



# Christian County Commission

100 West Church St, Room 100  
Ozark, MO 65721

<http://ChristianCountyMO.iqm2.com>

July Term

~ Minutes ~

Monday, August 3, 2015

8:25 AM

The Christian County Courthouse

## I. Convene

The meeting was called to order at 8:25 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	Late	
Julia Maples	Administrative Assisstant	Present	
Norma Ryan	Chief Deputy County Clerk	Present	

## II. Agenda

### **Motion/Vote - 8:20 AM Kay Brown-Clerk of the County Commission**

Discussion - Approve the Agenda

The meeting was attended by Commission Secretary Julia Maples, and Highway Engineer Miranda Beadles.

The time errors on the agenda have been corrected.

Commissioner Weter entertained a motion to approve the corrected agenda for Monday, August 3, 2015.

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

### **Motion/Vote - 8:25 AM Kay Brown-Clerk of the County Commission**

Minutes & Financials Approval - Approve Minutes & Financials

The meeting was attended by Commission Secretary Julia Maples, and Highway Engineer Miranda Beadles.

Commissioner Weter said they are still waiting on the Board of Equalization to approve the BOE minutes. There are no other minutes or financials to approve.

### **Motion/Vote - 9:00 AM Miranda Beadles-Christian County Highway Administrator**

Discussion - 2Nd Quarter Road Sales Tax Distribution Discussion

The meeting was attended by Commission Secretary Julia Maples, Jason Stutesmun, Highlandville Mayor Clint Ellingsworth, Hal Johnson, C2 Supervisor Brent Young and Community Publisher reporter Amber Duran.

Commissioner Weter turned the meeting over to Highway Engineer Miranda Beadles.

Miranda said we will be distributing 25% this quarter. She provided a distribution list. The second quarter distribution total is \$254,480.63. The County has not received the IGA from Selmore Special Road District. The County is holding their funding amount. The reserve fund is at \$297,500.99+ \$5,723.00. We will not distribute Selmore until we get the IGA.

Commissioner Weter entertained a motion to approve the second quarter Sales Tax Distribution.

<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 - 9:33 AM     Beth Scaller-Area Engineer with MoDOT**

Discussion - Monthly Update with MoDOT

The meeting was attended by Commission Secretary Cheryl Mitchell, Highway Engineer Miranda Beadles, Hal Johnson, Jason Stutesmun, C2 Supervisor Brent Young and James Bolin.

The Commission postponed this meeting due to Beth Schaller inability to attend.

**Motion/Vote - 10:00 AM     Todd Wiesehan-Planning & Development Administrator**

Hearing - Hearing-Kissee/Smith 3200 N. Hwy NN Ozark

The meeting was attended by Commission Secretary Cheryl Mitchell, Hal Johnson, James Bolin, Evan Deshong, Ron Kissee and Highway Engineer Miranda Beadles.

The Commission met with Todd Wiesehan regarding rezoning of property on 3200 N. Highway NN. The property is owned by Kissee/Smith. They are wanting to rezone to C-1. The Christian County Future Land Use identifies this area as commercial. It could be utilized for commercial use and still be compatible to the neighborhood. Is it appropriate. The land maps indicate that is a possibility if the commission sees fit. The P & D recommended to approve. It is on a primary arterial. They will require dedication of sufficient right of way. It falls within the Ozark Special Road district. The driveway will be off Riverside and no access will be granted on NN. Commissioner Weter said he sees the elements of C-1 are not to create any noise, odor, or substantial traffic increase. Is there an increase in traffic? Todd said there won't be a major amount of traffic. There are some limitations of site. Commissioner Weter asked if there was opposition at the regular meeting. Todd said there were some questions but they were answered. James Bolin was there representing Mr. Smith and asked if he could present a letter from Mr. Smith. He wrote a letter asking to establish his business here as well as in Nixa. The

business is call RAVE. Commissioner Weter asked for a copy of the letter to include in the minutes.

Commissioner Weter entertained a motion to approve the rezoning of property at 3200 N. Hwy NN, Ozark, Mo. From R1 to C1.

<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      Miranda Beadles-Christian County Highway Administrator**

Discussion - Update on Road Projects

The meeting was attended by Commission Secretary Cheryl Mitchell, Community Publisher reporter Amber Duran, C2 Supervisor Brent Young and Jason Stutesmun.

