

**OFFICIAL  
COMMISSION MINUTES  
OCTOBER 11<sup>th</sup>, 2022 – 3<sup>rd</sup> 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 everyone that the last day to register to vote for the November 8, 2022 General Election is on October 12, 2022.

**ACCOUNTS PAYABLE**

Commissioner Wyatt moved to approve Checks #469166 through Check #469244, Warrants #7995 through Warrant #7999 and four 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 Wyatt moved to approve Executive Session Minutes for October 3<sup>rd</sup>, 2022. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Commissioner Wyatt moved to approve Regular Session Minutes for October 3<sup>rd</sup>, 2022 and October 6<sup>th</sup>, 2022. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**FILL DIRT AGREEMENT – HILLTOP CHURCH OF GOD**

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the Fill Dirt Agreement by and between Hilltop Church of God and Taney County. 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 *Hilltop Church of God* (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

*10-6-2022*  
Date:

**AGREEMENT FOR PICNIC TABLES – 6 (FILE NO. 22-109RB)**

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Wyatt moved to approve the Agreement for six Picnic Tables from Diversified Metal Fabricators, Inc. and Taney County. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 22-109RB

Agreement  
for  
Picnic Tables (6)

THIS AGREEMENT dated the 11<sup>th</sup> day of October 2022 is made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Diversified Metal Fabricators, Inc., a Missouri corporation (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 for the purchase of six (6) picnic tables ("Equipment") shall include cooperative purchasing contract, BUYBOARD CONTRACT, #592-19, price quote #30026 dated 8-30-22 and any applicable addenda which are attached hereto as Exhibit A and incorporated herein by reference ("Contract Documents"). 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.** Equipment provided under this Agreement shall not exceed \$7,645.28 as quoted in the Contract Documents. The County agrees to this purchase and Contractor agrees to supply the Equipment per the Contractor's bid response, and for the prices set forth in the Contractor's response, and as ordered by County. If any issues arise which may hinder or delay Equipment availability or delivery, County may consider all options including the next lowest Bidder.

**3. Contract Duration.** This agreement shall commence on the date it is fully executed and terminate upon expiration of all applicable warranties, details of which are attached to the signed bid, also as subject to the provisions for termination specified below. This agreement may only be extended by the order of the county subject to the pricing, and delivery clauses as agreed to, and offered by the contractor's bid response.

**4. Billing and Payment.** All billing shall be invoiced with specific department information and include BUYBOARD CONTRACT #592-19 for tracking. Billings and invoices may only include the prices provided for in 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.

**BID RECOMMENDATION FOR DAY CAB SEMI TRUCK (202209-508)**

Devin Huff, Road & Bridge Administrator, and Nikki Lawrence, Purchasing Director and Legal Liaison, were present.

Commissioner Williams moved to award Bid # 202209-508 to Ozark Kenworth Inc. dba MHC Kenworth. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**BID RECOMMENDATION FOR PRINTING, MAILING, & EMAIL SERVICES (202208-506)**

Susan Chapman, Assessor, and Nikki Lawrence, Purchasing Director and Legal Liaison, were present.

Commissioner Williams moved to award bid #202208-506 to Master's Touch LLC based on the recommendation from the Assessor. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**PERSONAL PROPERTY ABATEMENTS/ADD-ONS REPORT FOR SEPTEMBER 2022**

Wesley Shoemaker, Deputy Clerk, was present.

Commissioner Williams moved to enter into the record the document Personal Property Abatements and Add-On Report for September 2022 as presented by the County Clerk's Office. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**DISCUSSION OF EXTENSION BUILDING**

Discussion ensued.

**EMPLOYEE BENEFITS & RENEWAL INFORMATION WITH OLLIS/AKERS/ARNEY – MAY GO INTO EXECUTIVE SESSION PER SECTION 610.021(3)(12) PERSONNEL/CONTRACTS**

John Akers, Insurance Broker of Record for Ollis|Akers|Arney representing Taney County, and Erica Gaynor, Group Benefits Advisor, were present.

Discussion ensued.

Commissioner Williams moved to enter into Executive Session per section 610.021.(3)(12) (Personnel & Contracts). Commissioner Wyatt seconded the motion. The motion passed by roll call vote: Scofield (aye), Williams (aye) and Wyatt (aye).

