

# Osage County Commission Meeting Minutes

December 12<sup>th</sup>, 2019

Meeting called to order by Presiding Commissioner Darryl Griffin at 8:30 AM

Meeting opened with Pledge of Allegiance

District 1 Commissioner John Glavin present

District 2 Commissioner Larry Kliethermes present

Media – HB Dodds

Deputy Clerk – Valerie Prater

Present for all or part of the meeting: Ron Kempker, Sharon Williams, Alderman Mike Kliethermes, Alderman, Gerhard Schmitz, Attorney David Bandre, and Andi Rice

## Approval of the Agenda and Minutes:

-District 2 Commissioner Larry Kliethermes moves to approve the Agenda and Meeting Minutes, seconded by District 1 Commissioner John Glavin, followed by 3 ayes in a roll call vote.

## Bills, Notes and Communication:

-Commissioner John Glavin made a motion to pay the bills, seconded by Commissioner Larry Kliethermes, followed by all three ayes in a roll call vote.

-Commissioner John Glavin made a motion to approve the timesheets for the Sheriff's office for a part of the December payroll, seconded by Commissioner Larry Kliethermes, followed by all three ayes in a roll call vote.

-Commissioner Larry Kliethermes made a motion to transfer the money from general revenue account for the November Election Proposition P, to the election (general revenue) account. Seconded by Commissioner John Glavin, followed by all three ayes in a roll call vote.

## Meetings:

-Salary Commission Meeting, December 13<sup>th</sup> at 8:15 AM

-Budget Meeting, December 18<sup>th</sup>, 2019 at 9:00 AM.

-Mammogram Van is scheduled for January 10th, 2020.

## Old Business:

## New Business:

-Commissioner Larry Kliethermes spoke to John Kennedy this morning. Kennedy said there is a hole rusted through the bottom of the water heater downstairs. He is going to get a bid on a hot water heater for downstairs.

-Commissioner Larry Kliethermes said he received a phone call from Lucy Brunner. On Tuesday she must have spent some time with Andi Rice and then John Krull talking about the issues they are having. Lucy suggested we try to call a meeting with everyone from 911, Osage Ambulance, and anyone involved in this situation and try to resolve it and talk it through. She would facilitate the whole meeting. Commissioner Darryl Griffin said he would like to resolve the issue as well, but he wants to wait and see what our legal council would say about the matter. Commissioner Larry Kliethermes said she's thinking if they can resolve the issue, the legal suit would be dropped. Commissioner Darryl Griffin said I appreciate her input, 911 is doing a good job, they are keeping citizens in mind. They have updated several things. The balls in their court. Commissioner John Glavin said he has no problem with sitting down with them. Instead of lawyers barking back and forth at each other.

## Road and Bridge:

-Finished CR 508 culvert. Will prep for upcoming snow this weekend getting trucks ready.

-Commissioner Kliethermes asked about CR 508 needing attention. Ron stated we will address as soon as possible.

- Pentecostal Bridge-Working with MoDOT and hope to have a report soon. Waiting on release from the state. They have 90 days to respond to us. The bridge will need repair only, not tearing the bridge down.

## 911

-Andi Rice presented bills that need to go into budget. Went over expenditures if they were amended. Also discussed the upcoming budget meeting.

**Public Comments:**-Attorney David Bandre wanted to address CR 511 inside the city limits of Westphalia. He stated that Westphalia does not have the equipment that is needed to get the road maintained to the level it really needs to be. It is down to bedrock. For the

