

RANDOLPH COUNTY COMMISSION MINUTES

July 24, 2007

The Honorable Commission convened at the Huntsville Courthouse with the following present: Susan Carter, Presiding Commissioner, Doug Galaske, Eastern District Commissioner, Randy Asbury, Western District Commissioner and Nancy Copenhaver, Deputy Clerk.

9:00 a.m., Com. Carter called the meeting to order. Com. Carter moved, Com. Asbury seconded approval of the agenda; motion carried (3-0). Com. Carter called David Bugg concerning his report of blighted property of Alan and Joyce Nelson on CR 2610. A call was received from Dennis Brooks from MoDOT concerning past actions with MoDOT and Prathers regarding junk cars. He noted that he would consult with Kelly Lucas who handled the case and get back to the Commission.

9:15 a.m., Bill Dougherty stopped by. Com. Galaske moved, Com. Asbury seconded approval of the contract for work done for Higbee, six hours of boom hog; motion carried (3-0). The fuel bid was awarded to Brownfield Oil for \$2.475 (MFA bid \$2.488) for the week of July 25-31.

9:20 a.m., Gary Boehmer from Casey and Co., a Columbia accounting firm, returned a call to the Commission regarding the need for an audit of the County/RC Health Department in 2005-06. He said it is up to the governing bodies to determine if they are autonomous (and thus the audit would be each entity's individual responsibility) or together (requiring both entities to participate in the audit if the \$500,000 federal expenditure threshold is reached by either or both together). He noted he has seen counties take both options and he has seen no time when any county has lost federal funds for choosing either option.

The three criteria in Mr. Boehmer's study which indicate autonomy of the County and the Health Department are: (a) separate elected governing body (b) ability to sue and be sued (c) each entity can set their own tax levy. It is his opinion that precedent is already set by other counties (that the two entities are autonomous). Over the last four years Mr. Boehmer is not aware of any county losing federal monies by considering themselves separate entities for the purpose of an audit. Com. Asbury spoke with Steve Smith of Williams Keepers about the audit issue. Mr. Smith indicated that for \$200 he could provide their company's professional opinion in writing as to the County's need to participate in the audit.

Commissioners studied the invoices presented for payment. Com. Galaske asked that check numbers be included on invoices for jury script from now on.

Checks 4540-4567 were signed for payment of approved invoices from the following funds: General Revenue \$10,342.10; LE Trng. \$200.00; Assmt. \$450.00; Road & Bridge \$408.99; Sheriff \$3,097.92; E911 \$7500.00 and Justice Cntr \$5,714.87. Total amount of checks: \$28,013.88

9:50 a.m., Circuit Clerk Peggy Boots came in to report on the rescheduled date for the Salary Commission meeting, on August 23 at 2:00 p.m. She explained the need for a light in the front of the Justice Center where the employees from the clerk's office enter; as it is often dark and they have difficulty with finding the lock. Com. Carter gave Mrs. Boots the two samples of colors for the JC sign to share with Judge Hayes and others at the JC.

9:55 a.m., Com. Carter moved, Com. Asbury seconded approval of the invoices; motion carried (3-0). Mr. Dougherty reported work done for the south of Clark by the Road and Bridge Department (using the tar pot, air compressor, and grader). The meeting was recessed for the meeting of the Board of Equalization.

10:00 a.m., Com. Asbury as the elected chair, convened the Board of Equalization meeting with all three Commissioners and Assessor Richard Tregnago present. Jerry Swartz was present to appeal the appraisal of his home. Mr. Swartz stated that there were no comparable sales to support the increase in evaluation for 2007, claiming there has never been a home in Moberly sold for over \$300,000. He noted there must be a willing buyer to assess its value and that the one appraisal on his house done in 2000 during construction was \$403,000. Mr. Swartz referred to several rulings that the owner of the property is generally competent to testify to its value and he would feel an offer of \$450,000 for his home would be appropriate.

Assessor Richard Tregnago provided feedback about the perimeter, above grade living space, finished upper level, and the grading system he uses. He pointed out that Randolph County is traditionally in the upper 80% area of rates set, and probably should be at 95%. Assessor Tregnago explained that when the State comes in and pulls 35 properties to examine, he is traditionally on the low side. Mr. Tregnago pointed out that this particular design was one that won an award in St. Charles several years ago. In the rating system of 1-7, Mr. Tregnago had moved Mr. Swartz's home from a "2+" to a "1" as he had also upgraded a comparable home on Trails End belonging to Doug Stansberry with fewer square feet. Mr. Tregnago noted that the cost approach is a viable alternative to the sales approach when you lack sales data.

Com. Carter asked several pertinent questions about independent appraisals, the price Mr. Swartz would put the house on the market for, and others. She indicated that the BOE would get back to Mr. Swartz in writing after it closes the hearings on July 31.

The BOE discussed the appeal of AutoZone. Assessor Tregnago recommended denying their appeal as per their representative's request because of lack of information provided for the scheduled appointment. Com. Asbury moved/ Com. Galaske seconded to accept Mr. Tregnago's recommendation; motion carried (4-0).

Com. Asbury reported on information received from Dura Automotive regarding their assessment. Assessor Tregnago explained the procedure he used to arrive at the assessed valuation and indicated he would bring a recommendation to the BOE on July 26.


