

**OFFICIAL
COMMISSION MINUTES
APRIL 16th, 2024 – 3rd DAY OF
THE APRIL 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 9:00 a.m.

COMMISSION REMARKS

None.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #475455 through Check #475531, Warrants #8369 through #8370 and no Journal Entries/Transfers. Commissioner Williams 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 April 8th, 2024. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

PUBLIC HEARING FOR PROPOSED PLANNING & ZONING REZONE(S)

Scott Starrett, Planning & Zoning Administrator and Amber Epps, Planning & Zoning Assistant, were present.

ORDER #01-16-2024-02 – CALIFORNIA ENTERPRISES LLC TBD STATE HWY 86, RIDGDALE, MO.

The following individuals appeared in front of the Commission in reference to Order #01-16-2024-02:

Don Ingram, Applicant Representative - 119 W. Pacific, Branson, Mo

Jesse Blevins – 2896 State Highway 86, Ridgedale, Mo

Brenda Chodrick – 185 Oakview Rd., Ridgedale, Mo

Eric Franklin – 357 Main St., Ridgedale, Mo

Commissioner Williams moved to accept and enter into the record Exhibit 1, as presented.

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

Commissioner Williams moved to deny order #01-16-2024-02. Presiding Commissioner Plummer seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (nay).

ORDER NUMBER: 01-16-2024-02

ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI

DATE: February 20, 2024

SUBJECT: Zoning District Amendment

WHEREAS, Taney County, Missouri desires to coordinate physical development in accordance with its present and future needs; so as to conserve the natural resources of the County, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants; and

WHEREAS, the Planning Commission has held public hearings in order to obtain public input concerning an amendment to the Taney County, Missouri Zoning District map, in accordance with the requirements of Chapter 64 and Section 64.863 of the Missouri Revised Statutes; and

WHEREAS, on January 8, 2024, the Taney County Planning Commission recommends not approving, to the Taney County Commission, the amendment to the Zoning District map grid number N15, Oliver Township, from R-1 Single Family Residential District to C-1 Neighborhood Commerical District, requested by California Enterprises LLC, parcel number: 19-6.0-14-001-006-017.000, located at TBD State Hwy 86, Ridgedale, Missouri, to the Taney County Commission and

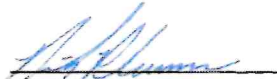
NOW, THEREFORE, on this 20th day of February 2024, at a duly called meeting of the Taney County Commission, having received the recommendation from the Planning Commission and, after public notice, and in open session, upon motion made to Deny and seconded, the Taney County Commission voted 2 in favor, 1 opposed, and 0 abstain to amend the Taney County, Missouri Zoning District map N15, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

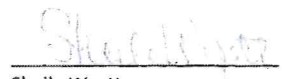
IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District Not Be amended as follows and pursuant to the information below:


| Parcel Number | Location | Map Grid # | Township | Zoning District |
|---------------------------|------------------|------------|----------|-----------------|
| 19-6.0-14-001-006-017.000 | TBD State Hwy 86 | N15 | Oliver | C-1 |

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 16th day of April 2024, the Order shall be filed in the office of Taney County Recorder, Taney County Clerk, and Taney County Planning & Zoning.

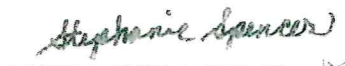
TANEY COUNTY COMMISSION


Nick Plummer
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Stephanie Spencer, County Clerk



ORDER # 04-16-2024-01 – ROY AND INDIA DAVIS/ITEMS RENTALS LLC 2088-2100 & 2136 YANDELL COVE RD, KIRBYVILLE, MO

The following individuals appeared in front of the Commission in reference to Order #04-16-2024-01:

Roy and India Davis, Applicants – 2087 Yandell Cove Rd. Kirbyville, Mo.
Jim Sisk, 506 Yandell Cove, Kirbyville, Mo. 65679

Commissioner Williams moved to approve Order #04-16-2024-01, changing as described in the order. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

