

**OFFICIAL
COMMISSION MINUTES
AUGUST 19TH, 2019 - 9th DAY OF
THE JULY ADJOURN TERM**

PRELIMINARY STUDY

Did not take place.

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.

APPROVE ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #455904 – 455959, Warrants #7249 – 7250 and no Journal Entries or Transfers. 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 August 12, 2019. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to approve Executive Session Minutes from August 12, 2019. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

APPROVAL OF PAYROLL

Commissioner Wyatt moved to approve Payroll. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

BID RECOMMENDATION FOR DOCUMENT PROCESSING SYSTEMS #201907-431

Jody Stahl, Recorder, and Ron Erickson, Purchasing Director, were present.

Commissioner Williams moved to award Bid #201907-431 to Missouri Document Solutions, (MDS) out of Springfield, Missouri. Commissioner Wyatt second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

BID RECOMMENDATION FOR ELECTRICAL WORK (TERM & SUPPLY) #201907-432

Ron Erickson, Purchasing Director, was present.

Commissioner Wyatt move that we go with Castro Electric of Branson for Electrical Service for Taney County. Commissioner Williams second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

AGREEMENT FOR PORTACOOOL VARIABLE SPEED PORTABLE EVAPORATIVE COOLER – O’REILLY AUTO ENTERPRISES, LLC #19-095RB

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the Agreement by and between O’Reilly Auto Enterprises dba O’Reilly Auto Parts (of Springfield, Missouri) and Taney County for Portacool Variable Speed Evaporation Cooler. Commissioner Wyatt second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

No. 19-095RB

AGREEMENT (COOP)
for
PORTACOOOL VARIABLE SPEED PORTABLE EVAPORATIVE COOLER

THIS AGREEMENT dated the 19th day of August 2019 is made between Taney County, Missouri, a political subdivision of the State of Missouri, herein "County" and O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts of Springfield, Missouri - herein "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 shall consist of Pricing Proposal, Quote and Sourcewell (formerly NJPA) Contract #062916-ORA, each attached hereto and incorporated herein by reference. Product or Services 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 Product provided under this Agreement shall include those items set forth in the Contract Documents and which shall not exceed \$3,300.00. 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 by all parties and terminate upon expiration of all applicable warranties.

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.

GOLD SERVICE AGREEMENT – ELEVATOR MAINTENANCE – THYSSENKRUPP ELEVATOR CORPORATION #19-088M

Renee Brusca, Building & Grounds Administrator, and Scott Terpening, Building & Grounds Coordinator, were present.

Commissioner Williams moved to approve the Agreement by and between ThyssenKrupp Elevator Corporation and Taney County. Commissioner Wyatt second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Gold Service Agreement

Purchaser: Taney County
266 E Main St
Forsyth, MO 65653

Hereinafter referred to as "Purchaser", "you", and "your".

By: ThyssenKrupp Elevator Corporation
5247 N 23rd St
Ozark, MO 65721
Phone: 417-581-9466
Fax: 866-774-2092
www.thyssenkruppelevator.com

Hereinafter referred to as "ThyssenKrupp Elevator Corporation", "ThyssenKrupp Elevator", "we", "us" and "our".

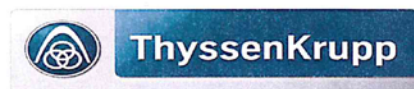
GOLD SERVICE AGREEMENT

ThyssenKrupp Elevator agrees to maintain Purchaser's elevator equipment described below in accordance with this agreement. We will endeavor to provide a comprehensive maintenance program designed to protect your investment and maximize the performance, safety, and life span of the elevator equipment to be maintained.

Equipment To Be Maintained

Building Name	Building Location	Manufacturer	Type Of Unit	Unit ID	# Of Stops
Taney Co Justice - Courthouse	266 E Main St	Dover	Hydraulic	EB-4599	2
Taney Co Justice - Public	266 E Main St	Dover	Hydraulic	EW-7071	3
Taney Co Justice - Prisoner	266 E Main St	Dover	Hydraulic	EW-7072	2
Taney Co Justice - Sheriff's	266 E Main St	Dover	Hydraulic	EW-7073	2
Taney Co Justice - Judge's	266 E Main St	Dover	Hydraulic	EW-7070	3

ThyssenKrupp Elevator Americas



THUNDER ROAD 404 PERMITS #19-089RB

Devin Huff, Road & Bridge Administrator, was present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve the Application and authorize Devin Huff and Jeff Banderet (Great River Engineering) to execute the Application and to perform all other necessary actions required in order to obtain contemplative property. Commissioner Wyatt second the motion for discussion. Commissioner Wyatt rescinded her second. Commissioner Williams rescinded his motion.

Commissioner Williams moved to approve the 404 Application and authorize Devin Huff and Jeff Banderet (Great River Engineering) to execute the Application and to perform all other

necessary actions required in order to obtain the contemplative permit. Commissioner Wyatt second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to approve the Floodplain Application and authorize Devin Huff to execute the Application and to perform all other necessary actions required in order to obtain the contemplative permit. Commissioner Wyatt second the motion for discussion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

COURT ORDERS

Chuck Pennel, Assessor, Wesley Shoemaker, Chief Deputy Clerk, were present.

