

**OFFICIAL
COMMISSION MINUTES
NOVEMBER 23, 2020 – 11th 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

Commissioner Wyatt reminded the public to do their part to fight COVID-19 and wear a mask. Governor Parsons has urged Missourians to take personal responsibility to social distance, wear a mask and limit gatherings and is supporting local control. According to the report from the Department of Health and Senior Services currently has Taney County listed as a level 1 extreme risk county with the hospitals and health department are becoming overwhelmed.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #461313 through Check #461368, Warrant #7515 and five 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 the Regular Session Minutes for November 16th, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Executive Minutes for November 16th, 2020. 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).

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER IN RE. APPEAL – HUMMINGBIRD RESORT #2020-005

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve Findings of Fact, Conclusions of Law and Order Case #2020-005 dated appropriately. Commissioner Wyatt seconded the motion with discussion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY

IN RE. APPEAL)
HUMMINGBIRD RESORT) Case No. 2020-005
)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

NOW, on this ___ day of November, 2020, in the above-referenced matter, the County Commission of Taney County, Missouri, finds as follows:

1. Michael Dortch, Chris Dortch and Ammon Hardie (“Applicants”) are the applicants and owners of Hummingbird Resort located at 256 Ruby’s Rest, Reed Spring Missouri (“Property”). The Property consists of 6 parcels located on approximately 17 acres. Access to the Property is provided through a gravel road that runs from the intersection of Live Oak and Hampton Road to the Property is referred to as “Ruby’s Rest.”
2. Applicants submitted an application for Division III Permit relating to the Property to the Taney County Planning Commission on or about March 13, 2020.
3. Applicants proposed to construct eleven (11) small cabins/bungalows and four (4) treehouse/nest units consisting of single bedrooms for nightly rental units with small kitchenettes (“Proposed Use”).
4. A GIS map of the Property is attached hereto as Exhibit A and incorporated herein by reference. A map of the property indicating the proposed locations of the cabins and treehouses, the proposed septic system, and the location of adjacent properties is attached hereto as Exhibit B and incorporated herein by reference.
5. Located to the north of the Property are single family dwellings located in East Fork Subdivision. The properties to the west and south are vacant land. The properties to the east and southeast consist of single-family residences.
6. There are two zoning districts in Taney County: Western District and Eastern District. The Property is located in the Eastern Taney County zoning district.
7. The Taney County Development Guidance Code defines Nightly Rental as: “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days. The term – Nightly Rental shall not include hotel, motel or bed and breakfast establishments.”
8. The Nightly Rental provisions of the Taney County Development Guidance Code include provisions regarding occupancy, parking, solid waste disposal, lighting, safety, Certificate of Compliance, Missouri Department of Revenue Compliance, permit posting, ownership, local 24-hour representative, required buffering, additional conditions, and compliance.

9. Furthermore section 4.7 of the Development Guidance Code provides that nightly rentals in a residential area have the potential to be incompatible with the surrounding residential uses.

10. Nightly rentals are excluded from rural residential compatible uses under the Development Guidance Code.

11. A concept hearing and public hearing was held on the application for Division III permit on May 11, 2020. Approximately eleven (11) neighboring citizens opposed the application in person or in writing.

12. On May 11, 2020, after a public hearing, the Taney County Planning Commission denied the application for Division III permit by the Applicants. A copy of the Division III Decision of Record is attached hereto and incorporated herein by reference as Exhibit C ("Planning Decision of Record").

13. On May 18, 2020, the Applicants filed an appeal with the Taney County Board of Adjustment.

14. A public hearing was held regarding the appeal on June 17, 2020. The Applicants spoke in favor of the application for Division III permit and approximately five (5) neighboring citizens spoke in opposition to the application for Division III permit.

15. On June 17, 2020, the Taney County Board of Adjustment granted the Applicants' appeal of the May 11, 2020 Taney County Planning Commission's denial of the Division III permit. A copy of the Taney County Board of Adjustment Decision of Record is attached hereto and incorporated herein by reference as Exhibit D ("BOA Decision of Record").

