



# Christian County Commission

100 West Church St, Room 100  
Ozark, MO 65721

<http://ChristianCountyMO.iqm2.com>

July Term

~ Minutes ~

Thursday, September 24, 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	8:50 AM
Bill Barnett	Western Commissioner	Present	8:50 AM
Sue Ann Childers	Eastern Commissioner	Present	8:50 AM
Mary Argiso	Deputy Clerk	Present	8:50 AM
Cheryl Mitchell	Assistant	Present	8:50 AM

## II. Agenda

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

Discussion - Approve Agenda

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso.

The Commission Met to approve today's agenda Thursday, September 24, 2015.

Presiding 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, County Benefits/Deputy Clerk Mary Argiso.

The Commission met to approve the minutes and financials.

Presiding Commissioner Weter entertained a motion to approve Court Order # 09-24-15-01 in the amount of \$133,472.92 to pay the entities as listed.

Roads: \*Common 1 \$39601.41, \*Common 2 \$37,359.07, \*Billings Special 13,747.71, \*Garrison Special \$3,190.00, \*Ozark Special \$13,707.67, \*Selmore Special \$3,657.16, \*South Sparta Special \$1,481.55 and \*Stonshire Special \$707.41.

Total Roads = \$113,451.98

Total Bridge = \$20,020.94

<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 -**

- Motion to Approve Closed Session Minutes

Presiding Commissioner Weter entertained a motion to approve the closed session minutes for August 28, 2015.

<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 -**

- Motion to Approve 8-31-15 Minutes

Presiding Commissioner Weter entertained a motion to approve the regular session minutes for August 31, 2015.

<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 -**

- Motion to Approve 9-14-15 Minutes

Presiding Commissioner Weter entertained a motion to approve the regular session minutes for September 14, 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 -**

- Motion to Approve 9-17-15 Minutes

Presiding Commissioner Weter entertained a motion to approve the regular session minutes for September 17, 2015.

<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 -**

- Motion to Approve 9-21-15 Minutes

Presiding Commissioner Weter entertained a motion to approve the regular session minutes for September 21, 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 - 9:00 AM Brad Cole-Sheriff**

Bid Opening - Bid Opening-Excess Vehicles

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso, Sheriff Cole,

The Commission met with Sheriff Cole to discuss Bid opening regarding excess vehicles.

Sheriff stated there were no bids for the purchase of the vehicles.

Sheriff made two suggestions, 1. Auto auction in Springfield 2. Online option thru Public Surplus.com

Sheriff noted these are surplus vehicles and have been out of operations for 3 to 6 months.

Commissioner Weter asked the sheriff, "what is your best solution", Sheriff Cole said, "probably the auction, due to the conditions of the vehicles". Commissioner Weter said, if we go with online option what will need to be done? "Sheriff", we will have to process pictures and follow up on email responses. However, the auction takes care of the title work, etc., and is less work for the departments time to process. Commissioner Barnett asked, "how many cars do you have to get rid of?" Sheriff stated there are three vehicles.

Commissioner Weter asked the Sheriff if there was any interest in refurbishing of the vehicles. Sheriff Cole said there was no interest .

Commissioner Weter entertained a motion to approve the auction option regarding these vehicles.

<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 - 9:15 AM Christian County Commission**

Discussion - Water Softener Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso, County Maintenance Kenny Coates and Sheriff Cole.

The Commission met with Mr. Coates to discuss the water softener system. Mr. Coates brought in a pipe sample with the corrosion build up. Commissioner Weter asked do you have any water softener estimates? Mr. Coates said we did meet with Mr. Draper not too long ago who presented a water softener system. Mr. Coates said it can cost approximately \$20,000.00.

Commissioner Weter asked "would the current water heater be turned off and could we use the existing heater in case the on demand system fails?" Mr. Coates said yes, and the heater could be reactivated instantly. The water softener system will be linked with the kitchen as well, and those on demand heaters can feed upstairs and the kitchen. Sheriff Cole noted the on demand is a good option. Mr. Coates stated we can look at a replacement cost of \$25,000.00 for the current heater alone. With the water softener over all it will require less maintenance and save money. Also the replacement is less costly.

Mr. Coates said the water softener will help a lot. Commissioner Weter said Mr. Draper did invest his time however, we still need to put this out for bids making sure we have a fair process. We will need to get the funds from capitol improvement for the county maintenance improvement. Mr. Coates said according to our Auditor Lacey Hart the Budget is \$200,000.00 for the year. Commissioner Weter said we will need to meet with the Auditor and decide how this will be paid.

Commissioner Weter entertained a motion to proceed with the RFQ'S and allow the bid candidates to meet on site for evaluation so they can submit a Bid. Also we need to publish an invite for the RFQ for the design and installation of the water softener for a large governmental building.

