

**OFFICIAL  
COMMISSION MINUTES  
DECEMBER 31<sup>st</sup>, 2020 – 22<sup>nd</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

**FORMAL AGENDA**

The County Commission met in the Commission Conference Room with Mike Scofield (via-teleconference), Brandon Williams (via-teleconference), and Sheila Wyatt (present).

**CALL COUNTY COMMISSION MEETING TO ORDER**

Presiding Commissioner Mike Scofield called the meeting to order at 8:34 a.m.

*Also present: John Soutee, Environmental Service Project Coordinator, Lesley Wallace, Commission Assistant, and Kim Lovelace, Deputy Clerk.*

**TRI-LAKES BIOSOLIDS COALITION COOPERATION AGREEMENT #20-138CM**

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Agreement for Tri-Lakes Biosolids Joint Municipal Utility Commission Contract to the Transfer of Operating Facilities. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 20-138CM

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

WHEREAS, on January 22, 2013, Taney County, Missouri ("County") and the Cities of Branson, Branson West, Forsyth, Hollister, and Kimberling City (hereinafter referred to collectively as "Cities") (collectively all parties shall be referred to herein as the "Tri-Lakes Biosolids Coalition") entered into the Tri-Lakes Biosolids Coalition Cooperation Agreement (hereinafter the "Agreement"); and

WHEREAS, the County received a grant from the Missouri Department of Natural Resources ("DNR") and the County contributed matching funds to purchase equipment and construct facilities needed to improve the processing of biosolids from the treatment of sewage produced by the Cities and County residents and collected and processed by the cities; and

WHEREAS, the Cities and County entered into the Agreement to utilize the equipment for the acceptance and processing of biosolids from the Cities and County residents (hereinafter referred to as the "Operating Facilities"); and

WHEREAS, Article 8, Section 1 of the Agreement provides that the County agreed to remain the owner of the Operating Facilities for the initial five (5) year term of operation or establishment of the Joint Municipal Utility Commission (hereinafter referred to as "JMUC"), whichever is later; and

WHEREAS, Article 8, Section 2 of the Agreement provides that during such time as the County must maintain ownership, the County, by execution of the Agreement, conveyed its respective duties and responsibilities and right of fee collection to the Coalition specifically and exclusively for the Operating Facilities; however, upon formation of the JMUC, the County shall transfer its respective duties and responsibilities and right of fee collection to the JMUC and the Coalition waives its right to such fee collection; and

WHEREAS, subject to the requirements of Article 8, Section 1 of the Agreement, the County agreed to convey ownership, and all rights and responsibilities of the Operating Facilities to the JMUC, and the Coalition agreed to accept such ownership transfer and to acknowledge all respective duties and responsibilities of ownership and DNR permitting requirements regarding the respective equipment through a Joint Municipal Utility Commission as defined in Chapter 393, RSMo.; and

WHEREAS, by virtue of The Tri-Lakes Biosolids Joint Municipal Utility Commission Contract (hereinafter the "JMUC Contract"), with an effective date of November 10, 2020, the cities of Branson, Hollister, Forsyth, Kimberling City, Reeds Spring, Rockaway Beach, Galena, and Sparta (hereinafter referred to as "Members"), the Members created a Joint Municipal Utility Commission pursuant to the Joint Municipal Utility Commission Act pursuant to §§ 393.700 – 393.770, RSMo. to provide for the planning, development, financing, acquisition, improving, extending, operation, repairing and maintaining facilities for dewatering, drying and disposal of biosolids; and

**ADJOURNMENT:**

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

**ADJOURN: 8:36 A.M.**

*The minutes were taken by and typed by Kim Lovelace, Deputy Clerk.*