

THE COUNTY COMMISSION  
OF  
STONE COUNTY, MISSOURI

April 18, 2017

STATE OF MISSOURI |  
COUNTY OF STONE |

Be it remembered that a session of the County Commission of Stone County was held in the courthouse at Galena, on April 18, 2017. Those in attendance today were Presiding Commissioner Dennis Wood, Southern Commissioner Hank Smythe and Northern Commissioner Mark Maples.

**Morning Session:**

**9:00 AM – 10:00 AM**

**Elected Officials/Department Heads Monthly Meeting**

Presiding Commissioner Dennis Wood opened the meeting with the pledge of allegiance to the flag. Following the pledge of allegiance, Prosecuting Attorney, Matt Selby delivered the prayer. Assessor, Brad Hudson informed the meeting of National Day of Prayer, May 4<sup>th</sup>, 2017. Prosecuting Attorney, Matt Selby and Melinda Ingram, spoke on behalf of the Child Advocacy Center. Chief Deputy Clerk Donna McConkey addressed the issue on additional insurance and discipline policy, discussion only.

**Sales Tax Report**

General Revenue Sales Tax receipts were up 20.46% for the month and up 4.82% for the year. Capital Improvement Sales Tax receipts were up 17.92% for the month and up 4.63% for the year. Law Enforcement Sales Tax receipts were up 17.92% for the month and up 4.63% for the year. The Local Option Use Tax is up \$165,902.00 from this time last year.

**10:00 AM**

Presiding Commissioner Dennis Wood opened the meeting with the pledge of allegiance to the flag. Those present for this meeting today are as follows: Stephen Brewer, Peggy Sauer, John & Patti McCurley, Margaret Bult, Jim Castiglioni, Susan Margala, James Chamberlian, Douglas Stone, Janelle Stone, Sue Ann Link, Jerry Isaacson, Gerald Smith, Don DeVoe, Stephanie Elder, Eddie Wolfe, Lonnie Caldwell, Grandview Acres; Tony Coffman, Longview; Jessica White, Simmons Bank; Brandon Herrold, Herrold Property LLC; Dale Keenan, First Home Bank; Ken Smith, City Assistant of Branson West; Matt Selby, Prosecuting Attorney, Michelle Essary, Prosecuting Attorney Office Manager; Brad Hudson, Assessor; Bill Bell, EEZ Commission; Earl

Johnson, IT Director; Sheriff Doug Rader; Chief Tim Gideon; Joy Wilson, Planning Zoning Director; Sammie Thompson, Planning & Zoning; Central Foreman; Randy Burke; Kristi Stephens, Treasurer; John Cunyningham, Coroner; Amy Larson, Recorder; South Foreman, Robert Hazen; Anna Burk, Chief Deputy Collector; Donna McConkey, Chief Deputy County Clerk; Cindy Elmore, County Clerk; County Counsel William McCullah; Denise Dickens, Commission Administrative Assistant and Tena Foster, Stone County Clerk's office.

### **Approval of Commission Minutes**

The matter to approve the minutes for Stone County Commission meeting dated April 13, 2017 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Minutes ordered approved.

### **Schedule of Bills - 1**

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$10,111.60. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Order to pay carried.

### **Schedule of Bills - 2**

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$50,915.89. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Order to pay carried.

### **Open Depository (Banking) Bids**

County Treasurer Kristi Stephens informed the Commission that a direct bidding process takes place every four years, review of a bid takes place every two years, and any change of a depository institution occurs on September 1st. The result of the four year direct bidding process was the receipt of five bids.

- 1) Great Southern Bank, presented a letter declining participation in the bidding process.
- 2) Central Bank of Branson presented a letter including depository bids.
- 3) Simmons Bank presented a letter including depository bids.
- 4) First Home Savings Bank presented a letter including depository bids.
- 5) US Bank, presented a letter declining participation in the bidding process.

The bids were given to County Treasurer Kristi Stephens for review and recommendation.

### **P&Z Board of Adjustments Applicants**

Advertising in local newspapers for an opening on the Planning and Zoning Board of Adjustments resulted in the receipt of two applications. The unexpired term of the opening will end February 2021. Stephanie Elder was present to interview for the position, Angela Howard was absent and will interview at a later date. The Commission will review applications and a decision will be made at a later date.

### **P&Z Board Applicants**

Advertising in local newspapers for openings on the Planning and Zoning Board resulted in the receipt of one application from Dillon Ray Kleier. The unexpired term for Hurley Precinct will end October 2020. Presiding Commissioner Dennis Wood recommended that Dillon Kleier be appointed to the Planning & Zoning Board representing the Hurley Precinct. The matter to appoint Dillon Kleier to the Planning and Zoning Board representing Hurley for the unexpired term ending October 1, 2020 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Matter carried.

It was noted that the Ruth C, Union, Lincoln and McKinley precincts still have openings on the Planning and Zoning Board.

