

**OFFICIAL
COMMISSION MINUTES
SEPTEMBER 27th, 2021 – 17th DAY OF
THE JULY 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 9:03 a.m.

COMMISSION REMARKS

None.

PUBLIC HEARING FOR PROPOSD REZONING REQUESTS

Scott Starrett, Planning & Zoning Administrator, and Presley Cozort, Permit Technician and Planning & Zoning Coordinator, were present.

201 STINGER DRIVE - #09-27-2021-01

Angela Wood was present.

Commissioner Williams moved to approve the Order of the Taney County Commission #09-27-2021-01. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI

DATE: September 27, 2021

SUBJECT: Zoning District Amendment

WHEREAS, Taney County, Missouri desires to coordinate physical development in accordance with its present and future needs; so as to conserve the natural resources of the County, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants; and

WHEREAS, the Planning Commission has held public hearings in order to obtain public input concerning an amendment to the Taney County, Missouri Zoning District map, in accordance with the requirements of Chapter 64 and Section 64.863 of the Missouri Revised Statutes; and

WHEREAS, on September 13, 2021, the Taney County Planning Commission has recommended the amendment to the Zoning District map grid number H17, Branson Township, from NR-1 Single-Family Nightly Rental District and A-1 Agricultural District to RV-1 Recreational Vehicle Park District, property owned by Quality Structures of Arkansas LLC, parcel numbers: 08-5.0-21-000-002-006.007, 08-5.0-21-000-002-006.005, and 08-5.0-21-000-002-012.000, located at 201 Stinger Drive, Branson, Missouri, and

NOW, THEREFORE, on this 27th day of September, 2021, at a duly called meeting of the Taney County Commission, having received the recommendation of the Planning Commission and, after public notice, and in open session, upon motion made and seconded, the Taney County Commission voted 3 in favor and 0 against to amend the Taney County, Missouri Zoning District map, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District be amended as follows and pursuant to the information below:

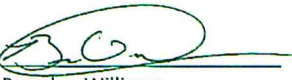
| <u>Parcel Number</u> | <u>Location</u> | <u>Map Grid #</u> | <u>Township</u> | <u>Zoning District</u> |
|---------------------------|-------------------|-------------------|-----------------|------------------------|
| 08-5.0-21-000-002-006.007 | off Stinger Drive | H17 | Branson | RV-1 |
| 08-5.0-21-000-002-006.005 | off Stinger Drive | H17 | Branson | RV-1 |
| 08-5.0-21-000-002-012.000 | off Stinger Drive | H17 | Branson | RV-1 |

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 27th day of September 2021, and a copy of the Order shall be filed in the office of the Planning & Zoning.

TANEY COUNTY COMMISSION


Mike Scofield
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Donna Neeley, County Clerk

200 & 250 SEILER RD - #09-27-2021-03

The following individuals were present:

- Jeremy Dautenhahn – 136 Seiler Road, 200 & 250 Seiler Road
- Dena Daniels – 776 Seiler Road
- Ricky Daniels – 737 Seiler Road

Commissioner Williams moved to approve the Order of the Taney County Commission #09-27-2021-03. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ORDER NUMBER: 09-27-2021-03

ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI

DATE: September 27, 2021

SUBJECT: Zoning District Amendment

WHEREAS, Taney County, Missouri desires to coordinate physical development in accordance with its present and future needs; so as to conserve the natural resources of the County, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants; and

WHEREAS, the Planning Commission has held public hearings in order to obtain public input concerning an amendment to the Taney County, Missouri Zoning District map, in accordance with the requirements of Chapter 64 and Section 64.863 of the Missouri Revised Statutes; and

WHEREAS, on September 13, 2021, with six (6) out of nine (9) Taney County Planning Commission Board members present, a motion to recommend approval was made and seconded, the Planning Commission voted 3 Yea and 3 Nay, the motion failed due to lack of majority vote to recommend the amendment to the Zoning District map grid number O16, Oliver Township, from A-1 Agricultural District to NR-1 Single-Family Nightly Rental District, property owned by Jeremy and Mallorie Dautenhahn, parcel number 20-4.0-19-000-000-006.000, located at 200 & 250 Seiler Road, Ridgedale, Missouri, and

NOW, THEREFORE, on this 27th day of September, 2021, at a duly called meeting of the Taney County Commission, having received neither an approval or denial recommendation of the Planning Commission and, after public notice, and in open session, upon motion made and seconded, the Taney County Commission voted 3 in favor and 0 against to amend the Taney County, Missouri Zoning District map, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District be amended as follows and pursuant to the information below:


| Parcel Number | Location | Map Grid # | Township | Zoning District |
|---------------------------|---------------------|------------|----------|-----------------|
| 20-4.0-19-000-000-006.000 | 200 & 250 Seiler Rd | O16 | Oliver | NR-1 |

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 27th day of September 2021, and a copy of the Order shall be filed in the office of the Planning & Zoning.

