

**OFFICIAL
COMMISSION MINUTES
OCTOBER 2nd, 2023 – 1st DAY OF
THE OCTOBER 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 9:00 a.m.

COMMISSION REMARKS

Nick Plummer, Presiding Commissioner, said next week Monday, October 9, 2023, the Taney County Courthouse and the Judicial Center will be closed in observance of Columbus Day. The regular scheduled meetings will be October 10th, 2023.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Williams moved to approve Checks #473296 through Check #473360, Warrants #8237 and #8238 and five 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 September 25th, 2023 and Executive Session Minutes for September 25th, 2023. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

PORTION OF MCCANN ROAD VACATION #23-080RB

JT Magness, and Dorinda Lee, of McCann Road, were present.

Commissioner Williams read into the record the Amended Petition to vacate public road. Comes now petitioners JT Magness and Dorinda Lee citizens of Taney County in full compliance of the commission's ruling of July 3 term 2023 with amended legal and ruling that RSMo 228.110 is the correct and applicable statute with petition has set for 2nd ruling October term 2023.

a) AMENDED

Meets and bounds description: Point of beginning: SE corner of Block 6, LOT 22 thence South across McCann Road to NE corner of LOT 34, Block 9 of Powersite Taney County Missouri Platt, thence East following McCann Rd to the dead end thence at a right angle North across McCann Road thence back to the point of beginning.

- b) That notice to the utility providers have been made and in file without objections,
- c) That the petitioners are the joint owners of all of the land that adjoins and touches the proposed road vacated,
- d) That notice was posted in given locations in compliance of 71.280/228.110 with two published notices in local newspaper.
- e) That notice of the second hearing have been posted in 3 locations within 20 days of that hearing in compliance with RSMo 228.110.
- f) That there was no remonstrance objection at the first hearing.

Wherefore if the commission finds that the allegations are true and in compliance with RSMo 228.110 then the petitioners ask that is so ordered and to be filed with the Taney County Recorder's Office. Signed by both JT Magness and Dorinda Lee. Verification states JT Magness and Dorinda Lee, herein being first duly sworn, deposes and states that they have read the foregoing amended Petition and the facts herein stated are true. Both signed and dated 9/12/2023.

Commissioner Wyatt moved to vacate McCann Road and approve the order. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Amended Petition to Vacate Public Road

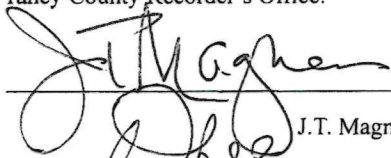
Comes now petitioners JT Magness and Dorinda Lee citizens of Taney County in full compliance of the commission's ruling of July 3 term 2023; with amended legal and ruling that RSMo 228.110 is the correct and applicable statute; with petition has set for 2nd ruling October term 2023;


- a) AMENDED
Meets and bounds description: Point of beginning: SE corner of Block 6, LOT 22 thence South across McCann Road to NE corner of LOT 34, Block 9 of Powersite Taney County Missouri Platt, thence East following McCann Rd to the dead end thence at a right angle North across McCann Road thence back to the point of beginning.
- b) That notice to the utility providers have been made and in file without objections,
- c) That the petitioners are the joint owners of all of the land that adjoins and touches the proposed road vacated,
- d) That notice was posted in give locations in compliance of 71.280/228.110 with two published notices in local newspaper,
- e) That notice of the second hearing have been posted in 3 locations within 20 days of that hearing in compliance with RSMo 228.110,
- f) That there was no remonstrance objection at the first hearing.

Wherefore if the commission finds that the allegations are true and in compliance with RSMo 228.110 then the petitioners ask that it is so ordered and to be filed with the Taney County Recorder's Office.

