

**OFFICIAL
COMMISSION MINUTES
JULY 31st, 2023 – 7th DAY OF
THE JULY ADJOURN TERM**

FORMAL AGENDA

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

PUBLIC COMMENT

None.

CALL COUNTY COMMISSION MEETING TO ORDER

Presiding Commissioner Nick Plummer called the meeting to order at 9:03 a.m.

COMMISSION REMARKS

Presiding Commissioner Plummer stated that there is an opening on the Sewer Board and next week the Commission will need to appoint someone to the Airport Board, there is one spot to fill.

Commissioner Wyatt mentioned that one week from tomorrow there is an election. If you live in the County there is one issue on the ballot, "Shall Taney County, Missouri impose a County wide sales tax of 3% on all tangible personal property retail sales for adult use Marijuana sold in Taney County?" for the August 8th election. This will be the only issue if you're in the County that you will see on the ballot. It is a 3% sales tax for retail sales of adult use Marijuana. It is a sales tax, not a personal property tax, if you don't purchase you don't pay.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #472536 through Check #472592, no Warrants and no Journal Entries/Transfers. Presiding Commissioner Plummer seconded the motion. The motion passed by vote: Plummer (aye), Williams (absent), and Wyatt (aye).

APPROVAL OF PAYROLL

Commissioner Wyatt moved to approve Payroll. Presiding Commissioner Plummer seconded the motion. The motion passed by vote: Plummer (aye), Williams (absent) and Wyatt (aye).

Commissioner Williams entered the meeting via teleconference at 9:10 a.m.

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Wyatt moved to approve Regular Session Minutes for July 24th, 2023 and July 27th, 2023. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Commissioner Wyatt moved to approve Executive Session Minutes for July 24th, 2023. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

APPOINTMENT(S) TO THE LIBRARY BOARD

Commissioner Wyatt moved to appoint Anne McGregor and Jeff Gerken to stay on the Taney County Sub District Library Board through June 30th, 2027, a term of four years. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

BID RECOMMENDATION DE-ICING MATERIALS

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

Commissioner Wyatt moved to award Bid #202306-532 to Hutchison Salt as a primary and Central Salt as secondary. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

ADDENDUM – INTERGOVERNMENTAL DISPATCH AGREEMENT WESTERN TANEY COUNTY FIRE DISTRICT

Chris Berndt, Emergency Management Director was present. Presiding Commissioner Plummer referenced a letter from their Attorney.

Commissioner Wyatt moved to approve the Addendum to the Intergovernmental Dispatch Agreement Western Taney County Fire District and Taney County. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

No. 21-085S

ADDENDUM TO INTERGOVERNMENTAL DISPATCH AGREEMENT

THIS ADDENDUM (“Addendum”) made this ____ day of July, 2023, by and between the County Commission of Taney County, Missouri (“County Commission”), the Taney County Sheriff (“Sheriff”)(collectively “County”), and Western Taney County Fire District (“Fire District”).

WHEREAS, County and Fire District entered into an Intergovernmental Dispatch Agreement dated August 1, 2021 (“Agreement”), attached hereto as Exhibit A;

WHEREAS, County and Fire District 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. The parties agree to amend paragraph 4 of the Agreement to read as follows:

“4. The Effective Date of this Agreement shall be August 1, 2023 and shall end on July 31, 2024. The Agreement shall automatically renew for additional one (1) year terms (each a “Renewal Term”) unless either party notifies the other party in writing at least sixty (60) days prior to the termination of the Agreement at the end of any Term.”

- 2. This Addendum is subject to the Agreement and to each and every term, covenant, condition and agreement set forth therein. County and City 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.

[Remainder of Page Intentionally Blank]

USGS TURKEY CREEK RIVER GAUGE DISCUSSION

Chris Berndt, Emergency Management Director, was present.

Discussion ensued.

NOTICE OF RENEWAL FOR HVAC SERVICES (JUDICIAL CENTER & JAIL FACILITY) EPM-CTC SOFTWARE #23-100M

Presiding Commissioner Plummer referenced a letter from their Attorney.

Commissioner Wyatt moved to approve the Agreement by and between Temperature Control Company and Taney County for the Renewal of HVAC Services for the Judicial Center and Jail Facility file #23-100M. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

No. 23-100M

NOTICE OF RENEWAL

To: Temperature Control Co., Chuck McDaniel, Authorized Representative, 613 North Main Street, Springfield, Missouri, 65806

Notice is given that the County of Taney, Missouri hereby renews its agreement with Temperature Control Co., for HVAC Services (Judicial Center & Jail Facilities — "EPM / CTC" Software, commencing August 6, 2023, on a month to month basis, which will expire on February 5, 2024. A copy of this agreement is attached hereto as Exhibit A.

Nick Plummer
Nick Plummer, Presiding Commissioner

Date: 7-31-2023

ATTEST: I, Stephanie Spencer, as the Clerk of the Taney County Commission hereby attest that the above Notice of Renewal was executed by Taney County Presiding Commissioner, Nick Plummer, pursuant to a duly passed motion of the Taney County Commission approving the above Notice of Renewal.

