

**OFFICIAL  
COMMISSION MINUTES  
JANUARY 17<sup>th</sup>, 2023 – 5<sup>th</sup> DAY OF  
THE JANUARY ADJOURN TERM**

**FORMAL AGENDA**

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

**PUBLIC COMMENT**

None.

**CALL COUNTY COMMISSION MEETING TO ORDER**

Presiding Commissioner Nick Plummer called the meeting to order at 9:03 a.m.

**COMMISSION REMARKS**

None.

**ACCOUNTS PAYABLE**

Commissioner Wyatt moved to approve Checks #470296 through Check #470402, Warrants #8054 through #8055, and One Journal Entry/Transfer. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (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: Plummer (aye), Williams (aye), and Wyatt (aye).

**APPROVAL OF PREVIOUS MEETING MINUTES**

Commissioner Wyatt moved to approve Regular Session Minutes for January 9th, 2023 and January 11<sup>th</sup>, 2023. Commissioner Williams seconded the motion with discussion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**BID RECOMMENDATION PICK-UP TRUCKS (516)**

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

Commissioner Williams moved to award bid #202212-516 to Taylor Grubaugh Chevrolet Buick GMC from West Plains, Missouri. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**BID RECOMMENDATION AUTO BODY REPAIR SERVICES (SECONDARY & TERTIARY) (515)**

Brad Daniels, Sheriff, Devin Huff, Road & Bridge Administrator, and Nikki Lawrence, Purchasing Director and Legal Liaison, were present.

Commissioner Williams moved to award bid #202212-515 Secondary to Kivett's Body Shop LLC and Tertiary to Southside Body Shop. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**APPROVAL EMERGENCY EVENT PROCUREMENT FOR JAIL DOOR SLIDERS #EEP202301-518**

Scott Terpening, Building and Grounds and Nikki Lawrence, Purchasing Director and Legal Liaison, were present.

Presiding Commissioner Nick Plummer read into record the Taney County Sheriff's Office along with our Building and Grounds Department reports complete failure of both of the jail door sliders. The cost to replace both devices is \$35,675.00. It is unique to our required operation and extremely critical with respect to the service it provides around the clock. It is imperative to repair these sliders as it provides access to the east pod to the west pod and continues to possess a security threat in the jail.

Commissioner Williams moved to approve the request for Emergency Procurement for Jail Door Sliders #EEP202301-518. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**BOARD APPOINTMENTS**

**PLANNING AND ZONING**

Commissioner Williams moved to table board appointments for Planning and Zoning to a definite date of January 23<sup>rd</sup>, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**APPROVAL AGENT AGREEMENT #22-147T**

Brad Daniels, Sheriff, and Melanie Smith, Treasurer, were present. Presiding Commissioner Plummer referenced a letter from their attorney.

Commissioner Williams moved to approve the Agreement by and between Rapid Financial Solutions, LLC and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 22-147T



**Agent Agreement**

This Agent Agreement ("**Agreement**") is entered into by and between Rapid Financial Solutions, LLC, 3065 N 200 W Suite #200 North Logan, UT 84341 ("**Processor**") and:

Entity Name: Taney County  
Physical Address: 132 David Street / PO Box 1086 Forsyth Mo 65653  
Phone Number: ( 417 ) 546-7204  
Fax: ( 417 ) 546-3931  
Tax ID Number: 44-6000607

Hereinafter referred to as ("**Agent**").

Agent acknowledges and agrees that it is solely responsible for registering or qualifying their business, and shall obtain and maintain all necessary licenses, permits and consents to conduct its activities, in any jurisdiction that requires any such registration qualifications, license, permit or consent.

If any change in the processing services or the system are required by applicable laws, rules, regulations, or other operating rules of the applicable payment networks, Issuers or other relevant financial institution, Processor shall promptly notify Agent of such modifications or changes and make modifications or changes, as necessary to, (i) the system and/or (ii) the manner and methods used to provide the processing services hereunder, as soon as practicable after Processor has been notified of such required changes by the payment network, issuer or financial institution or learns of an applicable law, rule or regulatory change. Any such modification or change so required shall be made without the need for Agent approval and at Processor's sole expense. Processor shall use its best efforts to give Agent timely notice of all material changes to the program or system which are being made to comply with any known changes in federal or state laws, rules or regulations or the operating rules of the payment networks, issuer or other relevant financial institution.

