

**JULY 28, 2008 14<sup>th</sup> DAY OF  
THE JULY ADJOURNED TERM**

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

Prayer was led by Commissioner Pennel followed by the pledge.

**ACCOUNTS ALLOWED**

Commissioner Strahan made a motion to approve accounts payable warrants #304857-304889 and manual warrant #4866-4867. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**PRIOR MINUTES**

Commissioner Herschend made a motion to approve prior Commission Minutes dated 7/11/08, 7/14/08, 7/15/08, 7/16/08 and 7/17/08. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**SHADY LANE ROAD PETITION**

Commissioner Pennel commented that Shady Lane Road Petition was read into record at last weeks meeting and was tabled so that Mr. Preston, Road & Bridge Superintendent, could go view the road. Mr. Preston asked if the Commission had an opportunity to view the DVD that was taken on Shady Lane. The Commission concurred that they had.

A general discussion took place regarding where the turnaround could be placed. Commissioner Strahan made a motion to accepted Shady Lane in the county maintenance system contingent upon placing the turnaround at the section of the road where there is a Y/60° angle in the road. Mr. Preston commented the road had good ledge rock but culverts would need to be added. Commissioner Pennel hesitated to second Commissioner Strahans motion for lack of specifics on the turnaround. Motion died for lack of a second.

Commissioner Herschend made a motion to table until there was a discussion about the culverts, location of the turnaround as well as communicating this with the petitioner, which will be done by Mr. Preston. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**STONE TREE DRIVE PETITION**

Mr. Preston noted that Stone Tree Drive is the circular road that gives access to Meeks Lumber and L & J Plumbing Supply, which is located off of Buchanan Road. He

commented that the road is in great condition with curb and guttering along with a 60 foot right-of-way. Mr. Preston also noted that it is a commercial development. Commissioner Herschend commented on the policy that was in place, which is that the road has to be in place 4 years after the first house is built or 75% established.

Commissioner Pennel read Stone Tree Drive Petition into the record as follows:

Petition for Establishment Change or Relocation of Public Road located in Branson Township and described as Section 8, Township 23N, and Range 21W.

Commissioner Herschend made a motion to table until the Commission investigates whether or not it meets the 4 year guidelines. Motion died for lack of a second.

Commissioner Pennel made a motion to accept Stone Tree Drive into the County Road System as a Class II as recommended. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (no), Strahan (yes).

### **ROB DIXON, HOLLISTER CHAMBER OF COMMERCE**

Mr. Rob Dixon formally introduced himself to the Commission as the new Director of Operations with the Hollister Area Chamber of Commerce. He also noted that his current focus is to strengthen the partnership between the City of Hollister and Taney County. Mr. Dixon informed the Commission of some upcoming events:

- August 14<sup>th</sup> > Chamber Luncheon (held the 2<sup>nd</sup> Thursday of each month)
- September 27<sup>th</sup> > 10<sup>th</sup> Annual Grape and Fall Festival

The Commission noted that they appreciated the relationship with the City of Hollister and also stated that they would like to have the same type of relationship with other municipalities within the county.

Mr. Dixon commented on the progress of the Water Park development that is located at the Hollister Interchange on Highway 65 and the bulk of the current construction is located behind the ridge, so it may be difficult to see at this point.

### **BLANSIT ROAD NO PARKING SIGNS**

Mr. Steve Lane stated that several Walnut Shade residents meet last week with Sheriff Russell and Prosecutor Merrell to discuss suggestions on how to handle the Blansit Road issue. He also commented that several possible solutions were discussed, along with no parking on the road.

Mr. Lane respectfully requested to have no parking signs installed on Blansit Road. Commissioner Herschend moved to approve installing and spacing no parking

signs all along Blansit Road from the Highway 160 bridge to the county low water crossing.

A general discussion ensued about the number of signs that would need to be placed and the location of them. Motion died for lack of a second.

Counselor Paulson stated that if there needed to be no parking signs on both sides, then the Commission could make a motion to do so.

Sheriff Russell reminded the citizens of Blansit Road that if there is no parking throughout the road, property owners would also have to abide by that law. He also recommended that there be no parking signs placed on both sides of the road.

