



# Christian County Commission

100 West Church St, Room 100  
Ozark, MO 65721

January Term

<http://ChristianCountyMO.iqm2.com>

~ Minutes ~

Thursday, April 2, 2015

8:50 AM

The Christian County Courthouse

## I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter

Attendee Name	Title	Status	Arrived
Ray Weter	Presiding Commissioner	Present	
Bill Barnett	Western Commissioner	Present	
Sue Ann Childers	Eastern Commissioner	Present	
Cheryl Mitchell	Assistant	Present	
Julia Maples	Administrative Assisstant	Present	
Norma Ryan	Chief Deputy County Clerk	Present	

## II. Agenda

### **Motion/Vote - 8:50 AM Christian County Commission**

Discussion - Approve Agenda

The meeting was attended by Commission Secretary Cheryl Mitchell, James Sutton, Steve Brown, and Richard Teague and Highway Administrator Miranda Beadles.

The Commission met to approve the agenda for Thursday, April 2, 2015.

Commissioner Weter entertained a motion to approve the agenda.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

### **Motion/Vote - 8:55 AM Kay Brown-County Clerk**

Minutes & Financials Approval - Approve Minutes & Financials

The meeting was attended by Commission Secretary Cheryl Mitchell, James Sutton, Steve Brown, Richard Teague and Highway Administrator Miranda Beadles.

The Commission met to approve any minutes or financials.

Commissioner Weter entertained a motion to approve the minutes for March 26, 2015. On Monday March 30, 2015 the Public Building Corporation minutes are attached to the minutes but the commission is only approving the Commission minutes.

Under financials Richard Teague received a call that the 500 hp. engines were burning up the allison transmissions in the Dump truck that they are purchasing and the Company needs to substitute to a smaller motor. They will reduce the price \$1327 minimum. Richard said that is still a hundred horsepower more motor than the other

bids. There may be some additional savings if we accept. Sue Ann said if it doesn't interfere with the other bids. Miranda said that wasn't the only factor in choosing the Tri State bid.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 8:57 AM**

- Motion to approve financials.

Commissioner Weter entertained a motion to amend the decision on the Volvo Dump truck for C1 Road Department reducing the size of the engine for a savings of at least \$1327.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 8:56 AM**

- Motion to approve minutes

Commissioner Weter entertained a motion to approve the minutes for Monday, March 30, 2015 not including the Public Building Corporation minutes attached.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:00 AM Steve Brown-Great River Associates**

Discussion - Stonehollow-Pavement Award & Contract Documents

The meeting was attended by Commission Secretary Julia Maples, Richard Teague, Highway Administrator Miranda Beadles, Lacey Hart, and two Stonehollow residents.

The Commission met with Steve Brown, and James Sutton Great River Associates to award the pavement and contract documents for Stonehollow. They went over the pre cert documents and they have the documents ready to sign for Blevins Asphalt.

Commissioner Weter entertained a motion to approve the documents and sign the contract for Blevins Asphalt. The amount of the contract is \$103,426.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:17 AM      Kenny Coates-Building Maintenance Supervisor**

Bid Opening - Bid Opening-Compressor for Judicial Facility

The meeting was attended by Commission Secretary Cheryl Mitchell, Highway Administrator Miranda Beadles and C1 Supervisor Richard Teague.

The Commission met with Building Maintenance Supervisor Kenny Coates to open bids for the Compressor for the Judicial Facility. They received one bid from Knight Heating. Kenny said on the main air conditioner on the justice building they have one compressor that won't run, it is stuck. It is a 10 ton. The other compressor is losing freon. The system has 8 compressors. The system will be down while they are installing the 2 compressors. The bid is for one 10 ton and one 15 ton and crank case heaters for a total of \$13,338.78. Commissioner Weter asked what fund it would come from. Kenny said that comes from Lacey.

After doing due diligence, Knight Heating is the only respondent.

Commissioner Weter entertained a motion to accept the bid from Knight Heating. .

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:30 AM      Kay Brown-County Clerk**

Discussion - Board of Equalization-2015 Statutes Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Highway Administrator Miranda Beadles, and C1 Supervisor Richard Teague.