### **Planning & Zoning Board Recommendations**

Sammy Thompson, Planning and Zoning came before the Commission with the following Board recommendation:

**RR-17-009** - The Westcon Development Company, Inc. is requesting to re-zone their property located at 55 Faith Road, Blue Eye, Mo (parcel#18-2.0-04-000-000-005.001) from RR-1 to R-3 for Multiple Short-term Rentals. The Board voted unanimously (9-0) to recommend DENIAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board to deny re-zoning (parcel#18-2.0-04-000-000-005.001) from RR-1 to R-3 for Multiple Short-term Rentals was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried, re-zoning denied

**RR-17-010** - The Westcon Development Company, Inc. is requesting to re-zone their property located on Lots #5-#13 of the Grand Cru Estates subdivision at 300 Faith Road, Blue Eye, Mo (parcel#18-2.0-04-000-000-007.001) from R-1 to R-3 for Multiple Short-term Rentals. The Board voted unanimously (9-0) to recommend DENIAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board to deny re-zoning (parcel#18-2.0-04-000-000-007.001) from R-1 to R-3 for Multiple Short-term Rentals was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried, re-zoning denied

**RR-17-011** - The Westcon Development Company, Inc. is requesting to re-zone their property located at 53 Faith Road, Blue Eye, Mo (parcel#18-2.0-04-000-000-005.000) from A-1 to R-3 for Multiple Short-term Rentals. The Board voted unanimously (9-0) to recommend DENIAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board to deny re-zoning (parcel#18-2.0-04-000-000-005.000) from A-1 to R-3 for Multiple Short-term Rentals was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried, re-zoning denied

**RR-17-013** - The Westcon Development Company, Inc. is requesting to re-zone their property located on Lots #2 - #4 of the Grand Cru Landing @ The Lake subdivision at 37 Grand Vin Lane, Blue Eye, Mo (parcel#18-2.0-04-001-001-001.000) from R-1 to R-3 for Multiple Short-term Rentals. The Board voted unanimously (9-0) to recommend DENIAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board to deny re-zoning (parcel#18-2.0-04-001-001-001.000) from R-1 to R-3 for Multiple Short-term Rentals was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried, re-zoning denied. Presiding Commissioner Dennis Wood allowed time for anyone to speak for or against the recommendation. Peggy Sauer, Margaret Bult, Don DeVoe, Sue Ann Link, John McCurley, Jim Castiglioni along with 10 other residents of Blue Eye, Mo. came before the commission concerning multiple short-term rentals(RR-17-009, RR-17-010,RR-17-011 & RR-17-013).

**RR-17-008** Roger & Judy Fogelquist are requesting to re-zone their property located on Lots #1-#4 of the Baxter Heights ADD AMD Subdivision at 4656 State Hwy H, Lampe, MO (parcel #15-7.0-35-004-002-004.000) from C-2 to R-3 for a Condo/Duplex project. The Board voted (8-1) to recommend APPROVAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board on requesting to re-zone (parcel#15-7.0-35-004-002-004.000) from C-2 to R-3 for a Condo/Duplex project was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried

Presiding Commissioner Dennis Wood allowed time for anyone to speak for or against the recommendation. Eddie Wolfe came forward.

**RR-17-012** Herrold Properties, LLC are requesting to re-zone their property located at 98 Chicksaw Lane, Lampe, MO (parcel #14-9.0-31-003-022-001.000) from C-2 to R-3 to allow Condos. The Board voted unanimously (9-0) to recommend APPROVAL of the re-zoning. The matter to approve the recommendation of the Planning and Zoning Board on requesting to re-zone (parcel#14-9.0-31-003-022-001.000) from C-2 to R-3 to allow Condos was brought to decision by a roll call vote: Smythe – abstain; Maples – yes; Wood - yes. Matter carried

Presiding Commissioner Dennis Wood allowed time for anyone to speak for or against the recommendation. Brandon Herrold came forward.

**RR-16-006** Christopher & Linda Einkopf are requesting to re-zone their property located one mile South of Lampe, Mo on State Hwy 13 (parcel #17-2.0-04-002-001-013.000) from A-1 to C-3 to allow for commercial storage building. The Board voted 5-3 to recommend APPROVAL of the re-zoning with one condition of the re-zoning with one member abstaining.

Condition:

That all junk cars on Parcel #17-2.0-04-002-001-005.000 (Case #SUP-07-003) be removed.

The Commission TABLED this case on June 14th, 2016 until the applicant had:

1. Approved MODOT access off of State Hwy 13
2. All junk cars removed.

The matter to approve the recommendation of the Planning and Zoning Board on requesting to re-zone (parcel #17-2.0-04-002-001-013.000) from A-1 to C-3 to allow for commercial storage buildings was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Matter carried

Presiding Commissioner Dennis Wood allowed time for anyone to speak for or against the recommendation. Eddie Wolfe came forward.

