

**OCTOBER 15, 2008 6th DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission Office at 9:03 a.m. pursuant to adjourn with Chuck Pennel, Presiding, and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

PAYROLL

Commissioner Pennel made a motion to approve the following payroll warrants:

General County Revenue #104997 through #105018

Road & Bridge #104970 through #104990

Assessment Fund #104991 through #104992

Transfer Station #104993 through #104995

911 Administration #104996

Accounts Payable warrants #306311 through #306328, manual warrants #4905, #4906

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Herschend entered the meeting, via telephone. Commissioner Pennel made a motion to approve accounts payable warrants #306185 – 306297 and manual warrants #4901-4902. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstained).

Commissioner Herschend left the meeting.

**BOB PAULSON
WORK SESSION**

The Commission met with Counselor Paulson to get an update on legal issues as well as his weekly schedule. Counselor Paulson gave an update on the AHC Hearing regarding the Assessment Maintenance Plan.

APPROVAL OF MINUTES

Commissioner Strahan made a motion to table the minutes. Commissioner Pennel seconded the motion. Commissioner Strahan added there were no minutes available at

this time due to the absence of Ms. Luttrell. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

SHELVING PURCHASE

Commissioner Pennel made a motion to approve the purchase of shelving for the County Clerk's office and the money should come out of the remodeling budget account. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

CONNELL INSURANCE CLAIMS REVIEW

Mr. Tim Connell presented the claims history report to the Commission. Mr. Connell expressed concerns of auto claims and would like to approach Mr. Preston to see what help he could offer; however the overall claims were low, resulting in costs that will stay the same or drop for 2009 budgeting process.

Commissioner Strahan questioned if the claims were below a certain dollar amount, should the county pass on taking the drug tests. Mr. Connell commented that individuals involved in an accident should be drug tested.

Mr. Connell noted that an intranet service could be set up with a health care program, free of charge. He also questioned the Commission on the interest of county group health insurance.

Commissioner Pennel referred to the personnel policy, specifically new hire eligibility for health insurance. Mr. Connell noted that he could offer a plan for new hires until they hit their 90 day qualifying date; however it would be at the employee(s) expense.

**RECESS
10:30 a.m.**

**RECONVENE
10:35 a.m.**

CIRCUIT CLERK OUT OF STATE TRAINING OPPORTUNITY

Ms. Brenda Neal, Circuit Clerk, informed the Commission she was invited to attend a conference in Seattle, WA, by other Circuit Clerks and by attending the conference she would gain knowledge of how to become paperless. Ms. Neal also explained that the conference was free, but the cost of air travel was approximately \$750.00 and hotel accommodations were \$158.00 per night.

Commissioner Strahan asked what the cost savings would be to implement the new process. Ms. Neal informed the Commission many of their questions would be answered by her attending. She also expressed that she felt this is the way it would be in the future.

Commissioner Pennel asked if Ms. Neal had the funds available in her budget. Ms. Neal stated she did have the funds available in her budget and wanted to inform the Commission she was attending.

The Commissioner Pennel stated the Commission appreciated her informing them and trust she would use her resources well.

RECESS
11:05 a.m.

RECONVEINE
1:00 p.m.

FRANK PRESTON
WORK SESSION

Frank Preston, Road & Bridge Administrator, met with the Commission to discuss various issues.

1. **Machine Failure:** Mr. Preston informed the Commission about a broken chip and seal machine. He noted he had researched purchasing a new one, but unfortunately there were none to speak of in the Midwest. Mr. Preston explained he will be talking to VanKeppel to inquire fixing machine versus purchasing a new one.
2. **On-Call Pay:** Mr. Preston inquired about receiving \$40.00 per week for standby “beeper” pay, specifically for after hours sewer issues for another employee that is covering for an ill person, would the individual receive “beeper” pay. He will investigate the specifics of the situation and revisit the Commission.
3. **Transfer Station:** Mr. Preston reported to the Commission that our county is the cheapest per ton, after completing an area survey. He commented that recently the county had been receiving styrofoam blocks. The Commission requested Mr. Preston to telephone Reeds Springs to inquire about their policy, in addition to contacting Berryville/Green Forest to check rates. Commissioner Pennel requested a monthly work session with the Transfer Station, possibly on site.
4. **Shorty Cooper:** Mr. Preston informed the Commission work on Shorty Cooper is on hold until the county meets with Great River Engineering.

