

**OFFICIAL  
COMMISSION MINUTES  
FEBRUARY 13<sup>TH</sup>, 2023 – 15<sup>TH</sup> DAY OF  
THE JANUARY ADJOURN TERM**

**FORMAL AGENDA**

The County Commission met in the Commission Hearing Room with Nick Plummer (present), Brandon Williams (present), and Sheila Wyatt (present).

**PUBLIC COMMENT**

None.

**CALL COUNTY COMMISSION MEETING TO ORDER**

Presiding Commissioner Nick Plummer called the meeting to order at 9:01 a.m.

**COMMISSION REMARKS**

None.

**ACCOUNTS PAYABLE**

Commissioner Wyatt moved to approve Checks #470571 through Check #470631, Checks #470633 through Check #470661, Warrants #8068 through #8072, void Check #470632, and One Journal Entry/Transfer. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (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: Plummer (aye), Williams (aye), and Wyatt (aye).

**APPROVAL OF PREVIOUS MEETING MINUTES**

Commissioner Williams moved to approve Regular Session Minutes for January 30<sup>th</sup>, 2023, January 31<sup>st</sup>, 2023 and February 6<sup>th</sup>, 2023 and Executive Session Minutes for February 6<sup>th</sup>, 2023 with corrections. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**MONTHLY BUDGET REPORT**

David Clark, County Auditor, presented the January 2023 Monthly Budget Report.

**APPROVAL 2023 RECORDS RETENTION DISPOSITION**

Stephanie Spencer, County Clerk, was present.

Commissioner Wyatt moved to enter into record with corrections. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**APPROVAL AGREEMENT FOR FUEL TANK CLEANING SERVICES #23-016RB**

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the agreement for Fuel Tank Cleaning Services by and between Akin Environmental Services, LLC and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 23-016RB

Agreement  
for  
Fuel Tank Cleaning Services

THIS AGREEMENT dated the 13<sup>th</sup> day of February 2023 is made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Akin Environmental Services, LLC, an Arkansas limited liability company (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 Fuel Tank Cleaning Services ("Services") shall include the Contractor's estimate, dated January 24, 2023, for estimate #62, and any applicable addenda which are attached hereto as Exhibit A 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. Contractor agrees to provide the Services described in this Agreement, and the prices shall not exceed \$8,500 as set forth in Exhibit A. If certain unusual circumstances occur regarding a specific vehicular repair, or Services availability, the County may consider all other options.

3. Contract Duration. This agreement shall commence on the date it is fully executed and extend upon expiration of all applicable warranties.

4. Billing and Payment. All billing shall be invoiced with specific department information for tracking. Billings and invoices 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.

**APPROVAL FY22 STATE HOMELAND SECURITY GRANT PROGRAM SUBAWARD AGREEMENT #23-015EM**

Melissa Duckworth, Emergency Management Assistant, was present. Presiding Commissioner Plummer referenced a letter for their attorney.

Commissioner Williams moved to approve the Subaward Agreement pertaining to the Missouri Department of Public Safety/Southwest Missouri Counsel of Government 2022 Homeland Security Grant Program. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**SUBAWARD AGREEMENT**

