commissioner Strahan made a motion to approve the reappointment of Tracey Barton, Clint Smith, and Jack Urbec. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

DONATION OF USED COMPUTER MONITORS

Commissioner Strahan made a motion to donate two old used computers to the OACAC Board. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).