

**OCTOBER 20, 2008 8th DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Hearing Room 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 Auditor Findley followed by the pledge.

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payable warrants #306298 – 306310, #306329 – 306406 and manual warrants #4907 – 4909. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Ms. Helen Soutee, County Treasurer, informed the Commission there is a new funding for processing new warrants for a fee of \$10.00.

PRIOR MINUTES

Commissioner Pennel made motion to approve prior Commission Minutes dated 9/24/2008, 9/29/2008, 10/1/2008, 10/2/2008, 10/6/2008 and 10/7/2008. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**AIRPORT HANGAR AGREEMENT
DETAILS OF THE DECISION**

Commissioner Herschend made a motion to amend the agenda and ask for Mr. Eddie Coxie and Public Comment to speak prior to his topic, as this was Counselor Paulson's recommendation due to this being a contract with Regions Bank and falls under executive session.

Commissioner Pennel stated the original decision was not acted upon in executive session and was not posted that way.

Commissioner Herschend asked what the terms of the Agreement were and what the interest rate was that was agreed upon. Commissioner Pennel recalled approving to fund the Hangar Project out of GCR instead of through the Lease Purchase Agreement contingent upon getting a Non-Disturbance Agreement between the College and the County. He also noted that there was no interest rate discussed.

Mr. Mark Parent, Airport Manager, commented that there would be funds generated back to the county due to the airport being owned by the county.

Commissioner Herschend questioned whether the Commission considered filing a lawsuit to force Regions Bank to uphold their original bid of 4.25%. Commissioner Pennel noted there was no discussion of a lawsuit. Commissioner Herschend remembers in the original motion that if the first bidder, Regions Bank, fell through, the county was to go with the second bidder and asked why it was not considered.

Commissioner Pennel recalled a lengthy discussion regarding the Lease Purchase Agreement and came to the conclusion that there would be a huge saving if county funds were used for the Hangar Project. He also noted the savings to be \$51, 872.00. Commissioner Herschend expressed concerns of the process of the decision and also commented on risks to the citizens of the county if we do not continue to operate as an airport and the \$600,000.00 structure is sold. Commissioner Herschend stated that when there is a lease purchase agreement with a third party, it's their responsibility; but when we choose to fund a project, it's our responsibility.

Commissioner Strahan commented that it was not fair to make a decision of this magnitude without Commissioner Herschend present. He also noted a decision that was made by the Commission to approve \$133,000.00 to fund the steel and that he felt like it was a forward process to get the project rolling. Commissioner Strahan commented that with the additional hangar, it would free up approximately 24,000 square feet of space for rental, which will increase the revenue to the airport.

Mr. Findley clarified that GCR owns the airport, so if money was borrowed, GCR would be making the payments, which would be mean that the county would be loaning money to itself.

RE-STRUCTURED CODE BOOK

Eddie Coxie, Planning Administrator and Mr. Keith Crawford appeared before the Commission, representing the Taney County Planning Commission, to present the Re-Structured Code Book.

Mr. Coxie noted that no new information has been added, only that the Code Book has been simplified, which made it more user-friendly. He also noted there are some additional graphs and flow charts inserted to help illustrate certain areas. Mr. Coxie welcomed suggestions or corrections before it is approve by the Commission.

Commissioner Strahan commented that if there would need to be any changes made in the future, it would be easier to make those changes. Commissioner Herschend stated that he appreciated the flow charts that have been inserted.

Commissioner Strahan recommended that in Appendix L where it refers to Road & Bridge, it should be highlighted, so individuals would know who to contact for more information.

Commissioner Herschend made a motion to approve the re-structured Code Book with the clarification that was discussed, as presented. Commissioner Strahan noted he would like to review it further details and discuss at a later date.

Mr. Preston thanked Mr. Coxie and Mr. Crawford, in addition to the entire Planning & Zoning staff for efforts they put into simplifying the Code Book. He also encouraged the Commission to schedule a work session to review the final changes.

PUBLIC COMMENT

Mr. Dave Woolery, with Missouri Department of Natural Resources, stated that there are new EPA Ozone requirements and at this time, Taney County is in non-compliance.

Department of Natural Resources would like to establish a voluntary compliance program issued and complied by the county. Mr. Woolery commented that the county could challenge the non-compliance by contacting DNR. He also expressed that by not complying, there may be consequences, i.e. reduce highway funding.

Mr. Woolery encouraged the Commission to come up with a plan and that he would help in anyway that he could.

RECESS 10:03 a.m.

Minutes were typed by Nikki Lawrence.

RECONVENE 11:00 a.m.

AKERS & ARNEY INSURANCE RENEWAL

Ms. Vicki Rice, Akers & Arney representative, stated that there was a reduction from 6% to 4%. She questioned the Commission whether or not they needed to go out for bid, as Taney County has been with Cox Health Plans for three (3) years.

Commissioner Herschend made a motion to ask our agent to go out for bid/quotes for us. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel requested for our agent to go out for a competitive bid. Commissioner Herschend added to the motion Commissioner Pennel's request.

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

Commissioner Strahan instructed Ms. Rice to hold the current renewals until other bids are received, so that the Commission can review all of them at once, including dental. Ms. Rice informed the Commission that Delta Dental has recommended that the county lower the rates.

ANIMAL CONTROL

Commissioner Strahan wanted to make the Commission aware that Joplin Humane Society will begin charging \$27.50 per animal and will not take any additional animals until a Performance Contract is signed by Taney County.

