

**OFFICIAL
COMMISSION MINUTES
MARCH 20th, 2023 – 22nd 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.

PLANNING & ZONING REZONE REQUEST LOCATED AT 13581 US HWY 160

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

#03-20-2023-01 – 13581 US HWY 160

Don Goodman, 13581 US Hwy 160, was present.

Commissioner Williams moved to approve Order #03-20-2023-01 changing zoning from C-2 to A-1. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

ORDER NUMBER: 03-20-2023-01

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

DATE: March 20, 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 March 13, 2023, the Taney County Planning Commission has recommended the amendment to the Zoning District map grid number F21, Swan Township, from C-2 General Commercial District to A-1 Agricultural District, requested by Donald and Janice Goodman, parcel number: 04-4.0-20-001-001-002.000, located at 13581 US Hwy 160, Forsyth, Missouri, and

NOW, THEREFORE, on this 20th day of March 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 F21, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

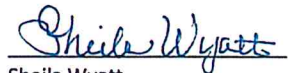
IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District _____ amended as follows and pursuant to the information below:


<u>Parcel Number</u>	<u>Location</u>	<u>Map Grid #</u>	<u>Township</u>	<u>Zoning District</u>
04-4.0-20-001-001-002.000	13581 US Hwy 160	F21	Swan	A-1

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 20th day of March 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 3/20/2023

ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #470972 through Check #471048, Warrants #8095 through Warrant #8097, and no Journal Entries/Transfers. 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 March 13th, 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 March 13th, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

AGREEMENT FOR 2023 GMC SIERRA 4X4 SHORT BOX (1 OR MORE) #23-029RB
Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the agreement for 2023 GMC Sierra 4x4 Short Box (1 or more) by and between Taney County and Pinegar Chevrolet Buick GMC, Inc. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 23-029RB

Agreement
For
2023 GMC Sierra 4x4 Short Box
(1 or more)

THIS AGREEMENT dated the 20th day of March 2023 is made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Pinegar Chevrolet Buick GMC, Inc., a Missouri 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 purchase one (1) or more 2023 GMC Sierra 4X4 Short Box ("Equipment"), shall include the Estimate, Notice of Intent #202302-521 and any applicable addenda. All such documents shall constitute the "Contract Documents", which are attached hereto and incorporated herein as Exhibit A. Service or product 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. Vehicles provided under this Agreement shall not exceed the costs as quoted in Contractor's estimate, as fully attached. The County agrees to purchase the Equipment from the Contractor and the Contractor agrees to sell to the County the Equipment provided under this Agreement. The Purchase Price shall not exceed \$46,464.00 per vehicle. If certain unusual circumstances occur specific to Equipment availability, the County may consider all other options.

3. Contract Duration. This agreement shall commence on the date it is fully executed and terminate upon expiration of all applicable warranties, 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 must be invoiced with specific department information. 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.

Page 1 of 2

Presiding Commissioner NP; Eastern Commissioner WJ; Western Commissioner WJ

AGREEMENT FOR 2024 GMC SIERRA 4X4 LONG BOX (1 OR MORE) #23-028RB
Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to approve the agreement for 2024 GMC Sierra 4x4 Long Box (1 or more) by and between Pinegar Chevrolet Buick GMC, Inc. and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 23-028RB

Agreement
For
2024 GMC Sierra 4x4 Long Box
(1 or more)

THIS AGREEMENT dated the 20th day of March, 2023 is made between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Pinegar Chevrolet Buick GMC, Inc., a Missouri 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 purchase one (1) or more 2024 GMC Sierra 4X4 Long Box ("Equipment"), shall include the Estimate, Notice of Intent #202302-520 and any applicable addenda. All such documents shall constitute the "Contract Documents", which are attached hereto and incorporated herein as Exhibit A. Service or product 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. Vehicles provided under this Agreement shall not exceed the costs as quoted in Contractor's estimate, as fully attached. The County agrees to purchase the Equipment from the Contractor and the Contractor agrees to sell to the County the Equipment provided under this Agreement. The Purchase Price shall not exceed \$50,359.00 per vehicle. If certain unusual circumstances occur specific to Equipment availability, the County may consider all other options.

3. Contract Duration. This agreement shall commence on the date it is fully executed and terminate upon expiration of all applicable warranties, 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 must be invoiced with specific department information. 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.

Page 1 of 2

Presiding Commissioner DP; Eastern Commissioner SW; Western Commissioner W

COURT ORDERS

Wesley Shoemaker, Deputy Clerk, was present.

