

**OFFICIAL
COMMISSION MINUTES
DECEMBER 7th, 2020 – 14th 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

John Jensen of Kanakuk Ministries came before the Commission to supply context for their CARES Act funding request.

CALL COUNTY COMMISSION MEETING TO ORDER

Presiding Commissioner Mike Scofield called the meeting to order at 9:06 a.m.

COMMISSION REMARKS

Commissioner Wyatt noted that questions regarding assessments can call the County Assessor's Office and reference Assessed Values on the County Assessor's website.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #461625 through Check #461658 and Checks #461660 through #461690, and Warrants #7520 through #7526, and one Journal Entry or transfer. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Williams moved to approve the Regular Session Minutes for November 30th, 2020 with corrections. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve the Regular Minutes for December 3rd, 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 the payroll. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

CITY OF BRANSON FUNDING AGREEMENT REQUEST: BRANSON SANITARY SEWER INFRASTRUCTURE IMPROVEMENT PROJECTS

John Soutee, Environmental Services Project Coordinator, was present.

Commissioner Wyatt moved to approve the Amendment to the Funding Agreement with the City of Branson for the Branson Sanitary Sewer Infrastructure Improvement Projects. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

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

2020 CITY WASTEWATER SYSTEM IMPROVEMENT PROJECT

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 and City entered into an Inter-Governmental Funding Agreement effective June 01, 2020, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, for the purpose of completing the items as outlined in the above referenced funding agreement by December 31, 2020.

WHEREAS, due to delays related to COVID-19 a portion of the aforementioned work will not be completed by December 31, 2020, and the City has requested additional time to complete the project.

WHEREAS, the County agrees to extend the agreement termination date of the above referenced funding agreement to March 31, 2021.

WHEREAS, THE PARTIES AGREE that all other aspects of the agreement for this project remain in effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates set opposite the signatures of their respective authorized representatives.

County of Taney, Missouri

By: Mike Scofield
Mike Scofield, Presiding
Presiding Commissioner of Taney County

Date: 12/07/2020

ATTEST: I, Donna Neeley, the Clerk of the Taney County Commission hereby attest that the above agreement was executed by the Taney County Presiding Commissioner Mike Scofield, pursuant to a duly passed motion of the Taney County Commission approving the agreement.

By: Donna Neeley
Donna Neeley, County Clerk

Date: 12/7/2020

COURT ORDERS

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

Commissioner Wyatt moved to deny Exhibit "A" dated December 7th, 2020. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

EXHIBIT "A"

| CLERICAL ERROR | | | | | | | | | | | | | | | | |
|-------------------|-------------------------|------------|------------|---------------------------|---------------------|----------------|--------|--------|-------|-------|---------|---------|-------|----------|-------------------------------------|--------|
| Exhibit: <u>A</u> | Date: <u>7 Dec 2020</u> | | | | | | | | | | | | | | | |
| AbNumber | AbYear | SuppDate | AbDate | Parcel | Name | Reason | EndRes | AdjRes | EndAg | AdjAg | EndCom | AdjCom | Notes | Approved | Denied | Tabled |
| 206239 | 2020 | 2020-12-01 | 0000-00-00 | 18-1.0-11-001-005-008.000 | WAREHOUSE SPACE LLC | CLERICAL ERROR | 0 | 0 | 0 | 0 | 1141296 | 1141296 | | | <input checked="" type="checkbox"/> | |

FILL DIRT AGREEMENT

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

Unlimited

FILL DIRT AGREEMENT

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

11-25-2020
Date:

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES AND TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS – ALFRED WAYNE LARUE – NICK AND GAYLA OWENS – HILLARY AND MATTHEW BRIAND

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the Grant of Permanent and Perpetual Easement and Right-of-Way for Public Road Purposes and Temporary Construction Easement for Construction of Public Road Improvements by and between Taney County and Alfred Wayne Larue; Taney County and Nick and Gayla Owens; Taney County and Nick and Gayla Owens; and Taney County and Hillary and Matthew Briand. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ALFRED WAYNE LARUE

**GRANT OF PERMANENT AND PERPETUAL EASEMENT
AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES
AND TEMPORARY CONSTRUCTION EASEMENT FOR
CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS**

ALFRED WAYNE LARUE _____, of the County of
Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 2 day of
November, 2020

grant and convey unto

**TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth,
Missouri 65653** a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as KIRTLEY ROAD for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land laying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Attachment "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit:*

