

**OCTOBER 27, 2008 12<sup>th</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

The County Commission met in the County Commission Hearing Room at 9:01 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 Strahan followed by the pledge.

**ACCOUNTS ALLOWED**

Commissioner Strahan made a motion to approve accounts payable warrants #306407 – 306544 and manual warrant #4910. The Commission questioned a couple of the bills, noting certain ones should be placed in different budget accounts. Commissioner Strahan withdrew his motion.

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

**PRIOR MINUTES**

There are no prior minutes available for approval at this time.

**ROAD & BRIDGE  
TAX SHARING**

Larry VanGilder, City of Branson, appeared before the Commission to request monies to fund the purchase of snow removal equipment, with approval for the project now, and reimbursement after the county budget is approved.

Commissioner Strahan stated there was a letter of intent sent out, to participate in the cost sharing program. He also noted there have been no decisions which municipalities will be awarded. Commissioner Herschend commented information needs to be received by November 15<sup>th</sup> so that the decision can be worked into the budget. Commissioner Pennel noted that he had spoken to 6 out of 9 municipalities and that there would be a decision made within the next few days.

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

**HOUSEHOLD CHEMICAL  
FACILITY FUNDING**

Debbie Redford, Branson Recycle Center, appeared before the Commission to submit a request, which reads as follows:

Opened:	November 2006
Funded:	The facility itself was funded through a grant from Region M Solid Waste District. Operation of the facility has been funded from start-up until now through a grant from Solid Waste District N.
Total Cost To Date:	\$15,800
Total Residents Served To Date:	287
% Source:	Branson residents 18%
	Hollister residents 9%
	Forsyth residents 5%
	Taney County residents 68%
Requested Funding:	Branson \$2,500 21%
	Hollister \$1,500 12.5%
	Forsyth \$1,000 8.0%
	Taney County \$7,000 25.0%

Ms. Redford stated all of the funds that were received for the Branson Recycle Center have been depleted and the portion that was requested from Taney County was \$7,000 to continue helping to serve the area.

Commissioner Pennel inquired this cost and if it was an annual fee. Ms. Redford assured the Commission it was an annual fee.

Commissioner Herschend stated he had received two (2) requests from staff at the Transfer Station to have a couple of recycle bins placed on their lot. The Commission asked Ms. Redford to think about placing the recycle bins at the Transfer Station. Ms. Redford indicated the bins would be easy to set up.

Commissioner Pennel questioned if there needed to be an immediate decision made. Ms. Redford commented that as long as she knew this amount would be placed in the budget that she did not need an answer right now.

### **PROJECTOR PURCHASE**

Clerk Neeley commented on the issue of purchasing a projector had been tabled from a previous meeting and to be discussed this morning.

Commissioner Pennel made a motion to table until this afternoon's work session. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **DAM-SITE SUB DIVISION**

John Hooker, Sewer Daily Operations Manager, appeared before the Commission to convey that the Sewer Board has recommended to only go to the property line of Gerth RV. He also stated that Mr. Gerth did not want to be annexed into the City of Branson.

Commissioner Herschend noted that the Commission had previously asked the Sewer Department to obtain bids / estimates prior to making a decision and stated Mr. Hooker is seeking clarification whether to obtain a bid or an estimate.

Mr. Hooker stated to complete the large project would approximately cost \$1,032,400.000 and noted the Sewer Board was in favor of doing part of the large project, which could cost approximately \$800,000.

Commissioner Strahan commented that he was in favor of spending \$85,000 to fix the immediate problem, but is unsure about the rest and indicated that it is still under discussion.

A general discussion ensued to discuss possible annexation, cost and length of project, and bid process. Commissioner Pennel stated he would like to listen to the Sewer Board minutes before making any decisions.

Commissioner Herschend recommended that the Commission receive a detailed break down of the current options on this project. Commissioner Strahan commented that he is in favor of going out for bid and get the problem solved as soon as possible.

Commissioner Herschend made a motion to move forward on taking the ten (10) homes in and prepare documents to go out for bid with the focus on future planning for this project. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

### **COMMISSIONER HERSCHEM**

Commissioner Herschend noted problems with the lines being clogged at the new jail. He requested Sheriff Russell to meet with Mr. John Lavender, Maintenance Supervisor and give an update to the Commission.

### **PUBLIC COMMENT**

Bobby Clay commented on the flag not being displayed a couple of weeks ago and also expressed his appreciation to DAV (Disabled American Veterans) for their services.