Agent acknowledges and agrees that the system shall not be used to make or facilitate any transaction that is fraudulent or illegal in any applicable jurisdiction. Processor shall have the right to prevent anyone who may, in Processor's sole determination, violate any federal or state law, rule or regulation, or violate any operating rules from accessing the system. Processor reserves the right to monitor card activity on any system and to shut down and/or suspend processing services in the event that it determines, in its reasonable discretion, that there is illegal, unusual, or suspect activity occurring in relation thereto. Processor shall have no liability to Agent for any adverse financial or other consequences that may result from any action taken pursuant to this section.

Agent agrees that the processor does not control the inputs affecting the amount that is to be paid to the recipient. Therefore, as with all financial processes, you agree to take full responsibility for the payment amount that is provided to processor, as well as audit your bank account on a regular basis.

Agent hereby authorizes Processor to ACH debit and credit the bank account at the depository financial institution named below (the "Designated Account") on a daily basis or as needed for the prior cycle of debits and credits to card accounts.

Agent agrees to maintain the Designated Account. Agent hereby authorizes Processor to withdraw funds from the Designated Account without signature or notice to initiate all offsets, deductions, and other transactions due Processor provided for in this Agreement or from the services provided pursuant to this Agreement. Agent further agrees to execute any additional documents that may be required for Processor to enforce their rights under this Agreement. Agent is solely responsible for all fees associated with maintaining the Designated Account. Processor shall notify Agent if at any time there are insufficient funds in the Designated Account to cover any amount that is due and owing to Processor. Agent shall

**APPROVAL COMBINED OZARKS MULTI-JURISDICTIONAL ENFORCEMENT TEAM (COMET) INTERAGENCY AGREEMENT #22-145S**

Brad Daniels, Sheriff, was present. Presiding Commissioner Plummer referenced a letter from their attorney.

Commissioner Williams moved to approve the amended Combined Ozarks Multi-Jurisdictional Enforcement Team Interagency Agreement. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

22-145S

**COMBINED OZARKS MULTI-JURISDICTIONAL ENFORCEMENT TEAM (COMET)**

**INTERAGENCY AGREEMENT**

The undersigned law enforcement agencies do now enter into this interagency agreement to create a multi-jurisdictional drug task force in order to provide to the public more effective law enforcement protection against those who engage in the trafficking and/or manufacturing of narcotics and dangerous drugs. Each participating agency agrees to refer cases for investigation by the task force. Cases will be adopted at the discretion of the task force Officer in Charge ("OIC") or his/her designee.

The undersigned parties agree to the following:

- I. **PARTIES.** Parties to this agreement are: Dallas County Sheriff's Office, Douglas County Sheriff's Office, Lawrence County Sheriff's Office, Ozark County Sheriff's Office, Polk County Sheriff's Office, Taney County Sheriff's Office, Webster County Sheriff's Office, Wright County Sheriff's Office, Ash Grove Police Dept., Aurora/Marionville Police Dept., Billings Police Dept., Branson Police Dept., Branson West Police Dept., Buffalo Police Dept., Fordland Police Dept., Hartville Police Dept., Humansville Police Dept., Mansfield Police Dept., Nixa Police Dept., Ozark Police Dept., Rogersville Police Dept., Seymour Police Dept., Sparta Police Dept., Strafford Police Dept., Verona Police Dept., Walnut Grove Police Dept., Missouri State Highway Patrol, Stone County Prosecutor.

(NOTE: COMET shall be restricted to the jurisdictions represented by these parties; however, should a case investigation lead into an outside jurisdiction, the investigation should be coordinated with authorities in that jurisdiction.)

