

**OFFICIAL  
COMMISSION MINUTES  
JANUARY 4<sup>TH</sup>, 2021 – 1<sup>ST</sup> DAY OF  
THE JANUARY ADJOURN TERM**

**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.

**CALL COUNTY COMMISSION MEETING TO ORDER**

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

**COMMISSION REMARKS**

None.

**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 ACCOUNTS PAYABLE**

Commissioner Williams moved to approve Checks #461957 through Checks #461968, Warrant #7578. 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 the Executive Session Minutes for December 28<sup>th</sup>, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Regular Session Minutes for December 31<sup>st</sup>, 2020. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Regular Session Minutes for December 30<sup>th</sup>, 2020. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Regular Session Minutes for December 28<sup>th</sup>, 2020. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**VACATION OF A PORTION OF DAVIDSON'S RUN #20-116RB**

Devin Huff, Road & Bridge Administrator, and Cody Pender, Petitioner for Davidson Run Road, were present.

Commissioner Williams moved to approve the Vacation of a Portion of Davidson's Run as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

In the Matter of:

Vacation of that part of Davidson Run located immediately east of Lots 6, 4, 2 and 1 and immediately west of Lots 7, 5, 3 and 1, of Plot I of Plat recorded in Book 8, Page 8 (Josie Davidson Survey), Office of the Recorder of Deeds of Taney County, Missouri.

ORDER

Now on this 4<sup>th</sup> day of January, 2021, being a regular day of the \_\_\_\_\_ adjourned term of the County Commission of Taney County, Missouri comes the Petitioner herein, K & H Buildings, LLC, a Missouri Limited Liability Company, Cody Pender, Managing Member, and presents to the Commission the Petition praying for the vacation of that portion of Davidson Run described above, located in Taney County, Missouri.

And the Commission having read said Petition and having heard the evidence adduced in support thereof, doth find that the Petitioner herein named is the only person interested in the property adjacent to said area of the street proposed to be vacated; that the portion of Davidson Run sought to be vacated is not being used by the general public.

The Commission doth further find that the Petition was filed with the clerk of this Commission on the 28 day of October, 2020, and that the Petitioner has posted written notice in five (5) public places in Taney County, Missouri, more than fifteen (15) days prior to this date advertising that application would be made on the 4 day of January, 2021, to the County Commission of Taney County, Missouri for the vacation of the portion of the street mentioned above and the Commission doth further find that said notice complies with the terms and provisions of Section 71.270, Revised Statutes of Missouri.

The Commission doth further find that no person interested has appeared and shown cause to the Commission why the vacation herein requested should not be made.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Commission that the following portion of Davidson Run, Taney County, Missouri, be and the same is hereby vacated:

Vacation of that part of Davidson Run located immediately east of Lots 6, 4, 2 and 1 and immediately west of Lots 7, 5, 3 and 1, of Plot I of Plat recorded in Book 8, Page

8 (Josie Davidson Survey), Office of the Recorder of Deeds of Taney County, Missouri.

IT IS FURTHER ORDERED by the Commission that a certified copy of this Order be recorded in the office of the Recorder of Deeds of Taney County, Missouri, and that the costs herein be taxed against Petitioners.

*Mike Scofield*  
Presiding County Commissioner

*[Signature]*  
County Commissioner

*Shirley Wyatt*  
County Commissioner

STATE OF MISSOURI     )  
  )  
COUNTY OF TANEY     )

I, *Alanna Nealey*, Clerk of the County Commission of Taney County, Missouri, do hereby certify that the above and foregoing is a true and correct copy of the Order and Decree made and entered by the County Commission of Taney County, Missouri, on the 4<sup>th</sup> day of January, 2021, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of the County Commission of Taney County, Missouri, at my office in Forsyth, Missouri, this 4<sup>th</sup> day of January, 2021.

*Alanna Nealey*  
Clerk, County Commission



**VACATION OF A PORTION OF 4<sup>th</sup> STREET #20-127RB**

Devin Huff, Road & Bridge Administrator, Travis Elliott, Attorney, and Daniel L. Luttrell, petitioner for 4<sup>th</sup> Street, Taneyville, Missouri, were present.

Commissioner Williams moved to table to an unspecified time, the Vacation of a Portion of 4<sup>th</sup> Street. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**VACATION OF LOST RIDGE SUBDIVISION #20-132RB**

Devin Huff, Road & Bridge Administrator, Scott Starrett, Planning & Zoning Administrator, Travis Elliott, Attorney, Dirk Allmon, Petitioner for Lost Ridge Subdivision, and David Herd, Home Builder, were present.

Dirk Allmon amended his Petition to include the Vacation of the Road in Lost Ridge Subdivision.

No one came forward to offer remonstrance.

Commissioner Williams moved to table the Vacation of Lost Ridge Subdivision to a definite date of January 19<sup>th</sup>, 2021. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**BID RECOMMENDATION FOR 2020-2021 TOYOTA RAV4 HYBRID LE AWD SUV'S (2 OR MORE)**

Susan Chapman, Assessor, and Nikki Lawrence, Purchasing Director & Legal Liaison, Travis Elliott, Attorney, were present.