Commissioner Williams moved to approve Exhibit “A” (#300302) dated August 19th, 2019. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

Exhibit A*

PP PAID ABATEMENTS										
	Date:	19 Aug 2019			Exhibit:	A				
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approve	Disapprove
300302	2017	PENDING	2019-08-07	1-111415-900	SMITH LUKE AND DANIELLE	DUP BILL W 111415-100	0	-2870	X	

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) HEALTH ORDINANCE #19-087CM – MAY GO INTO EXECUTIVE SESSION PER SECTION 610.021.1

Presiding Commissioner Scofield referenced a letter from their attorney.

Discussion ensued.

The following citizens spoke before the Commission:

- Steve Young of 815 Hires Rd, Taneyville
- Jimmie Russell of 139 A St, Taneyville
- Darrell Stiffler of 1004 Farlook St, Merriam Woods
- Cathy Crawford of Kissee Mills
- Barbara Murrows of Forsyth
- Sara Henderson of 566 Carleton Rd, Hollister
- David Sieren of Forsyth
- Christine Bogard of Cedar Creek
- Wayne Davidson of Taney County

Commissioner Williams read Taney County Ordinance #2019-819 into the record.

Commissioner Williams moved to approve the Taney County Ordinance #2019-819. Commissioner Wyatt second the motion. The motion passed by vote: Scofield (aye), Williams (aye) and Wyatt (aye).

TANEY COUNTY ORDINANCE NO. 2019-819

AN ORDINANCE ESTABLISHING HEALTH REGULATIONS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDING STANDARDS FOR THE PERMITTING OF CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDING DEFINITIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAINS AS FOLLOWS:

WHEREAS, § 192.300, RSMo, provides that the County Commission may make and promulgate Ordinances as will tend to enhance the public health and prevent the entrance of infections, contagious, communicable or dangerous diseases into such county; and

WHEREAS, § 192.300, RSMo, provides that the County Commission may establish reasonable fees to pay for any costs incurred in carrying out such Ordinances and that any such fees generated shall be deposited in the county treasury and shall be used to support the public health activities for which they were generated; and

WHEREAS, § 192.300, RSMo, provides that any person, firm, corporation or association which violates any such Ordinance adopted, promulgated and published by the County Commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law; and

WHEREAS, the County Commission has full power and authority to initiate the prosecution of any action under § 192.300, RSMo; and

WHEREAS, Section 640.710.5, RSMo. recognizes that local controls may be used to regulate concentrated animal feeding operations; and

WHEREAS, health standards and criteria for concentrated animal feeding operations (“CAFOs”) have been prepared based upon state law and professional studies presented to and considered by the Taney County Commission; and

WHEREAS, the adoption and enforcement of said standards is hereby found to be necessary in order to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous disease into Taney County; and

WHEREAS, the County Commission held a public meeting regarding the advisability of this Ordinance on August 19, 2019; and

WHEREAS, the County Commission held a duly noticed public meeting regarding the adoption of this Ordinance on August 19, 2019; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

1. Adoption. The County Commission of Taney County, Missouri hereby enacts and adopts the Ordinance attached to this Order, pursuant to Sections 192.300 and 640.710.5, RSMo.
2. Order of Printing and Publication. Upon adoption of this Order, the County Commission declares and orders that this Order and Ordinance be printed and made available for distribution to the public in the Office of the County Clerk and orders a copy of this Order to be published in a newspaper in the county for three successive weeks, not later than thirty (30) days after the entry of this Order.

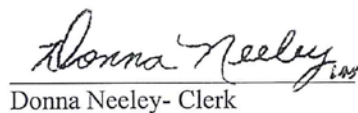
ADOPTED THIS 19th DAY OF August, 2019.


Mike Scofield- Presiding Commissioner


Brandon Williams- Western District Commissioner


Sheila Wyatt- Eastern District Commissioner

ATTEST:


Donna Neeley- Clerk



RECESS: 10:46 A.M.

RECONVENE: 11:03 A.M.

BUDGET DISCUSSION WITH COUNTY AUDITOR

(Taney County Commission Conference Room)

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

Also present: Devin Huff, Road and Bridge Administrator, Denzil Brown, Road & Bridge Assistant Administrator, David Clark, Auditor, Donna Neeley, County Clerk, and Tim Church, Tri-Lakes News Reporter.

Discussion ensued.

END OF BUDGET DISCUSSION: 11:21 A.M.

ROAD & BRIDGE ROUND TABLE DISCUSSION

(Taney County Commission Conference Room)

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

Also present: Devin Huff, Road and Bridge Administrator, Denzil Brown, Road & Bridge Assistant Administrator, David Clark, Auditor, Donna Neeley, County Clerk, Scott Terpening Building & Grounds Coordinator, and Tim Church, Tri-Lakes News Reporter, Jason Sivils, Great River Engineering.

The Commission agreed to have a Snow Rodeo on October 10, 2019.

Scott Terpening, David Clark, Jason Sivils, and Tim Church left the meeting at 11:35 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.

Also present: Devin Huff, Road and Bridge Administrator, Denzil Brown, Road & Bridge Assistant Administrator, and Donna Neely, County Clerk.

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

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

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

DAILY STAFF REVIEW & AGENDA REQUESTS

(Taney County Commission Conference Room)

Shanna Tilley, Administrative Assistant.

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

12:52 P.M.

The Minutes taken by Donna Neeley, County Clerk, Mike Scofield, Presiding Commissioner and Stephanie Spencer, Deputy Clerk, and typed by Stephanie Spencer, Deputy Clerk.