Commissioner Williams moved to approve Exhibit “A” dated March 20th, 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>3/20/2023</u>									
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approved	Denied	Tabled
300867	2022	PENDING	2023-03-14	1-119676-900	DEFENBAUGH TRENTON	TAXPAYER PAID IN GREENE CO ALSO	0	-3430	<input checked="" type="checkbox"/>		
300868	2021	PENDING	2023-03-14	1-76476-900	GERE RICHARD A & AMBER	TAXPAYER WAS ASSESSED INCORRECTLY	38928	-2212	<input checked="" type="checkbox"/>		
300869	2021	PENDING	2023-03-15	1-120174-900	REYES JASMIN L & JONNS AUSTIN R	TAXPAYER PAID IN GREENE COUNTY	0	-1040	<input checked="" type="checkbox"/>		

Commissioner Williams moved to approve Exhibit “B” dated March 20th, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

EXHIBIT “B”

DOUBLE ASSESSED																
Exhibit: <u>B</u>		Date: <u>3/20/2023</u>														
AbNumber	AbYear	SuppDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Notes	Approved	Denied	Tabled
213272	2022	0000-00-00	2023-03-10	18-7.0-35-001-008-001.000	EMERALD POINTE LLC	DOUBLE ASSESSED	0	-13280	0	0	0	0		<input checked="" type="checkbox"/>		
213273	2021	0000-00-00	2023-03-10	18-7.0-35-001-008-001.000	EMERALD POINTE LLC	DOUBLE ASSESSED	0	-13280	0	0	0	0		<input checked="" type="checkbox"/>		

RECESS: 9:15 A.M.

RECONVENE: 10:00 A.M.

PUBLIC HEARING – PETITION TO AMEND AND RESTATE THE PETITION TO ESTABLISH THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT – LOCATED AT 13581 US HWY 160

AN ORDER AND ORDINANCE APPROVING A PETITION TO AMEND AND RESTATE THE PETITION TO ESTABLISH THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 67.1404 – 67.1571, RSMO, AS AMENDED; AMENDING THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION; APPROVING THE APPOINTMENT OF THE BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE COUNTY CLERK OF TANEY COUNTY, MISSOURI TO REPORT THE AMENDMENT OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT; AND DIRECTING AND AUTHORIZING COUNTY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME; AND CONTAINING A SERVERABILITY CLAUSE

Tim Mahoney, Vice President of Strategic Partnerships for Big Cedar Bass Pro, and Travis Elliott, Attorney, were present.

Commissioner Williams moved to approve an Order and Ordinance approving a Petition to Amend and Restate the Petition to establish The Big Cedar Community Improvement District pursuant to sections 67.1401 – 67.1571, RSMO, as amended; amending The Big Cedar Community improvement district as a political subdivision; approving the appointment of the board of directors for the district; directing the County Clerk of Taney County, Missouri to report the amendment of the district to the Missouri Department of Economic Development; and directing and authorizing county officials to take certain actions related to the same; and containing a severability clause. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

AN ORDER AND ORDINANCE APPROVING A PETITION TO AMEND AND RESTATE THE PETITION TO ESTABLISH THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 67.1401 – 67.1571, RSMO, AS AMENDED; AMENDING THE BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION; APPROVING THE APPOINTMENT OF THE BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE COUNTY CLERK OF TANEY COUNTY, MISSOURI TO REPORT THE AMENDMENT OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT; AND 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 to establish the Big Cedar Community Improvement District (the "District") was duly filed on June 3, 2022 ("Original Petition"), was approved by certain Order adopted by the County Commission of Taney County, Missouri on October 11, 2022;

WHEREAS, a petition to amend and restate the petition to establish the Big Cedar Community Improvement District was duly filed on February 7, 2023 ("Amended Petition"), with the County Clerk of the County, a true and accurate copy of which is attached here to as Appendix 1, and incorporated herein by reference, and the County Clerk has verified the Amended 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 Amended 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 March 20, 2023; and

WHEREAS, the County Commission reviewed and considered the Amended Petition, and during the public hearing on March 20, 2023, all persons interested in the subject matter of the Amended 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 and Ordinance have in all respects been done and performed, and the County Commission finds the adoption of this Order and Ordinance to be necessary and in the best interest of the County and the public.

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

Section 1. Amendment of the Petition to Establish the Big Cedar Community Improvement District. Pursuant to Section 67.1421.5, RSMo. of the CID Act, the Big Cedar

Community Improvement District is hereby amended and restated. A copy of the Amended Petition, as amended, is attached hereto as Appendix 1; as well as Exhibit A-1, containing the legal descriptions setting forth 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 Amended 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 Amended Petition was published and mailed to the property owners in the District, and notice was provided to the Missouri Department of Revenue.

