

**OFFICIAL
COMMISSION MINUTES
FEBRUARY 28th, 2022 - 14TH DAY OF
THE JANUARY ADJOURN TERM**

FORMAL AGENDA

The County Commission met in the Commission Hearing Room with Mike Scofield (present), Brandon Williams (present), and Sheila Wyatt (present).

PUBLIC COMMENT

None.

CALL COUNTY COMMISSION MEETING TO ORDER

Presiding Commissioner Mike Scofield called the meeting to order at 9:02 a.m.

COMMISSION REMARKS

None.

ACCOUNTS PAYABLE

Commissioner Wyatt moved to approve Checks #466597 through Checks #466662, no Warrants and one Journal Entry/Transfer. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (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: Scofield (aye), Williams (aye), and Wyatt (aye).

APPROVAL OF PREVIOUS MEETING MINUTES

Commissioner Williams moved to approve the Regular Session Minutes for February 23rd, 2022, another for February 23rd, 2022 and for February 24th, 2022 that includes the document.

Commissioner Williams moved to amend his motion to strike approval of February 24th, 2022. Presiding Commissioner Scofield seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (abstain).

Commissioner Williams moved to approve the Regular Session Minutes for February 24th, 2022 with the document. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

COURT ORDERS

Wesley Shoemaker, Deputy Clerk, was present.

Commissioner Williams moved to approve Exhibit "A" dated February 28th, 2022. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Exhibit "A"

PP PAID ABATEMENTS

Exhibit: A

Date: FEB 28, 2022

Approved

AbNumber	AbYear	Status	Date	Account	Name	Reason	EndVal	AdjVal
300356	2019	PENDING	2022-02-10	1-119084-900	NOFSINGER CHARLES C & ANDREA	OFFICE ERROR	2300	-1789
300357	2020	PENDING	2022-02-10	1-119084-900	TOPIC ANITA E & ANDREA NOFSINGER	OFFICE ERROR	2230	-1859
300358	2021	PENDING	2022-02-10	1-119084-900	TOPIC ANITA E & ANDREA NOFSINGER	OFFICE ERROR	2170	-1640

LETTER OF SUPPORT FOR BROADBAND

Commissioner Williams moved to approve the Letter of Support for Broadband to White River Valley Electric Cooperative. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).



OFFICE OF
MIKE SCOFIELD
PRESIDING COMMISSIONER
BRANDON W. WILLIAMS
WESTERN DIST. COMMISSIONER
SHEILA WYATT
EASTERN DIST. COMMISSIONER

County of **TANEY** State of Missouri

TANEY COUNTY COURTHOUSE
P.O. BOX 1086 • FORSYTH, MO 65653
Office: (417) 546-7204 • Fax: (417) 546-3931
www.taneycounty.org
commission@co.taney.mo.us

To whom it may concern,

Grant monies are needed to help White River Valley Electric Cooperative build a fiber to the home (FTTH) network that will connect over 12,000 households, farms, schools, hospitals/clinics, police/fire/city buildings, and other community anchor institutions in Taney County. The deployment will support many businesses in our area and enhance the way of life for residents.

A recent survey showed that more than half of Taney County does not have, what is determined, by the FCC to be, a reliable option for internet connectivity. For those that do have service available to them, a speed testing initiative found that 87% have below 25/3 Mbps service – making the area underserved at best. The combination of grant monies and White River Valley's investment will bring up to (1) Gbps symmetrical, fiber-to-the-home infrastructure to the proposed funding service area. This will ensure that more than 52% of residents in Taney County can receive at least 100/100 Mbps service. With these critical investments in broadband, White River Valley will be able to lay the foundation for a sustainable and reliable network for the future.

The Taney County Commission would like to support this project, as it will help maintain and grow Taney County. Access to high-speed internet is another important utility people consider when moving to an area and is vital to Telehealth Connectivity. Those who need access to telehealth the most are often less likely to be able to have access.

We support this project to help White River Valley further reduce barriers to broadband deployment for Taney County that will support economic development, education, healthcare, agriculture, and public safety. We deeply appreciate your consideration of the White River Valley application, and our office is prepared to provide any additional information at your request.

Sincerely,

Mike Scofield, Presiding Commissioner

Sheila Wyatt, Eastern Commissioner

Brandon Williams, Western Commissioner

ROUND MOUNTAIN CLOSEOUT DOCUMENTS #22-016RB

Devin Huff, Road & Bridge Administrator, and Anne Pierce, Great River Engineering Bridge Engineer, were present. Presiding Commissioner Scofield referenced a letter from their attorney.

Commissioner Wyatt moved to approve the Round Mountain Closeout document file #22-016RB. Commissioner Williams seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).