9/12/23

 Date



 J.T. Magness


 Dorinda Lee

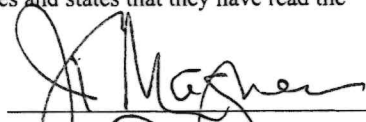
VERIFICATION

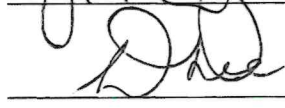
STATE OF)
) ss.
 COUNTY OF)

JT Magness and Dorinda Lee, herein being first duly sworn, deposes and states that they have read the foregoing amended Petition and the facts herein stated are true.

9/12/23

 Date



 J.T. Magness


 Dorinda Lee

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

IN THE MATTER OF:

Vacation of that part of McCann Road with a "Point of beginning: SE corner of Block 6, Lot 22 thence South across McCann Road to NE corner of Lot 34, Block 9 of Powersite Taney County Missouri Plat, thence East to the end of McCann Road thence North across McCann Road thence west back to the point of beginning."

ORDER TO VACATE

Now on this 2nd day of October, 2023, being a regular day of the October term of the County Commission of Taney County, Missouri comes the Petitioners herein, J.T. Magness and Dorinda Lee, and present to the Commission the Petition praying for the vacation of that Portion of McCann Road described above, located in Taney County, Missouri.

And the Commission having read said Petition and having heard the evidence adduced in support thereof, does find as follows:

1. The Petition was submitted pursuant to § 228.110, RSMo. and was signed by at least twelve residents of the township through which the subject road runs, and was publicly read on the first day of the July term, and the matter continued without further proceedings until the next term.
2. Notice of the filing of the Petition and of the road sought to be vacated was posted in not less than three public places in such township at least twenty days before the first day of the October term of the County Commission.
3. A copy of the notice of the filing of the Petition was personally served on all the persons residing in the district whose lands are crossed or touched by the road proposed to be vacated in the same manner as other notices are required to be served by law.
4. The Petition was again publicly read on the first day of the October term of the County Commission.

NOTICE OF INTENT TO DECLARE SINGLE SOURCE PROVIDER FOR FLOCK SAFETY ALPR CAMERA AND MONITORING SYSTEM #SSP202309-538

Presiding Commissioner Plummer referenced a letter from Rekor Intelligence Driven Innovation, 6721 Columbia Gateway Drive, Suite 400, Columbia MD.

Commissioner Wyatt moved to resend the previous waiver of competitive bids and proceed to procure the desire equipment through the competitive bid process. Commissioner Williams seconded the motion with discussion. The motion passed by vote: Plummer (aye), Williams (aye), Wyatt (aye).

REIMBURSEMENT CERTIFICATION REQUEST FORM SOUTHWEST MISSOURI SOLID WASTE MANAGEMENT DISTRICT N

Commissioner Williams moved to approve and allow Presiding Commissioner Plummer to sign the Reimbursement Certification Request Form from the Southwest Missouri Solid Waste Management District N. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), Wyatt (aye).

Barry . Dade . Lawrence . Stone . Taney
Southwest Missouri Solid Waste Management District N
P.O. Box 27 Monett, Missouri 65708
Office Phone: (417)236-9012 Office Fax: (417)236-9012
Email: swaste@mo-net.com

Reimbursement Certification Request Form

I, Nick Plummer, hereby certify by my signature below that to the best of my knowledge and belief, the data included in this report, for reimbursement, is correct and that all outlays were made in accordance with the Financial Assistance Agreement (FAA) between the grantee and the District and that payment is due and has not been previously requested.

Requested Amount: \$ 11,992.77

Project # and Name: #N2023-007 Taney Co – Establishing a HHW/HHC Facility

Grantee: Taney County, MO

Nick Plummer
Authorized Signature

10-2-2023
Date

District Use		
Approved Amount	_____	
Disallowed Amount	_____	
Amount Paid	Date	Check #
_____	_____	_____
District Coordinator	Date	
_____	_____	

INTERGOVERNMENTAL AGREEMENT FOR MUTUAL AID AND CONSTRUCTION SERVICES – HELIPAD #23-122RB

Commissioner Williams moved to approve the Intergovernmental Agreement for Mutual Aid and Construction Services by and between Central Taney County Fire Protection District and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), Wyatt (aye).

