

**OFFICIAL
COMMISSION MINUTES
SEPTEMBER 9th, 2019 - 14th DAY OF
THE JULY ADJOURN TERM**

PRELIMINARY STUDY

Did not take place.

FORMAL AGENDA

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

PUBLIC COMMENT

None

Prayer & Pledge

CALL COUNTY COMMISSION MEETING TO ORDER

Presiding Commissioner Scofield called the meeting to order at 9:02 a.m.

COMMISSION REMARKS

None

MONTHLY BUDGET REPORT

David Clark, Auditor, presented the Monthly Budget Report to the Commission.

RESOLUTION AND ORDER PER SECTION 67.040

Presiding Commissioner Scofield referenced a letter from their attorney.

Presiding Commissioner Scofield read the Resolution and Order for the record.

Commissioner Wyatt made a motion to adopt the Resolution and Order of the Taney County Commission. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

**RESOLUTION AND ORDER
OF THE
TANEY COUNTY COMMISSION**

WHEREAS, § 67.040, RSMo. authorizes an increase in the total amount authorized for expenditure from a fund if the governing body adopts a resolution setting forth the facts and reasons making the increase necessary and approves or adopts an order, motion, resolution or ordinance to authorize the expenditures; and

WHEREAS, the County Clerk has submitted documentation and a request to increase the total amount authorized for expenditure from the Election Services Account (the "400 Account") on the grounds that the remaining balance of the 400 Account was not allocated to the contingency line; and

WHEREAS, upon information and belief, and based upon the information provided by, and request of the County Clerk, there is \$8,447.63 in Efficiency Grant funds available in the 400 Account; and

WHEREAS, the County Clerk has requested to expend \$4,104.45, payable to Owen G. Dunn Co. d/b/a Printelect of the Efficiency Grant funds to pay for additional voting booths, Windows 10 compatible scanners and payroll for an employee to update and maintain MCVR records from the 400 Account; and

WHEREAS, the County Clerk has requested and authorized the release of funds from the 400 Account for the purposes and in the amount described above; and

NOW, THEREFORE, be it resolved and ordered by the County Commission of Taney County, Missouri, as follows:

1. Recitals. The recitals set forth above are incorporated herein by reference as the findings of the County Commission as to the facts and reasons making the increase necessary.

2. Approval and Adoption. The County Commission hereby approves and adopts this Resolution and Order to authorize the expenditure of \$4,104.45 from the 400 Account in favor of Owen G. Dunn Co. d/b/a Printelect, pursuant to the request and authorization of the County Clerk.

RESOLVED AND ORDERED this 9th day of September, 2019.

APPROVE ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #456174 - #456204 Checks #456206 - #456230 and Check #456128, Warrant #7264 - #7268, and no Journal Entries or Transfers. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to void Check #456205. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Wyatt moved to approve Regular Session Minutes from September 3, 2019. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Commissioner Wyatt moved to approve Regular Session Minutes from August 20th and 21st, 2019. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to approve Emergency Executive Session Minutes from August 20th and 21st, 2019. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

CITY OF BRANSON FUNDING AGREEMENT – SEWER SYSTEM IMPROVEMENT

John Soutee, Environmental Services Project Coordinator, was present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Funding Agreement between City of Branson and Taney County for the Sewer System Improvement. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

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

**BRANSON SEWER SYSTEM IMPROVEMENT PROJECTS FUNDING
AGREEMENT**

THIS AGREEMENT is made and entered into between Taney County, Missouri (hereinafter referred to as "County") and the City of Branson (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 sewer system improvement projects being undertaken by the City are feasible and meet the criteria necessary under the Sewer Sales Tax Guidelines. The following projects will be included under this funding agreement:

1. Upgrade Force Main Serving Lift Station #17 (Engineering Phase)
2. Compton Drive WWTF Flood Protection (Subgrade Engineering Phase)
3. Spring Creek North – Sewer Main Extension (Engineering & Construction)
4. Upgrades to Lift Station #10 & #34 – Construction
5. Compton Drive WWTF Effluent Gate Installation – Construction

WAIVER & RELEASE OF LIEN FINAL PAYMENT – BASE CONSTRUCTION & MANAGEMENT, LLC # 19-105RB

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve the Waiver and Release and Authorize Presiding Commissioner Scofield to execute the document on behalf of the County Commission. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

COURT ORDERS

Lyn Wieneke, Business Personal Property Clerk, and Wesley Shoemaker, Chief Deputy Clerk, were present.

