

**OFFICIAL  
COMMISSION MINUTES  
AUGUST 21<sup>st</sup>, 2017 8<sup>th</sup> DAY OF  
THE JULY ADJOURN TERM**

**PRELIMINARY STUDY**

The County Commission met in the Commission Conference Room at 8:32 a.m. with Mike Scofield (present), Brandon Williams (absent), and Sheila Wyatt (present).

The Commission met to review the day's agenda

**RECESS**

**8:51 a.m.**

**RECONVENE**

**9:00 a.m.**

**FORMAL AGENDA**

The County Commission met in the Commission Hearing Room at 9:02 a.m. with Mike Scofield (present), Brandon Williams (present), and Sheila Wyatt (present).

**PUBLIC COMMENT**

None.

*Prayer and Pledge*

**CALL TO ORDER**

Presiding Commissioner Mike Scofield called the Commission meeting to order at 9:03 a.m.

**COMMISSION REMARKS**

None.

**APPROVAL OF ACCOUNTS PAYABLE**

Commissioner Williams moved to Approve Checks #446269 thru #446350, and warrants #6828 and #6829. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), 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 MINUTES FOR AUGUST 7<sup>TH</sup> & 14<sup>TH</sup> AND EXECUTIVE SESSION FOR AUGUST 14, 2017**

Commissioner Wyatt moved to approve the previous meeting minutes for August 7, 2017 with corrections. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (abstain), and Wyatt (aye).

Commissioner Williams moved to approve Previous Meeting Minutes for August 14, 2017 with corrections. 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 August 14, 2017. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**DAVIS AVIATION LEASE AGREEMENT 2017 #17-110AIR**

Mike Mulnik came before the Commission to present the Davis Aviation Lease Agreement 2017 #17-110AIR.

Commissioner Williams moved to approve the Lease Agreement by and between Davis Aviation and Taney County as presented file #17-110AIR. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Presiding Commissioner MS; Eastern Commissioner SQ; Western Commissioner ZU

**CENTURYLINK LOYAL ADVANTAGE AGREEMENT FOR 911 EQUIPMENT NETWORK UPGRADE #17-092CM**

Tammy Hagler, 9-1-1 Administrator, came before the Commission to present the Century Link Loyal Advantage Agreement for 911 Equipment Network Upgrade #17-092CM.

This upgrade will include text to 911 which hasn't been available to Taney County, along with being able to tell which tower calls come in from which would help with locating the caller or the individual using texting.

Discussion ensued.

Commissioner Wyatt moved to approve the Century Link Loyal Advantage Agreement for 911 Equipment Network Upgrade file #17-092CM between Century Link and Taney County. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**FILL DIRT AGREEMENT – CHARLIE STIFFLER**

Randy Haes, Taney County Highway Administrator, came before the Commission to present Fill Dirt Agreement – Charlie Stiffler.

Commissioner Williams moved to approve the Fill Dirt Agreement by and between Taney County and Charlie Stiffler. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**FILL DIRT AGREEMENT**

COMES NOW the Taney County Commission on behalf of Taney County, Missouri, (hereinafter "Taney County") and enters into this agreement with Charlie Stiffler (hereinafter Owner), regarding the dumping of dirt fill on Owner's property, and the particulars of the agreement are as follows:

WITNESSETH:

WHEREAS, Taney County, Missouri's Road and Bridge Department would benefit from a location near ongoing construction to dump excess and unneeded fill dirt; and,

WHEREAS, having said location would save Taney County's Road and Bridge Department a considerable amount in hauling costs; and

WHEREAS, Owner will benefit from having needed fill dirt dumped on Owner's property;

NOW THEREFORE IT IS AGREED AND COVENANTED BETWEEN THE PARTIES AS FOLLOWS:

General Provisions.

Taney County, as the need arises, is granted permission by Owner to dump fill dirt upon locations on Owner's property that Owner has previously designated to receive such material.

Term and Notice.

The term of this agreement shall commence upon the first date upon which all parties have signed this agreement and shall continue until terminated by one party or the other.