5. Sally Port: Mr. Preston explained there was a large hole by the Sally Port that needed to be fixed and that it should be back-filled with flowable/slurry mix.
6. Table Rock Acres: Mr. Preston noted six (6) white pines had been taken out by a drainage project. Commissioner Strahan indicated he would like to wait until Commissioner Herschend returns before any decisions are made.
7. Fall Clean-up: The fall clean-up is scheduled for Saturday, October 18th.
8. No Parking Signs: Spring Meadows & Country Club Estates have no parking signs posted.
9. Blansit Road: Mr. Preston stated that a stretch of 150 – 200 feet of asphalt needs to be moved out of the creek, as it is a critical priority and that it is scheduled to be completed in the near future.
10. ROW Issue: Mr. Preston stated a property on Como Avenue, located in Mount Branson is occupied by the Hensley's are requesting the county to vacate road and they will give a turnaround, but Mr. Alvie Russell, who owns the property, has not come forward. Commissioner Strahan commented that the occupants do not have a right to grant a turnaround, it would have to be the property owner who initiates the process.
11. Fuel Savings: Mr. Preston informed the Commission of a diesel booster that would generate 8-12% fuel reduction. The Commission instructed Mr. Preston to contact the fleet operators who currently use the product and obtain an opinion.
12. Employee Training: Originally, Mr. Preston asked the Commission to send two (2) office personnel to an out of state training for Cardiograph, but would like for a representative to visit the county and training all office personnel for \$5650.00 Commissioner Pennel commented that he would like to wait until the first of the year to make any decisions on training.

RESOLUTION AUTHORIZING HANGAR LEASE PURCHASE AGREEMENT

Counselor Paulson read the resolution into record and it reads as follows:

WHEREAS, in order to facilitate the construction and equipping of certain property (the "Property"), for use by Taney County, Missouri (the "County") and to pay the cost thereof, it is necessary and desirable for the County to enter into a Lease Purchase Agreement (the "Lease") with Regions Bank (together with its successors and assigns, the "Lessor"), pursuant to which the County will lease the Property from the Lessor with an option to purchase;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Approval of the Lease. The County is hereby authorized to enter into the Lease and the Assignment of Rents and Leases (the "Assignment") between the County and the Lessor, in substantially the forms filed in the records of the County, with such changes therein as shall be approved by the officials of the County executing such document, such officials' signatures thereon being conclusive evidence of their approval thereof.

Section 2. Execution of Documents. The Presiding Commissioner, the County Clerk and other appropriate officers of the County are hereby authorized and directed to execute, attest, acknowledge, deliver and record, as appropriate, for and on behalf of and as the act and deed of the County, the Lease, the Assignment and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. Further Authority. The officers, agents and employees of the County, including the Presiding Commissioner and The County Clerk shall be, and they hereby are, authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Resolution, and to carry out, comply with and perform the duties of the County with respect to the Lease and the Assignment, to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Reimbursement of Expenditures. The County Commission hereby finds it necessary and declares its intent to finance the costs of the Property through delivery of the Lease and the Assignment. The County has made, or expects to make, expenditures in connection with the Property, and the County may reimburse itself for such expenditures with the proceeds of the tax exempt financing by, or on behalf of, the County. The maximum principal amount of the tax exempt financing expected to be issued for the Equipment is \$600,000.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

Commissioner Pennel inquired as to how much interest the county would be paying. Counselor Paulson noted that Regions Bank originally bid the interest at 4.25%, they increased to 5.4% and are now currently at 5.8%.

Commissioner Pennel made a motion to abort the lease purchase agreement and use county funds to pay for Airport Hangar Project contingent on a Non-Disturbance Agreement between the College of the Ozarks and Taney County and for the Airport revenue to reimburse the taxpayers investment, in addition to the interest the Commission deems appropriate. A general discussion ensued regarding investment returns. Commissioner Strahan seconded the motion contingent on the Non-Disturbance Agreement. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes). Commissioner Pennel commented for Counselor Paulson to communicate to Gilmore & Bell the deal is off.

DEGRAFFENREID CONTRACT

Commissioner Pennel moved to approve the Settlement Agreement for Jerry and Marian DeGraffenreid on the basis there will be no more settlements. Commissioner

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

RECESS
3:07 p.m.

Minutes taken by Jim Yust and typed by Nikki Lawrence.