

**OFFICIAL  
COMMISSION MINUTES  
OCTOBER 4, 2021 – 1<sup>ST</sup> DAY OF  
THE OCTOBER 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 9:01 a.m.

**COMMISSION REMARKS**

None.

**APPROVAL OF ACCOUNTS PAYABLE**

Commissioner Wyatt moved to approve Checks #465045 through Check #465089, Warrant #7796, and three Journal Entries/Transfers. Commissioner Williams 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 Regular Session Minutes for September 27<sup>th</sup>, 2021. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**PROPOSAL FOR HVAC UNIT #21-113M**

Scott Terpening, Building and Grounds, was present.

Commissioner Williams moved to approve the Proposal HVAC Unit by and between Temperature Control Company and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

# Proposal

**TEMPERATURE CONTROL CO.**  
613 N. MAIN AVE.  
SPRINGFIELD, MO 65806  
417-866-3177 FAX 417-866-8611  
TEMPCONCO@SBCGLOBAL.NET

August 31, 2021  
Summary: ESTIMATE  
Reference #: 5123-245

TANEY COUNTY COURTHOUSE  
P.O. BOX 1407  
FORSYTH, MO 65653

**Job Name:**  
TANEY COUNTY COURTHOUSE  
P.O. BOX 1407  
FORSYTH, MO 65653

417-546-7207

417-546-7207

**We Hereby Submit Specifications And Estimates For:**

DEAR SCOTT:

WE PROPOSE TO REPLACE THE UNIT SERVING THE I & J PODS WITH AN AAON RN-008-3-0-CB01-15A. OUR PRICE INCLUDES ALL LABOR AND MATERIAL TO INSTALL AND STARTUP THE UNIT. THE LEAD TIME ON THIS UNIT IS CURRENTLY 10 WEEKS. OUR PRICE IS GOOD FOR 30 DAYS.

SINCERELY,  
SARA COOK

	58896.00
<b>Subtotal</b>	<b>Total</b>
58896.00	\$58,896.00

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees. This proposal may be withdrawn by us if not accepted by the above due date.

Authorized Signature *Mike Scofield* Acceptance Signature \_\_\_\_\_ Date \_\_\_\_\_

## **BID RECOMMENDATION FOR RADAR SIGNS (6 OR MORE) #202108-485**

Nikki Lawrence, Purchasing Director & Legal Liaison, and Devin Huff, Road & Bridge Administer were present.

Commissioner Williams moved to award the Bid #202108-485 to Radarsign, LLC out of Marietta, GA. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

## **VACATION OF PORTION OF WEST DRIVE AND HELEN STREET #21-106RB**

Karl Finkenbinder, Attorney, and Travis Elliott, Attorney, were present.

Commissioner Williams moved to approve Vacation of Portion of West Drive and Helen Street as presented contingent upon council approval of the Order and allow Commissioner Scofield to sign said Order after approved. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**VACATION OF A PORTION LAKESHORE DRIVE #21-068RB**

Bryan Wade, Attorney, Travis Elliott, Attorney, and Dennis Garrison of 120 Hillview Drive, were present.

Second Reading by Bryan Wade with White Oak Ventures per RSMo 228.110

White Oak Ventures Co. ("Petitioner") a corporation authorized to transact business in the State of Missouri and state to the Commission that they are the owner of the real estate lying on both sides and fronting substantially all of Lakeshore Drive, and said real estate being located in Oliver Township, Taney County, Missouri. Attached to this Petition as **Exhibit A** and incorporated by reference is the legal description for that portion of Lakeshore Drive Petitioner purposed to vacated. Attached to the Petition as **Exhibit B** and incorporated by reference is a survey depicting Lakeshore Drive, the purposed portion to be vacated is highlighted in yellow. This Commission previously vacated the northern connection portions to Lakeshore Drive and for your records I believe that was in 2013 before the current sitting Commission was here. As required by RSMo 228.110 attached to this petition as **Exhibit C** and incorporated by reference are the signatures of at least twelve residents of Oliver Township who by their signatures support this Petition for the vacation of that portion of Lakeshore Drive identified as **Exhibit A**, declaring that portion unnecessary, and stating that the repairing of the same presents an unreasonable burden upon the County. Petitioner represents in good faith that there are no property owners will be affected by the proposed road vacation. Petitioner states that it desires to have **Exhibit A** vacated and that vacating will not be detrimental to any other party.