SUBRECIPIENT NAME Taney County		DATE 1/18/2023	
ADDRESS 132 David Street		FEDERAL IDENTIFICATION NUMBER EMW-2022-SS-00094	OHS CONTROL NUMBER 04-14
CITY Forsyth		UEI NUMBER WLKQCE8LC5V6	
STATE MO		ZIP CODE 65653	
TOTAL AMOUNT OF THE FEDERAL AWARD \$36,257.11		AMOUNT OF FEDERAL FUNDS OBLIGATED BY THIS ACTION \$36,257.11	
TOTAL AMOUNT OF FEDERAL FUNDS OBLIGATED TO THE SUBRECIPIENT \$36,257.11		TOTAL APPROVED COST SHARING OR MATCHING \$0	
PROJECT PERIOD FROM 09/01/2022	PROJECT PERIOD TO 08/31/2024	FEDERAL AWARD DATE 09/01/2022	
PROJECT TITLE Taney County EMA FY22		FUNDED BY FY 2022 Homeland Security Grant Program	
FEDERAL AWARDCING AGENCY Department of Homeland Security	PASS THROUGH ENITY MO Dept of Public Safety/SMCOG	IS THIS AWARD R&D YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	INDIRECT COST RATE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 97.067		METHOD OF PAYMENT (Reimbursement – Advanced) Reimbursement	
CONTACT INFORMATION			
(AGENCY) GRANT SPECIALIST		SUBRECIPIENT PROJECT DIRECTOR	
NAME Thomas Cunningham		NAME Jeremy Wilson	
E-MAIL ADDRESS TCunningham@MissouriState.edu		ADDRESS (If different from above) PO Box 1005	
TELEPHONE 417-836-5281		CITY, STATE AND ZIP CODE Forsyth, MO 65653	
PROGRAM MANAGER Jason Ray		TELEPHONE 417-546-	E-MAIL ADDRESS Jeremy.wilson@taneycountymo.gov
SUMMARY DESCRIPTION OF PROJECT 04-14 – HSRRS Sheriff: Provide the team medics with the same communication capability as the rest of the team members; replace the manual entry tools to maintain entry suit integrity; replace the 12-year-old recon robot destroyed in a deployment.			
AWARDING AGENCY APPROVAL		SUBRECIPIENT AUTHORIZED OFFICIAL	
TYPED NAME AND TITLE OF (RPC/COG) OFFICIAL Jason Ray, Executive Director		TYPED NAME & TITLE OF SUBRECIPIENT AUTHORIZED OFFICIAL Nick Plummer, Presiding Commissioner	
SIGNATURE OF APPROVING (RPC/COG) OFFICIAL	DATE	SIGNATURE OF SUBRECIPIENT AUTHORIZED OFFICIAL <i>Nick Plummer</i>	DATE 2-13-2023
THIS SUBAWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS SUBAWARD AGREEMENT THE SUBRECIPIENT IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.			

**APPROVAL LAGERS + PUBLIC SAFETY GROUP – RESOLUTION #22-140HR**  
Commissioner Williams moved to approve the Resolution of the Taney County Missouri  
Commissioner file #22-140HR with corrections. Commissioner Wyatt seconded the motion. The  
motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

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

WHEREAS, Taney County, Missouri is an employer under the Missouri Local  
Government Employees Retirement System (“LAGERS”); and

WHEREAS, the County Commission desires to authorize and approve a change in the  
retirement age provision of covered employees, consisting of dispatchers and the corrections  
department (“Covered Employees”) to the alternate “Rule of 80” for current and future eligible  
employees in accordance with § 70.646, RSMo. with respect to LAGERS; and

WHEREAS, the County Commission received cost information for a possible change in  
retirement benefits for its Covered Employees under LAGERS, and pursuant to § 105.675,  
RSMo., made said cost information available for public inspection for at least forty-five (45)  
calendar days prior to adoption of the benefit change pursuant to Resolution of the Taney  
County, Missouri Commission for said purpose on December 27, 2022; and

WHEREAS, the County Commission of Taney County, Missouri (“County  
Commission”) has complied with the notice and filing requirements of § 105.675, RSMo.; and

WHEREAS, the County Commission understands that, by adopting this benefit change,  
the County Commission is accepting the legal obligation to fund the elected benefits now and in  
the future for Covered Employees and that it will be financially able to do so;

WHEREAS, the fiscal officer of Taney County is authorized to deduct from the wages or  
salaries of each Covered Employee member, the employee contributions, if any, required by §  
70.705, RSMo., and to promptly remit such contributions to LAGERS, along with the employer  
contributions required by §§ 70.705, 70.730, and 70.735, RSMo.;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED that the County  
Commission of Taney County, Missouri, hereby orders and elects as follows:

1. Retirement Age. The County Commission of Taney County, Missouri,  
authorizes, approves, and adopts a change in the retirement age provision of Covered Employees,  
consisting of dispatchers and the corrections department, to the alternate “Rule of 80” for current  
and future eligible employees in accordance with § 70.646, RSMo.