EMERGENCY EXECUTIVE SESSION

Commissioner Herschend made a motion to go into emergency executive session regarding health issues for a citizen of Taney County pursuant to RSMo 610.021.5. 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).

It should be noted that no motions were made and no votes taken.

FRANK PRESTON WORK SESSION

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

1. Blansit Road: Mr. Preston commented that his crew will be removing the asphalt and laying six (6) inches of material, since the county will be reimbursed by FEMA.

Commissioner Herschend spoke in opposition by saying that before the county spends money on the road that will only need to be fixed again; he recommended giving Great River Engineering the opportunity to report back to the Commission on what it would take to solve the problem. He also noted that the funds the county would receive from FEMA would be better used for a permanent solution.

2. Signage in Bee Creek Area: Mr. Preston is requesting to put a no turnaround sign off of North Street. This road is not a county maintained road and is not named.

He also noted that the signage is needed because there is a fence that goes across the road and from a safety standpoint, it would alert individuals turning down the road. Mr. Preston commented that Mrs. Smith, property owner at the bottom of the road, is requesting the county take out the asphalt that was laid during the sewer project.

3. Styrafoam: Mr. Preston stated the cost of disposal at Reeds Springs Transfer Station is \$80.00 per ton.

Commissioner Herschend made a motion to increase the price of Styrafoam to \$90.00 per ton effective November 1st. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

4. Table Rock Acres: Mr. Preston indicated the situation in question of destroying six (6) trees on private property is correct and Commissioner Herschend also recalls the situation.

Commissioner Strahan made a motion to replace six (6) trees with the confirmation that it is exactly what was discussed last week. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

5. Personnel Policy: Mr. Preston commented that a representative from Connell Insurance will be attending the Shop Talk meeting on Tuesday, to discuss the new Personnel Procedures Manual.
6. LAGERS: Mr. Preston noted that he was voted in to be the member delegate for the county to attend the next LAGERS meeting, which will be held in Springfield on October 24th & 25th.

Commissioner Strahan requested Mr. Preston to report back to the Commission with a detailed update as to the changes of the retirement plan for the county.

7. County-Owned Projector: Mr. Preston asked the Commission about purchasing a projector to permanently keep in the County Commission Hearing Room. He also noted that it could be used for several departments.

The Commission requested Mr. Preston to look into pricing and availability of a projector and a dedicated laptop for this purpose only.

8. Fall Clean-up: Mr. Preston noted the Fall Clean-up to be a success and that on more than one occasion, the traffic was backed up to the Taney Center. He questioned only having this event for one day as it would have been beneficial to hold it for two days.

9. Retention Ponds: Mr. Preston reported that the two retention ponds are removed cleaned up properly and the total cost to have that done was \$58,575.00, in addition to \$8,000.00 for the initial analysis and are in the process of gathering all information to put into a finalization report to submit to Department of Natural Resources. He also brought to the table the question of funding and what account this invoice should be taken out of.

Commissioner Herschend made a motion to charge this to contingency fund. The motion died for lack of being seconded, as it was changed to a suggestion for Mr. Preston.

10. FEMA Reimbursements: Mr. Preston submitted a cost recovery sheet to the Commission and it reads as follows:

Taney County experienced significant storm related damage since March 18th. Federal disasters were declared, and the county is being reimbursed for maintenance activities relating to these weather events. Following are the declared events:

FEMA DR1749	March 18 – May 9
FEMA DR1773	June 1 – July 18
FEMA DR1812	September 14 (expected to be declared)

Road & Bridge personnel spent 20,852 hours responding to these events. We used our trucks and equipment for 14,004 hours, and spend \$264,630 on materials. The county was fortunate to be able to document all of these activities using our CarteGraph software. This made reporting very easy and accurate, and the FEMA personnel was very appreciative and complimentary of our reporting capabilities. The ability to use this software allowed us to easily document tens of thousands of dollars that might not have been captured otherwise.

Two of the more significant events during the storms were the destruction of the Acacia Club and the Lakeshore bridges. The cost to repair Acacia Club was \$138, 987, and we recovered 100%. Lakeshore repair costs were \$360,297, and we recovered 95%. These numbers will be less our 15% share.

For the entirety of all the damage between March 18th and August 19th, the total amount submitted to FEMA is nearly \$1.3 Million. FEMA will reimburse us 75%, the State of Missouri will reimburse us 10%, and our share will be 15%.

11. Beeper Pay: Mr. Preston re-visited the issue of beeper pay for an individual who was ill but continues to receive stand-by pay.

Commissioner Herschend requested that Mr. Preston revert back to using a beeper and receive stand-by pay. Commissioner Strahan noted that the county should only be paying one individual at a time for being on call.

LONG SHORE DRIVE

Commissioner Herschend questioned where the decision making process was at regarding keeping this road out of the lake. Mr. Preston stated that he had spoken to Great River Engineering and it is on their list as a project, but are behind schedule.

The Commission concurred to have Mr. Preston respond to a letter that was received by Commissioner Herschend.

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 Strahan 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).

It should be noted that no motions were made and no votes taken.

RED RIBBON RECOGNITION PARTY

Commissioner Pennel and Commissioner Herschend attended the Red Ribbon Recognition Party, which was located in the Judicial Facility.

Minutes were taken by Karen Yust and typed by Nikki Lawrence.