

**NOVEMBER 3, 2008 16<sup>th</sup> 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 Pennel made a motion to approve accounts payable warrants #306551-#306656 and manual warrants #4914-#4916. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**PRIOR MINUTES**

Commissioner Strahan made a motion to approve prior Commission Minutes dated 9/23/08, 10/20/08 and 10/21/08. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**2009 LEGISLATIVE PRIORITIES**

Commissioner Pennel stated he had attended a Legislative Partnership Meeting to discuss 2009 Legislative Priorities and the topics were as follows:

Tourism	Environment
Education	Local Control
Economic Development	Community
Transportation	Appropriations

Commissioner Pennel made a motion to approve the 2009 Legislative Priorities. Commissioner Herschend seconded the motion for discussion.

Commissioner Herschend expressed concerns of “increasing the amount of tax credits given by the Missouri Film Commission”, noting that it may indicate the county supporting a specific organization.

Motion died for lack of being seconded.

Commissioner Herschend made a motion to table to obtain clarification until next Monday’s meeting. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (no), Herschend (yes), Strahan (yes).

**DAM-SITE SEWER**

Commissioner Herschend informed the Commission the Dam-Site Sewer issue has been resolved during a meeting that was held last Thursday. He also noted that it was decided to move forward to champion the no annexation and to install a collector line for the ten (10) homes by using a low pressure pump station, 2 inch line underneath the road and an 8 inch bore.

Commissioner Herschend discussed the cost of the plan in the amount of \$85,000.00, but commented that there still needs to be an agreement drafted with the City of Branson.

### **CRISIS CENTER FUNDING**

Helen Soutee, County Treasurer, informed the Commission of an annual request, according to RSMo 455, for the Hiding Place Ministries and Women's Crisis Center, Domestic Violence Shelters in Taney County, to apply for the funds available within the county.

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

### **COMMISSIONER STRAHAN**

Commissioner Strahan informed the Commission that Missouri Department of Conservation announced there is discussion about charging fees for deer permits for all property owners, which will affect up to 75,000 farmers/property owners; however this was not a permanent solution, but would welcome public comment for the next 30 days.

Commissioner Strahan asked the Commission to respond to this by sending a support letter to voice concerns and discontent to the Department of Conservation. Commissioner Pennel suggested for a representative to come down and hold a public meeting.

### **STATE TAX COMMISSION LAWSUIT**

Counselor Paulson stated that the State Tax Commission case will be heard in Jefferson City, Missouri on Friday, November 7<sup>th</sup> and Monday, November 10<sup>th</sup>. Assessor Strahan noted his appreciation for the efforts of Counselor during this lawsuit.

### **EMERGENCY MANAGEMENT UPDATE**

Chris Berndt, Emergency Management Director, updated the Commission on a fuel spill located on Mt. Branson Drive and noted the Department of Natural Resources investigated and found that there was no hazards to the public.

## **COMMISSIONER PENNEL**

Commissioner Pennel stated that Bob Dixon, Recorder of Deeds, mentioned the amount of funding that goes towards Emergency Management for the county.

Mr. Berndt noted there are two (2) contracts between Taney County and the Western Fire District for the service of dispatch, which is routed through the Sheriff's Department, and being employed as the Fire Chief for the county.

Commission encouraged Mr. Berndt to approach his board and suggest them to send a letter to FEMA asking to be compensated for the time Mr. Berndt spent on county disasters.

## **RECESS**

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

Minutes were taken and typed by Nikki Lawrence.

## **RECONVENE**

1:04 p.m.

The County Commission reconvened in the Commission Office with all members present.

## **BOB PAULSON WORK SESSION**

Counselor Paulson met with the Commission to discuss legal issues as well as go over his weekly schedule. Counselor Paulson noted that other than going to the Sewer District Meeting he would be only working on the STC case that goes to trial on Friday.

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

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

1. Pleasant View: Commissioner Strahan noted that he had received a phone call regarding the fence issue. Commissioner Pennel commented that his opinion is that if one has to move their fence they all do unless they are grandfathered in.