2. Election Certification. The County Clerk of Taney County, Missouri, shall certify  
this election to the Missouri Local Government Employees Retirement System within ten (10)  
days of this Resolution, and such election shall be effective on the date of this Resolution.

So ordered this \_\_\_ day of February, 2023.

**APPROVAL MEMORANDUM OF UNDERSTANDING (MOU) – TANEY COUNTY SOIL & WATER DISTRICT #23-008CM**

Commissioner Williams moved to approve the Memorandum of Understanding by and between Taney County and the Taney County Soil & Water Conservation District. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), Wyatt (aye).

No. 23-008CM

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (“MOU”) is entered into on the 13<sup>th</sup> day of February, 2023, by and between Taney County, Missouri (“County”) and the Taney County Soil and Water Conservation District (“District”).

WHEREAS, the provisions of Sections 70.201 to 70.320, inclusive, RSMo., as amended, authorize political subdivisions to contract with other parties for the operation of public improvements or facilities and to provide for common services; and

WHEREAS, pursuant to Section 278.120, RSMo., the District promotes reasonable measures for the saving of the soil and water within the District and for saving the productive power of Missouri farm land; to cooperate or enter into agreements with, and to aid within the limits of appropriations duly made available to it by law any agency, government or otherwise, or any land representatives within the District in the saving of the soil and water in accord with the policies of the State Soil and Water Districts Commission; and to enter into agreements with land representatives; and to make available certain services, materials, and equipment as will assist such land representatives to carry on operations for the saving of the soil and water; and to accept contributions in money, services or materials and to use or expend such contributions in carrying on the District operations in accord with the policies of the State Soil and Water Districts Commission; and to make and execute contracts and other legal instruments necessary for the saving of the soil and water in the District;

WHEREAS, the County desires to provide financial assistance to the District on the terms and conditions set forth in this MOU and the parties desire to set forth a clear understanding of the rules, duties and responsibilities of the parties.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

1. Purpose. The County and District recognize and support both the need to conserve the soil and water within the County for the purpose of saving the productive power of Missouri farm land. Subject to the terms of this MOU, the County will provide rental expense reimbursement to the District as provided for below.

2. Term. The term of this MOU shall commence on the date it is executed by the parties. The term of the MOU shall be for one (1) year from the date of commencement and may be renewed for additional one (1) year terms by an Addendum of the parties.

3. Termination. Either party may terminate this MOU, in its sole and absolute discretion, by providing 60-days advance written notice to the other party.

4. Rental Reimbursement. The County shall reimburse the District for a portion of the rental amount for the facility in which the District is located. The County shall pay the District an amount not to exceed \$8,400 during the Term, as follows: \$2,100 on or before March 31; \$2,100 on or before June 30; \$2,100 on or before September 30; and \$2,100 on or before December 31. In no event shall the County pay the District a sum larger than \$8,400 for rental

**APPROVAL TANEY COUNTY REGIONAL SEWER DISTRICT (TCRSD) FUNDING AGREEMENT FOR LOOKOUT ACRES/VENICE NORTH SEWER PROJECT**

Brad Allbritton, Taney County Regional Sewer District Administrator, was present.

Commissioner Williams moved to approve the Inter-Governmental Funding Agreement by and between Taney County and the Taney County Regional Sewer District for Lookout Acres/Venice North Sanitary Sewer Improvement Project. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**INTER-GOVERNMENTAL FUNDING AGREEMENT  
BETWEEN  
TANEY COUNTY, MISSOURI  
AND  
THE TANEY COUNTY REGIONAL SEWER DISTRICT  
LOOKOUT ACRES/VENICE NORTH SANITARY SEWER  
IMPROVEMENT PROJECT  
(Engineering, Land Acquisition, Legal Services, Permitting, and Bidding Services)**

**THIS AGREEMENT** is made and entered into between Taney County, Missouri (hereinafter referred to as "County) and the Taney County Regional Sewer District (hereinafter referred to as "District").

