

**OFFICIAL
COMMISSION MINUTES
FEBRUARY 27th, 2023 – 18th 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 9:02 a.m.

COMMISSION REMARKS

None.

ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #470753 through Check #470801, no Warrants 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 February 17th, 2023 and February 21st, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve Executive Session Minutes for February 21st, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

Commissioner Williams moved to approve Executive Session Minutes for February 21st, 2023 with corrections. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES – JIMCO PRODUCTS

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 Jimco Products. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

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

Jimco Products, Inc. of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 17 day of FEBRUARY, 2023

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 Jimco Drive for a turn around 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 Exhibit "A" and Exhibit "B" 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:

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES – DANIEL VERNON WEST, SUSAN KAY DAVIS & VICKI LOU SHAFFER

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve 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 Daniel Vernon West, a married person, Susan Kay Davis, a married person, and Vicki Lou Shaffer, a single person and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

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

Daniel Vernon West, a married person, Susan Kay Davis, a married person, and Vickie Lou Shaffer, a single person. of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 20 day of Dec., 2022

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 Jimco Drive for a turn around 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 Exhibit "A" and Exhibit "B" 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:

PENALTIES & INTEREST – PARCEL #18-1.0-01-002-002-007.000 PER STATUE 52.240
Mona Cope, Collector, was present.

Commissioner Williams moved to approve the waiving of Penalties and Interest for parcel #18-1.0-01-002-002-007.000 per recommendation of the County Collector, Mona Cope. Commissioner Wyatt seconded the motion with discussion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

APPROVAL ADDENDUM TO DRUG SCREENING SERVICE AGREEMENT #23-020HR

Presiding Commissioner Plummer referenced a letter from their attorney.

Commissioner Williams moved to approve the Addendum to the Drug Screening Service Agreement by and between Taney County and Thomas Medical Testing, LLC d/b/a KT Health Clinic. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 23-020HR

ADDENDUM TO DRUG SCREENING SERVICE AGREEMENT

THIS ADDENDUM, entered into on the date set forth below, by and between Taney County, Missouri (hereinafter "County") and Thomas Medical Testing, LLC d/b/a KT Health Clinic (hereinafter "Service Provider").

WHEREAS, County and Tox Review, LLC ("Tox Review") entered into a Drug Screening Service Agreement, dated August 24, 2021; and

WHEREAS, Service Provider acquired all client contracts at existing terms and conditions of Tox Review on or about December 1, 2022; including its rights, responsibilities, and obligations under the Agreement, which is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, County and Service Provider desire to amend the Agreement pursuant to the terms and conditions set forth herein.

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


1. All references to "Tox Review, LLC" in the Agreement shall be deleted, removed, replaced and amended to identify "Thomas Medical Testing, LLC d/b/a KT Health Clinic" as "Contractor". Contractor agrees to be bound by the terms and conditions of the Agreement set forth in Exhibit A.

2. This Addendum is subject to the Agreement and to each and every term, covenant, condition and agreement set forth therein. County and Service Provider continue to be bound by the terms of the Agreement and remain primarily liable under the terms of the Agreement. The Agreement is modified only to the extent provided in paragraph 1, above.

IN WITNESS WHEREOF, the parties have executed this Addendum on the last date written below.

TANEY COUNTY, MISSOURI

Thomas Medical Testing, LLC d/b/a KT Health Clinic



Nick Plummer
Presiding Commissioner
Taney County Commission

By:
Title:

Date: _____

Date: _____

APPROVAL TRAFFIC SAFETY GRANT AUTHORIZATION #23-021S

Kim Schade, Sheriff Administrative Assistant, was present.

Commissioner Williams moved to approve the Traffic Safety Grant Authorization. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

APPROVAL SUNSHINE LAW POLICY 2023 #23-019CM

Commissioner Williams moved to approve the changes to the Sunshine Law Policy pursuant to Section 610.028.2. Commissioner Williams amended his motion to approve the Sunshine Law Policy as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

**SUNSHINE LAW POLICY
PURSUANT TO SECTION 610.028.2 RSMo.**

WHEREAS, Section 610.023.1 RSMo., provides that a public governmental body is to appoint a custodian to maintain that body's records and the identity and location of the custodian is to be made available upon request; and

WHEREAS, Section 610.026 RSMo., sets forth that a public governmental body shall provide access to and, upon request, furnish copies of public records; and

WHEREAS, Section 610.028.2 RSMo., provides that a public governmental body shall provide a reasonable written policy in compliance with Sections 610.010 to 610.030 RSMo., commonly referred to as the Sunshine Law, regarding the release of information on any meeting, record or vote.