Commissioner Herschend made a motion to require the fence to be moved and if rebuilt that it is off the county right-of-way. Commissioner Pennel seconded the motion. Commissioner Herschend asked if the county was going to require this of everyone. Commissioner Strahan noted that it would be any new fences. Commissioner Pennel asked what the county will do if someone comes in noting that we paid for this property to be surveyed, but not theirs. Commissioner Herschend pointed out that this was done because of a dispute between property owners. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

2. Transportation Board: Commissioner Strahan noted that he would like to see the Commission appoint another member to the Transportation Board, someone that would help get the meetings started and pointed out that he would recommend Buddy Roberts who currently sits on the SMACOG Transportation Board. Commissioner Herschend commented that he wasn't sure if the county had the bull by the horns. Commissioner Strahan added that there needs to be priorities set and to get organized.
3. Casey Road: Ms. Luttrell inquired as to the final payment to Herion Construction noting that she thought the final meeting had already been held. Mr. Preston noted that he has been unable to get the parties together for a final review and that a meeting would be held this week.
4. Cable TV: Ms. Luttrell presented a bill to the Commission for a year's payment of Dish Network from the recent changes to the Sheriff/Jail area. Ms. Luttrell added that the Sheriff had sent this bill down stating that he thought the Commission was going to take care of the first one.

Commissioner Herschend noted that the Commission was going to take care of the installation charges but that the actual cable charges would be the Sheriff's responsibility.

5. Joplin Humane Society: Ms. Luttrell presented the Commission with the proposed contract for the Joplin Humane Society. Commissioner Pennel suggested taking a look at all the municipalities' contracts before making a decision.
6. Journal Entries: Ms. Luttrell again presented journal entries for approval. Commissioner Strahan made a motion to approve the following journal entries:
  - Sheriff Department - \$1,511.60
  - Jail - \$2,460.63
  - Sewer Overlay - \$123,755.01
  - Shorty Cooper Road - \$1,704.40
  - Jailsite Fiber Optics - \$1,863.36
  - Transfer Station - \$1,059.00
  - Coon Creek - \$327.00

- Jailsite/Shorty Cooper Road - \$9,489.44
- Transfer Station/Repair - \$1,158.62
- Sewer - \$428.00
- Transfer Station - \$748.50
- Sewer Dirt/Rock work various areas - \$7,890.07

All being work performed by the Sheriff's Department and Road & Bridge that need to be reimbursed back to their budget. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

7. Fence issue: The Commission agreed that Mr. Preston should write a press release regarding right of way issues to inform the public of procedures.
8. Acacia Club Washout: Mr. Preston presented the Commission with pictures of an area on Acacia Club where debris was washed up keeping a landowner from being able to get to their boat dock. Commissioner Strahan suggested calling Tablerock Asphalt for the "Gravel Gertie" but commented that this was an act of God not a county problem.

Commissioner Herschend added that if this is in the lake, does the Commission have control of the lake? Commissioner Strahan made a motion to table the issue and get more information. Mr. Preston commented that he had contacted both the Department of Conservation and the Corps of Engineers and got the run-around. They stated that they didn't have any jurisdiction on Taneycomo. Commissioner Strahan suggested contacting Jon Hiser. Commissioner Pennel asked if this problem came about because of the bridge wash out.

Mr. Preston commented that this area is upstream from where the bridge washed out and commented that he had taken Randy Haes, Road Coordinator out there and he was really surprised to see that much material there. This large amount of material is clearly in the way of getting a boat into the dock.

Commissioner Strahan made a motion to get more corrected information from the Corps of Engineers. Motion died for a lack of a second.

9. Chip Seal Machine Repair: Mr. Preston indicated that he had received a quote for getting the machine repaired by VanKeppel. After a brief discussion, Commissioner Herschend made a motion to strike any pricing quotes out of the minutes so that there is not an unfair advantage for bidders. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).
10. Personnel Policy: Mr. Preston stated that Lynette Weatherford, Ms. Luttrell and he had worked on different areas of the recently approved personnel areas and do have a few changes.

- Outside Work: It was felt that the county has the right to know when individuals have outside employment and would like to put some language in the policy to protect the county.
- Uniforms: As soon as the uniform shirts were issued to employees, some immediately cut the sleeves off which now means we can not re-issue those to anyone. It was felt that stronger language needed to be addressed.

Commissioner Strahan commented that those employees who intentionally violate the policy should have a 1-3 day mandatory suspension.

**RECESS**

4:08 p.m.