The Commission met with Highway Engineer Miranda Beadles regarding a update on road projects. Miranda said this is a department update. What she wants to get set before the budgets are due is how she wants the department to work next year. C1 has a variety of issues from roads, equipment and just enough of each to maintain what we have but not to make improvements. What she doesn't want to do is follow on the same path. It is a lot for that department to handle. She doesn't want to replace the people, she wants to move the department forward. She wants to present an option to create an entire Christian County road department. This would bring the department together as a whole. They would create a central office. It would include herself, a county road supervisor and a purchaser. C1 and C2 wouldn't have supervisors at each location just a lead person at each one. The county supervisor would spend time at each location. They will be able to help each other out more. They can combine and be more efficient and more productive. They would use the same staff and maybe bring in general labor. It would be people familiar with the county and the roads. It is a creation of a central office. Her choice would be Brent Young for the Supervisor and Jason Stutesmun would be the purchaser. Brent would split his time between C1 and C2. Jason would do the purchasing, tech, and administration. The option would be to replace anyone that doesn't want to move this way. As a first class county it is similar to what Greene County has now. Ray asked about the practicality of this. If C1 and C2 still split the money how would you manage the salary. Miranda said the salary of Brent and Jason would be split 50/50. We need to have something that flooding, plowing, tornadoes would be shared. They don't want that to overshadow staffing. The general day to day maintenance will be up to C1 and C2 to take care of. Ray asked about a roller shared between C1 and C2. Brent said it would be similar to the roller and other equipment. Miranda said they both could use it and it would be a 50/50 split. We wouldn't do it for all equipment like a grader, etc. Ray asked about the central office with 3 people in it. Bill asked where it would be. Miranda said they thought about the coroner's office. She hasn't thought about that except to see if the commission is interested in it. She doesn't want to hold the road department back except on logistics. It is a matter of leadership

and quality of work. C1 is struggling to keep up with what the county needs with road maintenance. They need constant good leadership. They need to have confidence. Miranda is here and doesn't split her time between the two. Commissioner Barnett asked about having two people on the east side. Miranda said no it would be Brent only and a supervisor for them to go to. They would still be doing the current work they do they would just be the person that is splitting their time. Everything administrative will be done by Brent for both sides. Bill asked if they are keeping Richard Teague on. Miranda said that is up to Richard. Bill suggested talking to Richard in private. Bill said you are going to have someone watching over the crews. Miranda said not only are they the road foreman but they are taking the administrative side. Bill asked her what her job was. Miranda said her job will be the same just a little easier. Sue Ann asked if Jason would be mapping C1. Miranda said she did that for the FEMA because they didn't have enough time. It has become very visible that C2 is bouncing back better than C1. It is just because of the condition of the roads before the floods. Bill asked how this will make it better. Miranda said there will be more structure and better maintaining. A new budget will allow for improvement and maintenance. She wants to set up something for the road departments to trust. Bill said we are not going to make a decision today. He wants to talk to Richard. Miranda said this is just for discussion, she doesn't want to do the same thing knowing there is a problem. Ray said he can understand the desire to improve not only the work on the east side, the relations on the east side, there are things that should be discussed in closed session. There is a state of flux that is going to change and he can understand what she is trying to do to improve performance and interpersonal relationships but it is really something we need to sleep on. Ray isn't telling her not to try to work that out when budget time rolls around. He would urge her to continue. This subject should be on the agenda regularly for the month of August and she can keep them up to date on her progress. Miranda said this is just a discussion and they have given her something to think about and plan. The point of the meeting was just to get a feel. Ray would like for Miranda to keep the issue in front of us. Sue Ann said a job description is needed for C1 and C2 so they can understand the details. Sue Ann is interested in hearing how it would work. Bill said he doesn't know if anyone would want to step up. Miranda said they have at least one person. It helps knowing they wouldn't have that exact supervisor position. With the new layout there would be three people above them. Bill said Greene County is not Christian County. They have money to burn. Bill doesn't think Brent would want to do this. He hasn't wanted to go to C1 and help before. Sue Ann said what she is hearing is the responsibility will be divided up and won't be so stressful. Jason said it will get rid of the C1 and C2 split. Miranda said what decisions she makes will be based on what is best for the county and not what happened in the past. Miranda said they will put some details together and see if it will benefit the county. Amber asked when are the budgets due? Miranda said Lacey wants them September 1 and they are due the 10th. Ray asked if this would be a quality performance improvement? Miranda said it would be a start. This tackles the leadership and morale. Rays said we will revisit this regularly as we progress.