Commissioner Pennel asked Counselor Paulson if the Commission needed to make a motion because this would be covered under the No Parking Ordinance. Counselor Paulson read paragraph 4 of the No Parking Ordinance, which covers no parking signs on the street.

Mr. Preston recommends 1-2 large signs at the beginning of the road. The Commission concurred.

### **NUISANCE CASES**

Commissioner Pennel made a motion to table until the Commission reconvenes at 1:00 p.m. today. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **PARK BOARD REQUEST FOR FUNDING**

Commissioner Pennel stated that last week, Angela Leist, Park Board Secretary, approached the Commission with the idea of using \$50,000 out of the county GCR to assist the City of Forsyth to help build ball fields.

Commissioner Pennel stated that he spoke to Auditor Findley and noted that this would be a one time expense. Commissioner Pennel made a motion to approve \$50,000 to assist the City of Forsyth. Commissioner Herschend seconded the motion for discussion. A general discussion ensued about viewing a plan and exactly how the monies would be allocated to the City of Forsyth.

Commissioner Pennel amended his motion to approve \$50,000 in cash to assist the City of Forsyth. Commissioner Herschend seconded the motion. Commissioner Strahan noted that he had no problems assisting the City of Forsyth as long as plans are presented to and approved by the Commission. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **TANEYCOMO BRIDGE COST SHARING APPLICATION**

Commissioner Pennel stated there was a deadline of August 1<sup>st</sup> to have the Cost Sharing Application turned in to MoDOT, but it will be extended due to MoDOT finishing up their end of the application. He questioned whether the Commission should reaffirm their commitment to the monies. Commissioner Herschend stated that there is nothing to reaffirm until MoDOT comes back with a revised plan.

Commissioner Strahan commented that he spoke with Congresswoman Emerson's office and the bill that was introduced for the Taneycomo Bridge and the widening of Highway 160 & Coy Blvd. is still trying to be passed.

### **TANEY COUNTY AIRPORT INTERGOVERNMENTAL AGREEMENT FOR WESTERN TANEY COUNTY FIRE**

Counselor Paulson called on Chris Berndt to present the Taney County Airport Intergovernmental Agreement for Western Taney County Fire. Mr. Berndt stated that he is requesting a renewal of the agreement. He also noted that this agreement would be from August 1, 2008 to January 1, 2010.

Commissioner Strahan made a motion to approve the agreement. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **FLOOD UPDATES**

Mr. Berndt informed the Commission that on Friday, August 1<sup>st</sup>, there will be a briefing for public assistance, which will be located at the Taney County Airport.

### **PARK REPORTS**

Commissioner Strahan made a motion to table until 1:30 p.m. this afternoon. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **SHEILA WYATT**

Ms. Sheila Wyatt, County Collector, informed the Commission that she had received an order from the State Tax Commission of Missouri, which had given her permission to round to the nearest dollar.

### **COMMISSIONER HERSCHEMEND**

Commissioner Herschend made the Commission aware that he met with the Meadow Ridge Homeowners Association to discuss a road petition that has been tabled. He also noted that it would be on the agenda in the near future.

## **ROAD & BRIDGE UPDATE**

Mr. Preston updated the Commission on several issues. Calden Creek Bridge is now passable to traffic, but will only be 1 lane for most of the week. He also noted that he received several compliments from individuals and Kanakuk Kamp, which he passed onto his work crews. Mr. Preston stated that Parksley was completed today, which makes the road passable. He also explained that clean-up was going to be starting on Y Highway. Mr. Preston discussed the walking trail at Shadow Rock Park.

## **ADOPTION EVENT**

Commissioner Pennel commented on the great PetCo event where he helped Taney County Animal Control adopt out animals.

## **HOUSING SUMMIT**

Commissioner Pennel stated that the Commission will be attending the Housing Summit at the Presley's Jubilee Theater on Tuesday, July 29<sup>th</sup>, which is sponsored by the IDA.