Hold Harmless

Owner agrees that it will hold Taney County, its employees, representatives, heirs and assigns harmless from any claims arising from or relating to this agreement except for any gross negligence.

If 3 loads or less needs approval of Road & Bridge Administrator only.

Randy Haes  
Randy Haes, Road & Bridge Administrator

8-15-2017  
Date:

**FILL DIRT AGREEMENT**

COMES NOW the Taney County Commission on behalf of Taney County, Missouri, (hereinafter "Taney County") and enters into this agreement with Charlie Stiffler (hereinafter Owner), regarding the dumping of dirt fill on Owner's property, and the particulars of the agreement are as follows:

WITNESSETH:

WHEREAS, Taney County, Missouri's Road and Bridge Department would benefit from a location near ongoing construction to dump excess and unneeded fill dirt; and,

WHEREAS, having said location would save Taney County's Road and Bridge Department a considerable amount in hauling costs; and

WHEREAS, Owner will benefit from having needed fill dirt dumped on Owner's property;

IN WITNESS WHEREOF THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE SET FORTH BELOW.

OWNER

Charlie Stiffler  
Owner's Name

Oleamus Road  
Owner's Address

Phone Number: 545-0796

Date: 8-2-2017

TANEY COUNTY, MISSOURI

Mike Scofield  
Mike Scofield, Presiding Commissioner  
Taney County Commission

Date: 8/21/17

ATTEST

The Taney County Clerk, Donna Neeley hereby attests that the Presiding Commissioner of the Taney County Commission, Mike Scofield, signed this agreement on behalf of the Taney County Commission pursuant to a previously passed motion of the Taney County Commission.

Donna Neeley  
Donna Neeley, Taney County Clerk

Date: 8/22/17

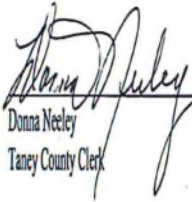
Auditor's Certification

The undersigned, as Budget Officer for the County of Taney, certifies that there is a balance otherwise unencumbered in the county treasury to the credit of the appropriation to which the financial obligation imposed upon the county by this agreement is to be charged, and there is a cash balance otherwise unencumbered in the county treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation incurred. Section 30.530(1) & Section 50.660 RSMo.

Rick Findley  
Rick Findley, Taney County Auditor

Date: 8-22-17

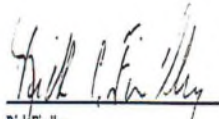
ATTEST: I, Donna Neeley, as the Clerk of the Taney County Commission hereby attest that the above agreement was executed by Mike Scofield, the Taney County Presiding Commissioner, pursuant to a duly passed motion of the Taney County Commission approving the above agreement.

  
\_\_\_\_\_  
Donna Neeley  
Taney County Clerk

Date: 8/22/17

**Certification of Accounting Officer pursuant to Section 50.660 RSMo:**

The undersigned, as Budget and Accounting Officer for the County of Taney, certifies that there is a balance otherwise unencumbered in the county treasury to the credit of the appropriation to which the financial obligation imposed upon the county by this Agreement For Professional Services with HDR Engineering, Inc. is to be charged, and there is a cash balance otherwise unencumbered in the county treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation incurred in the amount of \$17,000.00.

By:   
\_\_\_\_\_  
Rick Findley  
Taney County Auditor

Date: 8-22-17

**JUVENILE DIVERSION GRANT DISCUSSION**

Melissa Duckworth with Taney County Emergency Management and Darlene Rea came before the Commission to discuss the Juvenile Diversion Grant.

Presiding Commissioner Scofield stated that this is a grant through the Division of Youth Services who is the sub grantee of the Department of Public Safety. This Grant is an opportunity for the Juvenile Office to partner with the community.

Discussion ensued.

**COURT ORDER**

Donna Neeley, Taney County Clerk, came before the Commission to present Court Order. Mrs. Neeley informed the Commission that this is merely a classification change.

Discussion ensued.