Section 2. 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 Amended Petition. Pursuant to Section 67.1451.5, RSMo. of the CID Act, the Presiding Commissioner appoints and the County Commission hereby approves the appointment of, and the terms for the Board of Directors of the District, as set forth in the Amended Petition, and as follows:

<u>Directors</u>	<u>Length of Initial Term</u>
Tim Mahoney	Two Years
Jamie Keys	Two Years
Matt Pace	Four Years
Chad Littler	Four Years
Jonas Arjes	Four 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 3. 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 4. Severability. This Order and Ordinance shall be severable and if any section, subsection, sentence, clause, phrase or portion of this Order and Ordinance 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 Ordinance, and such holding shall not affect the validity of the remaining portions of this Order and Ordinance.

Section 5. Effective Date. This Order and Ordinance shall be in full force and effect from and after its passage and approval.

So Ordered this 20th day of March, 2023.

TANEY COUNTY COMMISSION:



Nick Plummer
Presiding Commissioner



Brandon Williams
Western District Commissioner



Sheila Wyatt
Eastern District Commissioner

COOPERATIVE AGREEMENT AMONG THE COUNTY OF TANEY, MISSOURI, BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT AND BIG CEDAR, LLC #23-030CM

Commissioner Williams moved to approve the Cooperative Agreement by and between Taney County and Big Cedar Community Improvement District and Big Cedar LLC. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT (this "Agreement"), entered into as of this 1st day of _____, 2023, by and among the **COUNTY OF TANEY, MISSOURI**, a first-class county and political subdivision of the State of Missouri (the "County"), the **BIG CEDAR COMMUNITY IMPROVEMENT DISTRICT**, a Missouri community improvement district (the "District"), and **BIG CEDAR L.L.C.**, a Missouri limited liability limited company (the "Developer") (the County, the District and the Developer being collectively referred to herein as "Parties," and individually as a "Party," as the context so requires).

WITNESSETH:

WHEREAS, pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), the County is authorized and empowered to establish a community improvement district as proposed by a verified petition; and

WHEREAS, in accordance with the requirements of the CID Act, a Petition for the Creation of a Community Improvement District was filed with the Clerk of the County on or about June 3, 2022 (the "Original Petition"), to form a community improvement district known as the Big Cedar Community Improvement District (the "District"); and

WHEREAS, the County, the District and the Developer desire to enter into a cooperative agreement to provide for the construction of the projects described in the Petition (defined below), and the governance, operation and financing of the District; and

WHEREAS, the County, pursuant to an order, passed and approved by the County Commission of the County on October 11, 2022, created the District in accordance with the CID Act (the "CID Order"); and

WHEREAS, on November 16, 2022, the qualified voters of the District approved the imposition of a sales and use tax (the "District Sales Tax") at the rate of 1.0% for the purpose of paying costs of the District Project and the costs of formation and operation of the District; and

WHEREAS, pursuant to an ordinance of the County Commission of the County passed on _____, 2023 (the "Ordinance," and together with the CID Order, the "CID Ordinance"), the County approved an Amended and Restated Petition for the Creation of a Community Improvement District dated as of February __, 2023 (the "Amended Petition," and together with the Original Petition, the "Petition"); and

WHEREAS, the County, pursuant to an order, passed and approved by the County Commission of the County on _____, 2023, authorized the execution of this Agreement; and

WHEREAS, the District is authorized under the CID Act to undertake the District Project (as defined herein and described in the Petition and on Exhibit A, attached hereto and incorporated herein by reference), which includes certain improvements within the boundaries of the District, and to impose the District Sales Tax, which will be used to reimburse the Developer for Reimbursable Project Costs (as defined herein) and for certain other purposes relating to the administration of the District and the implementation of the District Project;

WHEREAS, the County Commission of the County has determined that the action to be taken pursuant to this Agreement will serve a public purpose.

{31944 / 66661; 658392. }

CORE/3000473.0003/108297158.6

COOPERATIVE AGREEMENT AMONG THE COUNTY OF TANEY, MISSOURI, BIG CEDAR TRANSPORTATION DEVELOPMENT DISTRICT AND BIG CEDAR, LLC #23-030CM

Commissioner Williams moved to approve the Cooperative Agreement by and between Taney County and Big Cedar Transportation Development District and Big Cedar LLC. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT (this "Agreement"), entered into as of this 1st day of _____, 2023, by and among the COUNTY OF TANEY, MISSOURI, a first-class county and political subdivision of the State of Missouri (the "County"), the BIG CEDAR TRANSPORTATION DEVELOPMENT DISTRICT, a Missouri transportation development district (the "District"), and BIG CEDAR L.L.C., a Missouri limited liability limited company (the "Developer") (the County, the District and the Developer being collectively referred to herein as "Parties," and individually as "Party," as the context so requires).

