

**OFFICIAL  
COMMISSION MINUTES  
NOVEMBER 26<sup>th</sup>, 2018 12<sup>th</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

**PRELIMINARY STUDY**

Did not take place.

**PUBLIC COMMENT**

None.

**CALL TO ORDER**

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

**FORMAL AGENDA**

The County Commission met in the Commission Hearing Room with Mike Scofield (present), Brandon Williams (present), and Sheila Wyatt (present).

**COMMISSION REMARKS**

None.

**APPROVE ACCOUNTS PAYABLE**

Commissioner Wyatt moved to approve Checks #452536 thru #452604 and no Warrants or Journal Entries. Commissioner Williams 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 MINUTES**

Commissioner Williams moved to approve the Previous Meeting Minutes from November 13, 14 and November 19, 2018 with corrections. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve Executive Session Minutes for November 13 and November 14, 2018. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**AGREEMENT FOR QUALIFIED ENGINEERING/ARCHITECTURAL CONSULTING AGREEMENT ADDENDUM #17-131P**

Commissioner Williams moved to approve the addendum to the contract of employment by and between Great River Associates, DBA Great River Engineering and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**ADDENDUM TO CONTRACT OF EMPLOYMENT**

THIS ADDENDUM, entered into on the date set forth below, by and between County of Taney, Missouri ("County") and Great River Associates, Inc. d/b/a Great River Engineering ("Engineer").

WHEREAS, County and Engineer entered into a Contract of Employment, dated January 2, 2018, for engineering advice and services ("Contract"); and

WHEREAS, desire to amend the Contract pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties agree as follows:

1. Renewal. The parties agree to renew the Contract for an additional term of one (1) year, effective January 2, 2019, and ending January 1, 2020.

## HDR ENGINEERING

Brandon Williams moved to approve the addendum to the master short form for professional services by and between Taney County and HDR Engineering. Commissioner Wyatt seconded the motion. . The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 17-131P

### ADDENDUM TO MASTER SHORT FORM AGREEMENT FOR PROFESSIONAL SERVICES

THIS ADDENDUM, entered into on the date set forth below, by and between County of Taney, Missouri ("County") and HDR Engineering, Inc. ("Engineer").

WHEREAS, County and Engineer entered into a Master Short Form Agreement for Professional Services, dated January 2, 2018, for engineering, consulting and related services ("Contract"); and

WHEREAS, desire to amend the Contract pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties agree as follows:

1. Renewal. The parties agree to renew the Contract for an additional term of one (1) year, effective January 2, 2019, and ending January 1, 2020.
2. Limitation of Remedies; Allocation of Risk. The parties agree to delete, remove, and strike paragraph 17, set forth in Exhibit B to the Contract in its entirety, and replace paragraph 17 with the following provision:

"17. Owner and Engineer have evaluated the risks and rewards associated with this project, including Engineer's fee relative to the risks assumed, and agree to allocate certain of the risks, so, to the fullest extent permitted by law, the total aggregate liability of engineer (and its related corporations, subconsultants and employees) to Owner and third parties granted reliance is limited to \$1,000,000 for any and all injuries, damages, claims, losses, or expenses (including attorney and expert fees) arising out of engineer's services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity, or other recovery."

3. This Addendum is subject to the Contract and to each and every term, covenant, condition and agreement set forth therein, except to the extent provided in paragraphs 1 and 2 of this Addendum. County and Engineer agree to continue to be bound by the remaining terms of the Contract for the additional term of the Contract.

IN WITNESS WHEREOF, the parties have executed this Addendum on the last date written below.

**CITY OF ROCKAWAY FUNDING REQUEST FOR WWTF CAPITAL IMPROVEMENTS PROJECT (CONSTRUCTION PHASE)**

John Soutee, Taney County Environmental Services Project Coordinator, came before the Commission to present the City of Rockaway Funding Request for WWTF Capital Improvements Project (Construction Phase).

