

**OFFICIAL
COMMISSION MINUTES
MARCH 18th, 2024 – 17th 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 9:03 a.m.

COMMISSION REMARKS

None.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #475161 through Check #475247, Warrants #8350 through #8352 and no Journal Entries/Transfers. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Wyatt moved to approve Regular Session Minutes for March 11th, 2024 as amended. Commissioner Williams 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 11th, 2024. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

PUBLIC HEARING FOR PROPOSED PLANNING & ZONING REZONE(S)

Presley Cozort, Permit Technician and Planning & Zoning Coordinator, and Amber Epps, Planning and Zoning Assistant, were present.

RZ 2024-007 ORDER # 03-18-2024-01 - 1394 BEE CREEK ROAD, BRANSON, MO.

The following individuals appeared in front of the Commission in reference to Order #03-18-2024-01:

- Randy Renyer, 1394 Bee Creek Rd., Branson, Mo. – Applicant.
- Kristie Brietenbach, 151 Deerfield Ln. Branson, Mo.

Commissioner Williams moved to amend and approve Order #03-18-2024-01 changing A1 Ag. to NR1. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

ORDER NUMBER: 03-18-2024-01

ORDER of the
TANEY COUNTY COMMISSION
FORSYTH, MISSOURI

DATE: March 18, 2024

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 11, 2024, the Taney County Planning Commission recommends approving, to the Taney County Commission, the amendment to the Zoning District map grid number H17 & H18, Branson Township, from A-1 Agricultural District to C-2 General Commercial District, requested by Randy Renyer, parcel number: 08-5.0-21-000-001-014.001, located at 1394 Bee Creek Rd, Branson, Missouri, to the Taney County Commission and

NOW, THEREFORE, on this 18th day of March 2024, at a duly called meeting of the Taney County Commission, having received the recommendation from the Planning Commission and, after public notice, and in open session, upon motion made to Approve and seconded, the Taney County Commission voted 3 in favor, 0 opposed, and 0 abstain to amend the Taney County, Missouri Zoning District map H17 & H18 from A-1 Agricultural District to NR-1 Single Family Nightly Rental District, 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 Be amended as follows and pursuant to the information below:

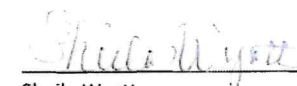
Parcel Number	Location	Map Grid #	Township	Zoning District
08-5.0-21-000-001-014.001	1394 Bee Creek Rd	H17 & H18	Branson	NR-1

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 18th day of March 2024, the Order shall be filed in the office of Taney County Recorder, Taney County Clerk, and Taney County Planning & Zoning.

TANEY COUNTY COMMISSION



Nick Plummer
Presiding Commissioner



Sheila Wyatt
Commissioner, Eastern District



Brandon Williams
Commissioner, Western District

ATTEST:

 3/18/2024
Stephanie Spencer, County Clerk



RZ 2024-008 ORDER # 03-18-2024-02 – CKW PROPERTIES LLC

Chris and Karen Whelan, 305 Kiier Ct. Branson, Mo. appeared in front of the Commission in reference to Order #03-18-2024-02.

Commissioner Wyatt moved to approve Order # 03-18-2024-02 changing NR1 to RV1 contingent upon the sale to Nick Najjar. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

ORDER NUMBER: 03-18-2024-02

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

DATE: March 18, 2024

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 11, 2024, the Taney County Planning Commission recommends approving, to the Taney County Commission, the amendment to the Zoning District map grid number H16, Branson Township, from NR-1 Single Family Nightly Rental District to RV-1 Recreational Vehicle Park District, requested by CKW Properties LLC, parcel number: 08-9.0-30-000-000-008.005 & 08-9.0-30-000-000-008.006, located at 2214 State Hwy 248, Branson, Missouri, to the Taney County Commission and

NOW, THEREFORE, on this 18th day of March 2024, at a duly called meeting of the Taney County Commission, having received the recommendation from the Planning Commission and, after public notice, and in open session, upon motion made with the contingency of sale of the property to Nick Najjar to Approve and seconded, the Taney County Commission voted 3 in favor, 0 opposed, and 0 abstain to amend the Taney County, Missouri Zoning District map H16, pursuant to the provisions of Chapter 64.845 through 64.880 of the Revised Statutes of Missouri.