ORDER NUMBER: 04-16-2024-01

**ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI**

DATE: April 16, 2024

SUBJECT: Zoning District Amendment

WHEREAS, Taney County, Missouri desires to coordinate physical development in accordance with its present and future needs; so as to conserve the natural resources of the County, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants; and

WHEREAS, the Planning Commission has held public hearings in order to obtain public input concerning an amendment to the Taney County, Missouri Zoning District map, in accordance with the requirements of Chapter 64 and Section 64.863 of the Missouri Revised Statutes; and

WHEREAS, on April 8, 2024, the Taney County Planning Commission recommends approving, to the Taney County Commission, the amendment to the Zoning District map grid number K22, Swan Township, all of lot #1 of the proposed Davis Estates Subdivision to MH-1 Manufactured Home Park or Subdivision District and all of lot #2 of the proposed Davis Estates Subdivision to A-1 Agricultural District, requested by Roy and India Davis/Item Rentals LLC, parcel number: 09-8.0-27-000-000-024.000 & 09-8.0-27-000-000-024.003, located at 2088-2100 & 2136 Yandell Cove Rd, Kirbyville, Missouri, to the Taney County Commission and

NOW, THEREFORE, on this 16th day of April 2024, at a duly called meeting of the Taney County Commission, having received the recommendation from the Planning Commission and, after public notice, and in open session, upon motion made to Approve and seconded, the Taney County Commission voted 3 in favor, 0 opposed, and 0 abstain to amend the Taney County, Missouri Zoning District map K22, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.


IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District Be amended as follows and pursuant to the information below:

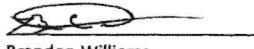
| <u>Parcel Number</u> | <u>Location</u> | <u>Map Grid #</u> | <u>Township</u> | <u>Zoning District</u> |
|---------------------------|------------------|-------------------|-----------------|------------------------|
| 09-8.0-27-000-000-024.000 | 2088-2100 & 2136 | K22 | Swan | Lot #1 MH-1 |
| 09-8.0-27-000-000-024.003 | Yandell Cove Rd | | | Lot #2 A-1 |

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 16th day of April 2024, the Order shall be filed in the office of Taney County Recorder, Taney County Clerk, and Taney County Planning & Zoning.


TANEY COUNTY COMMISSION

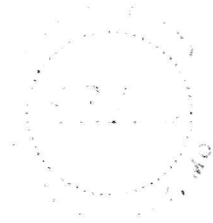

Nick Plummer
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Stephanie Spencer, County Clerk



CITY OF BRANSON LIFT STATION FUNDING AGREEMENT APPROVAL REQUEST

Kendall Powell, City of Branson Utilities Director, was present.

Commissioner Wyatt moved to approve the City of Branson Funding Agreement Request for Lift Station 10 and 34 upgrade project as presented in the amount of \$1,756,125.00.

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

Office Use Only
MASTER CONTRACT NUMBER.
C2024-0085

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

**CITY SEWER SYSTEM IMPROVEMENT PROJECT
LIFT STATION #10 & #34 UPGRADE PROJECT
(CONSTRUCTION PHASE)**

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 Lift Station #10 & #34 Upgrade Project is feasible and meets the criteria necessary under the Sewer Sales Tax Guidelines. This project will provide improved reliability, more efficient operations and reduced operating cost for each lift station. Improvements to Lift Station #34 will include the installation of new pumps, pump controls, a flow detention basin and an emergency power backup generator. Improvements to Lift Station #10 will include upgrades made to the four pump pumping system where, once upgraded, the lift station will operate on two pumps with only one pump running at a time. Variable frequency drives will also be installed which will greatly

AGREEMENT FOR SINGLE RADIUS ARCH PIPE FILE NO: 24-047RB

Jack Cole, Assistant Road & Bridge Administrator, was present. Presiding Commissioner Plummer referenced a letter from their Attorney.