**INTER-GOVERNMENTAL FUNDING AGREEMENT  
BETWEEN  
TANEY COUNTY, MISSOURI  
AND  
THE CITY OF ROCKAWAY BEACH**

**ROCKAWAY BEACH REGIONAL WWTF CAPITAL IMPROVEMENTS PROJECT  
(CONSTRUCTION PHASE)**

**THIS AGREEMENT** is made and entered into between Taney County, Missouri (hereinafter referred to as "County") and the City of Rockaway Beach (hereinafter referred to as "City").

**WITNESSETH:**

**WHEREAS**, the County is a political subdivision of the State of Missouri; and

**WHEREAS**, the City is a political subdivision of the State of Missouri; and

**WHEREAS**, pursuant to section 70.220 RSMo, the County and City are authorized to enter into agreements for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; and

**WHEREAS**, pursuant to the above stated authority the County may enter into agreements for the purpose of making improvements to sewer systems within Taney County through projects utilizing expenditures of Sewer Sales Tax Funds (hereinafter "Sewer Sales Tax"); and

**WHEREAS**, the County shall oversee sewer sales tax funds which may be made available for use in areas of Taney County to finance capital improvements to their waste water infrastructure. It has been determined that the project (Rockaway Beach Regional WWTF Capital Improvements Project – Construction Phase) is feasible and meets the criteria necessary under the Sewer Sales Tax Guidelines. **This project will provide for the following improvements to be made to the Wastewater Treatment Facility (WWTF):**

- 1. Influent Headworks Improvements**
- 2. Ultraviolet Disinfection System Improvements**
- 3. Sludge Processing Improvements**

- 4. Return Activated Sludge Pumping Improvements**
- 5. Selector Basin Improvements**
- 6. Aeration System Improvements**
- 7. Tertiary Backwash Filter Equalization Improvements**
- 8. Emergency Backup Power Generator Addition**
- 9. Construction Phase Engineering Services Necessary to Oversee Project**

Commissioner Wyatt moved to approve the agreement between the Rockaway Beach Regional Waste Water Treatment Facility Capital Improvement as presented. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**PERSONNEL POLICY DISCUSSION & APPROVAL TO AMENDMENT**

Ruth Denham, Human Resources Administrator, came before the Commission to present the Amendments to the Personnel Policy.

**Taney County Personnel Policy Manual Revision 2018**

**Revision of Policies**

The following revision is effective 2018-11-26

Amendment #2018-03 - #18-\_\_\_\_ HR  
1. Section 17-1. Group and Voluntary Benefits.

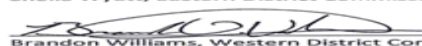
Amendment #2018-03 -#18-\_\_\_\_HR to the Personnel Policy Manual is hereby submitted and adopted this 26<sup>th</sup> day of November, 2018.

  
Mike Scofield, Presiding Commissioner

11/26/18  
Date

  
Sheila Wyatt, Eastern District Commissioner

11/26/18  
Date

  
Brandon Williams, Western District Commissioner

11-26-18  
Date



**TOPIC F – EMPLOYEE BENEFITS: (SECTIONS 17, 18)**

**SECTION 17. GROUP AND VOLUNTARY BENEFITS**

**Section 17-1. Group and Voluntary Benefits.**

All regular full-time employees are eligible for group health benefits. Full-time employees, as defined under the Affordable Care Act, are employees who work an average of thirty (30) hours per week for more than one hundred-twenty (120) days in one (1) year.

Full-time employees will be enrolled, without cost, in the group health, dental and basic group life insurance programs. All coverage, which includes any voluntary and dependent coverage paid in full by employee, will begin on the first day of the calendar month following sixty (60) days from the date of hire. *(Amended 11/26/2018).*

Commissioner Williams moved to adopt and enter into the employee benefits policy, section 17-1, as presented with corrections. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**STATE AVIATION TRUST FUND PROJECT CONSULTATION AGREEMENT-SUPPLEMENTAL #18-114AIR**

Mike Mulnik with the Taney County Airport came before the Commission to present the State Aviation Trust Fund Project Consultation Agreement-Supplemental.