By: Stephanie Spencer
Stephanie Spencer, County Clerk

Date: 2 August 2023

Certification of Accounting Officer pursuant to Section 50.660RSMo:

The undersigned, as Budget and Accounting Officer for the County of Taney, certifies that there is a balance otherwise unencumbered in the county treasury to the credit of the appropriation to which the financial obligation imposed upon the county by this Notice of Renewal is to be charged, and there is a cash balance otherwise unencumbered in the county treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligations scheduled to be incurred under this Notice of Renewal.

By: David Clark
David Clark, Taney County Auditor

Date: 8/1/2023

GRANT OF PERMANENT AND PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES AND TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS – HILLARY BARGMAN & MATTHEW BRIAND

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Wyatt 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 Hillary Bargman and Matthew Briand and Taney County. Commissioner Williams 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

Hillary Bargman and Matthew Briand, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 21st day of July, 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 repairing and improving the public road now known as Kirtley Rd (65-50C), for the passage of vehicular and pedestrian traffic and for all uses incident thereto, including but not limited to installation of a box culvert, 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 Attachment "A" and "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 AND TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS - ALFRED WAYNE LARUE, A SINGLE PERSON

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Wyatt 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 Alfred Wayne LaRue, a single person and Taney County. Commissioner Williams 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

Alfred Wayne LaRue, a single person of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 26th day of July, 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 repairing and improving the public road now known as Kirtley Rd (65-50C), for the passage of vehicular and pedestrian traffic and for all uses incident thereto, including but not limited to installation of a box culvert, 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 Attachment "A" and "C" 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:

ROAD PETITION – WHISPERING HILLS CT
 Devin Huff, Road & Bridge Administrator, was present.

Commissioner Wyatt moved to take Whispering Hills Court into the Taney County Road System. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).



County of **TANEY**

State of Missouri

TANEY COUNTY COURTHOUSE
 P.O. BOX 1018 FORSYTH, MO 65653
 (417) 546-7268 FAX: (417) 546-7710

Devin Huff
County Highway Admin.

Denzil Brown
Assistant Admin.

Kathy Roberts
Admin. Asst. III

Bridget Collins
Admin Asst. II

Laura James
Receptionist

Date: July 18, 2023

Re: Road Petition

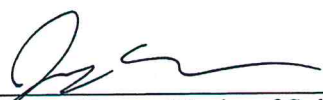
To: Home Owners

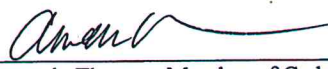
On July 17, 2023 the Road Petition was presented to the Taney County Commission. The petition was tabled contingent upon getting the affected property owners to agree to Taney County removing all vegetation within the Right Of Way, also the water coming off of the roadway that will come onto your property. If Taney County takes the road into our system we will make a turnaround and create drainage ditches to control the water from one area of the road to the other.


 Devin Huff
 County Highway Administrator


 Kenneth L. Case


 Carol I Case


 Jeremy Thomas, Member of Cedar Glade, LLC


 Amanda Thomas, Member of Cedar Glade, LLC

PERSONAL PROPERTY ABATEMENT(S)

Jen Hutchison, Deputy Clerk, was present.

Commissioner Wyatt moved to approve abatement #300876 dated July 31st, 2023. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

| PP PAID ABATEMENTS | | | | | | | | | | | |
|--------------------|--------|---------|------------|--------------|---------------------------|---------------------------------------|--------|--------|----------|--------|--------|
| AbNumber | AbYear | Status | Date | Account | Name | Reason | EndVal | AdjVal | Approved | Denied | Tabled |
| 300876 | 2022 | PENDING | 2023-07-25 | 1-105383-900 | BAKER JONATHAN B & JOHN L | TAXPAYER ASSESSED VALUE WAS INCORRECT | 6490 | -1690 | X | | |

RECESS: 9:33 A.M.

RECONVENE: 9:57 A.M.

ROAD & BRIDGE ROUNDTABLE

(Taney County Commission Conference Room)

Present: Presiding Commissioner Plummer and Commissioner Wyatt.

Also present: Devin Huff, Road & Bridge Administrator and Lesley Wallace, Deputy Clerk.

Discussion ensued.

EXECUTIVE SESSION: 10:28 A.M.

EXECUTIVE SESSION PER SECTION 610.021.(1)(2)(3)(12)(20) (LEGAL, REAL ESTATE, PERSONNEL, CONTRACTS & SECURITY ACCESS CODES)

(Taney County Commission Conference Room)

Present: Presiding Commissioner Plummer and Commissioner Wyatt.

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

END OF EXECUTIVE SESSION: 11:10 A.M.

DAILY STAFF REVIEW AND AGENDA REQUESTS

(Taney County Commission Conference Room)

Present: Presiding Commissioner Plummer 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 Wyatt moved to adjourn. Presiding Commissioner Plummer seconded the motion. The motion passed by vote: Plummer (aye), Williams (absent), and Wyatt (aye).

ADJOURN: 11:40 A.M.

The minutes were taken by Nick Plummer, Presiding Commissioner, and Lesley Wallace, Deputy Clerk and typed by Lesley Wallace, Deputy Clerk.

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