

**OFFICIAL
COMMISSION MINUTES
OCTOBER 2nd, 2017 1st DAY OF
THE OCTOBER ADJOURN TERM**

PRELIMINARY STUDY

The County Commission met in the Commission Conference Room at 8:30 a.m. with Mike Scofield (present), Brandon Williams (absent), and Sheila Wyatt (present).

The Commission met to review the day's agenda.

FORMAL AGENDA

The County Commission met in the Commission Hearing Room at 9:00 a.m. with Mike Scofield (present), Brandon Williams (present), and Sheila Wyatt (present).

PUBLIC COMMENT

None.

Prayer and Pledge

CALL TO ORDER

Presiding Commissioner Scofield called the Commission meeting to order at 9:01 a.m.

COMMISSION REMARKS

None.

ROAD VACATIONS

VACATION AND RELOCATION OF PORTION OF CUL-DE-SAC

Frank Cottey, Taney County Attorney, and William "Bill" McCullah who was the Attorney representing Taney Como Terrace Inc came before the Commission to present the Vacation and Relocation of a Portion of Cul-de-Sac on River Ranch Rd. Cheryl Altis with Taney Como Terrace Inc joined Mr. Cottey and Mr. McCullah in the discussion..

Concerned Citizens also joined the discussion regarding the Vacation of the Cul-de-Sac.

Tammy Hagler, 911 Administrator, and Randy Haes, Taney County Highway Administrator, joined the discussion.

Commissioner Wyatt moved to Vacate the Cul-de-Sac and petition in order #17-114RB as requested. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

RECESS

10:04 a.m.

RECONVENE

10:07 a.m.

GANSZ BOULEVARD ROAD VACATION

Mr. Cottey remained before the Commission and was joined by Attorney Robert "Bob" Paulson who represented Bryan and Amanda Baker; Mrs. Baker joined Mr. Paulson to discuss the Gansz Boulevard Road Vacation.

Commissioner Williams moved to approve the Gansz Boulevard Road Vacation application Petition Order #17-125RB as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

AGREEMENT FOR CONCRETE DECK WEIGHBRIDGE #17-126RB

Presiding Commissioner Scofield read a letter from Mr. Cottey which stated that he reviewed the proposed Agreement and approves it to form.

Commissioner Williams moved to approve the Agreement by and between Taney County and Precision Scales and Controls Inc. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

WHITE RIVER VALLEY HISTORICAL SOCIETY AGREEMENT—AMENDED #17-033CM

Commissioner Wyatt moved to approve the Amended White River Valley Historical Agreement – Amended #17-033CM. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

COMMERCIAL LEASE WITH TANEY COUNTY REGIONAL SEWER DISTRICT #17-100SD

Presiding Commissioner Scofield read a letter from Mr. Cottey dated September 27, 2017 which stated that he has reviewed the proposed Commercial Lease with Taney County Regional Sewer District and approves it to form.

Commissioner Williams moved to approve the Commercial Lease by and between Taney County and the Taney County Regional Sewer District. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #446783 thru #446849, no Warrants, and two Journal Entries or Transfers. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF PAYROLL

Commissioner Williams moved to approve Payroll. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF PREVIOUS MEETING & EXECUTIVE SESSION MINUTES

Commissioner Williams moved to approve Regular Session Minutes for September 22, and September 25. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Executive Session Minutes for September 25. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

LETTER OF SUPPORT – SOUTHWEST MISSOURI SOLID WASTE PROGRAM DISCUSSION

Scott Starrett came before the Commission to present the Letter of Support for the Southwest Missouri Solid Waste Program.

Commissioner Wyatt moved to approve the Letter of Support for the Southwest Missouri Solid Waste Management Division “N”. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).



OFFICE OF
MIKE SCOFIELD
PRESIDING COMMISSIONER
BRANDON W. WILLIAMS
WESTERN DIST. COMMISSIONER
SHEILA WYATT
EASTERN DIST. COMMISSIONER

County of **TANEY** State of Missouri

TANEY COUNTY COURTHOUSE
P.O. BOX 1086 • FORSYTH, MO 65653
Office: (417) 546-7204 • Fax: (417) 546-3931
www.taneycounty.org
commission@co.taney.mo.us

Date: October 2, 2017

To: Southwest Missouri Solid Waste Management District N

From: Taney County

On behalf of the County of Taney County, we request the Southwest Missouri Solid Waste Management District N to receive funding from the City/County portion of district grants to perform 5 Electronic Recycling Events in each of the 5 counties within District N and also to purchase a Recycling Trailer to be available for use by entities within District N for the collection of recyclables for fiscal year 2018.