Mr. Coates noted the cost will go down in the sheriff departments regarding maintenance due to the mineral built up in the pipes. He stated that several thousand dollars is spent just for parts alone. Commissioner Weter entertained a motion to publish RFQ requests for design, equipment, installation for 1. A water softener 2. A water softener & on demand water heaters. Both options of adequate design for a large government building.

<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 - 9:45 AM      Katie House-Juvenile Officer**

Discussion - Therapy Dog Update

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso, Juvenile Officer Katie House, Terri Goodall Juvenile Office Supervisor and Amelia Wigton with the Headliner newspaper.

Ms. House presented Stormy a 5 month old half Bassett & half Jack Russell canine to the Commissioners. Stormy has received her first certificate for Home manners, and when she is a year old she will have completed her training and will receive her certification as

a Therapy Dog. She currently helps in the juvenile probation office. The dog's presence lowers anxiety levels and calms fears. Her duties will then be expanded to the Sheriff's Children Victims Witness department to help calm child victims. She will eventually be used throughout the County.

The Commissioners thanked Ms. House. Meeting was concluded.

**Motion/Vote - 10:05 AM Jeff White-Barkers, Phillips & Jackson**

Presentation - Insurance Presentation

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso, Mr. Jeff White with Barkers, Phillips & Jackson, Payroll Clerk Paula Brumfield, Highway Engineer Miranda Beadles, Deputy Chief Norma Ryan, Chris Corkran with National Ins Partners, Auditor Lacey Hart and Counselor Housley.

The Commission met with Mr. White regarding an Insurance presentation.

Mr. White began a presentation stating he represents a variety of providers such as Cox, Aetna, etc.. Today Show Me Benefit will be presented. Mr. White presented a savings proposal. He noted the renewal cap is 15% for the County based on the current plan. Looking into 2016 BPJ can offer 3 or 4 plan designs are all Cox driven plans and also provide value added services such as; \*ACA tracking system with low cost form creation. \*Third party Cobra administration. \*Benefits administration system. \*One touch termination for all products. \*Online enrollment for employees. \*Compliance document creation. \*Professional one on one benefit enrollment specialist.

Mr. Corkran introduced a Lifestyle Health Plan. The Plan features; \*Fully funded ERISA plan designs through their health carrier partnerships. \*Integrated, personalized wellness program at no additional cost. \*Up to a \$500.00 deductible credit by completing an annual online health risk assessment and biometric lab testing to earn credits which are accrued in increments. \*Unique match program for wellness incentives. \*National & regional PPO provider networks. \*Dental, Vision, Life, Disability & Work site benefit options.

He noted their health wrap network is covered through 1st Health network, it is an in network coverage. Note: Coventry & Aetna is owned by Health Wrap network.

The Commissioners thanked the gentlemen and the meeting was concluded.

**Motion/Vote - 11:00 AM Miranda Beadles-Highway Administrator**

Discussion - Stonehollow Roadway Improvements Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, County Benefits/Deputy Clerk Mary Argiso, Highway Engineer Miranda Beadles, Counselor Housley, Mr. Carl Yates, Auditor Lacey Hart, Ms. Tracey Wagner, Ms. Lisa Kean, Ms. Darcy Pohlmann, Ms. Carla Hatch, Mr. Tom Howard, Mr. John Beyer, Ms. Ethel Beyer, Ms. Judy Howard, Ms. Rebecca Ziehr, Mr. J. Ziehr and Ms. Harding.

The Commission met with Ms. Beadles to discuss the Stone Hollow Roadway Improvements.

Ms. Beadles began by presenting a letter sent to Great River and the County from Blevins Asphalt regarding the 2015 Chips & Seal work on Stone Hollow Subdivision. In the letter is listed 3 offers made by Blevins to correct their job performance that was not done in accordance to the contract. Options offered are as listed:

1. Extend the warranty from 1 year to 2 years on the center of the road 2' wide, after a two foot overlay.
2. With the chip seal being placed this year, we believe this would cause the oil to bleed and we do not want this to happen. What we would like to do is let this project set until June 1st of next year and then look at what needs to be done.
3. If the request is that a full width single coat chip seal 22' wide is applied on the road this year it will void the 1 year warranty on this project.