The Commission met to discuss the Board of Equalization 2015 Statutes with County Clerk Kay Brown. Now that we are a first class county the surveyor and the citizens that serve on the board of equalization may receive compensation according to RsMo 138.020. Kay just wanted to bring it to the commission attention. The BOE will start July 6-31. If the Commission wants to pay them, it is up to them to make the decision. Sue Ann asked how many members there are on the board. Kay named them. Ray asked about the surveyor being an elected official until his term ends. Ray said it is not uncommon where it is permitted by statute for board members to receive compensation. It is his opinion they should agree on the amount of money they should be compensated. Kay said she thinks it is \$25.00 that they get in Greene County. Sue Ann asked how that worked with the meetings. Ray agreed that \$25.00 is better than nothing.

Commissioner Weter entertained a motion that the BOE members receive \$25 for each day that they attend and participate in a BOE hearing. Kay asked about the county surveyor. Ray said he was speaking inclusively.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 10:00 AM Spencer Jones-Great River Associates & Miranda Beadles-Highway Engineer**

Bid Opening - Bid Opening-Green Bridge & Lassley Bridge

The meeting was attended by Commission Secretary Julia Maples and C1 supervisor Richard Teague, Robert Palmer, Judy Dollarhite, Joe Warren, Larry and Joe Burk, Ryan Warren and Chris Childress. Chuck Branch arrived late.

The Commission met with Spencer Jones, Great River Associates and Highway Administrator Miranda Beadles to open bids for Green Bridge and Lassley Bridge. They received 3 bids. Commissioner Weter introduced the audience. Miranda said Lassley is a timber plank and serves a Cemetery and one property. The bridge is considered functionally obsolete. They have asked to bid for concrete to replace the timber. Spencer said the bid form is set up to bid both projects.

R&J Warren Construction: Green Bridge \$23,899.60, Lassley Bridge \$21,390.00 Total \$45,289.60

C&C Bridge : Green Bridge \$40,360.00 Lassley Bridge \$38,280.00 Total \$78,640.00

Burk Bridge: Green Bridge \$ 48,178.00 Lassley Bridge \$50,822.00 Total \$99,000.00

Chris Childress asked what the estimates were. Miranda said they were \$34,000 and \$20,000 respectively.

The bids will be looked at by the Highway Administrator and the decision will be made Monday, April 6, at 2:00 pm.

Commissioner Weter entertained a motion to make the decision on Monday, April 6, 2015.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 10:30 AM Christian County Commission**

Discussion - Courthouse Housekeeping Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Judy Dollarhite, Robert Palmer, Chuck Branch, Karen Matthews, Kelly Hall, Ted Nichols, Danny Gray,

Lacey Hart, Steve Stewart, Springfield Blueprint, Amelia Wigton, Patrick Kempen and Terri Goodall.

The Commission met to discuss Courthouse Housekeeping. Ray said this is a broad term regarding records of various departments in parts of the building. There is equipment on the third floor and he wants to discuss what can stay and what can go and where can we put it. It will require the cooperation of the officeholders. One thing possible is what can be scanned, what needs hard copy, what can be destroyed. There are some vendors attending, they are Chuck McCann and Lisa Meek with Springfield Blueprint. Ray asked if it is possible for individuals who have things stored in the old jails upstairs to scan, shred, locate offsite. Ted said he has some stuff on shelves and some has to stay as hard copies unless something has changed in the last year or two. Ray asked if they have to be kept here. Ted said he is sure they can be moved. Ray asked him to find out what can be done. Kelly has all of her stuff in her office. Barb Stillings has taken a lot of her stuff out of Kelly's office and that has given her room to store her things in her office. Karen has six boxes downstairs in the basement. A lot of the treasurers are doing a lot of scanning and she wouldn't mind to do that. Karen said there is stuff when Buff Lamb was Sheriff and some old equipment and old stuff that can be gotten rid of in the basement. Ray said maybe it can go to the historical society. Terri said they don't have anything outside of their walls. She could scan some files. Her issue is an old copy machine, two desks and filing cabinet that she doesn't use. What does she do with that? Sue Ann said you have to go to the computer recycle in Springfield. Cheryl said they got a lot of that stuff together and took it all at once last time. Ray said if we don't need it get rid of it. Karen asked about selling the file cabinets for cash. The Auditor has a file in the Coroner office file cabinet. Ray asked if it could be scanned. She said she doesn't think they take up much space. Karen said that Auditors file cabinet can be moved to her office she is in now. Ray said if it can be scanned, it ought to be scanned. Ray asked Danny if he had anything. He said they have 3 cells full and they have started reducing that down. They only have to keep two years. Danny said if they would help pay to renovate the vault in his office he could get most of his stuff in that area. The real problem is 39 boxes of prc cards. He just doesn't have room for storage on a temporary basis. Karen asked if that could be stored offsite. Danny said he could get most of his stuff in the vault if he had a little help. Ray asked Chuck his thoughts. Where they can help is to get them caught up. After that where to store, what to scan, file, keep toss, putting some standards in place. He would say going forward putting into place a system. Ray said what he would envision is not to have those boxes and boxes of stuff up there. Someone is going to have to work department by department to see what can be gotten rid of and what has to be kept. Julia had copies of storage buildings. Ted said he has a storage building and he will move his stuff up there. The portable storage containers are an option to lease and put stuff in. Karen said it is a fire hazard. Steve Stewart said the task force members have been tasked with getting more space. The people need to see we are better utilizing the spaces. We may need to see some shuffling around of the offices. Store stuff offsite. Kelly said there is a lot of space in the basement. Robert has questions about the voting machines that are stored in the mezzanine area. That looks like a junk storage place. Norma explained they need to be