Sincerely,

Mike Scofield
Presiding Commissioner

Sheila Wyatt
Eastern Commissioner

Brandon Williams
Western Commissioner

Attest:
Donna Neeley
Taney County Clerk

PRESCRIPTION DRUG MONITORING PROGRAM DISCUSSION

Heather Burney, Pham. D. and Clinical Assistant Professor at MSU, and Lisa Marshal with the Taney County Health Department came before the Commission to discuss the Prescription Drug Monitoring Program (PDMP). Mrs. Burney and Mrs. Marshal let the Commission know that out of all 50 states Missouri is the only state that does not have a PDMP.

Commissioner Wyatt moved to adopt Ordinance #17-1002 for the Prescription Drug Monitoring Ordinance pursuant to statute 192.300 that we will follow-up on the adoption. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Presiding Commissioner ; Eastern Commissioner ; Western Commissioner



County of **TANEY** State of Missouri

OFFICE OF
MIKE SCOFIELD
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**TANEY COUNTY PRESCRIPTION DRUG
MONITORING PROGRAM ORDINANCE**

WHEREAS, the County Commission of Taney County, Missouri, under the powers given to the County by the provisions of §192.300 RSMo, has authority to promulgate orders, ordinances, rules or regulations to enhance the public health and prevent the entrance of dangerous diseases into the County; and

WHEREAS, prescription drug, in particular opioid, abuse has been recognized as a nationwide epidemic and forty-nine states have established prescription drug monitoring programs to combat the problem; and

WHEREAS, in the absence of a statewide program in Missouri, various counties and cities are cooperating to institute their own prescription drug monitoring programs; and

WHEREAS, the County Commission has determined that it is in the best interest of public health in Taney County to establish a prescription drug monitoring program; and

WHEREAS, it is further declared that the provisions hereinafter set forth and enacted are in pursuance of and for the purpose of promoting the above goal by adopting an ordinance enacting the development and administration of a prescription drug monitoring program in Taney County, Missouri.

Prescription Drug Monitoring Ordinance
Taney County, Missouri
Ordinance Number: 17-1002

1.01 Applicability

The provisions of this ordinance will serve to enact the development and administration of a program for monitoring the prescribing and dispensing of schedule II, III, and IV controlled substances by professionals licensed to prescribe or dispense such substances within Taney County; establishing penalties for violations thereof; authorizing the County Commissioners to accept grants and donations in support of the monitoring program; and appropriating same upon receipt for support of the monitoring program.

In order to enhance the public health and prevent the entrance of disease in Taney County, Missouri the provisions of this ordinance shall apply to all incorporated and unincorporated areas in Taney County, Missouri.

The provisions of this ordinance shall not apply to persons licensed pursuant to Chapter 340 RSMo.

This ordinance follows the provisions and guidelines set forth in compliance with Ordinance Number 26.352.2016 established by St. Louis County.

1.02 Definitions

The following terms shall have meanings ascribed to them as follows:

- 1.) Controlled Substance means a drug, substance, or immediate precursor in schedules II through IV as set out in Chapter 195 RSMo.
- 2.) Department means St. Louis County Department of Public Health (DPH).

NOW, THEREFORE, BE IT ORDERED, ADJUDGED, AND DECREED:

1. Taney County, Missouri adopts the Prescription Drug Monitoring Ordinance, attached hereto as Exhibit A.
2. It is the intention of the Taney County Commission that each separate provision of this ordinance shall be deemed independent of all other provisions herein; and that if any part of this ordinance be declared invalid, all other remaining provisions shall remain valid and enforceable.

ADOPTED AND APPROVED THIS 2ND DAY OF OCTOBER, 2017

Mike Scofield,
Presiding Commissioner

Brandon Williams,
Western District Commissioner

Sheila Wyatt,
Eastern District Commissioner

ATTEST:

Donna Neeley,
Taney County Clerk

- 3.) Director means the Director of the Taney County Health Department, or the person or persons duly designated by the Director to carry out the duties of the Director specified in this ordinance.
- 4.) Local Public Health Department (LPHD) means the Taney County Health Department.
- 5.) Dispenser means a person who delivers a Schedule II, III, or IV controlled substance to a patient. However, the term does not include:
 - a.) a hospital as defined in Section 197.020 RSMo that distributes such substances for the purpose of inpatient care or dispenses prescriptions for controlled substances at the time of discharge from such facility;
 - b.) a practitioner or other authorized person who administers such substance; or
 - c.) a wholesale distributor of a Schedule II, III, or IV controlled substance.
- 6.) Patient means a person who is the ultimate intended user of a drug for whom a prescription is issued, or for whom a drug is dispensed, not including a hospice patient enrolled in a Medicare-certified hospice program who has controlled substances dispensed to him or her by such hospice program.
- 7.) Schedule II, III, and IV controlled substance means a controlled substance listed in Schedules II, III, or IV as set out in chapter 195 RSMo or the Controlled Substance Act 21 U.S.C Section 812.