TANEY COUNTY COMMISSION


Mike Scofield
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Donna Neeley, County Clerk

165 SEILER RD - #09-27-2021-02

The following individuals were present:

- Jeremy Dautenhahn – 136 Seiler Road, 200 & 250 Seiler Road
- Dena Daniels – 776 Seiler Road
- Ricky Daniels – 737 Seiler Road

Commissioner Wyatt moved to deny Order #09-27-2021-02. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #464938 through Check #465020, Warrant #7792, and two Journal Entries/Transfers. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF PAYROLL

Commissioner Williams moved to approve payroll. 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 Executive Session Minutes for September 20th, 2021. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve Regular Session Minutes for September 20th, 2021. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

INTERAGENCY FIRE AGREEMENT #21-108CM

Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Williams moved to approve the Intergovernmental Agreement by and between Fire Agencies in Taney County including Bradleyville Rural Fire Department, Branson Fire Department, Cedar Creek Fire Protection District, Central Taney County Fire Protection District, Forsyth Fire Department, Point Lookout Fire Department, Protem Fire Protection District, and Western Taney County Fire District and the County of Taney. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 21-108CM

**INTERGOVERNMENTAL AGREEMENT
BETWEEN FIRE AGENCIES AND TANEY COUNTY**

Pursuant to Section 70.220 RSMo., the Bradleyville Rural Fire Department, Branson Fire Department, Cedar Creek Fire Protection District, Central Taney County Fire Protection District, Forsyth Fire Department, Point Lookout Fire Department, Protem Fire Protection District, and Western Taney County Fire District (hereafter "Fire Agencies"), and the County of Taney, Missouri (hereafter "County") hereby enter into this Intergovernmental Agreement.

WHEREAS, Fire Agencies and County are political subdivisions, fire associations, and private fire departments located in the State of Missouri, and are authorized to enter into a joint agreement for common services; and

WHEREAS, the undersigned Fire Agencies provide fire protection and other related emergency services to the people of Taney County, Missouri; and

WHEREAS, on extraordinary occasions, in responding to fires or related emergencies, Fire Agencies may need equipment which County owns and which is not otherwise available to the Fire Agencies; and

WHEREAS, County and the undersigned Fire Agencies desire to enter an agreement wherein the County, in its sole discretion and upon proper request by the Fire Agencies for assistance with equipment, may provide vehicles and equipment to assist Fire Agencies; and

WHEREAS, an agreement between County and Fire Agencies will provide for common services of good to the public and be of benefit to the citizens of County and members of the public served by Fire Agencies.

NOW, THEREFORE IN CONSIDERATION, of the mutual considerations and obligations of the parties contained herein, the parties agree as follows:

1. The WHEREAS clauses are incorporated herein.
2. County, in its sole discretion, may assist Fire Agencies by providing County-owned vehicles or equipment for use in fighting fires or other related emergency situations.
3. In order to request assistance from County, the request shall be made by an authorized agent of the Fire Agency to the Office of the Taney County Emergency Management Executive Director, who may forward it for consideration by the Office of the Taney County Road and Bridge Administrator. The decision to provide County vehicles or equipment to assist Fire Agencies shall be made by the Road and Bridge Administrator, in his sole discretion.
4. In no event shall County provide vehicles or equipment if doing so would jeopardize the County employees or property.

LETTER OF SUPPORT – SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT N

Commissioner Williams moved to approve the Letter of Support to the Southwest Missouri Solid Waste Management District N. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

INTERGOVERNMENTAL AGREEMENT BETWEEN TANEY COUNTY AND BOONE COUNTY, AR RELATING TO ROAD MAINTENANCE #21-109RB

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

Commissioner Williams moved to approve Intergovernmental Agreement for road maintenance with Boone County, Arkansas. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 21-109RB

INTERGOVERNMENTAL AGREEMENT BETWEEN TANEY COUNTY, MISSOURI AND BOONE COUNTY, ARKANSAS

Pursuant to 70.220, RSMo., the County of Taney, Missouri and the County of Boone, Arkansas enter into this Intergovernmental Agreement.

WHEREAS, the County of Taney, Missouri and the County of Boone, Arkansas are political subdivisions, and are authorized to enter into a joint agreement for common services of good to the public; and

WHEREAS, each County desires to provide road maintenance as a common service of good to the public of the Counties; and

WHEREAS, Taney County maintains a public road, known as Bald Eagle Point Road, as a public service; and

WHEREAS, Boone County maintains a public road, known as Horseshoe Bend Road, as a public service; and

WHEREAS, each County must travel through the other in order to access the road it maintains; and

WHEREAS, the public of each County would benefit if Taney County would maintain the road in Boone County described above and Boone County would maintain the road in Taney County described above, because the cost of maintaining the roads would thereby be reduced for each County.