climate controlled and are only out there now because the Clerk is getting ready for an election and has had training. Ray said the security is critical. All that goes in the room when the training is over. Ted asked if we got the jail cells empty what is the plan to use them. Ray said he doesn't have plans to use them. Kelly asked if you are planning on taking the files out. Bill said that it is embarrassing and is a fire hazard. Ray asked what would happen if the fire marshall came in. They don't know what will happen when the files are cleaned out. Patrick Kempen said until they know what they have available they won't have a decision. Sue Ann asked about a date or plan for people to do things with what is upstairs or meet up individual. Judy said most of Barbies stuff is stored in Branson. Could Kay's machines be stored in the jails. Patrick said climate controlled rooms are very inexpensive. Ray said they need to figure out what can go and what needs to stay. Judy would like to suggest if the Commissioners pull the statute and see what they can keep and what can go. Ted said what he has is permanent. Danny said it sounds like we are shifting things from one room to another. Now we are talking about shifting. Ray is thinking about fire safety. Judy said storage space is much cheaper than building another judicial facility. Karen said the Prosecutor has gone paper less so that office is almost empty. Ray said we don't have an inventory about what belongs to who. Steve said issue each officeholder a color sticker and have them tag what needs to be kept, scanned etc. Ray said we need to identify what is there and who owns it and identify what to do with it. He is looking for how to get there. Terri will make sure her stuff is gone within a couple of weeks. Ted said he will work with Matt and they will move his to storage. Danny needs help with shelving and moving stuff in his area. That leaves the clerk and the circuit clerk and the prosecutor. Sue Ann said what if each department gets with Springfield Blueprint. Karen said you need to see what all needs to be scanned but you need to give a deadline. Ray said we need to find out if the Clerk and Prosecutor and Circuit Clerk can offer a solution. Ray asked Springfield Blueprint to consult with each officeholder and get started there. Ray will let the officeholders know that we want their participation to identify what can go, stay, shred. Sue Ann asked if we can figure out what we can shred by May 1. The cases or hardware or equipment will have to be moved. The item will be discussed again next Thursday.

**Motion/Vote - 11:35 AM Bryan Gillman-Jail**

Discussion - Commissary Account Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Lacey Hart, Robert Palmer, Judy Dollarhite, Karen Matthews, Amelia Wigton, Rich Lewis, Casey Smith, Steve Stewart and Patrick Kempen. Sheriff Kyle arrived at 11:48.

The Commission met with Captain Bryan Gillman and Daniel Wells regarding the Commissary Account discussion. Bryan said the county gets reimbursed from Immigration and US Marshall's a certain amount. They get \$62.40 per day. When the jail pays for the items out of the indigent items the commissary account doesn't get reimbursed from the county. Indigent items are paid for by the commissary account. When the Immigration and Marshall pay the amount, the commissary doesn't get reimbursed. They are depleting the account. Bill asked if we make any money. Bryan said yes and they use those funds to purchase clothing and stuff for the inmates. Ray