1.03 Establishment of Monitoring Program

- 1.) Taney County, Missouri shall join St. Louis County to establish and maintain a program for monitoring the prescribing and dispensing of all Schedule II, III, and IV controlled

substances by professionals licensed to prescribe or dispense such substances in Taney County, Missouri, and may implement such rules which are necessary to implement such program.

- 2.) St. Louis County holds the contract with Appriss, Inc. Taney County, Missouri will have a subscription to participate.
- 3.) This ordinance gives authority for St. Louis County to receive information from Taney County, Missouri through the Appriss Inc. system.
- 4.) The program established and maintained shall operate so as to be consistent with Federal law concerning regulation of narcotics and with privacy of lawful users of same. The rules may provide for the county to suspend the requirement of reporting a particular category of information pursuant to subsections 6 and 7 of this section if it is determined that so reporting will conflict with the collection of other reported information by the collection management system of the monitoring program. The rules shall be effective upon approval of the County Commissioners.
- 5.) Taney County Missouri will submit all required documentation through the Prescription Drug Monitoring Program approved by St. Louis County Department of Public Health.
- 6.) Within seven business days of having dispensed a schedule II, III, or IV controlled substance all dispensing agencies must submit by electronic means, information regarding such dispensing through the approved vendor system.
- 7.) The information submitted for each dispensing site to the Prescription Drug Monitoring Program shall at a minimum include:
 - a.) The pharmacy's Drug Enforcement Number (DEA);

information collected, recorded, transmitted, and maintained are not disclosed to persons not authorized by this ordinance to receive dispensation information.

1.05 Use of Monitoring System by Dispensers not in Taney County, Missouri

- 1.) St. Louis County may permit dispensers located in counties to participate in the Prescription Drug Monitoring program and allow data entered to be viewed. All authorized users will have access to data entered by Taney County, Missouri. Permission for access shall be conditional upon the participant complying in all respects with the provisions of the ordinance.

1.06 Notification of Law Enforcement

- 1.) The Director of St. Louis County Department of Public Health shall review dispensation information transmitted to Department, and if the Director develops a reasonable belief that a violation of law has occurred, or develops a reasonable belief that a breach of professional standards has occurred, the Director shall notify the appropriate law enforcement agency or the appropriate professional licensing regulatory agency. The Director may provide any dispensation information requested by such entities when advised that such information is required for conduct of an official investigation.

1.07 Persons Authorized to be Provided Dispensation Information

- 1.) Dispensation information and other data compiled by the Prescription Monitoring Program may be provided to the following persons upon a duly made request of the St. Louis County Department of Public Health:
 - a.) Persons who are authorized to prescribe or dispense a controlled substance if the requesting person demonstrates that the request is made for the purpose of providing medical or pharmaceutical care for a patient. This includes persons within or outside the state of Missouri;

- b.) The date of dispensation;
 - c.) If dispensed via a prescription: the prescription number, whether the prescription is a new or a re-fill; the prescriber's DEA or National Provider Identifier number; the national drug code of the drug dispensed; the quantity and dosage of the drug dispensed; an identifier for the patient for whom the drug was dispensed, including but not limited to any one of the following: driver license number, government issued identification number, insurance cardholder identification number, or the patient's name, address, and date of birth.
- 8.) The dispenser's submission of the required information to the Prescription Drug Monitoring Program shall be in accordance with the transmission standards established by the American Society for Automation in Pharmacy, or any of its successor organizations.
 - 9.) All data submitted to the current vendor, Appriss, Inc. will be monitored and reviewed by St. Louis County Department of Public Health.