- II. **EXECUTIVE BOARD.** The COMET Executive Board is elected by and will represent participating parties to this agreement. The Executive Board is comprised of a Chairman, Vice Chairman, Secretary/Treasurer, and seven other board members. The Executive Board will be responsible for the implementation and conduct of the terms of this agreement on behalf of the participating parties.
- III. **DUTIES OF COMET.** The primary duties of COMET consist of the following:
  - A. To conduct covert and overt narcotics investigations on individuals and organizations engaged in illegal drug related activities.
  - B. To establish liaisons with the respective state and federal prosecutors for legal advice encouragement of vigorous prosecution of Task Force investigations.
  - C. To develop and maintain an intelligence database on the trafficking of narcotics and dangerous drugs and other related criminal activities.
  - D. To establish liaisons with local, state and federal law enforcement agencies in southwest Missouri to better coordinate drug investigations and disseminate drug related intelligence.
- IV. **LIABILITIES AND INSURANCE.** The parties understand that personnel appointed to COMET remain employees of their respective departments and those departments agree to

**APPROVAL WHITE RIVER VALLEY HISTORICAL SERVICE AGREEMENT 2023 #22-146CM**

No action taken.

**AUTHORIZATION OF APPLICATION FOR: REZONING/CONDITIONAL USE PERMIT/VARIANCE/APPEAL/PLANNED USE DEVELOPMENT**

Scott Starrett, Planning and Zoning Administrator, was present.

Commissioner Williams moved to allow Presiding Commissioner Nick Plummer to sign the application on behalf of the County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

Presiding Commissioner NP; Eastern Commissioner WY; Western Commissioner BU 19

**COURT ORDERS**

Wesley Shoemaker, Deputy Clerk, was present.

Commissioner Williams moved to approve Exhibit "A" dated January 17<sup>th</sup>, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**Exhibit "A"**

ERRONEOUS ASSESSMENT																
Exhibit:		Date: 2/9/2023														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
213229	2022	2022-11-16	0000-00-00	04-9-0-32-004-028-004.000	FITZGERALD BRIAN	ERRONEOUS ASSESSMENT	50219	50219	0	0	0	0				

**RECESS: 9:35 A.M.**

**RECONVENE: 9:53 A.M.**

**ROAD & BRIDGE ROUND TABLE**

*(Taney County Commission Conference Room)*

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

Also Present: Devin Huff, Road & Bridge Administrator, David Clark, County Auditor, Jana Johnson, Deputy Auditor, Kim Lovelace, Deputy Clerk, and Lesley Wallace, Deputy Clerk.

Discussion ensued.

Devin Huff left the meeting at 10:01 a.m.

**WELLNESS CENTER BUDGET DISCUSSION**

*(Taney County Commission Conference Room)*

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

Also Present: David Clark, Auditor, Jana Johnson, Deputy Auditor, Shanna Tilley, Commission Administrator, Nikki Lawrence, Purchasing Director and Legal Liaison, Kim Lovelace, Deputy Clerk, and Lesley Wallace, Deputy Clerk.

Discussion ensued.

Lesley Wallace left the meeting at 11:01 a.m.

**RECESS: 11:15 A.M.**

**EXECUTIVE SESSION 1:06 P.M.**

**EXECUTIVE SESSION PER SECTION 610.021.(1)(3) LEGAL AND PERSONNEL**

*(Taney County Commission Conference Room)*

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

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

**RECESS OUT OF EXECUTIVE: 2:37 P.M.**

**RECONVENE: 2:43 P.M.**

**SEWER BUDGET DISCUSSION**

*(Taney County Commission Conference Room)*

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

Also present: Travis Elliot, Attorney, David Clark, Auditor, Jana Johnson, Deputy Auditor, John Souttee, Environmental Services Project Coordinator, Brad Allbritton, Sewer District Administrator, and Stephanie Spencer, County Clerk, were present.

Discussion Ensued.

**EXECUTIVE SESSION 3:26 P.M.**

**EXECUTIVE SESSION PER SECTION 610.021.(1)(3) LEGAL AND PERSONNEL**

*(Taney County Commission Conference Room)*

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

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

**END OF EXECUTIVE 4:32 P.M.**

**ADJOURNMENT**

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

**ADJOURN: 4:32 P.M.**

*The minutes were taken by Nick Plummer, Presiding Commissioner, Stephanie Spencer, County Clerk, Kim Lovelace, Deputy Clerk, and Lesley Wallace, Deputy Clerk, and typed by Lesley Wallace, Deputy Clerk.*

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