Commissioner Wyatt moved to approve Abatement on Parcel 17-4.0-17-005 for Classification change for the 2017 Tax Book. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**BRIDGE DECK REPLACEMENT FOR ILLINOIS STREET PROFESSIONAL SERVICES AGREEMENT AMENEDMENT NO. 1#16-088RB**

Mr. Haes came before the Commission to present the Bridge Deck Replacement for Illinois Street Professional Services Agreement Amendment No.1 #16-088RB. Presiding Commissioner Scofield read a letter dated August 16, 2017 from Mr. Frank Cottey, Taney County Attorney, which stated that he has reviewed the proposed Amendment No.1 to the Agreement for engineering services with HDR Engineering, Inc. and approves it to form.

Commissioner Williams moved to approve the Agreement for the Bridge Deck Replacement for Illinois Street Amendment No.1 #16-088RB. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

<p style="text-align: center;">AMENDMENT NO. 1 TO AGREEMENT FOR ENGINEERING SERVICES</p> <p>WHEREAS:</p> <p>HDR ENGINEERING, INC. ("HDR") entered into an Agreement on October 24<sup>th</sup>, 2016 to perform engineering services for Taney County, Missouri ("OWNER"); in connection with the Bridge Deck Replacement for Illinois Street over Fall Creek ("PROJECT").</p> <p>OWNER desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;</p> <p>HDR is willing to amend the agreement and perform the additional engineering services.</p> <p>NOW, THEREFORE, HDR and OWNER do hereby agree:</p> <p>The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;</p> <p>Exhibit A – Scope of Services shall be amended to add:</p> <p><u>Scope of Services Addition</u> Late spring of 2017 had record flooding on Fall Creek which created damage to the Illinois Street Bridge. As a result, HDR has been asked to provide field checks, modifications to the plans (replace the west end bent) and extra inspection during construction of the bridge on this project.</p> <p>Upon Notice to Proceed, the Consultant shall perform the following which will be added to the Construction Services Task:</p> <p><u>Additions to Construction Services Task</u></p> <ul style="list-style-type: none"> <li>• <u>Modifications to the Bridge Memorandum and the Preliminary Cost Estimate</u> Consultant will do a site visit field check to inspect damage to the bridge because of recent flooding and to discuss repair options with the contractor. Consultant will modify the Bridge Memorandum and cost estimate to include the extra repairs needed do to scour damage from the recent floods and the contractor value engineering change order of replacing West entire end bent of the bridge.</li> <li>• <u>Modifications to the Final Bridge Design and Final Plans</u> Upon approval of the Revised Bridge Memo, the Consultant will prepare bridge</li> </ul>	<p>design and final design drawings for the project. The following plan sheets and the anticipated design effort included in the following sheet list:</p> <p>Sheet 1: Modifications to the General Plan and Elevation View of Bridge Sheet 2: Modifications to General Notes and Summary of Quantities Sheet 3 thru 3b: Modifications to West End Bent Details Sheet 11: Modifications to the Bill of Reinforcing and Bar Bending Diagram</p> <p>HDR will design and furnish checked design plans and quantity computations for the modifications. The degree of detail shall be comparable to that furnished on typical plans prepared in accordance with MoDOT criteria and procedures.</p> <ul style="list-style-type: none"> <li>• <u>Project Administration and Quality Control</u> Project Administration includes general project administration items such as invoicing, budget monitoring and status reporting thru the design modifications and extra construction services for these modifications. Quality Control reviews of all deliverables will be performed by a senior bridge QC engineer. The Consultant will also address review comments received from the County on the Bridge Memo and Final Plans and Specifications and submit a final signed and sealed set of modified drawings and Specifications.</li> <li>• <u>Extra Construction Inspection</u> During the construction of the new end bent HDR will make extra routine inspections (2 times a week and construction duration of 4 weeks) to ensure the plans and specifications are followed. For this Scope, eight total extra site visits (3 hours per visit) at attended by an HDR Engineer from Forsyth for a total of 24 hours.</li> </ul> <p><u>Deliverables</u></p> <ul style="list-style-type: none"> <li>• Bridge Memorandum and Preliminary Cost Estimate</li> <li>• Final Bridge Design, 11x17 Final Plans, Specifications and Cost Estimate</li> <li>• Construction Services submittals that include RFI responses</li> </ul> <p><u>Estimated Project Schedule</u> August 28, 2017: Submit revised Bridge Memorandum, revised Cost Estimate, Final Bridge Design, and Revised Plans Summer and Fall, 2017: Construction and Construction Services</p> <p>Section IV COMPENSATION, shall be replaced with the following:</p> <p>Compensation for Basic and Optional Services shall be on an hourly basis at the Consultants' standard rates plus reimbursable expenses, not to exceed the amounts given below. An Hourly Rate Schedule is attached as Exhibit C.</p> <p>Consultant reserves the ability to reallocate the not to exceed amounts for each authorized task as long as the total authorized compensation is not exceeded.</p>
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<u>Original Fee</u>	
Original Fee Task 1: Design of Bridge Deck Replacement	\$32,960.00
Original Fee Task 2: Construction Services	\$15,500.00
<b>Original Total Fee Authorization</b>	<b>\$48,460.00</b>
 <u>Amendment #1</u>	
Additional Fee Task 2: Construction Services	\$17,000.00
<b>Revised Total Fee (with Amendment #1)</b>	<b>\$65,460.00</b>
 IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:	
HDR Engineering, Inc. ("HDR") By: <u>Joseph E. Drimmel</u> Its: <u>Vice President</u> Date: <u>August 9, 2017</u>	<u>Taney County, Missouri ("Owner")</u> By: <u>Mike Scofield</u> Its: <u>Presiding Commissioner</u> Date: <u>8/21/2017</u>

