

**OFFICIAL
COMMISSION MINUTES
May 6th, 2024 – 9th DAY OF
THE APRIL 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

Presiding Commissioner Plummer noted that the Courthouse will be closed Wednesday May 8th, 2024 for Truman Day.

APPROVAL OF ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #475855 through Check #475872, Checks #475874 through Check #475921, Warrants #8378 and no Journal Entries/Transfers.

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

Commissioner Williams moved to approve Check #475873. Presiding Commissioner Plummer seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (abstain).

Commissioner Wyatt moved to approve the voided checks #475788 through Check #475854. 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

Presiding Commissioner Plummer tabled the April 29th, 2024 Regular Session Minutes until next week.

Commissioner Williams moved to approve Regular Session Minutes for April 30th and May 1st, 2024. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye), and Wyatt (aye).

POINT LOOKOUT AIRPORT & IDA BOARD APPOINTMENTS

Mike Mulnik, Airport Administrator, was present.

Commissioner Wyatt moved to appoint Chris Carlson to the Taney County Airport Board to fulfil the term of Dr. Glenn Cameron contingent upon receiving his resignation and accepting it, his term ending July 31st, 2025. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

Commissioner Williams moved to appoint Brad Allbritton and Ryan Sanders to fill the positions from January 1, 2024 through December 31, 2029 for the I.D.A Board. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

BID RECOMMENDATION 202404-553 TRAFFIC PAINT

Devin Huff, Road & Bridge Administrator, was present.

Commissioner Williams moved to award Bid 202404-553 to Allstates Coatings Company out of Glade Water Texas as Primary and Sasco Pavement Coatings Incorporated out of Springfield Missouri as Secondary. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

BCS PROSOFT PRE PLANNING LETTER #24-056CM

Dawn Bilyeu, A/P & Payroll, was present.

No action taken.

AGREEMENT FOR UTILITY BROOM (1 OR MORE) #24-057RB

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

Commissioner Williams moved to approve the Agreement for Utility Broom one or more by and between Taney County and John Fabick Tractor Company. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

No. 24-057RB

Agreement
for
Utility Broom (1 or more)

THIS AGREEMENT ("Agreement") dated the 6th day of May 2024 is made by and between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and John Fabick Tractor Company, a Missouri Corporation (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 Utility Broom and Related Equipment ("Equipment") shall include two Sales Agreements dated April 16, 2024 and April 18, 2024, Proposals and the cooperative purchasing contract documents of Sourcwell Contract #011723-CAT, 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 \$22,236.00. 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.

HISTORIC HWY 165 SCENIC OVERLOOK IMPROVEMENTS CONTRACT DOCUMENTS (GRE 4192.27) #24-054RB

Devin Huff, Road & Bridge Administrator, and Jerany Jackson, Great River Engineering, were present.

Commissioner Williams moved to approve the Agreement between Owner and Contractor for construction Contracts stipulated price by and between Taney County and Hunter Chase & Associates contingent upon the acceptance and approval of change order number one. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between Taney County ("Owner") and Hunter Chase & Associates ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1—WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Proposed improvements include construction of ADA accessible, integrally colored, imprinted, concrete observation decks overlaying existing natural rock, jointing and reinforcement, ADA accessible ramps, stairs, creation of a secondary stair access, new concrete wall cap, and the removal of existing fence, along with any incidental work as noted in the plans and specifications.

ARTICLE 2—THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: Historic Hwy 165 Scenic Overlook Improvements

ARTICLE 3—DESIGN PROFESSIONAL

3.01 The Owner has retained Great River Engineering ("Design Professional") to act as Owner's representative, assume all duties and responsibilities of Design Professional, and have the rights and authority assigned to Design Professional in the Contract.

3.02 The part of the Project that pertains to the Work has been designed by Design Professionals.

ARTICLE 4—CONTRACT TIMES

4.01 *Time is of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Contract Times: Dates*

A. The Work will be substantially complete on or before **June 6, 2024**, or within 45 calendar days after Notice to Proceed is issued, whichever is later. The Work will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before **June 20, 2024**.

CHANGE ORDER NO.: 1

Owner: Taney County Commission Owner's Project No.: 4195.27
Design Design Professional's
Professional: Great River Engineering Project No.: 4195.27
Contractor: Hunter Chase & Associates Contractor's Project No.: 4195.27
Project: Historic Highway 165 Scenic Overlook Improvements
Contract Name: Historic Highway 165 Scenic Overlook Improvements
Date Issued: May 6, 2024 Effective Date of Change Order: May 6, 2024

The Contract is modified as follows upon execution of this Change Order:

Description:

Original bid is reduced by the removal of bid items No. 3 - Temporary Traffic Control, No. 4. - Temporary Construction Barrier Fence, and No. 12 - 8" Longitudinal Trench Drain with ADA Grate. This reduces the original bid from \$185,028 to \$142,366.