16. Kenneth Coleman is a resident and property owner that lives at 1131 Hampton Road, located immediately east from the Property.

17. Mr. Coleman submitted a request to reconsider the June 17, 2020 decision of the Taney County Board of Adjustment, which was denied on August 19, 2020.

18. Pursuant to section 9.2 of the Taney County Development Guidance Code, Mr. Coleman submitted an appeal to the County Commission as a result of the decision of the Board of Adjustment. A public hearing was held before the County Commission on October 13, 2020.

19. Taney County's Development Guidance Code is based on performance standards and the degree to which the developer complies with the standards. A developer must meet absolute policies or the project will be denied. Relative policies are used to aid in a decision to approve or deny a project.

20. The policies for Eastern Taney County include water quality; environmental; critical areas; land use compatibility; local economic development; site planning, design, and

occupancy; commercial development; services including capacity and access; internal improvements; open space and density; and solid waste disposal.

21. Assuring the compatibility of neighboring land uses is the traditional function of zoning and encourages land use compatibility. Under the Development Guidance Code, use compatibility is encouraged. The compatibility of new development or redevelopment with neighboring uses shall be assessed using the following factors. In predominantly residential areas where zoning requests to another use such as commercial, industrial, or institutional are made, it is the responsibility of the Planning Commission to determine if the property change is compatible with the residential area. Requests for major land use changes in residential areas are heard before the Planning Commission. The final decision for land use compatibility rests with the Planning Commission. However, appeals may be made to the Board of Adjustment with a final appeal to the County Commission. The County Commission's overriding authority will be final.

22. Based on the record of the Planning Commission, the Board of Adjustment, and the information submitted at the public hearing on October 13, the County Commission finds that the neighboring land uses to the Property are predominantly agricultural (or vacant land) and residential. There are currently no similar permitted uses within a 1000-foot radius of the proposed use of the Property, specifically nightly rentals or commercial use. The nearest permitted nightly rental is approximately 3.5 miles south of the Property.

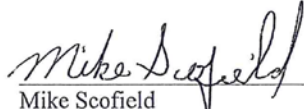
23. The proposed use of the Property as nightly rentals is not compatible with the adjacent East Fork subdivision to the north, the residences located east of the Property along Hampton Road, and the vacant land to the west and south.

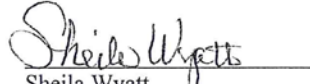
24. The County Commission finds, concludes and orders that the appeal to the County Commission by Mr. Coleman is granted, and as a result, the application for Division III permit by Applicants is denied.

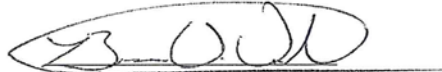
NOW, THEREFORE, the Taney County Commission hereby orders that the appeal to the County Commission relating to Hummingbird Resort Division III application is granted, and further, as a result, the application for Division III permit by Applicants is denied.

SO ORDERED, this ___ day of November, 2020.

TANEY COUNTY COMMISSION


Mike Scofield
Presiding Commissioner

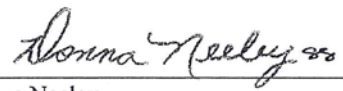

Sheila Wyatt
Eastern District Commissioner


Brandon Williams
Western District Commissioner

ATTEST

On this ___ day of November, 2020, before me personally appeared Mike Scofield, Presiding Commissioner, Sheila Wyatt, Eastern District Commissioner, and Brandon Williams, Western District Commissioner, and said Commissioners acknowledged this instrument to be their free act and deed of and on behalf of the Taney County Commission.

I, Donna Neeley, Clerk of the Taney County Commission, do hereby certify that the above and foregoing is a true and accurate record of the Order made and entered by the Taney County Commission on this ___ day of November, 2020.


Donna Neeley
Clerk of the Taney County Commission

TANEY COUNTY SENIOR CENTER BUILDING UPDATE

Glenda Hunt, Volunteer President of the Eastern Taney County Senior Friendship Center, presented the status of the Senior Center Building.