Commissioner Weter asked Commissioner Barnett if the oil would be bleed thru. Commissioner Barnett said it could. Ms. Beadles stated "I recommend not to add anything before the weather changes." Commissioner Weter asked the audience if the public get the Blevins letter. They did not, however once we knew about a letter we requested a copy from Great River and we received no response. Commissioner Weter provided copies for the audience. Counselor Housley said we could accept the road as is till next June, however, regarding interest, whether they complete the job now and get bonded or wait till next June and get bonded, we would have to pay the interest on the bond rate either way. Mr. Yates said he agrees with Mr. Housley. Counselor Housley said "you do have a window to pay quickly within 30 days to avoid any interest." A Citizen said, "the interest is there either way, however, if the project is not completed, will the interest rate change next year when its finally completed?" Mr. Yates said we cannot give a locked interest rate. Ms. Beadles said the options offered by Blevins are not our only three options, the County can make a counter offer. A Citizen said we don't want to go through this again with Blevins going back & forth with options. Commissioner Weter said "if we get into an argument with Blevins are we in position to assess interest on the performance bond?" Counselor Housley said, "no we can't on the interest. Blevins did propose to wait as noted in option 2, but in my opinion the performance bond is enforceable, and we can give them more time to perform the job. The performance bond sets a concern since they can rebut, therefore, this may not be the time to do this." Ms. Beadles stated there is concern if a plow damages the road more it can be an issue on who does the repair. Commissioner Weter asked, "does the road meet our specifications?" Ms. Beadles said it does, but Blevins did not perform the job as contracted. Ms. Beadles noted the final inspection has not yet been conducted. Commissioner Childers suggested we need to make a punch list before winter. Ms. Beadles agrees and said every three months is recommended. A Citizen noted the matter about water pools in the center of the road, and about the gravel issue. A Citizen said the contract awarded states clearly what we wanted, and they are now saying what

they want, which has changed the job performance, which actually doesn't meet MoDots specifications. Ms. Beadles suggested to go with the original contract, and ask for an additional year warranty and state specific words regarding the job's completion so there are no loop holes. A Citizen said there may be a problem in that we can get sued by other asphalt companies, and we should require Blevins to abide by the contract. Commissioner Weter suggested to have them complete the job as contracted, and deduct any extra cost from their final payment. Ms. Beadles said that the double coat is still under the management of Blevins, and no one else can do any repairs that Blevins would be held liable. Commissioner Weter said we need to think about what they might do. A Citizen said Blevins is dragging this out so they can get out of this matter. Commissioner Weter asked Mr. Yates if construction is extended beyond the end of this year, is there a possibility Ozark bank may not extend the bond? Mr. Yates said we can request it from the Ozark bank. Mr. Housley said he thinks the bank is willing to do an extension, however, if interest rates change, they may not. Ms. Beadles said if you want what the contract calls for, it is best to wait till next year. Ms. Hart said if we decide to settle the job a year from now we should get another loan or ask the bank to extend the loan now. Mr. Yates said we can ask the bank to extend. A Citizen noted, liquidated damages are \$500.00 a day. Mr. Housley said that's a legal contractual issue, so if our engineer says to complete the project next year, then we can get into the performance litigation next year. A Citizen suggested that we present liquidated damages to them so they are aware of it. Commissioner Barnett said, "if you chip and seal now it would not be a good idea." A Citizen expressed his frustration stating it's only a one day project and now here we are at the end of September and still the job is not completed. Ms. Beadles suggests to wait. A Citizen stated she just wants the job to be done correctly. Commissioner Weter said if the Commission votes and passes to have Counselor Housley construct a letter instructing Blevins to complete a 22' wide chip seal coat can the homeowners live with that. Commissioner Childers stated she is concerned they will go to court, but if we amend the offer by adding a punch list, that's something to consider. Ms. Beadles said we would ask them to bring the road to standard by next year, ask to patch the pooling water now, and complete the overlay next year. Ms. Beadles, "we really don't want to call it a punch list to avoid finalization now. We just want to present a regular list of work that needs to be addressed now till completion next year." A Citizen asked, "can any snow be plowed this winter without Blevins later stating that further damage was done?" Commissioner Childers asked Counselor Housley, "is there a way to punish Blevins for their breach of contract? Counselor Housley replied, "once we accept the road it's final, there is a law for the contractors who didn't get the bid stating they can sue us, since Blevins is saying the double pass is ok, and at the end of the day once the County accepts the road then there's no extended warranty. Ms. Beadles recommended a change order from 22' to 12' wide double pass chip & seal." Counselor Housley asked Ms. Beadles, "did we bid as a double pass?" Ms. Beadles replied we did. Counselor Housley said, "a revised bid and change order can be constructed." Commissioner Weter proposed to have Counselor Housley construct a letter to Blevins extending the warranty for 2 years, fix the middle of the road, and a change order for a double pass. Commissioner Weter entertained a motion to proceed asking Counselor Housley to construct a counter offer letter to Blevins,

requesting the entire roadway warranty be extended for 2 years, an addendum reflecting the cost of an 12' double pass coat, and warrant the full width of the road.