**WITNESSETH:**

**WHEREAS**, the County is a political subdivision of the State of Missouri; and

**WHEREAS**, the District is a political subdivision of the State of Missouri governed by Chapter 204, formerly known as Chapter 644 and renumbered in 1986, and the District has the power to establish, construct, reconstruct, improve, repair, operate, and maintain sewer systems and treatment facilities pursuant to section 204.320 RSMo; and

**WHEREAS**, pursuant to section 70.220 RSMo, the County and District are authorized to enter into agreements for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; and

**WHEREAS**, pursuant to the above stated authority the County and District entered into an Intergovernmental Agreement on or about December 29, 2011, whereby the District would assist with improvements to the Taney County sewer systems through projects utilizing expenditures of Sewer Sales Tax Funds (hereinafter "Sewer Sales Tax"); and

**WHEREAS**, the County shall oversee sewer sales tax funds which may be made available for use by the Taney County Regional Sewer District to finance capital improvements to their wastewater infrastructure. It has been determined that the project Lookout Acres/Venice North Sanitary Sewer Improvement Project is feasible, meets the criteria as described in Exhibit A, which is attached hereto, and has been approved by the Taney County Commission for funding with sewer sales tax funds.

**NOW, THEREFORE**, the County and District, in exchange for the mutual obligations and covenants contained herein, agree as follows:

The Whereas clauses above are fully incorporated herein and considered a part of this Agreement.

**COURT ORDERS**

Jen Hutchison, Deputy Clerk, was present.

Commissioner Williams moved to approve Exhibit "A" dated February 13<sup>th</sup>, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**EXHIBIT "A"**

PP PAID ABATEMENTS											
Exhibit: <u>A</u>		Date: <u>13 Feb 23</u>									
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approved	Denied	Table
300865	2021	PENDING	2023-02-02	1-108630-900	BIGFOOT ON THE STRIP LLC	2018 CARGO TRL WAS SOLD IN 2020	132120	-1080	X		
300866	2022	PENDING	2023-02-02	1-108630-900	BIGFOOT ON THE STRIP LLC	DID NOT OWN 3 TRUCKS AND 1 TRAILER	71110	-31840	X		

**UNIVERSITY OF MISSOURI EXTENSION UPDATE**

Sarah Havens, Southwest Regional Director, updated the Commission on the Missouri Extension programs.

**RECESS: 9:28 A.M.**

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

**PERSONNEL POLICY DISCUSSION**

*(Taney County Commission Conference Room)*

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

Also present: Brad Daniels, Sheriff, Devin Huff, Road & Bridge Administrator, Pat Keck, Legal Counsel, Jason Sivils, Great River Engineering, and Kim Lovelace, Deputy Clerk.

Discussion ensued.

David Clark, County Auditor, entered the meeting at 10:05 a.m.

**EXECUTIVE SESSION 10:06 A.M.**

**EXECUTIVE SESSION PER SECTION 610.021.(1)(3) (LEGAL & PERSONNEL)**

*(Taney County Commission Conference Room)*

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

*See the Executive Session Minutes for any motions made or votes taken.*

**END OF EXECUTIVE SESSION: 10:48 A.M.**

**LATCF DISCUSSION**

*(Taney County Commission Conference Room)*

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

Also present: David Clark, County Auditor, Devin Huff, Road & Bridge Administrator, Jason Sivils, Great River Engineering, and Kim Lovelace, Deputy Clerk.

**ROUND TABLE WITH ROAD & BRIDGE**

*(Taney County Commission Conference Room)*

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

Also present: Devin Huff, Road & Bridge Administrator, Jason Sivils, Great River Engineering and Kim Lovelace, Deputy Clerk.

Discussion ensued.

**LATCF DISCUSSION**

*(Taney County Commission Conference Room)*

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

Also present: David Clark, County Auditor and Melissa Duckworth, Emergency Management Assistant and Kim Lovelace, Deputy Clerk.

Discussion ensued.

**DAILY STAFF REVIEW AND AGENDA REQUESTS**

*(Taney County Commission Conference Room)*

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

Also present: Tami Koran, Commission Assistant and Kim Lovelace, Deputy Clerk.

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: Plummer (aye), Williams (aye), and Wyatt (aye).

**ADJOURN: 11:12 A.M.**

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