AGREEMENT FOR SEPTIC SYSTEM SERVICES – BOERMAN SEPTIC, LLC #20-123CM

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Agreement for Septic System Services with Boerman Septic, LLC as a vendor and Taney County. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 20-123CM

AGREEMENT
for
SEPTIC SYSTEM SERVICES

THIS AGREEMENT dated the 23rd day of November 2020 made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Boerman Septic, LLC. of Kirbyville, Mo. (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 provide Septic System Services ("Services") shall include the Contractor's bid response to County's Request For Bid # 202009-456 and any applicable addenda which are attached hereto and incorporated herein by reference ("Contract Documents"). 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. Services provided under this Agreement shall not exceed the prices as set forth in the Contract Documents, and as quoted in the attached bid response table. Said services will be performed on an "as needed" basis with scheduling being completed via mutual agreement including all items as listed within the bid response. If certain unusual circumstances occur regarding Services availability, the County may consider all other options, including the next lowest Bidder.

3. Contract Duration. This agreement shall commence on the date it is fully executed and extend for one (1) year thereafter, subject to the provisions for termination specified below. This agreement may be renewed for two (2) additional one-year periods by Order of the County Commission subject to the pricing clauses as agreed to, and offered by the Contractor's bid response to continue to perform services "as needed". This agreement may be renewed thereafter on a month to month basis for up to six months in the event the County is unable to re-bid and award a new contract prior to full expiration.

4. Billing and Payment. All billing must be invoiced **in duplicate** with specific department information and include bid reference #202009-456 for tracking. Billings and invoices, **in duplicate**, 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.

COURT ORDERS

Wesley Shoemaker, Deputy Clerk, and Andy Adams, Deputy Assessor, were present.

Commissioner Wyatt moved to approve Exhibit "A" dated November 23, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "A"

PP PAID ABATEMENTS											
Exhibit: <u>A</u>		Date: <u>23 Nov 2020</u>									
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approved	Denied	Tabled
300332	2019	PENDING	2020-10-30	1-9866-900	SICKMAN WILLIAM R	DID NOT OWN MOTOR JAN 1ST	3070	-3070	<i>[Signature]</i>		
300333	2019	PENDING	2020-11-17	1-102681-900	BEEGHLY JOSEPH A	PAID ABATEMENT CHANGE	100	-2080	<i>[Signature]</i>		

Commissioner Wyatt moved to deny abatements #206015, #206202, #206203, #206204, #206205, & #206206. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve Exhibit "B" dated November 23, 2020. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "B"

ERRONEOUS ASSESSMENT																
Exhibit: <u>B</u>		Date: <u>23 Nov 2020</u>														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
206015	2015	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206202	2016	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206203	2017	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206204	2018	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206205	2019	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206206	2020	0000-00-00	2020-10-13	08-4.0-19-004-005-042.000	MID-STATES FUNDING LLC	ERRONEOUS ASSESSMENT	0	-890	0	0	0	0				
206208	2020	0000-00-00	10/23/2020	17-2.0-09-002-025-001.000	GKHV LLC	ERRONEOUS ASSESSMENT	40300	-23520	0	0	0	0				
206218	2020	0000-00-00	2020-11-09	18-1.0-01-004-001-013.504	POV RENTALS LLC	ERRONEOUS ASSESSMENT	23000	8060	0	0	0	-13580				
206221	2020	0000-00-00	2020-11-10	08-2.0-09-000-000-003.000	VILLAGE OF BULL CREEK (THE)	ERRONEOUS ASSESSMENT	0	-950	0	0	0	0				
206222	2020	0000-00-00	2020-11-10	08-2.0-09-000-000-004.001	VILLAGE OF BULL CREEK	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206223	2020	0000-00-00	2020-11-10	08-2.0-09-000-000-007.000	VILLAGE OF BULL CREEK (THE)	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206224	2020	0000-00-00	2020-11-10	08-2.0-04-000-000-030.004	VILLAGE OF BULL CREEK	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206225	2020	0000-00-00	2020-11-10	08-2.0-04-000-000-031.013	VILLAGE OF BULL CREEK	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206226	2020	0000-00-00	2020-11-10	08-2.0-09-000-000-005.002	VILLAGE OF BULL CREEK	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206227	2020	0000-00-00	2020-11-10	08-2.0-10-000-000-014.000	VILLAGE OF BULL CREEK	ERRONEOUS ASSESSMENT	0	-480	0	0	0	0				
206228	2020	0000-00-00	2020-11-10	09-2.0-03-000-000-033.005	CITY OF FORSYTH	ERRONEOUS ASSESSMENT	0	-540	0	0	0	0				
206229	2020	0000-00-00	2020-11-10	04-9.0-29-001-006-004.000	CITY OF FORSYTH	ERRONEOUS ASSESSMENT	0	0	0	0	0	-640				