Airport Name: M. Graham Clark Downtown  
Project No.: AIR 186-101A  
County: Taney

**AVIATION PROJECT CONSULTANT SUPPLEMENTAL AGREEMENT NO. 1**

THIS SUPPLEMENTAL AGREEMENT NO. 1 is entered into by Taney County (hereinafter, "Sponsor") and Garver, LLC (hereinafter, "Consultant").

WITNESSETH:

WHEREAS, the Sponsor and the Consultant entered into an Agreement on October 15, 2018, to accomplish a project at the M. Graham Clark Downtown Airport, (hereinafter, "Original Agreement"); and

WHEREAS, the Sponsor and the Consultant now desire to enter into Supplemental Agreement No. 1 to modify the Original Agreement as provided herein.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and representations contained herein the parties agree as follows:

(1) Section (7) of the original agreement shall be replaced in its entirety with the following text:

(7) SUBCONSULTANTS:

(A) The Consultant agrees that except for those firms and for those services listed below, there shall be no transfer of engineering services performed under this Agreement without the written consent of the Sponsor. Subletting, assignment, or transfer of the services or any part thereof to any other corporation, partnership, or individual is expressly prohibited. Any violation of this clause will be deemed cause for termination of this Agreement.

EXCEPTIONS (subconsultant information):

FIRM NAME	COMPLETE ADDRESS	NATURE OF SERVICES
Palmerton & Parrish, Inc.	4168 W. Kearney St. Springfield, MO 65803	Geotechnical Services
Terracon	4765 W. Junction St. Springfield, MO 65802	Geotechnical Services

(B) The Consultant agrees, and shall require the selected subconsultants, to maintain books, documents, papers, accounting records, and other evidence pertaining to direct costs and expenses incurred under the Agreement and to make such materials available at their offices at reasonable times during the Agreement period and for three (3) years from the date of final payment under the Agreement, for inspection by the Sponsor or any authorized representative of MoDOT, and copies thereof shall be

Commissioner Williams moved to approve the Aviation Project Consultation Supplemental Agreement No. 1. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**NOTICE OF RENEWAL FOR INDEPENDENT AUDITING SERVICES #18-124CM**

Commissioner Wyatt moved to approve the renewal for the Independent Auditing Services for KPM, for the fiscal year 2018. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 18-124CM

**NOTICE OF RENEWAL**

To: KPM CPA's, P.C., Andrew Marmouget, Authorized Representative, 1445 East Republic Road, Springfield, Missouri, 65804

Notice is given that the County of Taney, Missouri hereby renews its agreement with KPM CPA's, P.C., for Independent Auditing Services, commencing January 1, 2019, for a period of (1) one year, which will expire on December 31, 2019. A copy of this agreement is attached hereto as Exhibit A.

*Mike Scofield*  
Mike Scofield, Presiding Commissioner

Date: 11/26/18

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

By: *Donna Neeley*  
Donna Neeley, County Clerk

Date: 11/26/18

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

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 Notice of Renewal 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 obligations scheduled to be incurred under this Notice of Renewal.

By: *Rick Findley*  
Rick Findley, Taney County Auditor

Date: 11/26/18

**COURT ORDERS**

Stephanie Spencer, Deputy Clerk, and Chuck Pennel, Taney County Assessor, came before the Commission to present Court Orders.