Commissioner Williams moved to approve Exhibit “A” (#300303) dated September 9, 2019. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Exhibit “A”

PP PAID ABATEMENTS											
Exhibit: <u>A</u>		Date: <u>9 Sept 2019</u>									
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approved	Denied	Tabled
300303	2018	PENDING	2019-08-30	1-118952-900	REMMELE JEAN	DUP PAID BILL WITH 111638	0	-7280	<input checked="" type="checkbox"/>		

CONFLICT OF INTEREST ORDINANCE – 2019#19-098CM

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve the Conflict of Interest Ordinance for 2019. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

AN ORDINANCE OF TANEY COUNTY, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS.

BE IT RESOLVED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

Section 1 - Declaration of Policy

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the County.

Section 2 - Conflicts of Interest

- a. All elected and appointed officials as well as employees of a political subdivision must comply with section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.
- b. Any member of the governing body of a political subdivision who has a “substantial or private interest” in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity with an interest; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association with an interest within any calendar year.

Section 3 - Disclosure Reports

Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer, and the full-time general counsel shall disclose the following information by May 1, or the appropriate deadline as referenced in Section 105.487 RSMo, if any such transactions occurred during the previous calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

- b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

The chief administrative officer, (as defined by the Taney County Commission as the Presiding Commissioner), chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487, RSMo., the following information for the previous calendar year:

- a. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
- b. The name and address of each sole proprietorship that he owned; the name address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class or outstanding stock, limited partnership units or other equity interests;
- c. The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

The disclosure reports required by Section 3 shall be in the form of the attached Financial Disclosure Statement for Political Subdivisions, or the form promulgated by the Missouri Ethics Commission.

Section 4 – Filing of Reports

- a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year;
1. Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any person reporting may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
 2. Each person appointed to office shall file the statement within thirty days of such appointment or employment covering the calendar year ending the previous December 31;
 3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen days after the close of filing at which the candidate seeks nomination or election or nomination by caucus. The time period of this statement shall cover the twelve months prior to the closing date of filing for candidacy.
- b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the local political subdivision and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 5 – Filing of Ordinance

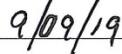
A certified copy of the ordinance, adopted prior to September 15th, shall be sent within ten days of its adoption to the Missouri Ethics Commission.

Section 6 – Effective Date

This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect for two years from the date of passage.



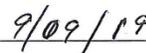
Presiding Commissioner
Taney County, Missouri



Date



Attest: County Clerk



Date

RECESS: 9:22 A.M.

RECONVENE: 10:08 A.M

EXECUTIVE SESSION PER SECTION 610.021.(1)(3) (Legal and Personnel)
(Taney County Commission Conference Room)

Present: Presiding Commissioner Scofield, Commissioner Williams, and Commissioner Wyatt.

Commissioner Williams moved to enter into Executive Session for per section 610.021.(1)(3) (Legal and Personnel). Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

***Minutes taken by Mike Scofield Presiding Commissioner**

RECESS: 11:06 A.M.

RECONVENE: 11:11 A.M.

DAILY STAFF REVIEW & AGENDA REQUESTS

(Taney County Commission Conference Room)

Shanna Tilley, Administrative Assistant and Stephanie Spencer, Deputy Clerk were present for the meeting.

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).

ADJOURN
11:20 A.M.

The Minutes were taken and typed by Stephanie Spencer, Deputy Clerk.