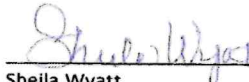
IT IS HEREBY ORDERED that the Taney County, Missouri Zoning District Be amended as follows and pursuant to the information below:

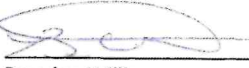
<u>Parcel Number</u>	<u>Location</u>	<u>Map Grid #</u>	<u>Township</u>	<u>Zoning District</u>
08-9.0-30-000-000-008.005	2214 State Hwy 248	H16	Branson	RV-1
08-9.0-30-000-000-008.006				

IT IS FURTHER ORDERED that the Zoning District Amendments to the Taney County, Missouri Zoning Map shall become effective on the 18th day of March 2024, the Order shall be filed in the office of Taney County Recorder, Taney County Clerk, and Taney County Planning & Zoning.

TANEY COUNTY COMMISSION


Nick Plummer
Presiding Commissioner


Sheila Wyatt
Commissioner, Eastern District


Brandon Williams
Commissioner, Western District

ATTEST:


Stephanie Spencer, County Clerk 3/18/2024



AGREEMENT FOR POLICE RADARS AND RELATED EQUIPMENT #24-028S

Brad Daniels, Sheriff, was present.

Commissioner Williams moved to approve the Agreement for Police Radars and Related Equipment by and between Applied Concepts, Inc. dba Stalker Radar and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

No. 24-028S

Agreement
for
Police Radars and Related Equipment

THIS AGREEMENT ("Agreement") dated the 18 day of March 2024, is made by and between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and Applied Concepts, Inc. dba Stalker Radar, Richardson, Texas (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 police radars and related equipment ("Equipment") shall include Quote #2085541 and the cooperative purchasing contract documents of State of Missouri Contract #CC191825006, all of which are attached hereto and incorporated herein by reference as Exhibit A ("Contract Documents"). 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. 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 \$55,929.00. 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. 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.

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.



Missouri State Contract #CC232820005
 District #332 & 333; NASPO ValuePoint
 Master Contract #995SWC-NV23-16270



NASPO Customer:
 Site Name:
 Street Address:
 City, State, Zip:
 Location ACE Customer#
 Sales Representative
 Contract Period Begin and End Date

Taney County Justice Center
 Taney County Old Courthouse
 132 David Street
 FORSYTH MO, 65653
 2438162 Renewal Contract#
 Jesse De La Rosa
 3/1/2024 2/28/2025

CCA Use Only:
 NASPO Region Code#
 ARE
 Ship to Customer#
 Bill to Customer#
 Annual Contract Value:
 \$672.00

Pricing Break out by Product Line & Inspection Information

Fire Panel Make & Model

Fire Panel Make & Model	Annual	Semi-Annual	Quarterly	Inspection Month(s)
Silent Knight IFF-50				
Fire Alarm				
Fire Alarm Control Panel	1	0	0	MAY
NAC Power Supply	0	0	0	
Remote Annunciator	0	0	0	
DACT	1	0	0	
Smoke Detector Inspection (Only)	25			
Smoke Detector Sensitivity Testing - Enhanced or Expert Only	Not Included			
Smoke Detector Cleaning - Enhanced or Expert Only	Not Included			
Duct Detector Inspection (Only)	0			
Duct Detector Sensitivity Testing - Enhanced or Expert Only	Not Included			
Duct Detector Cleaning - Enhanced or Expert Only	Not Included			
Heat Detector	0			
Flame Detector	0			
Beam Detector	0			
Pull Station	7			
AV	17			
Other (IAM, Relay, etc.)	0			
Door Holder	0			
Elevator Recall	0			Inspection Month
Tamper Switch	0			
Flow Switch	0			
Hours	4			
Essential	Yes			
Enhanced Labor Only	No			
Enhanced Labor & Panel Parts Option	No			
Expert Standard Labor & Full Service Parts Coverage Option	No			
Expert 24/7 Labor Coverage & Full Service Parts Coverage Option	No			
After-Hours Fire Alarm Inspection (Based on Essential Coverage - if other Tier Coverage is required, contact Melanie LeClair to update)	No			
Annual Cost		\$0.00		
		\$672.00		