Agreement Between Owner and Contractor for Construction Contract (Stipulated Price) – Article 4 – Contract Times Section 4.02 Contract Times: Dates changes the substantial completion date to June 6, 2024 and the work completion date to June 20, 2024

Standard General Conditions of the Construction Contract -

Article 5 – Site; Subsurface and Physical Conditions; Hazardous Environmental Conditions, Section 5.06 adds the sentence:

Nothing contained in this Paragraph 5.06.1 shall be deemed to waive any of Owner's, or Owner's assignees', official, governmental, or sovereign immunity.

Article 7 – Contractor's Responsibilities, Section 7.07B adds the sentence:

Nothing contained in this Paragraph 7.07.B shall be deemed to waive any of Owner's, or Owner's assignees', official, governmental, or sovereign immunity.

Attachments:

Agreement Between Owner and Contractor for Construction Contract (Stipulated Price)

COURT ORDERS AND ADD ON REPORT

Stephanie Spencer, County Clerk, was present.

Commissioner Wyatt moved to enter into record the Abatement and Add-On Report for April 2024 as presented. Commissioner Williams seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

PF ABATEMENTS/ADD ON REPORT FOR APRIL 2024							
AbYear	Date	Account	Name	Reason	RegVal	AdjVal	EndVal
2021	2024-04-01	1-100208-0	BURCH JOHN & DIANE				
2021	2024-04-01	1-88230-0	GOMEZ JUAN FRANCISCO		100	-100	0
2022	2024-04-01	1-88230-0	GOMEZ JUAN FRANCISCO		1720	-1250	470
2023	2024-04-01	1-88230-0	GOMEZ JUAN FRANCISCO		1670	-1200	470
2023	2024-04-01	1-42666-900	HULLAND ROGER G & DARLA	PAID IN GREENE COUNTY	1670	-1200	470
2023	2024-04-01	1-52006-0	NICKENS KEITH		16540	-2250	14290
2023	2024-04-02	1-97209-0	AMOS ROBERT & BRITNEY		7010	-20	6990
2023	2024-04-02	1-107175-0	COLE SCOTT AND SHELLEY		18020	50	18070
2023	2024-04-02	1-83562-0	ELLIOTT KATHRYN S & DAVID		10080	-10080	0
2023	2024-04-02	1-42666-0	HULLAND ROGER G & DARLA		20070	-100	19970
2023	2024-04-02	1-23148-0	SIM'S BILLIE		16540	-16540	0
2023	2024-04-02	1-132152-0	VALENCIA CARDENAS SANDRA		1490	-1490	0
2023	2024-04-02	1-61114-0	VICO INC		8900	-8900	0
2020	2024-04-03	1-82833-0	FRIEND LINDA		1000	-1000	0
2023	2024-04-03	1-130773-0	FURNAN HEATHER A		200	-200	0
2023	2024-04-03	1-65276-0	HOWARD JOE		2760	-2760	0
2023	2024-04-03	1-124265-0	OLE EATERY		11410	-9910	1500
2022	2024-04-04	1-91557-0	PIER 1 IMPORTS # 1618		1580	-1580	0
2021	2024-04-05	1-83687-0	BURKHEAD GARY & DIANE		5870	-5870	0
2021	2024-04-05	1-126593-0	RICHARDSON TIFFANIE & GARDEA DAVIED		320	200	520
2023	2024-04-08	1-86782-0	BUSTER'S OLD TIME PHOTOS S CORPORATION (LANDING)		5180	2000	7180
2023	2024-04-08	1-117207-0	HARRIS ZACKARY		9160	20590	29750
2022	2024-04-10	1-122555-0	WELLER JORY		10150	11630	21780
2023	2024-04-10	1-83965-0	HIGH DESERT PROPERTY LLC		200	3560	3760
2023	2024-04-12	1-129103-0	CAPONE'S SPEAK EASY GRILL LLC		10170	-10170	0
2022	2024-04-15	1-61783-0	VANDIVER DONNIE E		0	11540	11540
2023	2024-04-15	1-81537-0	VASQUEZ GILBERT ALANIZ		1590	-1590	0
2023	2024-04-15	1-70218-0	WELLS MARK		300	100	400
2023	2024-04-15	1-132757-0	WILSON BLAKE E		220	0	220
2023	2024-04-16	1-81757-0	KEIPER JOSEPH & DEBORAH		100	7070	7170
2023	2024-04-17	1-54510-0	OPIE BILL R & ANDREA		320	100	420
2023	2024-04-17	1-109578-0	VERSLUIS JACKIE		220	100	320
2023	2024-04-19	1-87601-0	HARDY RANDY AND MARY		200	6620	6820
2023	2024-04-22	1-90239-0	HUNT JODY		8760	1460	10220
2023	2024-04-23	1-71487-0	COOK WARREN D		2330	50	2380
2023	2024-04-24	1-56453-0	STENNETT CHARLES J		100	-100	0
2022	2024-04-26	1-46523-0	GUSTASON IOLA C		130	11060	11190
2023	2024-04-26	1-108085-0	CURTIS SCOTT		1670	-350	1320
2020	2024-04-29	1-77378-0	MUNDEN LANCE & LYSA		1160	-1160	0
2022	2024-04-29	1-70801-0	RUNDALL DEBBIE		940	-940	0
2023	2024-04-29	1-112292-900	WINSTON DANIEL	16 FORD FUSION WAS PAID IN CHRISTIAN CO	1720	0	1720
					6300	-3280	3020