**Motion/Vote - 3:05 PM**

**John Housley-Attorney for Christian County**

Discussion - CLOSED SESSION-Per 610.021 (Subsection 1) Attorney/Client Meeting  
The meeting was attended by Commission Secretary Julia Maples.

Commissioner Weter entertained a motion to enter into closed session pursuant to 610.021 subsection 1.

<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 - 3:52 PM**

- Motion to come out of closed session

Commissioner Weter entertained a motion to come out of closed session.

<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 -**

- Motion to authorize County Counsel

As a result of the closed session, Commissioner Weter entertained a motion to authorize County Counsel to hire outside Counsel to represent the County in a potential class action law suit.

<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 - 3:55 PM     Dwight McNeil-Sheriff**

Discussion - CODY Renewal

The meeting was attended by Commission Secretary Cheryl Mitchell, Steve Haefling, Lacey Hart, Hal Johnson, Hannah Smith, Headliner News and County Counsel John Housley.

The Commission met with Sheriff Dwight McNeil regarding the Cody renewal. Dwight said this system is the software system for the whole sheriff department. Sheriff Kyle had intended to pay the bill out of the CCW fund. The auditor felt it wasn't lawful to pay out of that. Dwight has no recommendation where the money needs to come to pay this. He would recommend the county pay out of the COLE fund so the county doesn't get shut down for non payment. The Commission and Auditor need to decide the correct avenue to pay the bill. Sue Ann asked if we are accruing interest. Sheriff McNeil said we are not and that \$23,484.36 is the amount of the bill. Ray said it makes sense to pay out of COLE and reconcile in the month of August when we review our budget. Lacey said all she asked for was the account number. Sue Ann said he is leaving that up

to her. Lacey said she would take it out of repairs and maintenance or take it out of software. Ray said we have plenty of money it is just a line item. Ray wants to take it out of repairs and maintenance. The decision is to take it out of repairs and maintenance and pay the bill.

**Motion/Vote - 4:03 PM      Dwight McNeil-Sheriff**

Discussion - Clerical Raises in Sheriffs Department

The meeting was attended by Commission Secretary Cheryl Mitchell, Steve Haefling, Lacey Hart, Hal Johnson, Hannah Smith, Headliner News and County Counsel John Housley.

Sheriff Dwight McNeil met with the Commission regarding the raises in the sheriff department. Lacey gave a printout to the Commission, Sheriff McNeil and County Counselor John Housley with the financial statement and the entire year of activity of salaries that have come out of Cole. The annual budget is 2.4 million for the sheriff department. Sheriff McNeil said the consultant salaries were to be paid out of general revenue. Lacey said she put the consulting fees in Cole. Dwight said he was never present where it was discussed paying anything out of Cole for consultants. Is there sufficient money for fees for clerical people? The second issue has bearing on the request for salary changes not being signed. He is clear on the opinion letter that Housley sent stating there are funds available in the overall budget for the increases to take place. Clearly those funds are available. The total is approximately \$5000 for the rest of the year. He has also requested of charging one of the salaries for the CCW secretary to the CCW fund to offset \$24,000 in the Cole fund. We are asking to move the line item from Cole to CCW to accommodate the clerical employees.