**EXECUTIVE SESSION: 9:30 A.M.**

**EXECUTIVE SESSION PER SECTION 610.021. (3)(12) (PERSONNEL & CONTRACTS)**  
*(Taney County Commission Hearing 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: 9:54 A.M.**

**RECESS: 9:54 A.M.**

**RECONVENE: 10:00 A.M.**

**PUBLIC HEARING FOR BIG CEDAR CID**

An order approving a petition to establish the Big Cedar Community Improvements District Pursuant to Section 67.1401 – 67.1571, RSMo., as amended: creating The Cedar Community Improvement District as political subdivision; approving the appointment of the initial board of directors for the district, directing the County Clerk of Taney County, Missouri to report the creation of the District to the Missouri Department of Economic Development; directing and authorizing county officials to take certain actions related to the same and containing a severability clause.

Tim Mahoney, Vice President of Strategic Partnerships for Big Cedar Bass Pro, and Bryan Wade, Attorney, spoke to the Commission in favor of the Big Cedar CID.

The following individuals also appeared in front of the Commission in reference to the Big Cedar CID:

- Jeanne McFall – 183 Dogwood, Ridgedale, Mo.
- Megan McGuire – 768 Lakeview Dr, Ridgedale, Mo.
- Junior Crafton - President of the Oakmont Home Owner Association

- Walter Russell Rubert – Owner of several properties in the Long Creek and Bass Pro Area.
- Travis Elliott – Attorney

Commissioner Williams moved to approve an order approving a petition to establish the Big Cedar Community Improvement District pursuant to sections 67.1401-67.1571, RSMo., as amended; creating the Big Cedar Community Improvement District as a political subdivision; approving the appointment of the initial board of directors for the district; directing the County Clerk of Taney County, Missouri to report the creation of the district to the Missouri Department of Economic Development; directing and authorizing County Officials to take certain action related to the same; and containing a severability clause. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

**AN ORDER APPROVING A PETITION TO ESTABLISH THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 67.1401 – 67.1571, RSMO, AS AMENDED; CREATING THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION; APPROVING THE APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE COUNTY CLERK OF TANEY COUNTY, MISSOURI TO REPORT THE CREATION OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT; DIRECTING AND AUTHORIZING COUNTY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME; AND CONTAINING A SEVERABILITY CLAUSE.**

WHEREAS, pursuant to sections 67.1401 through 67.1571, RSMo., as amended (the “CID Act”), Taney County, Missouri (“County”) is authorized to create a community improvement district upon the filing of a proper petition with the County Clerk of the County and after holding a public hearing by the County Commission (“County Commission”) of the County regarding the same;

WHEREAS, a petition (the “Petition”) to establish the Big Cedar Community Improvement District (the “District”) was duly filed on June 3, 2022 with the County Clerk of the County, a true and accurate copy of which is attached here to as Exhibit A, and incorporated herein by reference, and the County Clerk has verified the Petition meets all of the requirements of Section 67.1421.2, RSMo. of the CID Act; and

WHEREAS, due and lawful notice of a public hearing on the Petition was given by publication and mailing pursuant to Section 67.1431.3, RSMo. of the CID Act, and the public hearing was held and concluded by the County Commission during a regularly scheduled meeting on October 11, 2022; and

WHEREAS, the County Commission reviewed and considered the Petition, and during the public hearing on October 11, 2022, all persons interested in the subject matter of the Petition were given an opportunity to be heard and the County Commission heard all protests and received all endorsements; and

WHEREAS, all things necessary for the adoption of this Order have in all respects been done and performed, and the County Commission finds the adoption of this Order to be necessary and in the best interest of the County and the public.

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

Section 1. Creation of District; Incorporation of Petition. Pursuant to Section 67.1411.3, RSMo. of the CID Act, the Big Cedar Community Improvement District is hereby created as a political subdivision of the State of Missouri, on and subject to the terms of the Petition. A copy of the Petition, as amended, is attached hereto as Appendix 1; as well as Exhibit A-1, containing the tax parcel identification numbers of the parcels located within the District’s boundaries; Exhibit A-2, contain the legal descriptions of the parcels located within the District’s boundaries; and Exhibit B-1, containing a map of the District’s boundaries; all of

which are hereby incorporated herein by reference. The County Commission hereby finds and determines that the Petition is proper under the CID Act and was filed in conformance with the CID Act, and that due and lawful notice of a public hearing on the Petition was published and mailed to the property owners in the District, and notice was provided to the Missouri Department of Revenue.