Commissioner Williams moved to approve the Agreement for Single Radius Arch Pipe by and between Taney County and Viebrock Sales & Services, LLC. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 24-047RB

Agreement
For
Single Radius Arch Pipe

THIS AGREEMENT dated the 16th day of April, 2024 is made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Viebrock Sales & Services, LLC (hereinafter "Contractor").

NOW, THEREFORE IN CONSIDERATION of the mutual considerations and obligations of the parties contained herein, the parties agree as follows:

1. Contract Documents. The contract documents to this Agreement to purchase one (1) Single Radius Arch Pipe ("Product") shall include the Contractor's bid response to County's Request For Bid #202403-550 and any applicable addenda which are attached hereto and incorporated herein by reference. Service or product data, specifications and literature submitted may be permanently maintained in the County Purchasing Office. In the event of a conflict between any of the foregoing Contract Documents, and this Agreement, the terms and conditions of this Agreement shall prevail and control.

2. Contract Price. The County agrees to purchase the Product from the Contractor and the Contractor agrees to sell to the County the Product provided under this Agreement. The Purchase Price shall not exceed \$37,500.00. If certain unusual circumstances occur specific to Product availability, the County may consider all other options.

3. Contract Duration. This agreement shall commence on the date it is fully executed and terminate upon expiration of all applicable warranties. This agreement may only be extended by the order of the County subject to the pricing, and delivery clauses as agreed to, and offered by the Contractor's bid response.

4. Billing and Payment. All billing must be invoiced with specific department information. Billings and invoices may only include the prices provided for via this Agreement. No additional fees or extra services not included, or taxes, shall be included as additional charges in excess of the charges in this Agreement or the Contract Documents. The County agrees to pay all correct statements within thirty days of receipt; Contractor agrees to honor any cash or prompt payment discounts, if any are available, when County makes payment as provided therein. In the event of a billing dispute, the County reserves the right to withhold payment on the disputed amount.

5. Binding Effect. This Agreement shall be binding upon the parties hereto and their successors and assigns for so long as this Agreement remains in full force and effect.

6. Entire Agreement. This Agreement constitutes the entire Agreement between the parties and supersedes any prior negotiations, written or verbal, and any other bid or bid specification or contractual Agreement. This Agreement may only be amended by a signed writing executed with the same formality as this Agreement.

7. Termination. This Agreement may be terminated by the County upon thirty days advance written notice for any of the following reasons or under any of the following circumstances:



- a. Due to material breach of any term or condition of this Agreement, or
- b. If in the opinion of the Taney County Commission Services are delayed or are not provided in conformity with specifications or variances authorized by County, or
- c. If appropriations are not made available and budgeted for any calendar year.

**NASPO VALUEPOINT COOPERATIVE CONTRACT #CC232820005
FILE NO: 24-045M**

Presiding Commissioner Plummer referenced a letter from their Attorney.

Commissioner Williams moved to approve the ValuePoint Contract by and between Johnson Controls and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 24-045M