1.04 Dispensation Information to be closed Pursuant to Law

- 1.) Except when provided to persons or agencies authorized by this ordinance to receive such information, dispensation information submitted to the Prescription Drug Monitoring Program is a closed record and not subject to public disclosure except as provided by law. No person shall provide such information to any person or agency not authorized by this ordinance to receive it. A request for information made under Chapter 610 RS MO shall be referred to the county prosecutor who shall take all reasonable and lawful steps to ensure non-disclosure of the information except as required by law.
- 2.) The Director of the Prescription Drug Monitoring Program shall develop and maintain procedures to ensure that the privacy and confidentiality of patients, and personal

- b.) Persons who request their own dispensation information in accordance with the law;
- c.) The State Board of Pharmacy;
- d.) Any state board charged with regulating a healthcare professional authorized to prescribe or dispense controlled substances, and which has duly requested the information or data in the course of a current and open investigation into the acts of a professional under the jurisdiction of a state board. Only information related to the subject professional shall be provided;
- e.) Local, state, and federal law enforcement, or prosecutorial officials, both inside or outside of Missouri, who are engaged in the administration, investigation, or enforcement of laws governing prescription drugs based on a specific case and under subpoena issued pursuant to court order;
- f.) The MO HealthNet Division of the Missouri Department of Social Services regarding MO HealthNet program recipients;
- g.) A judge or other judicial officer under a subpoena issued pursuant to a court order.

1.08 Obedience to Law Required

- 1.) No person, absent lawful authority, shall knowingly access or disclose prescription or dispensation information maintained by the Prescription Drug Monitoring Program, or knowingly violate any other provision of this ordinance.
- 2.) Any person convicted of violating this ordinance shall be punished by a fine of up to \$1,000.00 or up to one year in jail, or both.

1.09 Acceptance of Grants

The County Commissioners, on behalf of Taney County, Missouri are authorized to accept grants or donations from private or public persons or organizations made in support of the Prescription Drug Monitoring Program authorized by this ordinance.

1.10 Revisions or Revocation of Ordinance

If the County Commissioners find the provisions of the Prescription Drug Monitoring Program Ordinance are substantially similar to a statute of the State of Missouri regulating the same subject, the County Commissioners by order may suspend any or all of the provisions of this ordinance, or amend as necessary.


1.11 Acceptance and Effective Date

This ordinance shall be in full force and effective beginning the date approved.

Passed and approved this 2nd day of October, 2017.


Mike Scofield, Presiding Commissioner


Brandon Williams, Western District Commissioner


Sheila Wyatt, Eastern District Commissioner

Attest:


Donna Neeley, County Clerk

BOARD APPOINTMENTS

SENIOR-CITIZEN TAX BOARD

Commissioner Wyatt moved to appoint Jackie Adams to fill the unexpired term of Pat Campbell. Mr. Adams' term will become effective October 2, 2017 and expire December 31, 2019. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Wyatt moved to appoint MaryAnn Morrison to fill the unexpired term of Ted Wilezynski. Mrs. Morrison's term will become effective October 2, 2017 and expire December 31, 2017. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

TRANSPORTATION ADVISORY BOARD

Commissioner Wyatt moved to re-appoint Rick Ziegenfuss to District 1 of the Taney County Transportation Board. His term will be effective January 1, 2017 and will expire December 31, 2020. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Wyatt moved to re-appoint Doug Muller to District 3 of the Taney County Transportation Board. His term will be effective January 1, 2017 and will expire December 31, 2020. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Wyatt moved to re-appoint Ben Caperton to District 4 of the Taney County Transportation Board. His term will be effective January 1, 2016 and will expire December 31, 2019. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Wyatt moved to re-appoint Ron Newman to District 5 of the Taney County Transportation Board. His term will be effective January 1, 2018 and will expire December 31, 2021. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

COURT ORDERS

Check Pennel, Taney County Assessor, and Wesley Shoemaker, Chief Deputy Clerk, came before the Commission to present Court Orders. Both Properties had program errors that happened in 2015 and 2016.

*Abatements #203392 and #203393

Date: 2 Oct 2017 Exhibit: A ADD ON TO BOOK

AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Disapproved
203392	2015	2017-09-21	0000-00-00	05-2.0-03-000-000-002.026	BRAUN DEBRA K TRUST	ADD ON TO BOOK	100	100	0	0	0	0		<input checked="" type="checkbox"/>	
203393	2016	2017-09-21	0000-00-00	05-2.0-03-000-000-002.026	BRAUN DEBRA K TRUST	ADD ON TO BOOK	100	100	0	0	0	0		<input checked="" type="checkbox"/>	

Commissioner Wyatt moved to approve the Abatements Exhibit A. Commission Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

RECESS
10:55 a.m.

RECONVENE
11:25

DAILY STAFF REVIEW & AGENDA REQUESTS
The Commission met with their staff to review the day’s business and go over agenda requests.

ADJOURNMENT
Commission Williams moved to adjourn. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ADJOURN
11:35 a.m.

The Minutes were taken and typed by Deputy Clerk Ally Clemans.

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