#### **Update Flood Plain Ordinance**

Discussion of Flood Plain Ordinance was tabled due to Lynn Hilburn not showing.

#### **Open Computer Hardware/software bids**

Advertising in local newspapers resulted in the receipt of three bids for Computer Hardware/Software. The Stone County Commissioners open bids from:

- 1) Cooperate Business Systems
- 2) Connect Wise
- 3) Digital Wave

The bids will be reviewed by IT Director, Earl Johnson. The matter will then be placed on the agenda for decision.

#### **Enhance Enterprise Zone (EEZ) Update**

Bill Bell, EEZ Chairman, came before the Commission to discuss the direction that the Stone County Commission wants the EEZ Board to take. Enhance Enterprise Zone (EEZ) meets every 1<sup>st</sup> Tuesday of the month. Sheila Thomas, Executive Director will speak at the next meeting to help aid in reaching out for future business and industry.

**Discuss Order Concerning Deputy Sheriffs Overtime Pay for Grants and Contracts**

Chief Deputy Tim Gidion came before the Commission discussing the issue. County Counsel William McCullah presented the Commission with an order concerning Deputy Sheriff’s overtime pay for grants or contracts for services with other government bodies, law enforcement agencies, or private entities, to assist with law enforcement activities or to provide security services. The matter to approve the order was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Matter carried, order signed

**Recess 11:16 AM**

**Back in Session 11:28 AM**

**Discuss Intergovernmental Agreement with Branson West regarding Indian Ridge**

Discussion only, no decisions made.

**Recess 12:22 PM**

**Back in Session 12:38 PM**

**Law Enforcement Building Expansion/informational only community meetings**

Memorandum from N-Form: “upon review of the proposals for the soils investigation for the Stone County Judicial Center, I recommend that Stone County contract with Palmerton & Parrish, Inc. for the amount of \$1,780.00” The matter to approve was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Matter carried

The Stone County Commission will have informational only community meetings regarding the future expansion of the Law Enforcement Judicial Building. Meeting dates and times are as follows

Stone County Courthouse-Commissioners’ Room	May 11, 2017 @ 11:00 am, 3:00 pm, 6:00 pm
Blue Eye Community Center/Lions Club	May 18, 2017 @ 6:00 pm
Kimberling City Library	May 25, 2017 @ 6:00 pm
Cape Fair Community Building	June 1, 2017 @ 6:00 pm
Reeds Spring High School Multi-Purpose room	June 8, 2017 @ 6:00 pm
Indian Point City Hall	June 15, 2016 @ 6:00 pm
Crane-Stone County Library	June 22, 2017 @ 6:00 pm

If you have any questions please feel free to contact the Stone County Commissioners' office at 417-357-8141. The public is encouraged to attend. The matter to approve was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Matter carried

### Announcements

**Public Time:** Time was extended to anyone who wanted to speak to the commission at this time. The adjournment of the Stone County Commission meeting was brought to decision by roll call vote: Smythe – yes; Maples – yes; Wood – yes. Meeting adjourned at 12:44 PM.



IN THE COUNTY COMMISSION  
OF STONE COUNTY, MISSOURI

AN ORDER CONCERNING DEPUTY SHERIFFS' OVERTIME PAY FOR GRANTS OR CONTRACTS FOR SERVICES WITH OTHER GOVERNMENT BODIES, LAW ENFORCEMENT AGENCIES, OR PRIVATE ENTITIES, TO ASSIST WITH LAW ENFORCEMENT ACTIVITIES OR TO PROVIDE SECURITY SERVICES

Whereas, the Sheriff's Department from time to time receives grants or enters into contracts for services with other government bodies, law enforcement agencies, or private entities, to assist with law enforcement activities or to provide security services for places or events.

Be it ordered as follows:

1. Grant proceeds, or payments received from other government bodies, law enforcement agencies, or private entities for assistance with law enforcement activities or for providing security services for places or events, may be paid to a deputy sheriff at the rate of twice the ordinary rate of pay without regard for such deputy sheriff's hours works during that pay period, or such deputy sheriff's regular hours of duty.
2. The County may withhold from such grant proceeds or payments received such funds as are necessary to provide for the County's additional costs in administering such payments and for the County's cost in providing fringe benefits to such deputy sheriffs.
3. Such increased compensation shall occur only when the source of funding is entirely from another entity through grant proceeds or from payments received, and if the County does not incur any additional cost or expense.

DONE AT THE COURTHOUSE IN GALENA, MISSOURI ON APRIL 18 2017.

THE COUNTY COMMISSION OF  
STONE COUNTY, MISSOURI

  
DENNIS F. WOOD  
PRESIDING COMMISSIONER

  
MARK W. MAPLES  
COMMISSIONER

  
HANK SMYTHE  
COMMISSIONER

ATTEST  
  
CINDY ELMORE  
CLERK OF THE COUNTY COMMISSION