Lacey asked does she include savings in the sheriff salary. She is looking at being over budget for salaries. Sue Ann asked if the over budget was because of people getting changes before. The \$10,000 over in June would be the payout for accrued comp and vacation time when someone leaves. Sue Ann asked when we review the budget in August are you going to move the salary to CCW. Lacey said as far as reviewing and moving this to CCW there are issues. Ray said it is his impression there is money in CCW to do a little of both. The \$10,000 that we are over, won't that be relieved if we start paying the CCW clerk out of CCW? Ray said it seems to him the entire annual sheriff budget is \$2.4 million and we are at this point \$10,000 over what we projected to spend. That is a pretty small amount. Ray said these are things we adjust for when we do the amended budget. Sue Ann asked if we amend the budget are you going to move any of that to CCW. Lacey wants to track the time of the clerk. Sue Ann said whatever you track isn't realistic from what Joey was doing and what Dwight does now. Sue Ann asked how long are you going to track? Lacey said two weeks. She needs to track her time during a typical month. Sue Ann said the sheriff can do within the budget whatever he wants. Ray said someone needs to tell him why it doesn't make sense to relieve the overage by redirecting the CCW clerks money to come out of the CCW fund. She said that would be part of the amending the budget. Until we do that it is premature and you will be looking at other expenses that they don't want to do. John Housley asked to

make a couple of comments starting with his letter. In January the letter was to let the commission know they could pay whatever they want. His position is on this issue if the sheriff wants to grant a mid term pay increase, the question is does he has that authority and he doesn't need permission as long as the auditor will say there is money available. If there is it is a done deal. Dwight said the projected cost would have been \$6,000 that was a month ago now it is \$5,000. His premise is we have CCW money generated and we have a clerk who salary equals a minimum of \$25,000. How those adjustments are made is academic. The only question is to help the commission determine if he has the authority to do the raises and transfer the clerk to CCW and make the budget adjustments later. Bill thinks the clerk should be changed to CCW and she won't have time to do anything else. John said if this secretary is transferred to be the CCW clerk and if he chooses to pay her that is the way it is. The sheriff has the authority to spend money to do that. If that the way it is then that is fine. Lacey said we don't have any salary line item in the CCW at this time. Ray said the way he does the math there is a way to put money in the Cole account. One thing that might effect the account is the 1/4 sales tax that will be budgeted into law enforcement. You will have no more bond retirement costs and you have more sales tax so somewhere in there the problem is solved if you pay the CCW clerk. You haven't spent all your Cole money. That is before you get any budget adjustments. John says if there is money in Cole he can do the raises. Just because he is a little over at this time doesn't mean he doesn't have money. There is money in this Cole account. He has the authority to do this. Dwight said he has submitted the paper work and it has been held up. He does know we have money in the CCW to cover the raises 5 times over. He would ask that the raises be signed off on and the raises be given in this payroll. Ray asked Lacey if we do this now and transfer the clerk's salary at the appropriate time to the CCW, don't you feel like that will offset the raises. Ray asked Lacey if she was going to sign off on this request? Sue Ann said we signed off on the Prosecutor and Clerk's offices. Ray asked John who has the trump card, the Sheriff or the Auditor? John said the answer is the Sheriff has the authority to raise the pay because it would be within the limits. There is still money in that account today to pay this. We will not pay to the penny what is budgeted. We have the given of moving the salary out of Cole to CCW. For today the money is there in that account to increase the people and the Sheriff has the right and the Auditor has to sign there is money in that account and the Commission notified. Dwight said the question is what is legal. At this point he doesn't want to compel someone to do what they should do. This doesn't need to be this complicated and a Circuit judge would see it the same way. Lacey asked the County Counsel to clarify. John read the statute to her. He said he thinks he can set the compensation within those limits. This little bit here at this point and time in reading the plain language would be within the statute. Lacey said if that is the legal opinion you have, she will sign off. Ray stated that this situation had previously come up and every office holder had a way of offsetting that. Sheriff McNeil has proposed a way to offset it. Lacey said it is based on what the budget officer recommends and what the Commission decides. John said the Sheriff has proposed a fail safe here. The commission is not doing this as a carte blanche to every office. Each office needs to have a way to reconcile it to their budget. The minutes will reflect the auditor is against it.

### III. Adjournment

The meeting was closed at 4:55 PM

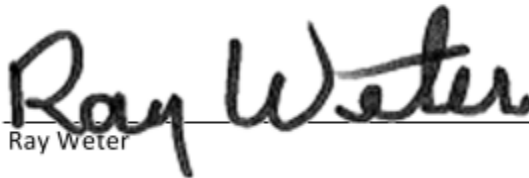
The meeting is adjourned until Thursday, August 6, 2015

#### **Motion/Vote - 4:55 PM**

- Motion to adjourn

Commissioner Weter entertained a motion to adjourn.

<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



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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