No. 23-122RB

INTERGOVERNMENTAL AGREEMENT FOR MUTUAL AID AND CONSTRUCTION SERVICES

THIS INTERGOVERNMENTAL AGREEMENT is made on this ___ day of October, 2023 (“Effective Date”) by and between Central Taney County Fire Protection District (“Central Taney FPD”) and Taney County, Missouri (“County”). Such entities will be referred to herein as “Parties,” collectively, and “Party” individually.

WHEREAS, Central Taney FPD wishes to construct a helipad at its headquarters, Station 5, in Kisse Mills, Missouri (the “Project”).

WHEREAS, County desires to assist with construction of the Project.

WHEREAS, Section 70.220, RSMo., authorizes political subdivisions to contract and cooperate with one other for the planning, development, construction, acquisition, or operation of any public improvement or facility.

WHEREAS, Central Taney FPD and County desire to enter into a cooperative agreement for the purpose of allocating responsibilities with respect to constructing the Project.

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

1. Purpose. The purpose of this Agreement shall be for the construction of the Project.
2. County’s Construction Responsibilities. County shall construct a helipad at Station 5, located at 21070 Highway 160, Kisse Mills, MO 65680. The helipad shall be constructed in accordance with Central Taney FPD’s design and plans in a good and workmanlike manner. The County shall supply all labor and equipment for the Project.
3. Central Taney FPD’s Responsibilities.
 - a. Central Taney FPD shall have or acquire all necessary property rights in order for the Project to be performed. Central Taney FPD shall supply all materials and supplies necessary for site preparation and for the Project. Central Taney FPD shall be responsible to obtain all necessary approvals and permits necessary to perform the Project.
 - b. Central Taney FPD shall reasonably cooperate with County to provide debris removal due to storm damage on an as-needed basis. This section shall not be construed to require any Central Taney FPD employee to provide any service that interferes with such employee’s emergency response duties or training schedule.
4. Term; Termination. The term of this Agreement shall begin on the Effective Date set forth above and shall continue until completion of the Project. This Agreement may be terminated at any time, by either party, by providing thirty (30) days advance written notice to the other party.

OLLIS|AKERS|ARNEY INSURANCE RENEWAL DISCUSSION

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

Commissioner Williams moved to take the recommendation from Ollis|Akers|Arney and move our Life, Voluntary Life, Short Term Disability, and Long Term Disability from Dearborn National to Lincoln Financial as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to continue on with Delta Dental at the current rate. Commissioner Wyatt seconded the motion with discussion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to enter into Executive Session per section 610.021.(1)(3)(12) (Legal, Personnel & Contracts). Commissioner Wyatt seconded the motion. The motion passed by roll call vote: Plummer (aye), Williams (aye) and Wyatt (aye).

EXECUTIVE SESSION: 9:48 A.M.

EXECUTIVE SESSION PER SECTION 610.021.(1)(3)(12) (LEGAL, PERSONNEL & CONTRACTS)

(Taney County Commission Hearing Room)

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

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

RECESS: 9:58 A.M.

RECONVENE: 10:10 A.M.

ROUND TABLE PLANNING AND ZONING

(Taney County Commission Conference Room)

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

Also Present: Scott Starrett, Planning & Zoning Administrator, Presley Cozort, Permit Technician and Planning & Zoning Coordinator, Travis Elliott, County Attorney, and Kim Lovelace, Deputy Clerk.

Discussion ensued.

EXECUTIVE SESSION: 10:44 A.M.

EXECUTIVE SESSION PER SECTION 610.021.(1)(3)(12) (LEGAL, PERSONNEL & CONTRACTS)

(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: 11:02 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: 11:14 A.M.

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