

**OFFICIAL
COMMISSION MINUTES
OCTOBER 15TH, 2019 –2ND DAY OF
THE OCTOBER ADJOURN TERM**

FORMAL AGENDA

The County Commission met in the Commission Hearing Room with Mike Scofield (present), Brandon Williams (absent), and Sheila Wyatt (present).

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

Commissioner Wyatt mentioned County Citizens who have expressed gratitude for the new Coon Creek Bridge and the fixing of Coon Creek Road. Commissioner Wyatt gave thanks to the Road & Bridge Department for work done on the project.

MONTHLY BUDGET REPORT

David Clark, Auditor, presented the Monthly Budget Report.

APPROVE ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #456559 through Checks #456587 and Checks #456589 through #456638, no Warrants, and no Journal Entries. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

Commissioner Wyatt noted that Check #456588 will be held until next week when all Commissioners are present. Presiding Commissioner Scofield tabled the check.

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Wyatt moved to approve Regular Session Minutes from October 7, 2019. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

APPROVAL OF PAYROLL

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

TRI-LAKES BIOSOLIDS COALITION – TRANSFER OF BIOSOLIDS EQUIPMENT & INFRASTRUCTURE

John Soutee, Environmental Services Project Coordinator, and Chris Robertson, Forsyth City Administrator, were present.

Commissioner Wyatt gave her commitment that she would like the coalition to precede and go forward according to the discussion on record. Presiding Commissioner Mike Scofield concurred that they move forward with the Joint Municipal Utility Commission (JMUC) when it is formed to replace the coalition.

**AMENDMENT TO SEWER SERVICES & EXCLUSIVE TERRITORIAL AGREEMENT
#19-118SD**

Rick Ziegenfuss, Hollister City Administrator, was present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Amendment to the Sewer Services & Exclusive Territorial Agreement file #19-118SD. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

**AMENDMENT TO SEWER SERVICES AND EXCLUSIVE
TERRITORIAL AGREEMENT**

THIS AGREEMENT is made and entered into this 15th day of October, 2019 (the "Effective Date") between Taney County, Missouri (hereinafter referred to as "County"), the Taney County Regional Sewer District (hereinafter referred to as "District"), and the City of Hollister (hereinafter referred to as "Hollister" or "City").

WITNESSETH:

WHEREAS, the County, District and City entered into a Sewer Services and Exclusive Territorial Agreement on April 10, 2010, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, for the purpose of providing sanitary sewer services throughout certain areas of Taney County, Missouri and the parties desire to amend that agreement to include service to the Ridgedale and Turkey Creek Sanitary Sewer Improvement Project areas and to more accurately reflect the agreement between the parties moving forward; and

WHEREAS, the District desires to construct a sewer extension project known as the Ridgedale/Turkey Creek Sanitary Sewer Improvement Project (the "Project"), which will include construction of necessary piping and pump stations to connect the wastewater systems serving the developments of Branson Creek, Country Farm Estates Subdivision, Big Cedar Lodge, Top of the Rock, and Branson Cedars Resort (the "Project Service Areas") to the City of Hollister Wastewater Treatment Facility (the "Hollister WWTF"), all of which is more fully described on the attached Exhibit B; and

WHEREAS, the District has available capacity in the Hollister WWTF and the City desires to provide wastewater treatment services to the Project Service Areas; and

WHEREAS, as a part of the Project, the District desires to construct and operate a terminal lift station and associated piping, force main, and appurtenances at the Hollister WWTF (the "Terminal Lift Station") that will collect all wastewater generated from the Project Service Areas and convey said wastewater into the headworks structure of the Hollister WWTF; and

WHEREAS, in order to properly construct and operate the Project, the District will need certain permanent, temporary, and access easements as well as a deed to the Terminal Lift Station site; all located on the property of the Hollister WWTF; and

WHEREAS, the City agrees to grant the required easements, Terminal Lift Station deed, and assignment of easements, to the District, all of which is more fully described and provided in the attached Exhibits C, D, E, F, and G.

FILL DIRT AGREEMENT – PAUL LAUDERDALE

Devin Huff, Road & Bridge Administrator, was present.

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

unlimited

20 loads or less call for location

FILL DIRT AGREEMENT

COMES NOW the Taney County Commission on behalf of Taney County, Missouri, (hereinafter "Taney County") and enters into this agreement with Paul Lauderdale (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

10-7-19
Date:

COURT ORDERS

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

Commissioner Wyatt moved to approve Exhibit "A" dated October 15, 2019. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

WARRANTY DEED FOR REAL ESTATE PURCHASE #19-117CM

Presiding Commissioner Scofield moved to table Warranty Deed for Real Estate Purchase #19-117CM until corrected documents are supplied. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

RECESS: 10:11 A.M.

RECONVENE: 10:27 A.M.

INSURANCE DISCUSSION

(Taney County Commission Conference Room)

Present: Presiding Commissioner Scofield and Commissioner Wyatt.

Also present: David Clark, Auditor, John Akers, Ollis/Akers/Arney Insurance Counselor, Dawn Muller, Employee Benefits, and Stephanie Spencer, Deputy Clerk.

Employee Insurance benefits discussion ensued.

Devin Huff entered the meeting at 10:36 a.m.

John Akers and Dawn Muller left the meeting at 11:02 a.m.

ROAD & BRIDGE ROUND TABLE DISCUSSION

Discussion on various county road projects and upcoming training.

David Clark and Stephanie Spencer left the meeting at 11:15 a.m.

EXECUTIVE SESSION: 11:15 P.M.

EXECUTIVE SESSION PER SECTION 610.021.3 (PERSONNEL)

(Taney County Commission Conference Room)

Present: Presiding Commissioner Scofield, and Commissioner Wyatt.

Commissioner Wyatt moved to enter into Executive Session per section 610.021.3 (Personnel). Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (absent) and Wyatt (aye).

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

END OF EXECUTIVE SESSION: 1:52 P.M.

DAILY STAFF REVIEW & AGENDA REQUESTS

(Taney County Commission Conference Room)

Present: Presiding Commissioner Scofield, and Commissioner Wyatt.

Also present: Shanna Tilley, Administrative Assistant, was present for the meeting.

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

ADJOURNMENT

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

ADJOURN

2:55 P.M.

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