\*Exhibit A

Date: 11/26/2018      Exhibit: A      ERRONEOUS ASSESSMENT

AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied
<i>Deny</i> 204147	2018	0000-00-00	2018-11-08	08-1.0-12-003-018-001.000	BRIDGE OF FAITH	ERRONEOUS ASSESSMENT	0	-1160	0	0	0	0	EXEMPT PROP FOR 2019		✓
204148	2018	0000-00-00	2018-11-08	17-3.0-06-001-001-006.000	COMMUNITY CHURCH	ERRONEOUS ASSESSMENT	2170	-2060	0	0	17920	0	0 PER CP 11/19-LW	✓	
204168	2018	0000-00-00	2018-11-14	18-6.0-14-001-003-028.008	JESSE JAMES CONFUSION HILL	ERRONEOUS ASSESSMENT	9440	6030	0	0	0	-10160		✓	
204169	2018	0000-00-00	2018-11-14	20-3.0-06-000-000-005.000	ROOK DAN & SHERRI	ERRONEOUS ASSESSMENT	12850	-1790	140	0	0	0		✓	
					RANDELL JIM A & SHIRLEY	ERRONEOUS ASSESSMENT									✓

Commissioner Williams moved to deny abatement #204147. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve abatement #204148, #24168 and #204169 dated November 26, 2018. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**\*Exhibit B**

AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied
204146	2018	0000-00-00	2018-11-08	18-610-19-002-005-013.001	SMITH CARROLL JAMES & LINDA A	CLERICAL ERROR	8660	5410	0	0	0	0	-9110 COMM VAL FOR 2018 PER CONDO LETTER 11/18-LW	✓	

Commissioner Williams moved to approve Exhibit B dated November 26, 2018. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**\*Exhibit C**

AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied
204170	2015	0000-00-00	2018-11-14	20-3-0-06-000-000-005.000	RANDELL JIM A & SHIRLEY	ERRONEOUS ASSESSMENT	12850	-1790	140	0	0	0		✓	
204171	2016	0000-00-00	2018-11-14	20-3-0-06-000-000-005.000	RANDELL JIM A & SHIRLEY	ERRONEOUS ASSESSMENT	12850	-1790	140	0	0	0		✓	
204172	2017	0000-00-00	2018-11-14	20-3-0-06-000-000-005.000	RANDELL JIM A & SHIRLEY	ERRONEOUS ASSESSMENT	12850	-1790	140	0	0	0		✓	

Commissioner Wyatt moved to approve abatement #204170, #204171, and #204172 dated November 26, 2018. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**RECESS**

**9:28 a.m.**

**RECONVENE**

**9:37 a.m.**

**PROPERTY AND CASUALTY UPDATE WITH TIM CONNELL**

Tim Connell with Connell Insurance came before the Commission to present the Property and Casualty Update.

**MODOT UPDATE**

Did not take place.

**RECESS**

**9:48 a.m.**

**RECONVENE**

**10:10 a.m.**

**EXECUTIVE SESSION**

**10:10 a.m.**

**EXECUTIVE SESSION PER SECTION 610.021.1 (LEGAL)**

*(Taney County Commission Conference Room)*

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

**END OF EXECUTIVE SESSION**

**12:20 a.m.**

**RECESS**

**12:20 a.m.**

**RECONVENE**

**1:46 p.m.**

## **BUDGET DISCUSSION**

Present: Donna Neeley, Rick Findley, David Clark, Darlene Rae, Tony Williams, and Cheryl Peterson.

Discussion was held in regards to changing line 112-50-033 Criminal Costs to Treatment Court Administrative.

All three Commissioners agreed to keep the Juvenile Budget at \$244,000.00.

Darlene and Cheryl left the meeting at 3:02 p.m.

Judge Williams left the meeting at 3:10 p.m.

Rick left the meeting at 3:12 p.m.

## **DAILY STAFF REVIEW AND AGENDA REQUEST**

Present: Presiding Commissioner Scofield, Commissioner Wyatt, Commissioner Williams, and Shanna Tilley

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

## **RECESS**

**3:33 p.m.**

*The Minutes were taken by County Clerk Donna Neeley and Deputy Clerk Ally Clemans; the Minutes were typed by Ally Clemans.*

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