Monitoring

Monitoring must be quoted separately.

Sprinkler System

Sprinkler System	Quantity	Inspection Month
Wet Annual (Includes Annual Flow Test)	0	
Wet Semi-Annual (Includes Annual Flow Test)	0	
Wet Quarterly (Includes Annual Flow Test)	0	
Dry Annual (Includes Annual Trip Test)	0	
Dry Semi-Annual (Includes Annual Trip Test)	0	
Dry Quarterly (Includes Annual Trip Test)	0	
Deluge Annual (Includes Annual Flow Test)	0	
Deluge Semi-Annual (Includes Annual Flow Test)	0	
Deluge Quarterly (Includes Annual Flow Test)	0	
Pre-Action Annual (Includes Annual Trip Test)	0	
Pre-Action Quarterly (Includes Annual Trip Test)	0	
Backflow Preventer Annual	0	
Hydrant Annual	0	
PV Annual	0	
Fire Hose Annual	0	
Standpipe Annual	0	
Anti-freeze Annual	0	
Fire Pump (200-500)	0	
Fire Pump (501-800)	0	
Fire Pump (801-1199)	0	
Fire Pump (1200+)	0	
Hours	0	
Essential Sprinkler	No	
After-Hours Sprinkler Inspection (Based on Essential Coverage - if Optional Labor Coverage is required, contact Melanie LeClair to update)	No	
Annual Sprinkler Cost		\$0.00

Special Hazards (Test & Inspect)

Special Hazards (Test & Inspect)	Annual	Semi-Annual	Inspection Month
FM200/Heirol/Sapphire - Up to 300lbs (Use Fire section for device testing)	0	0	

THIRD ADDENDUM TO TIPPING SERVICES DISPOSAL AGREEMENT #24-029RB

Devin Huff, Road & Bridge Administrator, was present. Presiding Commissioner Plummer referenced a letter from their attorney.

Commissioner Williams moved to approve the Third Addendum to Tipping Services Disposal Agreement by and between Republic Services and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

No. 24-029RB

THIRD ADDENDUM TO
TIPPING SERVICES DISPOSAL AGREEMENT

THIS THIRD ADDENDUM, entered into on the date set forth below, by and between Taney County, Missouri (hereinafter "Customer") and Allied Services, LLC, Republic Services of the Ozarks (hereinafter "Vendor").

WHEREAS, Vendor and Customer entered into the Taney County Tipping Services Disposal Agreement, dated March 10, 2021 ("Agreement"), as addended in 2021 and 2022 to reflect updated pricing terms; and

WHEREAS, the Agreement expires on February 28, 2024 ; and

WHEREAS, the Agreement provides for up to two (2) additional terms of one (1) year each following the expiration; and

WHEREAS, Vendor and Customer desire to amend and extend 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 extend the term of the Agreement from February 29, 2024 through February 28, 2025. The parties have the option to extend the Agreement for one (1) additional term of one (1) year.

2. Pursuant to section 4(d) of the Terms and Conditions of the Agreement, the Disposal Fee is to increase by the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor, Trash and Garbage Collection for urban wage earners and clerical workers. As of the date of this Addendum, the rate was 6.1%, year over year.