NICK AND GAYLA OWENS

**GRANT OF PERMANENT AND PERPETUAL EASEMENT
AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES
AND TEMPORARY CONSTRUCTION EASEMENT FOR
CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS**

NICK and GAYLA OWENS _____, of the County
of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 19th day of
November, 2020

grant and convey unto

**TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth,
Missouri 65653** a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Kirtley Rd for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land laying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Attachment "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit:*

NICK AND GAYLA OWENS

**GRANT OF PERMANENT AND PERPETUAL EASEMENT
AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES
AND TEMPORARY CONSTRUCTION EASEMENT FOR
CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS**

Nick and Gayla Owens, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 19th day of November, 2020

grant and convey unto

TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Blueshell Kirtley Rd for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land laying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Attachment "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit:*

HILLARY AND MATHEW BRIAND

**GRANT OF PERMANENT AND PERPETUAL EASEMENT
AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES
AND TEMPORARY CONSTRUCTION EASEMENT FOR
CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS**

HILLARY & MATTHEW BRIAND, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 14th day of November, 2020

grant and convey unto

TANEY COUNTY, MISSOURI, c/o Taney County Commission, P.O. Box 1086, Forsyth, Missouri 65653 a body politic and corporate, hereinafter referred to as "GRANTEE",

for and in consideration of One Dollar (\$1.00) and other good and valuable consideration received, the receipt of which is hereby acknowledged, and for the advantages to be gained from the existence of such road improvements, do hereby grant, bargain, sell, transfer, and confirm unto GRANTEE, its successors, heirs and assigns, a permanent and perpetual easement and right-of-way for the purpose of locating, constructing, maintaining, removing, operating, replacing and improving the public road now known as Kirtley Rd for the passage of vehicular and pedestrian traffic and for all uses incident thereto, over, upon, under and through the following described tract of land laying and being situate in the County of Taney, State of Missouri, to-wit:

Legally described as set forth in Attachment "A" to this easement document, and incorporated herein by reference as though fully set out.

Together with the right of ingress to and egress from the adjacent lands of GRANTORS, their successors and assigns, for the purposes of this easement, *to-wit:*

KANAKUK CARES ACT REQUEST

Melissa Duckworth, Emergency Management Assistant, and John Jensen, Kanakuk Ministries Chief Business Officer, were present. Commissioner Williams referenced a letter from their attorney.

Commissioner Williams moved to approve the Kanakuk CARES Act Request up to \$126,455.79. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

RECESS: 9:31 A.M.

RECONVENE: 10:01 A.M.

CARES ACT PHASE III DISCUSSION

(Taney County Commission Conference Room)

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

Also present: Melissa Duckworth, Emergency Management Assistant, Jonas Arjes, Executive Director Taney County Partnership, David Clark, County Auditor, and Stephanie Spencer, Deputy Clerk.

Discussion ensued.

RECESS: 10:33 A.M.

EXECUTIVE SESSION: 10:42 A.M.

EXECUTIVE SESSION PER SECTION 610.021.3 (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.

RECESS: 10:51 A.M.

RECONVENE 10:51 A.M.

2021 BUDGET DISCUSSION – MAY GO INTO EXECUTIVE SESSION PER SECTION 610.021.3 (PERSONNEL)

(Taney County Commission Conference Room)

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

Also Present: Bart Owen, Chief Juvenile Officer, David Clark, County Auditor, Jana Johnson, Auditor Clerk, and Stephanie Spencer, Deputy Clerk.

Marc Rys, IS Administrator, entered the meeting at 12:04 p.m.

Bart Owen left the meeting at 12:07 p.m.

RECESS: 12:20 P.M.

EXECUTIVE SESSION: 1:24 P.M.

EXECUTIVE SESSION PER SECTION 610.021.3 (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.

RECESS: 1:29 P.M.

RECONVENE: 1:32 P.M.

2021 BUDGET DISCUSSION – MAY GO INTO EXECUTIVE SESSION PER SECTION 610.021.3 (PERSONNEL)

(Taney County Commission Conference Room)

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

Also Present: Mike Mulnik, M Graham Clark Airport Manager, David Clark, County Auditor, and Stephanie Spencer, Deputy Clerk.

RECESS: 2:51 P.M.

RECONVENE: 2:56 P.M.

DAILY STAFF REVIEW AND AGENDA REQUEST:

Also present: Shanna Tilley, Administrative Assistant, Lesley Wallace, Commissions 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: 3:05 P.M.

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