## **IDA**

Commissioner Herschend commented that 3 members of the IDA gave a great presentation to the Commission last week. He continues to say that the Commission supports the IDA and budget for 2009.

## **RECESS 10:41 a.m.**

Minutes taken and typed by Nikki Lawrence.

## **RECONVENE 1:00 p.m.**

## **BOB PAULSON WORK SESSION**

Counselor Paulson met with the Commission to discuss upcoming legal issues as well as discussing his weekly schedule.

## **SEPTAGON WEEKLY UPDATE**

Mike Smith, Septagon Construction met with the Commission to give the weekly update on the Judicial Facility. Mr. Smith noted that APAC would be sending us a letter of intent regarding the paving at the facility as the company they receive their product from has filed bankruptcy.

John Lavender, Maintenance Supervisor noted that Mediacom would be bringing the cable into the two boxes and Herb Stuart with Stuarts Sales will be wiring the building which amounts to 40 drops. Mr. Stuart indicated that the estimated cost is \$600 - \$650 per 1,000 feet and there is about 8,000 – 10,000 feet of cable. A lift will have to be used in the pods.

Tressa Luttrell, County Administrator questioned as to if anyone could pull the wiring. Mr. Stuart stated yes. Ms. Luttrell commented that there is a threshold of \$4,500 before it has to be bid out. Mr. Stuart indicated that it would be over that limit.

Mr. Lavender noted that the tables will be going in the third week of August which prohibits the use of the lift. Commissioner Strahan made a motion to table the issue for a work session. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **JENNIFER GROVES PARK BOARD REQUEST**

Jennifer Groves representing the Taney County Park Board informed the Commission that at the time of rotation, the City of Rockaway Beach did not have their information ready and asked to be skipped. They now have their project together and would request \$5,300 for bathrooms.

Commissioner Herschend made a motion to approve said request. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Ms. Groves noted that the board was at a point where they are ready to start looking for some property and would like to form a real estate committee. Ms. Groves asked the Commission as to what roll they would like to have. Commissioner Herschend noted that he would just like to be able to critic the plan. Commissioner Pennel commented that he would need to get a clear understanding of the financials. The County Commission was ok with proceeding towards a committee but would like to have a work session with the Commission, the park board and the committee members.

### **SALVAGE OF STRIP BUILDINGS**

Commissioner Herschend informed the Commission that an employee had requested to salvage materials from the strip once everyone had moved out and wondered what the Commission felt.

After a brief discussion, Commissioner Herschend made a motion to table until Counsel could advise. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **FRANK PRESTON & TRESSA LUTTRELL WORK SESSION**

Frank Preston, Road Superintendent and Tressa Luttrell, County Administrator met with the Commission to discuss various issues.

1. Casey Road: Commissioner Pennel commented that Ron Wyatt had contacted him regarding the water coming into his house due to the construction. Mr. Preston noted that the contour of the land needed to be fixed. Mr. Preston added that there are drains; however they are not working because the water can't get to them and stated that Charlie Stiffler would be heading up the project starting Wednesday.
2. Acacia Club Road: Mr. Preston asked the Commission if they were ok with using the same type of blocks on Acacia Club that was used at Lakeshore. Commissioner Herschend inquired as to what happens when the top block gets breached. Mr. Preston noted that the only reason he was comfortable with the placement of the blocks was because Mel Aikin and Spencer Jones with Great River Engineering has stated that it would be structurally sound.

Commissioner Strahan noted that he would like to have a written engineers report regarding that fact. Commissioner Pennel concurred noting that they were the responsible engineers on the project.

3. Planning Code Book: Mr. Preston noted that Keith Crawford was finished going through the code book and is asking for the Commission's input. Ms. Luttrell asked if there was a time line. Mr. Preston stated no.
4. Vacation: Mr. Preston noted that he would like to take vacation the third week of August. Commissioner Herschend made a motion to approve said request. Commissioner Pennel 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(3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to deny the request of additional funeral leave for Kelly Laughlin as it is outside the policy. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to go out of executive session.  
Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes),  
Herschend (yes), Strahan (yes).

Minutes taken and typed by Tressa Luttrell.