Commissioner Wyatt moved to approve Exhibit "C" dated November 23, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "C"

RE PAID ABATEMENTS																
Exhibit: <u>C</u>		Date: <u>23 Nov 2020</u>														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
206230	2020	2020-10-06	2020-11-17	08-8.0-33-002-005-019.001	APPLER ARLIE A & DEBRA E	CLERICAL ERROR	10260	8360	0	0	0	0				

Commissioner Wyatt moved to approve Exhibit "D" dated November 23, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "D"

CLERICAL ERROR																
Exhibit: <u>D</u>		Date: <u>23 Nov 2020</u>														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
206180	2020	0000-00-00	2020-11-17	08-8.0-33-002-005-019.000	HAIKO RASTISLAV	CLERICAL ERROR	17930	-10260	0	0	0	0				
206216	2020	0000-00-00	2020-10-22	18-6.0-14-003-008-036.001	WALTERS MARK	CLERICAL ERROR	17080	10620	0	0	0	-17900				
206217	2020	0000-00-00	2020-10-22	18-6.0-14-004-005-044.003	SWICK TERESA L	CLERICAL ERROR	7500	4480	0	0	0	-7550				
206219	2020	0000-00-00	2020-11-10	18-1.0-01-002-002-006.012	PETERSEN NASH TRUST (THE)	CLERICAL ERROR	26930	16980	0	0	0	-28610				
206220	2020	0000-00-00	2020-11-10	18-1.0-01-002-002-006.072	MOORE STEVEN W & NANCY L	CLERICAL ERROR	25540	9330	0	0	0	-15700				
206231	2020	0000-00-00	2020-11-19	18-6.0-14-004-005-043.006	SUMNER JEFFREY C & JULITA C	CLERICAL ERROR	10060	6530	0	0	0	-11000				
206232	2020	0000-00-00	2020-11-19	18-6.0-14-004-005-043.005	HIOTIS MARGARITKA	CLERICAL ERROR	10060	6530	0	0	0	-11000				

Commissioner Wyatt moved to approve Exhibit "E" dated November 23, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "E"

OCCUPANCY																
Exhibit: <u>E</u>		Date: <u>23 Nov 2020</u>														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
206209	2020	0000-00-00	2020-10-22	17-2.0-04-004-009-006.000	WHITE ROYCE	OCCUPANCY	2830	-1310	0	0	0	0				
206210	2020	0000-00-00	2020-10-22	08-9.0-30-000-000-054.010	BROWER DYLE & JOYCE	OCCUPANCY	13050	11980	0	0	0	0				
206211	2020	0000-00-00	2020-10-22	08-4.0-20-000-000-212.000	DUTCHER MICHAEL & DARLENE	OCCUPANCY	22550	20650	0	0	0	0				
206212	2020	0000-00-00	2020-10-22	08-4.0-20-000-000-063.023	PELZ TREY DANIEL & JULIE	OCCUPANCY	31060	29160	0	0	0	0				
206213	2020	0000-00-00	2020-10-22	08-4.0-18-000-000-011.014	STAFFORD FAMILY LIVING TRUST	OCCUPANCY	24630	22730	0	0	0	0				
206214	2020	0000-00-00	2020-10-22	08-4.0-17-000-000-004.040	MERRIFIELD JOEL & LAURA	OCCUPANCY	48520	45670	0	0	0	0				
206215	2020	0000-00-00	2020-10-22	07-6.0-24-000-000-003.024	SHIRKEY BARBARA A	OCCUPANCY	12330	11380	0	0	0	0				