Commissioner Williams moved to approve abatement #300916. Commissioner Wyatt 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
300916	2023	PENDING	2024-04-29	1-112292-900	WINSTON DANIEL	16 FORD FUSION WAS PAID IN CHRISTIAN CO	3020	-3280	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECESS: 9:34 A.M.

RECONVENE: 9:53 A.M.

BCS PROSOFT PRE PLANNING LETTER #24-056CM

(Taney County Commission Conference Room)

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

Also present: Dawn Bilyeu, A/P & Payroll, Devin Huff, Road & Bridge Administrator, Scott Starrett, Planning & Zoning Administrator, Shane Keys, County Detective and Lesley Wallace, Deputy Clerk.

Commissioner Williams moved to approve the Upgrade Planning Approval by and between Taney County and BCS ProSoft, LLC. Commissioner Wyatt seconded the motion. The motion passed by vote: Plummer (aye), Williams (aye) and Wyatt (aye).

No. 24-056CM

BCS ProSoft, Inc.
118 W. Nakoma Dr.
San Antonio, TX 78216

(210) 361-2177 - phone
(918) 299-5034 - fax

www.bcsprosoft.com



March 5, 2024

Expiration Date:

April 19, 2024

Taney County
PO Box 1407
Forsyth, MO 65653

Dear Dawn:

We have received your request to upgrade the system(s) listed below to the Upgrade Version.

Systems Included in this Upgrade						
System	Users	Platform	Current Ver	Upgrade Ver	Test Upgrade?	Upgrade Type
Sage 100	10	Sage 100 Advanced	2021.2	2023.1	Yes	Full System Upgrade
Sage 100 Payroll	1	All	2021.2	2023.1	Yes	Integrations Only
BizNet	1	All			Yes	Integrations Only
Test Upgrade?:	A Yes indicates that we will install a test upgrade system to allow you and your staff time to test the new version and resolve any errors, customization problems or other situations that may arise.					
Upgrade Type:						
Full System Upgrade:	The system and all of its components will be upgraded to the Upgrade Version listed.					
Integrations Only:	The system itself will NOT be upgraded to a different version. Instead, any point of integration with that system and the other systems will be made compatible.					
Discontinued:	The system has been discontinued by its publisher and is no longer available. Or, it is no longer a supported integrated solution. Therefore it will NOT be upgraded, and we do not guarantee it will continue to work after the upgrade. An alternative solution may be needed.					
Not Included:	Most likely this solution is no longer supported by BCS ProSoft, Inc. or the publisher that originally integrated with it. It will NOT be upgraded. The solution may still be available from its publisher, and if you wish to continue using it, we recommend you work directly with that publisher.					
Remove/Uninstall:	The system or modules have been designated as needing to be removed from your system prior to upgrading to the new version. Removing a module or system will result in the loss of all data and functionality for that module or system. If you choose to add it back later, you will have to setup all lost data as it won't be available in the future.					

To assist you with this process, we have assigned Tim Kreps as the primary consultant to manage your overall upgrade project. To successfully upgrade your system, we have several steps to this process.

First, we will conduct a system analysis to gather specific details about your system. This review will take place remotely and last approximately one hour. We will need access to the server where the systems that are listed above are installed to successfully complete this analysis.

After we have analyzed your system, we will provide you an engagement letter that contains the terms of the project to implement the upgrade. This letter will include our fees for completing the upgrade along with a detailed listing of work that we will complete. Any additional tasks required to successfully complete the upgrade that are NOT documented in the Engagement Letter will be billed for as added services beyond the upgrade engagement fixed fee.

ROAD & BRIDGE ROUNDTABLE

(Taney County Commission Conference Room)

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

Also present: Devin Huff, Road & Bridge Administrator, Scott Starrett, Planning & Zoning Administrator, Shane Keys, County Detective and Lesley Wallace, Deputy Clerk.

Discussion ensued.

Presiding Commissioner NP; Eastern Commissioner W; Western Commissioner W

BUILDING & GROUNDS ROUNDTABLE

(Taney County Commission Conference Room)

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

Also present: Scott Terpening, Building & Grounds, Shane Keys, County Detective, David Clark, County Auditor and Lesley Wallace, Deputy Clerk.

Discussion ensued.

RECESS: 10:55 A.M.

RECONVENE: 11:01 A.M.

Discussion ensued.

EXECUTIVE SESSION: 11:12 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: 12:03 P.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: 12:12 P.M.

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