A representative with the Forsyth Garden Club presented a 50 year commemorative donation of 6 pear trees to be placed near the Judicial Facility.

Commissioner Herschend made a motion to accept the gift of 6 trees to be placed on Hwy 160 side of the Judicial Facility and to be accompanied by a sign. Motion died for lack of being seconded.

### **EXECUTIVE SESSION**

Commissioner Pennel made a motion to go into executive session pursuant to RSMo 610.021.1. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Minutes taken and typed by Nikki Lawrence.

### **RECONVENE**

1:00 p.m.

### **BOB PAULSON WEEKLY UPDATE**

Counselor Paulson updated the Commission on legal issues specifically noting that the State Tax Commission Case would be held 11/7/08 and 11/10/08 in Jefferson City. The Justus case would have to be rescheduled as well.

### **JOHN LAVENDER MAINTENANCE UPDATE**

John Lavender, Maintenance Supervisor gave the Commission an update on various maintenance issues.

1. Courthouse Signs: Mr. Lavender noted that he was currently working on matching all the signs within the courthouse.
2. Judicial Facility security: Mr. Lavender commented that the issue of checking the doors at night is now in the hands of the Sheriff. Commissioner Herschend requested that Mr. Lavender come back to the Commission with the results. Commissioner Pennel stated that Mr. Lavender write a memo regarding his concerns and that the Commission receive a copy.

### **CENTURYTEL FCC CHANGES**

Scott Farmer and Arlie Smith, representing Centurytel met with the Commission to request that a support letter on behalf of Centurytel be sent to the Legislators on the changes to the Universal Access Fund.

### **MAC DELEGATE**

Commissioner Pennel made a motion to appoint Danny Strahan as the MAC Delegate for the 2008 conference. Commissioner Strahan made a motion to appoint Chuck Pennel as the MAC Delegate for the 2008 conference. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (abstain), Herschend (yes), Strahan (yes).

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

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

1. Workers Compensation: Mr. Preston informed the Commission that a representative from Connell Insurors would be making a presentation on accident follow-up procedures to the supervisors.
2. Projector: Mr. Preston discussed the purchase of a projector for the Commission Hearing Room to be used by all departments. Commissioner Herschend made a motion to spend no more than \$4,000 on a portable computer and projector. Motion died. Commissioner Pennel asked that Gary Morgan, IS Administrator bring the Commission a proposal.

### **ACCOUNTS PAYABLE**

Commissioner Herschend made a motion to approve an emergency warrant #4911 for \$10,000 to Ozark Mailing Services. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

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

3. Employment Application: Mr. Preston requested that the County have one standard application for employment as the process could eliminate someone for a lack of information. Commissioner Strahan made a motion to standardize the application. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).
4. Hampton Road 160-20: Mr. Preston presented the Commission with an easement from Richard A. Pinaire (Gertraid A. Smith property). Commissioner Strahan made a motion to approve said site easement. Commissioner Herschend seconded

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

5. Sick Leave Abuse: Mr. Preston presented a report to the Commission noting that there is apparent sick leave abuse. Mr. Preston asked if the Commission was ok with a doctor's appointment being a whole day. Commissioner Strahan noted that he was ok as it puts a burden on the supervisors trying to get jobs done with employees coming in at different times. Commissioner Pennel suggested asking the crew leaders.

Mr. Preston pointed out that Jack Cole had only used 16 hours this year and Dalton hasn't used anything. Commissioner Herschend made a motion to give Jack Cole 16 hours and Dalton 24 hours off or paid for because of their dedication. Motion died. Ms. Luttrell noted that there are other departments out there that has the same issues. Commissioner Herschend noted that they have Elected Officials and that is their decision to make.

The Commission agreed that a doctors receipt should be required.

6. Salt Supply: Commissioner Strahan made a motion to increase the salt supply by as much as 50% with an agreement with the Branson Underground for storage. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **ACCOUNTS PAYABLE**

Commissioner Herschend made a motion to approve accounts payable warrants #306407 through #306544, manual warrant #4910. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **FLAGPOLE PRAYER**

Commissioner Pennel requested that should there be bad weather on November 3<sup>rd</sup>, that the County open the Courthouse to allow citizens to have a prayer meeting prior to election day. Commissioner Herschend made said motion. Commissioner Pennel seconded the motion. After a brief discussion, Commissioner Herschend made a motion to table. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **RECESS**

4:27 p.m.