| | | | | |
|--|---|---|-------------------------|----------------------------|
|  <p>Johnson Controls Johnson Controls Fire Protection</p> | <p>Missouri State Contract #CC232820005 District #332 & 333; NASPO ValuePoint Master Contract #99SWC-NV23-16270</p> |  | | |
| <p>NASPO Customer: Site Name: Street Address: City, State, Zip Location ACE Customer # Sales Representative Contract Period Begin and End Date</p> | | <p>Taney County Justice Center Taney County Justice Center 266 Main St Forsyth, MO 65653 1614562 Harley Cavender 7/1/2024</p> | | |
| | | <p>CCA Use Only: NASPO Region Code# AR# Ship to Customer # Annual Contract Value: \$650.00</p> | | |
| Pricing Breakout by Product Line & Inspection Information | | | | |
| Fire Panel Make & Model | | | | |
| Fire Alarm | Annual | Semi-Annual | Quarterly | Inspection Month(s) |
| Fire Alarm Control Panel | 0 | 0 | 0 | |
| NAC Power Supply | 0 | 0 | 0 | |
| Remote Annunciator | 0 | 0 | 0 | |
| DACT | 0 | 0 | 0 | |
| Smoke Detector Inspection (Only) | 0 | | | |
| Smoke Detector Sensitivity Testing - Enhanced or Expert Only | Not Included | | | |
| Smoke Detector Cleaning - Enhanced or Expert Only | Not Included | | | |
| Duct Detector Inspection (Only) | 0 | | | |
| Duct Detector Sensitivity Testing - Enhanced or Expert Only | Not Included | | | |
| Duct Detector Cleaning - Enhanced or Expert Only | Not Included | | | |
| Heat Detector | 0 | | | |
| Flame Detector | 0 | | | |
| Beam Detector | 0 | | | |
| Full Station | 0 | | | |
| AVV | 0 | | | |
| Other (IAM, Relay, etc.) | 0 | | | |
| Door Holder | 0 | | | |
| Elevator Recall | 0 | | | Inspection Month |
| Tamper Switch | 0 | | | |
| Flow Switch | 0 | | | |
| Hours | 0 | | | |
| Essential | No | | | |
| Enhanced Labor Only | No | | | |
| Enhanced Labor & Panel Parts Option | No | | | |
| Expert Standard Labor & Full Service Parts Coverage Option | No | | | |
| Expert 24/7 Labor Coverage & Full Service Parts Coverage Option | No | | | |
| After-Hours Fire Alarm Inspection (Based on Essential Coverage - if other Tier Coverage is required, contact Melanie LeClair to update) | No | | | |
| Annual Cost | \$0.00 | | | |
| | \$0.00 | | | |
| Monitoring | | | | |
| Monitoring must be quoted separately. | | | | |
| Sprinkler System | | | | |
| | Quantity | | Inspection Month | Spot Reduction |
| Wet Annual (Includes Annual Flow Test) | 0 | \$ | - | - |
| Wet Semi-Annual (Includes Annual Flow Test) | 0 | \$ | - | - |
| Wet Quarterly (Includes Annual Flow Test) | 0 | \$ | - | - |
| Dry Annual (Includes Annual Trip Test) | 0 | \$ | - | - |
| Dry Semi-Annual (Includes Annual Trip Test) | 0 | \$ | - | - |
| Dry Quarterly (Includes Annual Trip Test) | 0 | \$ | - | - |
| Deluge Annual (Includes Annual Flow Test) | 0 | \$ | - | - |
| Deluge Semi-Annual (Includes Annual Flow Test) | 0 | \$ | - | - |
| Deluge Quarterly (Includes Annual Flow Test) | 0 | \$ | - | - |
| Pre-Action Annual (Includes Annual Trip Test) | 0 | \$ | - | - |
| Pre-Action Quarterly (Includes Annual Trip Test) | 0 | \$ | - | - |
| Backflow Preventer Annual | 0 | \$ | - | - |
| Hydrant Annual | 0 | \$ | - | - |
| PIV Annual | 0 | \$ | - | - |
| Fire Hose Annual | 0 | \$ | - | - |
| Standpipe Annual | 0 | \$ | - | - |
| Antifreeze Annual | 0 | \$ | - | - |
| Fire Pump (200-500) | 0 | \$ | - | - |
| Fire Pump (501-800) | 0 | \$ | - | - |
| Fire Pump (801-1199) | 0 | \$ | - | - |
| Fire Pump (1200+) | 0 | \$ | - | - |
| Hours | 0 | | | |
| Essential Sprinkler | No | | | |
| After-Hours Sprinkler Inspection (Based on Essential Coverage - if Optional Labor Coverage is required, contact Melanie LeClair to update) | No | | | |
| Annual Sprinkler Cost | \$0.00 | | | |
| Special Hazards (Test & Inspect) | | | | |
| | Annual | Semi-Annual | Inspection Month | |
| FM200/Halon/Sapphire - Up to 300lbs (Use Fire section for device testing) | 0 | 0 | | |
| Panel | 0 | 0 | | |
| Additional Cylinder - less than 350lbs | 0 | 0 | | |
| Additional Cylinder - more than 350lbs | 0 | 0 | | |

NAP LOCAL GOVERNMENT CERIFICATION FILE NO: 24-046CM

No action taken.