CARES ACT PHASE 2 NOTICE OF DECISION

Melissa Duckworth, Emergency Management Assistant, and Jonas Arjes, Executive Director Taney County Partnership, were present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve the remaining (8) eight applicants labeled as Exhibit “F” as presented on November 23, 2020 approved up to the final amount of request as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPLICANT INFO		APPLICANT TYPE			REQUESTED AMOUNT	
APPLICANT NAME	APPLICANT CONTACT	LOCAL GOVT AGENCY	NON-PROFIT	SMALL BUSINESS	ORIGINAL AMOUNT OF REQUEST	FINAL AMOUNT OF REQUEST
76 Mall Inn dba Grand Country	Glenn Robinson			X	\$2,784.60	\$2,784.60
Advan-Tech Heating & Cooling, LLC	Robert Jay			X	\$31,403.09	\$31,403.09
Andy Williams PAC	Marian Williams			X	\$508.59	\$508.59
Ballparks of America	Misty Brinell			X	\$11,170.86	\$11,170.86
Big Time Productions LLC	Kristy Adams			X	\$8,510.04	\$9,433.38
Boys & Girls Club of the Ozarks	Stoney Hays		X		\$106,523.24	\$106,523.24
Bradleyville R-1 School District	Joel Carey	X			\$57,189.45	\$43,223.69
BRAMO Hospitality	Chelsea Emery-Hilton			X	\$115,397.73	\$26,738.32
Branson Airport TDD	Jeff Bourk	X			\$108,846.11	\$103,854.36
Branson Limousine	Norma Wiedmeyer			X	\$812.55	\$812.55
Branson Mountain Adventure	Mark Ruda			X	\$11,185.48	\$11,185.48
Branson R-IV School District	Dr. Nathan Moore	X			\$801,726.35	\$623,249.19
Branson Tracks	Bill Stark			X	\$20,909.57	\$20,909.57
Branson's Best dba Lodge of the Ozarks	Janelle Schaum			X	\$7,285.79	\$6,674.85
Cedar Bay Entertainment, LLC dba Titanic Museum	Kimberly Pillow			X	\$6,626.35	\$6,626.35
Center Stage Grill	Bill Kitchin			X	\$910.00	\$910.00
Central Taney County Fire Protection District	Doug Bower	X			\$1,185.24	\$1,185.24
City of Branson	Jamie Rouch	X			\$120,031.47	\$120,031.47
Combs Hospitality, Inc	Ray Archuleta			X	\$8,841.31	\$8,607.94
Cox Medical Center Branson	William Mahoney		X		\$76,298.48	\$25,582.35
D&B HVAC	Jennifer Dougherty			X	\$7,190.00	\$7,981.32
Dannas BBQ	Kyle Junck			X	\$4,545.63	\$4,545.63
Duttons	Judith Dutton			X	\$5,251.84	\$5,275.84
En Vogue Nails & Spa	Kim Tran			X	\$2,025.00	\$2,025.00
Faith Community Health	Carol Harris		X		\$4,639.06	\$4,639.06