NOW, THEREFORE, BE IT RESOLVED, THIS 27th DAY OF February 2023:

1. That the County Clerk of the Taney County Commission be and hereby is appointed custodian of the records of Taney County and that such custodian is located in the County Administrative Offices on the 1st floor of 132 David Street, Forsyth, Missouri 65653, with a mailing address of P.O. Box 156, Forsyth, Missouri 65653. The County Clerk can be reached at 417-546-7249 (p), 417-546-2519 (f).
2. That said custodian shall respond to all requests for access to or copies of a public record within the time period provided by statute except in those circumstances authorized by statute.
3. That the fees to be charged for access to or furnishing copies of records shall be as hereinafter provided:
 - a. Fees for copying public records, except certain restricted records under § 32.091, RSMo., shall be \$0.10 per page for a paper copy not larger than nine by fourteen inches.
 - b. Hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the public governmental body.
 - c. Research time required for fulfilling records requests may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time.
 - d. Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication. Fees for maps, blueprints, or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

**SUNSHINE LAW POLICY
PURSUANT TO SECTION 610.028.2 RSMo.**

- e. Taney County will provide an estimate of the cost to produce copies of requested records to the person requesting the records upon request.
 - f. Documents may be furnished without charge or at a reduced charge when the public governmental body determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requesting party.
 - g. Payment of fees may be requested prior to the search, retrieval, copying and providing access to, and furnishing copies of public records to a requesting party. Any request that is estimated to cost in excess of \$20.00 will require a prepaid deposit, or if any individual has previously failed to pay for requested items, prepayment is required.
4. That it is the public policy of Taney County that meetings, records, votes, actions and deliberations of this body shall be open to the public unless otherwise provided by law.
 5. That Taney County shall comply with Sections 610.010 to 610.030 RSMo., the Sunshine Law, as now existing or hereafter amended.


Nick Plummer,
Presiding Commissioner


Brandon Williams,
Western Commissioner


Sheila Wyatt,
Eastern Commissioner

ATTEST: 
Stephanie Spencer, 3/1/2023
County Clerk

PUBLIC HEARING FOR PROPOSED REZONING REQUESTS

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

#02-27-2023-01 – 5050 FALL CREEK RD. BRANSON

Jason Burke of 365 Entry Rd, Branson, Mo, was present.

Commissioner Williams moved to approve Order #02-27-2023-01 changing the zoning from R-1 to C-2. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ORDER NUMBER: 02-27-2023-01

**ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI**

DATE: February 27, 2023

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 February 13, 2023, the Taney County Planning Commission has recommended the amendment to the Zoning District map grid number J15, Branson Township, from R-1 Single Family Residential District to C-2 General Commercial District, requested by Our Family Home Services LLC, parcel numbers: 18-1.0-11-004-001-014.000, 18-1.0-11-004-001-015.000, 18-1.0-11-004-001-037.000, located at 5050 Fall Creek Road, Branson, Missouri, and

NOW, THEREFORE, on this 27th day of February 2023, 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 to _____ and seconded, the Taney County Commission voted _____ in favor and _____ opposed to amend the Taney County, Missouri Zoning District map J15, 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 _____ 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>
18-1.0-11-004-001-014.000	5050 Fall Creek Rd	J15	Branson	C-2
18-1.0-11-004-001-015.000		J15	Branson	C-2
18-1.0-11-004-001-037.000		J15	Branson	C-2

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 27th day of February 2023, and a copy of the Order shall be filed in the office of the Planning & Zoning.

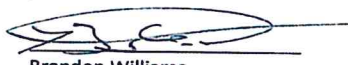
TANEY COUNTY COMMISSION



Nick Plummer
Presiding Commissioner



Sheila Wyatt
Commissioner, Eastern District



Brandon Williams
Commissioner, Western District

ATTEST:



Stephanie Spencer, County Clerk 3/1/2023

#02-27-2023-02 – 400 GAAR RD, WALNUT SHADE

Dwanette Moore of 376 Gaar Rd, Walnut Shade, Mo, was present.

Commissioner Williams moved to approve Order #02-27-2023-02 changing the zoning from A1 to O Office District. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

ORDER NUMBER: 02-27-2023-02

**ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI**

DATE: February 27, 2023

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 February 13, 2023, the Taney County Planning Commission has recommended the amendment to the Zoning District map grid numbers E18 and D18, Jasper Township, from A-1 Agricultural District to O Office District, requested by Triple G Barn LLC, with the approval contingent on the recording of the forthcoming approximate 2.22 acre Lot 1 of Triple G Ranch Phase III amended plat, parent parcel number: 05-5.0-22-000-000-019.012, located at 400 Gaar Road, Walnut Shade, Missouri, and

NOW, THEREFORE, on this 27th day of February 2023, 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 to _____ and seconded, the Taney County Commission voted _____ in favor and _____ opposed to amend the Taney County, Missouri Zoning District maps E18 and D18, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

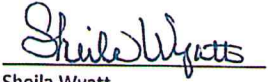
IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District _____ amended as follows and pursuant to the information below:

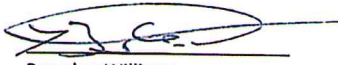
<u>Parcel Number</u>	<u>Location</u>	<u>Map Grid #</u>	<u>Township</u>	<u>Zoning District</u>
05-5.0-22-000-000-019.012	400 Gaar Rd	E18 & D18	Jasper	O Office District

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 27th day of February 2023, and a copy of the Order shall be filed in the office of the Planning & Zoning.


TANEY COUNTY COMMISSION


Nick Plummer
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Stephanie Spencer, County Clerk 3/1/2023

RECESS: 9:32 A.M.

RECONVENE: 9:50 A.M.

ROAD & BRIDGE ROUND TABLE

(Taney County Commission Conference Room)

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

Also present: Devin Huff, Road & Bridge Administrator, and Stephanie Spencer, County Clerk.

Discussion ensued.

EXECUTIVE SESSION 10:04 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: 10:16 A.M.

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 Stephanie Spencer, County 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: 10:32 A.M.

The minutes were taken and typed by Stephanie Spencer, County Clerk.

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