

**MAY 21, 2008 THE 25<sup>TH</sup> DAY OF  
THE APRIL ADJOURN TERM**

The County Commission met in the Commission's Office at 9:00 a.m. pursuant to adjourn with all members present and the following proceedings were had and made a matter of record.

**QUEBEC ROAD  
VACATION**

Commissioner Pennel made a motion to sign the Quebec Road documents. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**JUDICIAL SIGNS**

Commissioner Herschend made a motion to purchase the "Takeform" brand of interior signs for the Judicial Facility and ask them to expedite the order. Commissioner Strahan inquired if there was a price for expediting.

Commissioner Pennel made a motion to approve a not to exceed price of \$9,467.10 for interior signs. Commissioner Strahan asked if the Commission would consider equivalent to "Takeform".

Commissioner Pennel stated that the Commission needed to ask Sharp Signs if they can get the signs quicker and do they have something that is equal. Commissioner Herschend noted that they didn't have the luxury of time.

Commissioner Herschend made a motion to award the "Takeform" to Sharp Signs and ask them to look at anyway to expedite the order. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to table PR#48 regarding the building of the monument with a cost of \$10,630. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to approve PR #47 regarding the exterior signage for a credit in the amount of \$3,577.00. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**JUDICIAL MISC.**

Commissioner Herschend made a motion to approve PR#49 which changes the duct work to allow for the placement of individual smoke detectors in the amount of

\$14,763.00. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

The Commission all expressed their frustration in that the one who drew the plans didn't catch the mistake and is blaming it on someone else.

Mr. Smith presented PR #50 which extends the fencing around the generator, the tower and the transformer in the amount of \$2,155.00 noting that the fence will be 8'. Mr. Smith went on to remind the Commission that in earlier discussions regarding the fence the Commission discussed having road & bridge do the work.

Commissioner Herschend made a motion to ask Walton Construction to schedule with Mr. Preston in regards to placing the fence. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes). Road & Bridge will place the white rock and weed bearer.

Mr. Smith presented PR #52 which would place bullet proof resistant glass in the walk up windows of the Sheriff's Office which was specified as security glass, not particularly "bullet proof" but was in the drawings as SG1 in the amount of \$3,986.00. Mr. Smith suggested only replacing the 3 bottom windows not all 6.

Commissioner Herschend asked if this was one to ask for errors and omissions. Commissioner Pennel stated that if it was specified...Commissioner Herschend noted that the county should get the cost of what is already in there back as a credit. Mr. Smith noted that in the drawings it was specified but in the specification book it wasn't.

Commissioner Herschend made a motion to table until he could contact HMN and see if they will reimburse.

Commissioner Strahan made a motion to approve PR #52 at a not to exceed cost of \$3,986.00 and to only replace the 3 bottom windows of the 6 as well as looking for reimbursement from the Architect. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

The Commission then went to the Judicial Facility site to review the driveway.

## **RECONVENE**

12:53 p.m.

## **PRIOR MINUTES**

Commissioner Strahan made a motion to approve prior Commission Minutes dated 5/2/08, 5/12/08, 5/15/08, 5/16/08 and 5/20/08 as corrected. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

## **ANIMAL CONTROL ADOPTIONS**

Commissioner Pennel informed the Commission that an individual from the Engler Block has requested Animal Control to bring an animal over that they could place in the store for adoption. Commissioner Pennel added that the Humane Society has also made such a request.

Commissioner Pennel asked if it would be ok to have animals that are ready to be shipped placed at those locations for adoption. Commissioner Strahan commented that he would want a hold harmless document from Counsel just in case the animal would happen to bite someone. Counselor Paulson noted that he would want to look at the liability if those animals are still in the county's custody.

Commissioner Pennel asked if they could come up with a plan where the animal is adopted by the locations and should they be unsuccessful in adopting the animal, they could bring it back without charge. Counselor Paulson noted that he didn't see a problem with taking the animal back for free. Commissioner Strahan commented that when they take the animal it's theirs.

Commissioner Herschend stated that he had a problem with going away from the spay/neuter program. Commissioner Pennel suggested that the individuals pay the \$65 and sign the commitment but if they are unsuccessful they bring the animal back without a fee. Commissioner Strahan asked if the animal would be spay/neutered. Commissioner Pennel noted that they wouldn't have to be.

Commissioner Pennel added that Animal Control has been to the RecPlex twice by invitation as well as Plumb Nellie Days by invitation and wanted to know if it was ok to go ahead with the request. Commissioner Herschend suggested treating the request similar to the trash cleanup, but would like for the requests to come back before the Commission to talk about. Commissioner Pennel clarified, are you saying just bring each request to the Commission. Commissioner Herschend stated yes. Commissioner Strahan noted that the employees going would need to work out their schedule so as to not create overtime.

## **ANIMAL CONTROL DONATION JAR**

Commissioner Pennel clarified the question from Monday with the information that Animal Control had a donation jar for the Humane Society at Plumb Nellie Days. Commissioner Pennel presented the jar as well as a letter from Stephanie Mundell, Office Manager for the facility which noted that the donation jar was for the Animal Control Facility and not the Humane Society.

## **STAFFING CONCERNS REGARDING BUDGET**

Commissioner Herschend stated that he was concerned that the county is going to get to September or October and not have enough funds to pay the staff of the Clerk's Office. Commissioner Herschend further requested that the County Clerk show the Commission who; where she has staffing as compared to what was budgeted and forecast through the end of the year in writing.

Clerk Neeley noted that she had just looked at the monthly budget report and that she was in line with the other departments. She noted that she had 4 part time employees and would be going to 3 part time positions. Clerk Neeley added that Stacey was leaving.

Commissioner Pennel stated he had a question in his mind when Ms. Neeley stated that she had 6-7 employees. Clerk Neeley noted the part time employees were job sharing. Ms. Luttrell asked if the part time employees were receiving benefits noting that should they reach 1,000 hours they are required to pay in 4% of their pay for CERF. Clerk Neeley stated that she thought they were already taking out the 4%.

### **FOGGY RIVER ROAD FLOOD DAMAGE**

Commissioner Pennel noted that residents on Foggy River Road had been instructed to stop any repair or remodeling until June 1<sup>st</sup>. Mr. Preston noted that there had been some miscommunication. A discussion regarding what FEMA required and what the county process was ensued.

Mr. Preston noted that FEMA representatives would be here at 3:00 to discuss the very issue. The Commission encouraged Mr. Preston to obtain something in writing that could be handed out to the citizens noting the requirements.

**RECESS**  
2:22 p.m.

Minutes taken and typed by Tressa Luttrell.