said you are saying we owe you money for those funds. Does every detainee draw from these funds? Does the dollar amount vary. Bryan said it stays pretty consistent. Ray said how do we know. Bryan said he has a list. Karen said the treasurer doesn't hold the money from the commissary account. If the money is included in the money from the US Marshall, the treasurer would need to issue a check to the commissary account. Karen asked how they know how to pay. Where did you get your original money to fund the account. Bryan said the revenue they generate from the inmates buying from the commissary. Lacey said they should have two commissary accounts according to the external auditor. She said if we are going to start reimbursing we will need a better accounting. Ray asked if the expectation that the county owes the commissary comes from what fund. Karen said they don't have control of the account. Ray said he has it for a year but shouldn't we do this on a monthly basis. What about 2014, and further. Bryan said they are not going back that far. Lacey asked if the spreadsheet is it at cost or what the inmates get charged. Lacey would contend if we are reimbursing it should be at the actual cost. Sheriff said that is not what they pay. Lacey asked if they have a certain amount. Ray asked what the procedure for billing the county is. Bryan said every month they will submit the paperwork. Karen asked what the cost is. Bryan said \$27,000 is the cost for last year. It is based on the number of inmates. Ray asked what we budgeted for that. Joey said he doesn't know. Lacey asked what is done with the profit. Joey said it goes to the commissary fund. It is used to the benefit of the inmate. Ray said we are guilty of not reimbursing but we didn't get billed for it. Joey said it is kind of a wash but the pot sticker is the money needs to go back to the commissary account. To put it into general revenue is a violation to statute. Karen said you will take \$27000 a year out of Cole. Rich said the two accounts that have to be in commissary. The first must have a zero balance if they release everyone. The money they make on chips etc is what goes into the indigent one. The money that they are spending supplementing commissary is being depleted. They are at a position now to track it. Joey said you need to also consider whatever can be done to benefit the inmates can be spent out of commissary. Ray said this is a wide open situation. Showerheads can be bought. Joey said the money shouldn't have been put in Cole in the first place. Ray said if we are to change this the money would have to come out of Cole until we get this procedurally done. Ray said if you are going to bill us on a monthly basis it will have to continue to come out of Cole. Sue Ann asked what they do in other counties? Rich said the contract if paid out directly to the sheriff department or when the check hits, the jail bills and gets their cut or the sheriff gets the check takes their cut and reimburses. Ray said the most direct way is for the money to come in to Cole and if we know what we owe we would write a check to commissary account. Joey agrees they will provide a figure and get the check reimbursed. Lacey said since this would be removed from the Cole budget have you came up with plans to reduce Cole to offset.

Ray asked what about the arrears. Joey said they are looking at administrative violations of the past and we fix it and move on from here. Ray said we will have to get the County Counselor involved. Karen said the county can document the places where the prisoners have been taken care of. If you correct it there won't be any repercussions. Ray asked how we will handle that on the budget end. Joey said lets crunch the numbers and

adopt the procedure and work and find out. Ray said the Auditor and the Treasurer will need to get their heads together and come back with a solution. The commission tasks the auditor and treasurer to make this happen and come back with a policy. Lacey wants to see the statutes. Karen said if Bryan presents with a bill for the month before they can have a revenue line. Joey said they have identified the problem and they have begun the resolution to be compliant with the law. Commissioner Weter entertained a motion for the commission to task the auditor and the treasurer with constructing a fix and creating a procedure to carry it out.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 2:00 PM Christian County Commission**

Discussion - Courthouse Security Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Karen Matthews, Amelia Wigton, Kelly Hall, Barbie Stillings and Lacey Hart.

The Commission met to discuss Courthouse Security. The question was raised about when the Farmers Market is in session there is no facility for the public to use for restrooms. The farmers market asked about porta potties. It was suggested that gates be put up and isolate the bathrooms from the rest of the building and let market customers use the county rest rooms. That begs the question are the south doors going to be unlocked and who is responsible for locking up for the night. Grainger appears to have the most substantial and sturdy security gate. Their price is \$1472.90-\$1999.67 for 9 1/2 feet tall. Ray is interested in input whether this is a good thing. Karen said she thinks it would be a good thing. Bill said he thinks if we do this the farmers market should make sure the door is locked when it is over. We are opening the door for mischief. Kelly asked if the market signs an agreement. Bill said they have to show insurance. Kelly said make them responsible. Kelly said to change the lock on the door. Karen said Katherine Dowdy would be the most likely one to lock the door. The commission is not going to do porta potties. Ray will approach Katherine about incorporating the language of being responsible for locking the door and checking the bathrooms occasionally. Cheryl will check about changing the lock. If Katherine is not open to this they will not go any further. Bill said whoever is responsible for the other farmers market will be responsible for that day. It is still our liability and we will check with county counsel. Ray entertained a motion to approach Katherine Dowdy.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 2:30 PM Christian County Commission**



Discussion - Requisition and Discretionary Funds Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Ted Nichols, Amelia Wigton, Kelly Hall, Kay Brown, Lacey Hart, Karen Matthews and Barbie Stillings..