WITNESSETH:

WHEREAS, pursuant to the Transportation Development District Act, Sections 238.200 to 238.280 of the Revised Statutes of Missouri, as amended (the "TDD Act"), the Circuit Court of Taney County, Missouri (the "Circuit Court") is authorized and empowered to establish a transportation development district as proposed by a verified petition of all owners of record of all of the real property, except public streets, located within the proposed district when there are no persons eligible to be registered voters that reside within the proposed district; and

WHEREAS, in accordance with the requirements of the TDD Act, on June 24, 2022, a first amended verified petition for the creation of a transportation development district (the "Petition") was filed with the Circuit Court, which was signed by all owners of record of all of the real property located within the proposed district; and

WHEREAS, in accordance with the TDD Act, on October 11, 2022, the Circuit Court entered a judgment and order organizing a transportation district (the "Judgment"), declaring the District organized and certifying the funding methods stated in the Petition for qualified voter approval; and

WHEREAS, pursuant to the TDD Act, if all the owners of property in the district joined in the petition for formation of the district, such owners may cast their ballot by unanimous verified petition approving any measure submitted to them as voters pursuant to the TDD Act, which shall be filed with the Circuit Court, and constitutes an election under the TDD Act; and

WHEREAS, in accordance with the requirements of the TDD Act, on November 30, 2022 a unanimous verified petition of all property owners (the "Unanimous Petition"), which was signed by all of the qualified voters and property owners of the District, was filed with the Circuit Court, which approved the imposition of a sales tax at the rate of 1.0%; and

WHEREAS, in accordance with the requirements of the TDD Act, on _____, 2023 a unanimous verified petition of all property owners (the "Project Expansion Petition"), which was signed by all of the qualified voters and property owners of the District, was filed with the Circuit Court, which approved the addition of certain projects to the District's project authority; and

WHEREAS, the County, the District and the Developer desire to enter into a cooperative agreement to provide for the construction of the projects described in the Petition and the Project Expansion Petition, and the governance, operation and financing of the District; and

WHEREAS, subject to and in accordance with the TDD Act, the Petition, the Judgment, and the Unanimous Petition, the District intends to impose a sales and use tax on all retail sales made in the District at a rate not to exceed one percent (1.0%) (the "District Sales Tax"); and

COUNTY AGREEMENT BETWEEN BIG CEDAR AND TANEY COUNTY FOR HIGHWAY 86 IMPROVEMENTS

Travis Elliott, Attorney, was present.

Commissioner Williams moved to approve the County Agreement by and between Big Cedar and Taney County for Highway 86 Improvements File # 23-023RB. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

23-023RB

County Agreement
Route: 86
County: TANEY
MoDOT Job No.: SR0155

COUNTY AGREEMENT

THIS AGREEMENT is entered into by Big Cedar, LLC, (hereinafter, "Entity") and the County of TANEY, Missouri (hereinafter, "County").

WITNESSETH:

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

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route 86, TANEY County, MoDOT Job No. SR0155 shall consist of roadway and intersection improvements on Route 86, Taney County, generally from Jones Road to Route 65.

(2) IMPROVEMENT WITHIN COUNTY: The improvement within the County is located as follows:

The project will include improvements as follows:

Roundabout at the intersection of Route 86, Ridgedale Road, and entrance to Top of the Rock. This scope of the project will be to increase the east bound and west bound lanes of Route 86 from a single lane to dual lanes.

Intersection improvements at Route 86 and Devil's Pool Road will include widening Route 86 from a two-lane roadway to a 4-lane roadway with median. In addition, west bound Route 86 will include the addition of a drop right lane onto north bound Devil's Pool Road, and an east bound protected left turn pocket for north bound traffic onto Devil's Pool Road. In addition, on the south leg of the intersection a new driveway will be constructed. At STA 204+18.89, the existing Oakmont Hills Drive will be converted to a right-in right-out traffic movement.

The intersection of Route 86 and Jones Road will be reconstructed to a new roundabout. This roundabout will be constructed just west of the existing intersection. The existing intersection of Jones Road will be reconfigured as a right-out only traffic movement. Jones Road will be reconstructed to align with the new roundabout.

(3) LOCATION: The general location of the public improvement is shown on

RECESS: 10:11 A.M.

RECONVENE: 10:22 A.M.

ROUND TABLE DISCUSSION

(Taney County Commission Conference Room)

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

Also present: Travis Elliott, Attorney, Scott Starrett, Planning & Zoning Administrator, Devin Huff, Road & Bridge Administrator, and Kim Lovelace, Deputy Clerk.

Discussion ensued.

EXECUTIVE SESSION 10:30 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: 11:12 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.

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: 11:38 A.M.

The minutes were taken by Nick Plummer, Presiding Commissioner, and Kim Lovelace, Deputy Clerk, and typed by Kim Lovelace, Deputy Clerk.

This page left blank intentionally.