NOW, THEREFORE, The County of Taney, Missouri and the County of Boone, Arkansas, each in consideration for the promises of the other made herein, agree:

- 1.) The "whereas" clauses of this document are incorporated by reference.
- 2.) The term of this Agreement shall be for four (4) years, commencing the date the agreement has been executed by all parties. The agreement shall renew automatically for an additional term of four (4) years unless either party gives written notice of nonrenewal before the agreement expires.
- 3.) This Agreement may be terminated by either party, without cause, by giving 30 days written notice to the other of termination.
- 4.) No modification of this Agreement shall be effective unless put in writing and executed by both parties.
- 5.) Taney County shall maintain that portion of Bald Eagle Point Road located in Boone County, AR.

INTERGOVERNMENTAL AGREEMENT BETWEEN TANEY COUNTY AND OZARK COUNTY RELATING TO ROAD MAINTENANCE #21-110RB

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the Intergovernmental Agreement for road maintenance by and between Taney County and Ozark County. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 21-110RB

INTERGOVERNMENTAL AGREEMENT BETWEEN TANEY COUNTY, MISSOURI AND OZARK COUNTY, MISSOURI

Pursuant to 70.220, RSMo., the County of Taney, Missouri and the County of Ozark, Missouri enter into this Intergovernmental Agreement.

WHEREAS, the County of Taney, Missouri and the County of Ozark, Missouri are political subdivisions of the State of Missouri, and are authorized to enter into a joint agreement for common services of good to the public; and

WHEREAS, each County desires to provide road maintenance as a common service of good to the public of the Counties; and

WHEREAS, Taney County maintains a public road, known as Jennings Road, as a public service; and

WHEREAS, Ozark County maintains a public road, known as Palmer Road, as a public service; and

WHEREAS, each County must travel through the other in order to access the road it maintains; and

WHEREAS, the public of each County would benefit if Taney County would maintain the road in Ozark County described above and Ozark County would maintain the road in Taney County described above, because the cost of maintaining the roads would thereby be reduced for each County.

NOW, THEREFORE, The County of Taney, Missouri and the County of Ozark, Missouri, each in consideration for the promises of the other made herein, agree:

- 1.) The "whereas" clauses of this document are incorporated by reference.
- 2.) The term of this Agreement shall be for four (4) years, commencing the date the agreement has been executed by all parties. The agreement shall renew automatically for an additional term of four (4) years unless either party gives written notice of nonrenewal before the agreement expires.
- 3.) This Agreement may be terminated by either party, without cause, by giving 30 days written notice to the other of termination.
- 4.) No modification of this Agreement shall be effective unless put in writing and executed by both parties.
- 5.) Taney County shall maintain that portion of Jennings Road located in Ozark County.

ROAD PETITIONS

Devin Huff, Road & Bridge Administrator, Denzil Brown, Road & Bridge Assistant Administrator, and Kathy Roberts, Road & Bridge Office Manager, were present.

CALLAWAY COURT

Commissioner Williams moved to bring into the county road system Callaway Court. Commissioner Wyatt seconded the motion with discussion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

WOODBRIIDGE ESTATES DRIVE & JAIME COURT

Commissioner Wyatt moved to deny the two Jaime Court and Woodbridge Estates Drive based upon the grade and due to the recommendation of the Road & Bridge Administrator. Commissioner Williams seconded the motion with discussion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

PALEO WAY

Commissioner Wyatt moved to accept it into the road system, Paleo Way. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

HICKORY DRIVE & OAKVIEW DRIVE

Commissioner Williams moved to accept into the county road system Hickory Drive within Ozark Paradise Village and Oakview Drive in Ozark Paradise Village. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

CANDLE DRIVE & CYPRESS DRIVE

The following citizens spoke to the Commission:

- Robert Wachob – 236 Coronado Drive
- Kenneth Cheatwood – 210 Coronado Drive
- Mike Jeppeson – 215 Monarch Lane

Commissioner Wyatt moved to table Candle Drive & Cypress Drive to look for a solution. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

MEADOWVIEW LANE

Commissioner Wyatt moved to take Meadowview Lane into the county road system. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

HICKORY DRIVE

Commissioner Williams moved to accept Hickory Drive within Spring Creek Park into the county road system contingent upon the right-a-way for a turnaround and a survey stating such. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

NOTICE OF INTENT TO DECLARE SINGLE SOURCE PROVIDER (GRINDER) SSP – #202109-487

Travis Heier, HDR Engineer, was present.

Commissioner Wyatt moved to make JWC Environmental Inc as a Single Source Provider for the purchase of a grinder. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

HOUSEHOLD HAZARDOUS WASTE DISCUSSION

Devin Huff, Road & Bridge Administrator, Scott Starrett, Planning & Zoning Administrator, and Debbie Redford, Citizen, were present.

Discussion ensued.

RECESS: 12:33 P.M.

RECONVENE: 12:41 P.M.

DAILY STAFF REVIEW AND AGENDA REQUESTS

(Taney County Commission Conference Room)

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

Also present: Lesley Wallace, Commission Assistant.

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 12:58 P.M.

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

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