The Commission met with County Counselor John Housely and Sheriff Kyle regarding requisition and discretionary funds. Ray said the discussion is the requisition to the county for a retainer of an attorney for the Sheriff in the amount of \$5000.00 RsMo 57.104.1 allows the Sheriff to employ an attorney and set compensation to be paid out of general revenue fund. Ray said we need to discuss the counties responsibility to pay a retainer if there is no current action. The question today is are we paying this or not. Sue Ann asked what the attorney is going to be used for. The Sheriff said he doesn't know if he can disclose that. Sue Ann said there are no charges so he is as innocent so if I pay an attorney a fee to be available what do you want them to do. Joey said this is an open session and he is reluctant to talk about anything he may not be permitted to do so. Sue asked if he is the target of an investigation. The attorney said that is their job to find that out. Joey said he is going to rely on the statute. John Housely said the Sheriff can hire provided the county provides the compensation. The statute points out why the sheriff can hire them. Sue Ann asked how he chose the attorney. When you google them the first thing that comes up is criminal. Sue Ann wants to wait until he is charged because she doesn't want to imply that she thinks he needs a lawyer. Ray said he is not sure that there is an allocation for legal fees. Joey said the allocation is the salary budget. Joey has an opinion from Richard Aubuchan that you can't deny him access to the attorney of his choice. Sue Ann said they are not doing that. Joey said there is no precedence. He is taking this on face value. He would rather get in front that play catch up. Sue Ann said if Criminal charges are brought up against you are you going to use the same attorney. Joey doesn't want to discuss this in open forum. Joey said there has to be a preparation in court. Bill said when you pay them and don't use them do you still have to pay that. Those fees will be used against any work that is done. The retainer fee is going to be gone and we won't get it back. Bill said if it was him he wouldn't want to wait until the charges are made. Joey said attorney's have specialties. Joey said he would rather be in front of it. Bill asked them what they would do. Ray said he would be getting his ducks in a row. Sue Ann said she would find her attorney but wouldn't pass out any money. John said usually they want money up front. Ray said the first part of to Advise him or her of the discharge of their duties but the second part that says to represent him or her in court. Sue Ann said you are talking personal and your duties as sheriff are not personal. Joey set the precedence by paying Crites last fall to represent him. The statute has been recently been adopted to cover all sheriffs. Karen asked what fund he is talking about. It says within the budget allocation that is given to them. Ray said does it come out of general revenue or does it come out of Cole. It is his opinion that it come out of Cole. Ray doesn't think they will be able to make a decision today. Bill asked how long are they going to put him off. Joey said he asks if they aren't going to fund it to take it out of his revolving fund. Karen said can't you stop him from taking it out of Conceal and Carry. Ray said we will decide by Monday what fund to take the \$5000 out of. Joey said Lacey push back about these funding numbers is causing

confusing issues in his office. Karen said on his discretionary funds he can only spend what they have.

**III. Adjournment**

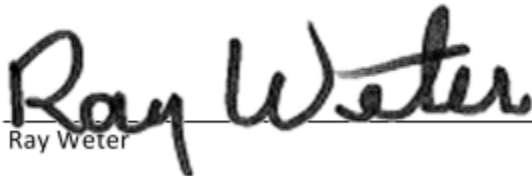
The meeting was closed at 3:12 PM  
The Commission is adjourned until Monday, April 6, 2015

**Motion/Vote - 3:12 PM**

- Motion

Commissioner Weter entertained a motion to adjourn.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers



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Ray Weter

Presiding Commissioner, Ray Weter



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Bill Barnett

Western Commissioner, Bill Barnett



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Sue Ann Childers

Eastern Commissioner, Sue Ann Childers