**ROAD & BRIDGE SOFTWARE (CARTEGRAPH SYSTEMS) SSP#201708-381**

Mr. Haes was joined by Ron Erickson, Taney County Purchasing Advisor, to present the Road and Bridge Software (Cartegraph Systems) SSP#201708-381.

Discussion ensued.

Commissioner Williams moved to approve Cartegraph Systems as a single source for the Road & Bridge Software #201708-381. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**EXECUTIVE SESSION PER SECTION 610.021.(3) (12) (PERSONNEL AND CONTRACTS)**

Commissioner Williams moved to enter into Executive Session per Section 601.021. (3) (12) (Personnel and Contracts). Commissioner Wyatt seconded the motion. The motion passed by roll call vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**RECESS**

**9:41 a.m.**

**RECONVENE-Taney County Commission Conference room**

**9:50 a.m.**

See Executive Session Minutes for any motions made or votes taken.

Commissioner Wyatt moved to exit Executive Session per Section 610.021. (3) (12) (Personnel and Contracts). Commissioner Williams seconded the motion. The motion passed by roll call vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**RECESS**

**10:30 a.m.**

**RECONVENE**

**10:41 a.m.**

**WORK SESSION WITH PLANNING & ZONING ADMINISTRATOR**

*Taney County Commission Conference Room*

The Commission met with Scott Starrett, Taney County Planning and Zoning Administrator, to discuss the Planning and Zoning Code Book.

**DISCUSSION OF SMOKING POLICY ON TANEY COUNTY PROPERTIES**

Renee Brusca and Scott Terpening with Taney County Maintenance Department met with the Commission to discuss the Smoking Policy on Taney County Properties. During this discussion four designated smoking areas were established; one will be at the far end of the Judicial Building on the opposite side of the Sherriff's Office, another will be just above the employee entrance of the Judicial Building. The third will be located in between booking and the kitchen, and the last will be between the courthouse and the parking garage.

*Sherriff Jimmie Russell joined the discussion at 12:58 p.m.*

**RECESS**

**12:58 p.m.**

**RECONVENE**

**3:12 p.m.**

**DAILY STAFF REVIEW AND AGENDA REQUEST**

*Taney County Commission Conference Room*

The Commission met with their staff to review the day's business and go over Agenda Requests.

**ADJOURNMENT**

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

Presiding Commissioner ms; Eastern Commissioner sc; Western Commissioner rw <sup>13</sup>

**ADJOURN**

**4:33 p.m.**

*The Minutes were taken by Presiding Commissioner Scofield and Deputy Clerk Ally Clemans;  
the minute were typed by Ally Clemans.*