The parties agree to insert and replace Option 1 line items 6.1, 6.2 and 6.5 and Option 2 line items 6.1, 6.2 and 6.5 of Attachment A-2 with Option 1 line items 6.1, 6.2 and 6.5 and Option 2 line items 6.1, 6.2, and 6.5 as set forth in Attachment A-3, which is attached to this Addendum and incorporated herein by reference, effective as of the date of February 29, 2024.

3. This Third Addendum is subject to the Agreement and to each and every term, covenant, condition and agreement set forth therein. County and Contractor 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 paragraphs 1 and 2, above.

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

GRANT OF PERPETUAL EASEMENT AND RIGHT-OF-WAY BRADLEY K HODGES & MISTY HODGES AND LISA HODGES GAUGHAN AND DANIEL W GAUGHAN

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 Bradley K Hodges & Misty Hodges, husband and wife, Lisa Hodges Gaughan and Daniel W Gaughan, husband and wife, 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**

Bradley K. Hodges and Misty Hodges, husband and wife and Lisa Hodges Gaughan and Daniel W. Gaughan, husband and wife, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 5 day of March, 2024 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 bridge now known as Protém Cedar creek Rd (125-160), 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" 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 PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR PUBLIC ROAD PURPOSES JOLENE L BRADEN AND VIOLA HOLT

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 Jolene L Braden, single person, and Viola Holt, single widow and survivor of Joe Holt, 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

Jolene L. Braden, a single person and Viola Holt, a single person widow and survivor of Joe Holt, passed away on this date of July 7, 2007, of the County of Taney in the State of Missouri, hereinafter referred to as "GRANTORS", on this 27 day of February, 2024 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 bridge now known as Protem Cedar creek Rd (125-160), 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" 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:

Commissioner Williams moved to approve Exhibit "B" dated March 18th, 2024. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Exhibit "B"

FRONEOUS ASSESSMENT																
AbNumber	AbYear	SubDate	AbDate	Parcel	Name	Reason	EndRes	AdjRes	EndAg	AdjAg	EndCom	AdjCom	Approved	Denied	Tabled	Notes
213520	2023	0000-00-00	2024-03-12	08-80-34-000-000-017.001	LIONS CLUB OF BRANSON-HOLLISTER	FRONEOUS ASSESSMENT	0	0	0	0	0	-11150	X			\$283000 PER DWAIN BASHAM

Commissioner Wyatt moved to approve Exhibit "C" dated March 18th, 2024. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Exhibit "C"

PP PAID ABATEMENTS													
AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal	Approved	Denied	Tabled		
300909	2021	PENDING	2024-03-08	1-7832-900	COPE VAL VEN AND SHIRLEY	BOAT DID NOT VALUE AT MIN VALUE.	953	-356	X				
300910	2022	PENDING	2024-03-08	1-7832-900	COPE VAL VEN AND SHIRLEY	BOAT DID NOT VALUE AT MIN.	953	-356	X				
300911	2023	PENDING	2024-03-11	1-7832-900	COPE VAL VEN AND SHIRLEY	BOAT DID NOT VALUE AT MIN VALUE.	853	-356	X				
300912	2022	PENDING	2024-03-13	1-89680-900	HOLLIDAY HEIDI	CORRECTED YEAR ON BOAT MOTOR	39430	-1940	X				
300913	2021	PENDING	2024-03-13	1-80300-900	CUSHMAN DAVID A	ASSD FOR AN RV AND SHOULD HAVE BEEN A CAMPER	13010	-6300	X				
300914	2022	PENDING	2024-03-13	1-80300-900	CUSHMAN DAVID A	TAXPAYER ASSD FOR A RV AND IT WAS A CAMPER ONLY	24260	-6400	X				

RECESS: 9:59 A.M.

RECONVENE: 10:16 A.M.

EXECUTIVE SESSION: 10:16 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: 11:45 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: 12:04 P.M.

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

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