A Citizen asked if a letter on assessment for this road can be processed. Mr. Nichols said no letter for this year. Next year, we will place in the tax statement reflecting a 20 year payment schedule.

<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

**III. Adjournment**

The meeting was closed at 12:15 PM

Meeting is adjourned until Monday, September 28th, 2015.

**Motion/Vote - 12:15 PM**

- Motion to Adjourn

Presiding 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



Ray Weter

Presiding Commissioner, Ray Weter



Bill Barnett

Western Commissioner, Bill Barnett





A handwritten signature in black ink that reads "Sue Ann Childers". The signature is written in a cursive, flowing style.

---

Sue Ann Childers

Eastern Commissioner, Sue Ann Childers

CERTIFIED COURT ORDER #09-24-15-01

RECEIVED  
JWR  
SEP 23 2015  
1:22 PM  
KAY BROWN  
COUNTY CLERK

The Treasurer is hereby ordered to pay the following entities:

September 2015 Cart      July 2015 Term

RECEIPT: 26055				
DATE: September 21, 2015				
AMOUNT RECEIVED		295-420-221	133,472.92	Check #
BRIDGE		15.00%	20,020.94	
	ROAD MILES			
COMMON 1	297.51	29.67%	39,601.41	
COMMON 2	280.69	27.99%	37,359.07	
BILLINGS SPECIAL	103.25	10.30%	13,747.71	
GARRISON SPECIAL	24	2.39%	3,190.00	
OZARK SPECIAL	102.97	10.27%	13,707.67	
SELMORE SPECIAL	27.5	2.74%	3,657.16	
SOUTH SPARTA SPECIAL	11.1	1.11%	1,481.55	
STONESHIRE SPECIAL	5.3	0.53%	707.41	
TOTAL ROADS	852.32	100.00%	113,451.98	
TOTAL BRIDGE			20,020.94	
TOTAL DISBURSED			133,472.92	

*Ray Weter*  
\_\_\_\_\_  
Presiding Commissioner Ray Weter

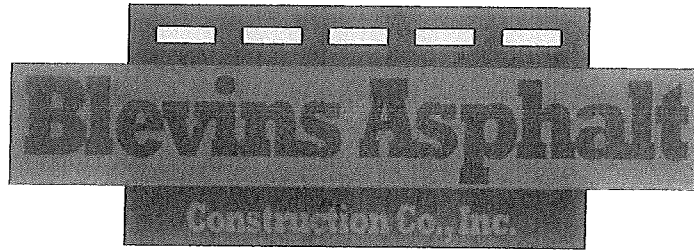
*Bill Barnett*  
\_\_\_\_\_  
Western Commissioner Bill Barnett

*Sue Ann Childers*  
\_\_\_\_\_  
Eastern Commissioner Sue Ann Childers

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Commission, at my office in Christian County this, the 24th day of September, 2015.

*Norma R...*  
\_\_\_\_\_  
Clerk of the County

Attachment: Court Order# 09-24-15-01 (2505 : Approve Minutes & Financials)



July 27, 2015

*RE: 2015 Chip & Seal Work on Stone Hollow Subdivision in Cristian County*

*Blevins Asphalt has applied a double coat chip and seal on the Stone Hollow Subdivision and applied the chip seal in two passes, which has left a seam in the middle of the roadway. Blevins Asphalt had full intentions to apply the double coat in a one pass operation, however the chip spreader had a malfunction and was not able to chip the full width of 22' wide in one pass.*

*The road surface meets all specifications of MoDot. Blevins Asphalt feels that the road is done with good quality materials and workmanship, and that if anything is added to this surface it will only cause problems with the roadway bleeding oil.*

*Blevins Asphalt is sorry if this has upset any of you and we would like to offer.*

- (1) Extend the warranty from 1 year to 2 years on the center of the road 2' wide.*
- (2) With the chip seal being placed this year, we believe that this would cause the oil to bleed and we do not want this to happen. What we would like to do is let this project set until June 1<sup>st</sup> of next year and then look at what needs to be done.*
- (3) If the request is that a full width single coat chip seal 22' wide is applied on the road this year it will void the 1 year warranty on this project.*

*The reason for voiding the warranty on this project is due to the amount of oil that is placed on the roadway. The job special provision called for the oil to be placed at .80 gallons per sy on a double coat. If we place more oil, then you will have an excess of oil that will bleed threw the rock that is there. This will cause cars to pick up this oil material in chunks and get on the cars and trucks and leave holes in the roadway and be tracked into driveways and houses, from people walking on the road and getting it on their shoes.*

*Thanks,*

*Derek Stokes  
Blevins Asphalt*

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