Commissioner Williams moved to approve the Bid#202011-461 to Fletcher Auto Group for two (2) or more Toyota Rav4 Hybrids. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**FILL DIRT AGREEMENT – TRAVIS SELLERS**

Devin Huff, Road & Bridge Administrator, was present.

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

*unlimited.*

**FILL DIRT AGREEMENT**

COMES NOW the Taney County Commission on behalf of Taney County, Missouri, (hereinafter "Taney County") and enters into this agreement with Travis Sellers (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 the County Highway Administrator only.

Devin Huff  
Devin Huff County Highway Administrator

12-23-2020  
Date:

**BLUE RIDGE DRIVE ROAD PETITION**

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to deny the Blue Ridge Drive Petition. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**FUNDING REQUEST – CITY OF MERRIAM WOODS**

Rusty Ault, City of Merriam Woods Mayor, and Roger DeWalt, City of Merriam Woods Ward 3 Alderman, were present.

Commissioner Williams moved to provide up to \$25,000.00 to the City of Merriam Woods for Roads contingent upon receiving the CDBG – Community Development Block Grant. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**MID-STATE FUNDING, LLC**

Karl Finkenbinder, Attorney, Travis Elliott, Attorney, Steve Redford, Mid-State Funding, and Mona Cope, Collector, were present.

Discussion ensued.

**RECESS: 11:20 A.M.**

**RECONVENE: 11:29 A.M.**

**COURT ORDERS**

Andy Adams, Deputy Assessor, and Wesley Shoemaker, Deputy Clerk, were present.

Commissioner Wyatt moved to approve Exhibit “A” dated January 4, 2021. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**Exhibit “A”**

ERRONEOUS ASSESSMENT															
		Date: 7 Jan 2021		Exhibit: A											
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Disapproved
206246	2020	0000-00-00	2020-12-22	18-7.0-35-000-000-006.000	DELETED - COMBINED W/ 8	ERRONEOUS ASSESSMENT	0	-7600	0	0	0	0		X	
206247	2020	0000-00-00	2020-12-28	04-7.0-35-000-000-011.080	PUCHTA KENNETH R & NITA N TRUST	ERRONEOUS ASSESSMENT	8600	-8600	0	0	0	0		X	

**TANEY COUNTY RECYCLE CENTER INTERGOVERNMENTAL AGREEMENT #20-107RB**

Devin Huff, Road & Bridge Administrator, was present.

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

**INTERGOVERNMENT COOPERATIVE AGREEMENT BETWEEN TANEY COUNTY, MISSOURI AND THE CITY OF BRANSON, MISSOURI FOR THE PROVISION OF RECYCLING CENTER EQUIPMENT TO TANEY COUNTY, MISSOURI FOR THE OPERATION OF A RECYCLING CENTER**

THIS AGREEMENT is made this 04 day of January, ~~2020~~<sup>2021</sup> ("Effective Date") by and between the County of Taney, Missouri (hereafter "County"), a county of the first class classification and the City of Branson, Missouri (hereafter "Branson"), a city of the fourth class for the provision of recycling center equipment by the City shown in the attached Exhibit "A" (hereafter "the Equipment") and the operation of a public use recycling center by the County.

**WHEREAS**, Sec. 70.220, RSMo. permits political subdivisions to contract and cooperate with one another for the planning, development, construction, acquisition or operation of any public improvement or facility or common service; and

**WHEREAS**, the citizens of the City and the County have a desire for the ability to recycle consumables such as glass, plastic bottles, jugs, cardboard, cans, and paper; and

**WHEREAS**, the City has operated a public use recycling center for the benefit of all the citizens of Taney County since at least 2000; and

**WHEREAS**, due to the financial uncertainties caused by the COVID-19 pandemic, the City of Branson closed the recycling center for a period of time and temporarily re-opened in September; and

**WHEREAS**, the County has the desire to offer recycling services to all the citizens of Taney County; and

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

1. Recitals. The "WHEREAS" paragraphs set forth above are incorporated herein by reference.
2. Conveyance of Equipment. The City shall give, grant and transfer the Equipment described in Exhibit A to the County at the expense of the City within thirty (30) days of the execution of this Agreement, but no later than February 1, 2021. The City represents and warrants that it is the sole lawful owner of title to the Equipment described in Exhibit A.
3. Use of Equipment. The County agrees to use the Equipment for the sole and exclusive purpose of operating a public use recycling center for the benefit of all the residents of the County and the City.

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**RECESS: 11:36 A.M.**

**EXECUTIVE SESSION: 11:46 A.M.**

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

*(Taney County Commission Hearing Room)*

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

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

**END OF EXECUTIVE SESSION: 2:46 P.M.**

**BUDGET DISCUSSION**

*(Taney County Commission Conference Room)*

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

*Also present: David Clark, County Auditor, and Travis Elliott, Attorney.*

Commissioner Williams moved to apply 2% COLA – Cost of Living Allowance to Elected Officials and 3% COLA to all other County employees effective January 1, 2021. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**DAILY STAFF REVIEW AND AGENDA REQUEST:**

Also present: Lesley Wallace, Commissions Assistant.

The commission met with their staff to review the day’s business and go over the 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: 2:59 P.M.**

*The minutes were taken by Brandon Williams, Commissioner, and Stephanie Spencer, Deputy Clerk, and typed by Stephanie Spencer, Deputy Clerk.*