Doug Galaske
Susan Carter

11:40 a.m., Com. Asbury recessed the Board of Equalization until July 26. Com. Carter reconvened the regular Commission meeting.

Com. Carter returned a call to Brian Blumhagen, former owner of the property in question on CR 2696, who participated in a conversation with the Commission on speakerphone. Mr. Blumhagen stated that he would not attend this afternoon's meeting with Mr. Stone et al., and that he is no longer "part" of the dispute. Com. Asbury asked him who did the survey of the proposed road location and who staked the road. Mr. Blumhagen stated that then Presiding Commissioner Myles said he would take care of everything. Mr. Blumhagen said he talked to Prosecuting Attorney Mike Fusselman in early 2006 who informed Mr. Blumhagen that he didn't have time to deal with the issue and instructed Jim Myles to write letters. Mr. Blumhagen assumed that the road was staked by "the County" and Mr. Myles assured him that a survey was not needed because "you can see where the road was." Jerry Smith (neighbor) did not want a road and wanted the tree left by the corner.

Com. Asbury reported that adjoining landowner Jerry Curtis wanted to know how the current road got on his property and Mr. Blumhagen replied that he was at the sale. Com. Asbury commended that he doesn't believe the County had the authority to go past Jerry Smith's white fence. Ronnie Brooks bulldozed where the stakes were except for the area near Jerry Smith's tree. Com. Asbury noted that he is not comfortable that the road is in the correct place past the first 150 feet or so.

Mr. Blumhagen stated that he never appeared before the Commission. He called Mr. Myles who came out and looked at the property and declared it was a road. Com. Asbury questioned how the road could not be considered abandoned given the size of the trees that were removed to make the current roadway. Mr. Blumhagen indicated he had originally contacted Mr. Myles on his cell phone because he had 40 acres that were landlocked and Mr. Myles had informed him that "roads are never abandoned." Mr. Blumhagen said that Mr. Myles brought a 1910 plat book to Blumhagen's house.

Com. Asbury reported that he had talked to Gary Blakemore with Boone Electric and that there is another option for bringing in electric utilities. Mr. Blumhagen said he told Robert Stone (one of the buyers of the property) that the road was not built to County standards. When Com. Carter asked Mr. Blumhagen "who staked the road?" he answered "not me; I walked with Ronnie and showed him where the stakes were." When asked by Com. Carter "when" the road was staked, Mr. Blumhagen indicated it was probably two or three weeks after Mr. Myles sent the second letter to Jerry Smith.

12:00 p.m., the phone conversation with Mr. Blumhagen ended. Com. Carter moved, Com. Galaske seconded approval of the minutes of July 19 with corrections; motion carried (2-0 with Com. Asbury abstaining because he was not present for the meeting). Com. Carter called Ross McKinstry concerning the audit situation.

12:30 p.m., Com. Asbury reported that Galen Ray requests permission to remove an old road grader sitting on his property in Yates. Commissioners agreed to allow him to have Bill Walters remove it for scrap. Commissioners discussed options for obtaining lighting for the outside of the Justice Center. Commissioners discussed meeting with the Prosecuting Attorney in Audrain County to get information on budget/staffing levels/case numbers since Audrain is very similar to Randolph County.

1:00 p.m., Robert Stone, Tony Stuart, and Carl Edwards arrived to discuss CR 2696. Also present were Assessor Richard Tregnago and 911 Coordinators Joan Joseph and Carol Summers. Robert Stone expressed disappointment that Brian Blumhagen was not present. Carl Edwards stated that their purpose was to get road access and access for utilities. Com. Asbury again inquired as to who staked the road. Comments were that: Jerry Smith said that Mr. Myles staked the road. Those denying that they staked the road were Brian Blumhagen, Bill Dougherty, Ronnie Brooks, and Nathan Cole (who surveyed the Floyd Bishop property). It was indicated that Mr. Cole thinks the road is in the correct place through the Floyd Bishop property. Com. Galaske explained his recollection of the events of the original action regarding CR 2696.

Tony Stuart stated that he assumed the road was opened by County guidelines and assumed there was a right of way when he purchased the land. If easements need to be obtained, this would necessitate contacting four property owners, including Smith and Curtis. Mr. Edwards suggested that the County split the cost with the property owners and the County take over maintenance of the road. Robert Stone suggested that the County could provide the culverts and the rock, the current owners will build the road, and the County can take over maintenance. Mr. Edwards noted that in determining easements, they must be wide enough for roadway, ditching, and utilities. The three men left with the intent of seeking easements from adjoining property owners in order to proceed with getting utilities and upgrading the road. They will report back the results.

2:20 p.m., Com. Asbury reported information derived from studying financial statements that \$1250 has been expended so far for special prosecutors (15 of 49 cases). Commissioners discussed putting a full-time prosecutor on the ballot, options for the Huntsville Courthouse, and the County's financial future.

2:40 p.m., Greg Linneman, structural engineer who examined the Huntsville Courthouse, returned the Commission's call. He indicated his main concern is moisture behind the brick, and discussed tuck-pointing and repairs for the entire building. He stated that following recommended repairs and regular maintenance should result in a building that would last "his lifetime."

3:40 p.m., the meeting adjourned.

APPROVED



Robert Stone
Joshua Carter
Tom Selms