Forsyth R-III School District	Jeff Minguis	X			\$65,795.30	\$65,794.80
Grand Country	Glenn Robinson			X	\$8,883.94	\$8,883.94
Grand Oaks Hotel	Marilyn Mahoney			X	\$10,405.11	\$10,435.12
Hamners Variety Theater	Marian Williams			X	\$1,726.75	\$1,726.75
Happy Hollow Resort	Melissa O'Brien			X	\$2,014.70	\$2,014.60
Hollister R-V School District	Brian Wilson	X			\$106,789.57	\$106,789.57
Hollywood Wax Museum	Lisa Pollard			X	\$76,463.64	\$76,463.64
Hong Kong Buffet	Kim Tran			X	\$2,025.00	\$2,025.00
Hong Kong Express	Kim Tran			X	\$2,025.00	\$2,025.00
Hughes Entertainment	Lena Hughes			X	\$1,613.58	\$1,468.98
ITEC/Branson Restaurants	Lori Gregg			X	\$10,788.83	\$10,788.83
Kirbyville R-VI School District	Carless Osbourn	X			\$46,340.58	\$46,246.58
Mark Twain R-8 School District	Joe Donley	X			\$10,148.92	\$10,148.92
Musicland RV Park	David Faria			X	\$1,273.30	\$1,273.30
Myer Development Company	Mary Ann Myer			X	\$9,260.91	\$9,260.91
Myer Enterprises Hotel Company	Gail Myer			X	\$11,581.08	\$11,581.08
Myer Family Hotel Company	Gail Myer			X	\$7,284.96	\$7,284.96
Myer Hospitality Inc.	Gail Myer			X	\$12,177.99	\$12,177.99
Myer Leisure Co; dba Quality Inn West	Gail Myer			X	\$11,099.34	\$11,099.34
Myer Lodging Inc; dba Best Western Music Capital Inn	Gail Myer			X	\$9,408.61	\$9,408.61
OATS Inc.	Jill Stedem		X		\$3,867.00	\$3,867.00
Ozark Mountain Family YMCA	Angel Adams		X		\$14,254.01	\$14,249.81
Panda House	Kim Tran			X	\$2,025.00	\$2,025.00
PCF, LLC dba The Paddlewheel	Lianne Milton			X	\$19,047.32	\$19,047.32
PR Branson LLC dba Branson Pizza Ranch	Bjorn Kaashagen			X	\$2,708.53	\$2,708.53
SDS Hospitality dba Savannah House	Scott Skoglund			X	\$4,392.58	\$4,403.45
Southern Spray Equipment	Stephen Rodman			X	\$13,223.67	\$13,223.67
State Park Marina	Patrick Cox			X	\$15,073.51	\$15,073.51
Taneyville R-II School	Tara Roberts	X			\$57,442.00	\$57,442.00
The Caring People	Louanne Dietrich		X		\$1,721.84	\$1,708.51
Victorian Heart, Inc.	Kenneth Kline			X	\$8,404.15	\$8,404.15
Western Taney County Fire Protection District	Chris Berndt	X			\$194,500.00	\$194,500.00
White River Valley Electric	Tim Shafer				\$34,243.83	\$34,243.83
WonderWorks	Brenda Dent			X	\$32,733.82	\$33,323.05
					\$2,332,582.20	\$1,997,099.72