City to go out and get what it needs to fix it to the level the City and the County would want it, they just don't have the budget to do it. The County obviously has the equipment to do it and travels that road to take care of other parts. He stated they need a cooperative agreement where the County agrees they will do the work on the portion of 511 that is inside Westphalia and then bill the City or if it's easier for the City to provide the materials and for the County to provide the work, they could do that. He stated it may be easier to have the County just work on everything. We just need to get this road up to where citizens can use it. They are open to suggestions and said there are a number of options to do it. The road is getting pretty bad and needs to be addressed. Commissioner Griffin questioned the grading times and was concerned about the number of times it will need gravel or snow plowing to be done and if we give them a set rate, that the County may lose in the end. Attorney Bandre stated once we get it to a certain level it would be easier to get in a process. The first year or two may be a little difficult just getting it up to snuff. Commissioner Griffin stated it will take extra work to get it back. Alderman Kliethermes stated they had made numerous attempts to actually find who owns the property and that is what this stems from. He stated they have made numerous attempts to the County to say prove to them that this is their road and they will do something with it. So that is part of the heart of the problem that nothing was determined 100%. So, they are still kind of waiting, but the end result once and for all is whose property this road actually is. At some point and time, a deed of trust switched hands and to their knowledge or the County's knowledge that never occurred. He stated they will provide the funds or do whatever they need to get the road up to snuff and for it to be safe for the County and the Cities residents. Commissioner Griffin stated he thought that the road had been previously surveyed by former surveyor Ralph Kliethermes. Commissioner Kliethermes went into discussion about easements across properties and informed Alderman Kliethermes that they could contact the Assessor's office for help. Alderman Kliethermes stated they had requested information in the past but they were not provided anything. Commissioner Kliethermes again stated to contact the Assessor's office and Alderman Kliethermes responded they had multiple times but never received any information. Commissioner Glavin then stated the Assessor's office is breaking the Sunshine Law. Attorney Bandre stated he will work with Amanda Grellner to get the information. Commissioner Kliethermes stated he agrees they have a right to know this. Commissioner Griffin said he is not opposed to maintaining the road. Attorney Bandre stated the need for communication between the City and the Road Department and that the contact person with the City would be the Mayor. The mayor would be responsible to make requests to the County for work needing done. Discussed the easiest way to make this work. Commissioner Griffin asked Ron Kempker what would work for him if they we would allow this? Decided it would be better for the County to do the work and just bill the city. Commissioner Kliethermes asked if the City has a Special Road District? Alderman Kliethermes stated yes it does but stated they do not have the equipment to do the work. Commissioner Glavin asked if they had commissioners? Attorney Bandre stated the aldermen are serving dual roles. Commissioner Griffin asked what the other Commissioners wanted to do. Commissioner Kliethermes stated that we need to work together and come to some consensus and agreement on cost, grading, rock and blading snow. Ron Kempker gave some information on the road and some estimates on costs to maintain it. The road is .33 miles long. Estimate \$400 a year to grade (5 times a year); getting road back to normal would take about 16 loads of rock (done at two different times). The 16 loads of rock would cost an estimate of \$2,355. Snow removal would be about \$100 per trip (done an approximate 5 times a year), with \$560.90 for cinders. Total would be estimated around \$3,761.90. Commissioner Griffin asked Ron how long it took for snow plowing for the full county. Ron stated 17 hours. He stated that school bus routes would be the first roads to be plowed when it snows, but want to work with Westphalia. Commissioner Griffin stated again we want to work with you because you are in our County. Attorney Bandre stated he will work with Amanda Grellner on the ownership and responsibility of the road, but if they get board approval from Westphalia, he wants to put together an agreement outlining these terms. It would state the County would give the City a bill for the amount owed and they would reimburse the County. We would do it say as a two-year contract, renewable by both parties or something to this effect. Attorney Bandre stated that the board can have an approval for you pretty quick, and asked if we could do a gentleman's agreement, by a vote or however you want to do it, so we can get snow removal on that portion before we have a formal contract in place. Agreement would state we will pay you X amount of dollars to push snow on that portion of the road. Commissioner Griffin asked how soon Westphalia's board could vote on this. Stated they would have a vote within 2 weeks. Commissioner Griffin says he is okay with the gentleman's agreement and will ask for a vote from the commissioners to go with the gentleman's agreement until Westphalia gets something definite from their board and then we will look at the permanent agreement and vote on that later. He asked if that was acceptable with Attorney Bandre and the Aldermen and they discussed the price of the snow grading and cinders for now. The contact name given to be the main contact is Mayor Tammy Massman. The commissioners took a vote: Darryl-AYE, Larry-AYE and John-NO.

**Adjournment:**

-With no further business, the meeting was adjourned at 10:35 AM. Motion to adjourn made by District 1 Commissioner John Glavin, seconded by District 2 Commissioner Larry Kliethermes, followed by 3 ayes in a roll call vote.

  
Darryl Griffin  
Presiding Commissioner