Commissioner Williams moved to approve the Vacation of a Portion of Lakeshore Drive as presented contingent upon council approval of the Order and addressing the concerns of finishing the road through the existing cul-de-sac and authorizing Commissioner Scofield to sign after approval. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**RECESS: 10:10 A.M.**

**RECONVENE: 10:15 A.M.**

**NOTICE OF RENEWAL FOR AUTO BODY REPAIR SERVICES#21-111RB**

**JIM'S AUTO BODY – PRIMARY**

**KIVETT'S BODY SHOP –SECONDARY**

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Wyatt moved to approve the extension the Notice of Renewal for auto repair services as Jim's Auto Body as Primary and Kivett's Body Shop as Secondary from October 9, 2021 to October 8, 2022. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

JIM'S AUTO BODY, INC. - PRIMARY

No. 21-111RB(a)

NOTICE OF RENEWAL

To: Jim's Auto Body, Inc., James Burns, President, 150 Jessi Road/P.O. Box 132, Forsyth, Missouri 65653

Notice is given that the County of Taney, Missouri agrees to renew the Agreement with Jim's Body Shop, Inc., for auto body repair services, commencing October 9, 2021, for a period of one (1) year, which will expire on October 8, 2022, A copy of the Agreement is attached hereto as Exhibit A.

Mike Scofield  
Mike Scofield, Presiding Commissioner

Date: 10/04/2021

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 agreement.

By: Donna Neeley  
Donna Neeley, County Clerk

Date: 10/4/2021

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: David Clark  
David Clark, Taney County Auditor

Date: 10/4/2021

KIVETT'S BODY SHOP - SECONDARY

No. 21-111RB(b)

NOTICE OF RENEWAL

To: Kivett's Body Shop, Jimmy Kivett, President, 137 Industrial Park Drive, Hollister, Missouri 65672

Notice is given that the County of Taney, Missouri agrees to renew the Agreement with Kivett's Body Shop, LLC, for auto body repair services, commencing October 9, 2021, for a period of one (1) year, which will expire on October 8, 2022, A copy of the Agreement is attached hereto as Exhibit A.

Mike Scofield  
Mike Scofield, Presiding Commissioner

Date: 10/04/2021

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 agreement.

By: Donna Neeley  
Donna Neeley, County Clerk

Date: 10/4/2021

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: David Clark  
David Clark, Taney County Auditor

Date: 10/4/2021


**FILL DIRT AGREEMENT – TERRY GENTLE**

Devin Huff, Road and Bridge Administrator, was present.

Commissioner Wyatt moved to approve the Unlimited Fill Dirt Agreement by and between Terry and Judith Gentle and Taney County. Commissioner Williams 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 TERRY GENTLE (hereinafter Owner), regarding the dumping of dirt fill on Owner's property, and the particulars of the agreement are as follows:

<sup>bH</sup>  
(Judith Gentle)  


**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.

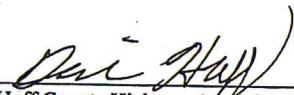
**Term and Notice.**

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 County Highway Administrator

9-29-2021  
Date:

**BUDGET DISCUSSION WITH CLINT HILLIARD**

Jerry Adams, Park Board Representative, was present.

Commissioner Wyatt moved to approve amended budget for the Park Board. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**RECESS: 10:28 A.M.**

**EXECUTIVE SESSION: 10:47 A.M.**

**EXECUTIVE SESSION PER SECTION 610.021.(1)(3) (LEGAL & PERSONNEL)**  
*(Taney County Commission Conference 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: 12:09 P.M.**

**DAILY STAFF REVIEW AND AGENDA REQUESTS**

*(Taney County Commission Conference Room)*

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

Also present: Lesley Wallace, Commission 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 12:27 P.M.**

*The minutes were taken by Presiding Commissioner Scofield and Kim Lovelace, Deputy Clerk, and typed by Kim Lovelace, Deputy Clerk.*