CARES ACT PHASE 2 DISTRIBUTION AGREEMENT

Melissa Duckworth, Emergency Management Assistant, and Jonas Arjes, Executive Director Taney County Partnership, were present.

Commissioner Williams moved to approve the CARES Act Distribution Agreement for Phase 2 Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**DISTRIBUTION OF COUNTY CARES ACT FUNDS
NOTICE OF DECISION**

TANEY COUNTY, MISSOURI

Date: _____

Application No.: _____

Applicant Name: _____

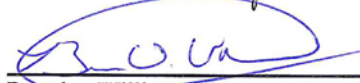
Dear Applicant:

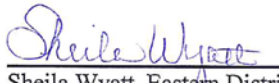
By this Notice ("Notice"), the County is writing to inform the above-reference Applicant of the County's determination (the "Decision") regarding the requests set forth in the above-referenced Request for Distribution of County CARES Act Funds Application (the "Application"). The information set forth on the following pages provides a summary of the Decision regarding the Application. In some cases, additional pages may be attached containing more detailed information regarding the Decision with respect to specific request determinations, awards, denials, and partial awards.

This Decision, and the receipt and use of the Funds is subject to the requirements of the CARES Act and United States Department of Treasury guidance, the representations and warranties set forth in the Application, and the County Distribution Agreement of CARES Act Funds (the "Agreement"), all of which are incorporated herein by reference. If Funds are awarded pursuant to this Notice, in order for the Funds described in this Notice of Decision to be disbursed to the Applicant, the Applicant must approve, execute, and return an original copy of the Agreement attached to this Notice within fourteen (14) days of the date set forth above.

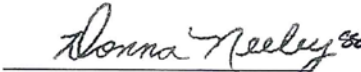
Questions regarding this Notice should be directed to: Melissa Duckworth, 417-546-7233 or Melissa.Duckworth@taneycountymo.gov.


Mike Scofield, Presiding Commissioner


Brandon Williams, Western District Commissioner


Sheila Wyatt, Eastern District Commissioner

ATTEST:


Donna Neeley, County Clerk

CARES ACT NOTICE OF DECISION

Commissioner Williams moved to approve the distribution of County CARES ACT Funds Notice of Decision. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

PROPOSAL FOR AIR PURIFIERS #20-122CM

Scott Terpening, Building & Grounds, was present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Proposal for Air Purifiers between Temperature Control Company of Springfield and Taney County. Commissioner Williams 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
WWW.TEMPCONCO.COM

November 13, 2020
Summary: ESTIMATE
Reference #: 5123-224

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:

ATTN: SCOTT TERPENING

WE PROPOSE TO INSTALL EIGHT AERUS PURE & CLEAN PORTABLE AIR PURIFIERS.

TOTAL: \$5,944

5944.00

Subtotal	Total
5944.00	\$5,944.00

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 11/23/2020

RECESS: 10:02 A.M.

RECONVENE: 10:20 A.M.

PRELIMINARY BUDGET DISCUSSIONS

(Taney County Commission Conference Room)

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

Also present: David Clark, County Auditor, and Stephanie Spencer, Deputy Clerk.

EXECUTIVE SESSION: 11:19 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 SESSION: 12:01 P.M.

RECONVENE: 12:06 P.M.

NIGHTLY RENTAL TEMPORARY MORATORIUM

(Taney County Commission Conference Room)

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

Also present: Scott Starrett, Planning & Zoning Administrator, and Stephanie Spencer, Deputy Clerk.

Commissioner Williams moved to approve an Order Enacting a Temporary Moratorium on Division II and Special Use Permits for Nightly Rentals as Adopted and Recommended by the Planning Board. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**BEFORE THE COUNTY COMMISSION OF TANEY COUNTY,
MISSOURI**

**AN ORDER ENACTING A TEMPORARY MORATORIUM ON DIVISION III
AND SPECIAL USE PERMITS FOR NIGHTLY RENTALS TO ALLOW FOR
AMENDMENTS TO THE DEVELOPMENT GUIDANCE CODE**

WHEREAS, pursuant to § 64.860, RSMo., the County Commission shall provide for the manner in which the regulations, restrictions and boundaries of zoning districts shall be determined, established and enforced, and from time to time amended, supplemented or changed within the unincorporated territory; and

WHEREAS, pursuant to § 64.875, the regulations imposed and the districts created may be amended from time to time by the County Commission by order after the order establishing the same has gone into effect but no amendments shall be made by the County Commission except after recommendation of the Planning Commission; and

WHEREAS, the Planning Commission of Taney County, Missouri is prepared to initiate the process to consider and recommend a comprehensive amendment to the Development Guidance Code, including conducting the required public hearings; and

WHEREAS, the Planning Commission requires a reasonable amount of time to conduct public hearings and make recommendations to the County Commission in order to amend the Development Guidance Code; and

WHEREAS, the Planning Commission received 33 Division III and Special Use Permit Applications in 2019, which constituted approximately 63% of all applications received by the Planning Commission; and

WHEREAS, the Planning Commission received 28 Division III and Special Use Permit Applications in 2020, which constituted approximately 76% of all applications received by the Planning Commission; and