APPROVAL LETTER OF SUPPORT FOR TRANSPORTATION ALTERNATIVE PROGRAM (TAP) CITY OF BRANSON

Commissioner Williams moved to approve the Transportation Alternative Plan Grant Letter of Support and allow Commissioner Plummer to sign. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).



County of **TANEY** State of Missouri

TANEY COUNTY COURTHOUSE
P.O. BOX 1086 • FORSYTH, MO 65653
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BRANDON W. WILLIAMS
WESTERN DIST. COMMISSIONER
Brandon.Williams@taneycountymo.gov
SHEILA WYATT
EASTERN DIST. COMMISSIONER
Sheila.Wyatt@taneycountymo.gov

April 12, 2024

Re: 2024 Transportation Alternatives Plan Grant

To Whom It May Concern:


This letter is submitted as a demonstration of support for the City of Branson's application for a Transportation Alternatives Program Grant to upgrade the existing pedestrian mid-block crossings on W. 76 Country Blvd and Shepherd of the Hills Expressway. The grant monies will be used for pedestrian improvements to the mid-block crossings on Segments 3 of W. 76 Country Blvd running from the Branson Ferris Wheel property to the Presley Theater as well as the mid-block crossing located on Shepherd of the Hills Expressway.

W. 76 Country Blvd and Shepherd of the Hills Expressway are the focal point for many tourist attractions, entertainment venues, shopping, dining and lodging facilities. The City of Branson is known around the world for its shows, attractions, scenery and friendly environment for all ages and the entire family. As a nationally recognized tourist destination, Branson is host to nearly ten million visitors annually, compared to its year-round population of just over eleven thousand.

This pedestrian crossing project will improve the safety of pedestrians with the installation of the statistically more effective Pedestrian Hybrid Beacon signal systems in addition to protective refuge medians with Z-crossings for these existing mid-block crossings. These improvements will maximize the safety of these high traffic corridors and provide more efficiency and reliability for our tourists and residents alike. Because of these benefits, we believe this project is well positioned to compete for this transportation alternatives program grant funding.

For the reasons above, We support the City of Branson in their proposal for the Transportation Alternatives Program (TAP) Grant Funding.

Sincerely,



Nick Plummer
Taney County Presiding Commissioner

APPROVAL LETTER OF SUPPORT COX HEALTH

Commissioner Wyatt moved to approve the Letter of Support to Cox Health and allow Presiding Commissioner Nick Plummer to sign. Commissioner Williams seconded the motion with discussion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).



County of **TANEY** State of Missouri

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SHEILA WYATT
EASTERN DIST. COMMISSIONER
Sheila.Wyatt@taneycountymo.gov

April 12, 2024


Re: Dr. Waleed Ayesh

To Whom It May Concern:

This letter discusses the medical practice of Dr. Waleed Ayesh, who is practicing as an Internal Medicine Physician working as a hospitalist at the Cox Medical Center in Branson, MO which is within the jurisdiction of the Taney County Commission.

Dr. Ayesh's services are needed by our community and these services are in the interests of the community. We understand the State of Missouri is evaluating the merits of this physician's medical practice for purposes of U.S. immigration law and ongoing authorization to practice in this community. We support this physician's request for a waiver from the state.

Sincerely,



Nick Plummer
Taney County Presiding Commissioner

RECESS: 10:20 A.M.

RECONVENE: 10:31 A.M.

DAILY STAFF REVIEW AND AGENDA REQUESTS

(Taney County Commission Conference Room)

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

Also present: Tami Koran, Commission Assistant, and Lesley Wallace, Deputy Clerk.

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

ADJOURNMENT

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

ADJOURN: 10:38 A.M.

The minutes were taken and typed by Lesley Wallace, Deputy Clerk.

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