Section 2. Establishment; Powers and Rights of District; Term. The District is hereby established for the purposes set forth in the Petition, and the District shall have all the powers and rights authorized by the Petition and all the powers and rights authorized by the CID Act. The District shall continue to exist and function for a term of twenty-seven (27) years as set forth in the Petition, as may be amended from time to time.

Section 3. Qualifications and Appointment of Directors. The District shall be governed by a board of directors consisting of five (5) members appointed by the Presiding Commissioner with the approval of the County Commission, subject to the qualifications, limitations and other provisions of the CID Act and the Petition. Pursuant to Section 67.1451.5, RSMo. of the CID Act, the Presiding Commissioner appoints and the County Commission hereby approves the initial appointment of, and the initial terms for, the Board of Directors of the District, as set forth in the Petition, and as follows:

<u>Directors</u>	<u>Length of Initial Term</u>
Tim Mahoney	4 years
Jamie Keys	4 years
Matt Pace	2 years
Debbie Bennett	2 years
Chad Littler	2 years

No further action by the Presiding Commissioner or the County Commission for appointment of the initial Board of Directors of the District shall be necessary. The Board of Directors of the District shall have its initial meeting on such date and at such time as a quorum of the Board of Directors shall be available.

Section 4. Report. The County Clerk is hereby authorized and directed to prepare and file with the Missouri Department of Economic Development and the state auditor the report specified in Section 67.1421.6, RSMo. of the CID Act.

Section 5. Submission of Information. The governing body of the District shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue: (a) a description of the boundaries of such district as well as the rate of property tax or sales tax levied in such district; (b) any amendments made to the boundaries of the district or the tax rates levied in such district; and (c) the date on which the district is to expire unless sooner terminated. The governing body of the District shall not order any assessment to be made on any

real property located within the district and shall not levy any property or sales tax until the information required by this paragraph has been submitted.

Section 6. Fiscal Year; Budget; Reports. The District shall have the same fiscal year as the County and the District shall meet and submit the budget and reports as set forth in § 67.1471, RSMo., as amended from time to time.

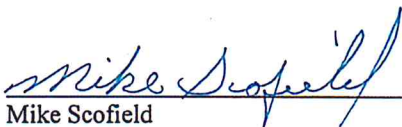
Section 6. Authorization of Additional Actions. The Presiding Commissioner of the County or his designated representatives are hereby authorized and directed to take any and all actions necessary and appropriate in order to execute and deliver for and on behalf of the County any and all additional certificates, documents, agreements or other instruments as may be necessary and appropriate in order to carry out the matters described in this Order, with no such further action of the County Commission necessary to authorize such action.

Section 7. Severability. This Order shall be severable and if any section, subsection, sentence, clause, phrase or portion of this Order is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is declared to be a separate, distinct and independent provision of this Order, and such holding shall not affect the validity of the remaining portions of this Order.

Section 8. Effective Date. This Order shall be in full force and effect from and after its passage and approval.

So Ordered this 11<sup>th</sup> day of October, 2022.

**TANEY COUNTY COMMISSION:**

  
\_\_\_\_\_  
Mike Scofield  
Presiding Commissioner


  
\_\_\_\_\_  
Brandon Williams  
Western District Commissioner

  
\_\_\_\_\_  
Sheila Wyatt  
Eastern District Commissioner

**ATTEST**

On this 11<sup>th</sup> day of October, 2022, before me personally appeared Mike Scofield, Presiding Commissioner, Brandon Williams, Western District Commissioner, and Sheila Wyatt, Eastern 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 11<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
Donna Neely  
Clerk of the Taney County Commission



**RECESS: 11:34 A.M.**

**EXECUTIVE SESSION: 11:53 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: 12:43 P.M.**

**DAILY STAFF REVIEW AND AGENDA REQUEST**  
*(Taney County Commission Conference Room)*

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

Also present: Shanna Tilley, Administrative Assistant and Nick Plummer.

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: 12:53 P.M.**

*The minutes were taken by Mike Scofield, Presiding Commissioner, and Kim Lovelace, Deputy Clerk, and typed by Kim Lovelace, Deputy Clerk.*