WHEREAS, a temporary moratorium on the receipt, processing, and consideration of nightly rental Division III and special-use permits will allow for consideration of comprehensive amendments to the Development Guidance Code, including public hearings on the amendments to be held, and to allow the comprehensive amendment of the Development Guidance Code to proceed in an orderly and efficient manner; and

WHEREAS, the Planning Commission reviewed, recommended and approved this Order at a special meeting, duly called on Thursday, November 19, 2020; and

WHEREAS, the County Commission believes it to be in the best interest of Taney County, Missouri, and its residents to take steps necessary to make comprehensive amendments to the Development Guidance Code; and

WHEREAS, the Taney County Commission hereby finds, determines and declares that adoption of a temporary moratorium on all nightly rental Division III and special-use permit applications is necessary and in the best interests of the health, safety, and general welfare of Taney County and its inhabitants.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

1. Adoption and Enactment. The County Commission of Taney County, Missouri hereby enacts and adopts the following Order:

Temporary Moratorium on Nightly Rental Applications To Allow For Comprehensive Amendments To The Development Guidance Code

- A. During the moratorium period set forth in Paragraph B, Taney County, Missouri hereby imposes a temporary moratorium on: (1) the Planning Commission receiving, considering, granting, or denying any applications for Division III permits which include a nightly rental component for which an application was not submitted on or before November 9, 2020; and (2) the Planning Commission receiving, considering, granting or denying any application for Special Use Permit for nightly rentals for which an application was not submitted on or before November 9, 2020.
- B. The moratorium hereby imposed shall continue and remain in effect for a period of six (6) months from the date of adoption of this Order in order to allow for time to consider the comprehensive amendments to the Development Guidance Code, including holding public hearings and making recommendations to the County Commission. The moratorium established by this Ordinance shall automatically terminate six (6) months after the date of adoption of this Order unless the County Commission terminates this moratorium at an earlier period of time or by further extension of the moratorium by order of the County Commission if comprehensive amendments to the Development Guidance Code cannot be adopted and finalized on or before the expiration of the moratorium period.
- C. It is hereby declared to be the intention of the County Commission that each and every part, section, and subsection of this Ordinance shall be separate and severable from each and every other part, section, and subsection hereof and that the County Commission intends to adopt each said part, section, and subsection separately and independently of any other part, section, and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.
- D. This Order shall be in full force and effect from and after its passage.

2

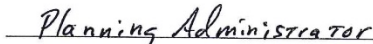
2. Order of Printing and Publication. Upon adoption of this Order, the County Commission declares and orders that this Order and Ordinance be printed and made available for distribution to the public in the Office of the County Clerk and orders a copy of this Order to be published in a newspaper in the county for three successive weeks, not later than thirty (30) days after the entry of this Order.

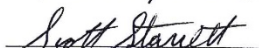
ADOPTED AND RECOMMENDED BY THE PLANNING COMMISSION ON THE 19TH DAY OF NOVEMBER, 2020.




Jasper Township, Vice-Chairman

ATTEST:

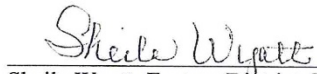


 Secretary

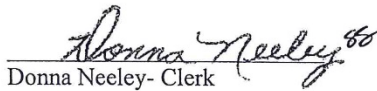
ADOPTED BY THE COUNTY COMMISSION THIS ____ DAY OF _____, 2020.


Mike Scofield- Presiding Commissioner


Brandon Williams- Western District Commissioner


Sheila Wyatt- Eastern District Commissioner

ATTEST:


Donna Neeley- Clerk

DAILY STAFF REVIEW AND AGENDA REQUESTS

Also present: Shanna Tilley, Administrative Assistant, and Stephanie Spencer, Deputy Clerk were present.

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: 12:13 P.M.

The minutes were taken by Presiding Commissioner Mike Scofield, and Stephanie Spencer, Deputy Clerk and typed by Stephanie Spencer, Deputy Clerk.