

**MAY 22, 2006 THE 19TH DAY
OF THE APRIL ADJOURN TERM**

The County Commission met in Associate II Circuit Courtroom at 9:00 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.

**SICKLE BAR MOWER BID
TRESSA LUTTRELL**

Tressa Luttrell, Administrator stated that the sickle bar bids were sent out and that she received three bids back, two were no bids. Luttrell added that she spoke with Randy Haes, Road and Bridge and they are recommending Heritage Town and Country for five sickle bar mowers in the amount of \$61,558.00.

Commissioner Strahan asked if this is the vendor with the heavy-duty mowers? Haes responded that the company who makes the heavy-duty mowers did not submit a bid.

Commissioner Herschend made a motion to approve the bid from Heritage Town and Country for five sickle bar mowers in the amount of \$61,558.00 as recommended by staff. Commissioner Strahan seconded the motion and stated that this is an emergency situation. Strahan added that they have been working on the mowers almost as much as they use them and this has been long overdue.

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

**EXCAVATOR BID
TRESSA LUTTRELL**

Tressa Luttrell, Administrator then presented the Commission with a spreadsheet of bid prices for an excavator. Randy Haes, Road and Bridge explained that a total of six companies submitted excavator bids. Haes added that they bid their total price less the trade in of the current machine and added the buyback. Haes explained that he based his recommendation on the end result after the buyback and even though it would be a lot of money up front it would even out in the long run.

Presiding Commissioner Pennel asked if all of the equipment is close to being the same? Haes responded that they are all pretty close to being the same with a few exceptions as far as weight limitations and hydraulics. Haes added that the Road and Bridge supervisors have also recommended these machines.

Tracy Scott, Murphy Tractor John Deer vendor stated that their bid is structured with a buyback and it is a comprehensive bid where they are trying to arrive at a total operating cost. Scott further explained the one variable that was left out is the time value of money and that the interest the county would draw over a period of time would be more than enough to offset the initial cost. Murphy added that Murphy Tractor met all of the requirements to the bid specs with no exceptions.

Commissioner Herschend stated that he was also going to address the time value of money and explained that if the county takes the \$40,000 difference and puts it in the bank, then there is a real earning potential for the county. Herschend added that with the 4% difference it puts Murphy \$2500 less than Fabick and he appreciates the fact that there are no exceptions. A general discussion ensued.

Commissioner Strahan stated that he sat in on a meeting where the same information was presented and that the road and bridge workers had no particular preference, as far as brand, other than availability. Strahan added that the workers in attendance at the meeting expressed they would rather have Kat because of the excavator being available in one week's time as oppose to three to four weeks.

Commissioner Herschend made a motion to approve the John Deer 200 CLC because of the apparent \$2,000 to \$5,000 time value savings and the fact that the county is familiar with the John Deer maintenance. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (no).

BUCHANAN ROAD CLOSING

Commissioner Herschend made an announcement that the county is planning on starting the work on Buchanan Road the first of June, which will close Buchanan to through traffic for the summer. Herschend added that the county plans to have the job finished by the time school starts back in the fall.

SOLID WASTE RESOLUTION

Presiding Commissioner Pennel read the following resolutions:

A RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT EXECUTIVE BOARD

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, to appoint Chuck Pennel to represent the county of Taney on the Southwest Missouri Solid Waste Management District EXECUTIVE BOARD and to appoint Larry Rowland as the alternate to represent the county of Taney when the principal cannot.

A RESOLUTION FOR THE APPOINTMENT OF A REPRESENTATIVE TO THE SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT EXECUTIVE BOARD

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF TANEY, MISSOURI, to appoint Larry Van Gilder to represent the county of Taney on the Southwest Missouri Solid Waste

Management District EXECUTIVE BOARD and to appoint Debbie Redford as the alternate to represent the county of Taney when the principal cannot.

Commissioner Pennel then stated that these representatives have been the same for the last two years. Commissioner Herschend asked why there is a second resolution? Tressa Luttrell, Administrator clarified that one resolution is for the Executive Board and the other is for the Area Board Council.

Commissioner Herschend then asked why there are two representatives from Branson sewer? Luttrell explained that back in 2001 the Commission appointed them and it has been the same ever since. Pennel added that their by-laws have been revised and at this point Larry Van Gilder is the chairman because the current chairman did not want to serve again. Pennel further expressed that both Larry and Debbie are very active and involved and he supports the reappointment of both of them. Herschend expressed his concern about Larry Van Gilder serving on the sewer board and the potential conflict he might have working toward the betterment of Branson verses the county. A general discussion ensued.

Commissioner Pennel made a motion to appoint Larry Van Gilder and Debbie Redford as the resolution reads. Pennel then withdrew his motion and made a motion to table both resolutions until further review. Commissioner Herschend seconded the motion to table both resolutions. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

BIDS ON MASONIC LODGE BUILDING

Presiding Commissioner Pennel stated that he took the four bids on a metal building that the county is looking at to replace the Masonic lodge and asked them to revise the size. Pennel added that he has the new prices for the building and that Doug Faubion is going to see if a 90 or 100 feet building can be obtained at the site. A general discussion ensued. No motions were made and no votes were taken.

NO PARKING ORDINANCE

Presiding Commissioner Pennel stated that he has called some Commissioners from other counties in regards to the parking ordinance and explained that he is working towards a solution.

Commissioner Herschend clarified that some neighborhoods have called and expressed concerns about people parking on both sides of the streets which makes it difficult to get a fire truck or ambulance through and becomes a matter of public safety. Herschend added that the Commission should have something in the next 30 days and will hold a public hearing in regards to this issue. No motions were made and no votes were taken.

PHONE BID

Commissioner Herschend stated that there is a new price comparison in relationship to the Voice Over Internet Protocol or the regular landline that would be provided by Century Tel. Herschend explained that after looking at the last 30 to 36 months the cost difference drops to within \$1700. Herschend added that this is an apples to apples comparison and this is the total cost the county would be out for phone equipment and service. Herschend further clarified that Voice Over is the cheapest and has the better service.

Commissioner Herschend made a motion to approve the Voice Over IP solution from Century Tel. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from May 3, 5, 9. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan stated that the Commission has run into a situation in the process of moving facilities and there are questions over the percentage paid before a job is complete. Strahan added that the Commission would like to avoid this situation being stirred into something bigger. Commissioner Strahan made a motion to approve accounts payable warrants #94875-94977 and #94978. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

PROTEM PICNIC

Commissioner Strahan stated that the Protem picnic is this weekend and that one of the pavilions is completed so there will be a ribbon cutting ceremony. Commissioner Herschend added that it is a facility Taney County should be proud of.

Commissioner Pennel stated that it is also the 100-year anniversary of the Boston Center and that it is neat to see the community come together. Commissioner Strahan expressed that the small communities usually have the larger percentage of voter turnout during elections and that he appreciates the concern for what is going on in the community.

RECESS

10:02

RECONVENE

10:08

EXECUTIVE SESSION

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