County of **TANEY** State of Missouri

OFFICE OF
MIKE SCOFIELD
PRESIDING COMMISSIONER
BRANDON W. WILLIAMS
WESTERN DIST. COMMISSIONER
SHEILA WYATT
EASTERN DIST. COMMISSIONER

TANEY COUNTY COURTHOUSE
P.O. BOX 1086 • FORSYTH, MO 65653
Office: (417) 546-7204 • Fax: (417) 546-3931
www.taneycounty.org
commission@co.taney.mo.us

February 28th, 2022

Josh M. Dugan
LPA-Construction
Missouri Department of Transportation
Southwest – Highway Safety and Traffic Division
3025 E. Kearny Springfield, MO 65803

RE: **FINAL DOCUMENTS**
Taney County Round Mountain Road Bridge Replacement
BRO NBIL B106 (001)
GRE PROJECT 3470

Dear Mr. Dugan:

Please find enclosed the following documentation:

1. Final Inspection Report.
2. Final Acceptance Letters & Checklist
3. Certifications:
 - Construction Material and Operations Certification.
 - Field Test Certification.
 - Conformity to Plans and Specifications Certification.
4. DBE Certification.
5. Final Invoice including final quantities and final change order.
6. Detailed Estimate of Quantities.
7. Contractor's Affidavit Regarding Settlement of Claims (Fig 136.11.10).
8. Contractor's Compliance Prevailing Wage Affidavit (fig 136.11.11).

If you have any questions or need any additional information, please feel free to contact Anne Pierce, Great River Engineering at (417) 886-7171.

Sincerely,

Mike Scofield
Mike Scofield
Presiding Commissioner Enclosure

AGREEMENT FOR ZERO TURN MOWER #22-014RB

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

Commissioner Williams moved to approve Agreement for Zero Turn Mower by and between S&H Farm Supply, Inc and Taney County. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

No. 22-014RB

Agreement
for
Zero Turn Mower

THIS AGREEMENT ("Agreement") dated the 28 day of February 2022, is made by and between Taney County, Missouri, a political subdivision of the State of Missouri, (hereinafter "County") and S & H Farm Supply, Inc., 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 a Zero Turn Mower ("Equipment") shall include Contractor's quote, dated February 3, 2022, and the cooperative purchasing contract documents of Sourcewell Contract #031121-SCG, 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 \$13,883.22. 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.

AGREEMENT FOR EXCAVATOR & RELATED EQUIPMENT #22-013RB

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

Commissioner Williams moved to approve the agreement for Excavator & related equipment by and between Taney County and John Fabick Tractor Company. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

Agreement
for
Excavator and Related Equipment

THIS AGREEMENT ("Agreement") dated the 29 day of February 2022, 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 an Excavator and Related Equipment ("Equipment") shall include two Sales Agreements dated February 8, 2022, Proposals and the cooperative purchasing contract documents of Sourcewell Contract #032119-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 \$195,524.00. 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.

MELISSA BUFF – CERTIFICATION OF COUNTY HEALTH ORDINANCE

Tabled until response from legal counsel has been received.

TANEY COUNTY THUNDER ROAD FLAP (073) ROAD REALIGNMENT PROJECT UPDATE

Devin Huff, Road & Bridge Administrator, and Anne Pierce, Great River Engineering Bridge Engineer, were present. Presiding Commissioner Scofield referenced a letter from their attorney.

Update was given on the Thunder Road Realignment Project.

ESTABLISHMENT OF THE TANEY COUNTY LIBRARY DISTRICT

The following citizens came before the Commission to speak regarding the proposed Taney County Library District:

- Harry Styron, Attorney
- Debbie Redford – 1462 Carlton Rd, Hollister, MO
- Garrett Vanderpool – 313 Dalton Rd, Branson, MO
- Moxie Black – 511 Ellison Rd, Branson, MO
- Logan Crockett – Homeschool Senior
- Larry Campbell – 586 Oak Bluff Rd, Branson, MO
- Marcia Schemper-Carloch – 113 Winged Foot, Branson, MO

Commissioner Williams moved to approve the Order in front of us; Establishing a Taney County Library District and forming a Library Sub District as presented. Commissioner Wyatt seconded the motion. The motion passed by vote: Scofield (aye), Williams (aye), and Wyatt (aye).

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

AN ORDER ESTABLISHING A TANEY COUNTY, MISSOURI LIBRARY DISTRICT; FORMING A LIBRARY SUBDISTRICT; PROPOSING AN ANNUAL RATE OF TAXATION RELATED TO THE LIBRARY SUBDISTRICT AND ORDERING AN ELECTION RELATING THERETO; AND APPOINTING MEMBERS TO THE TANEY COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES

WHEREAS, pursuant to § 182.015, RSMo., the County Commission may establish by its order a county library district without petition or submission to the voters as provided in § 182.010, provided such district conforms otherwise to the provisions of that section and does not include any part of a regional library system; and

WHEREAS, the County Commission of Taney County, Missouri desires to establish a library district by its own order without petition or submission to the voters; and

WHEREAS, the County Commission believes it to be in the best interest of Taney County, Missouri, and its residents to take steps necessary to establish a county library district; and

WHEREAS, the County Commission hereby finds, determines, and declares that the establishment of a county library district within Taney County, Missouri is in the best interest of the general welfare of Taney County and its inhabitants to establish the “Taney County Library District”; and

WHEREAS, pursuant to § 182.015(2), RSMo., the County Commission may divide the county library district into subdistricts; and

WHEREAS, where the county library district is not operating a library within the County, the County Commission may and desires to divide the Taney County Library District into a subdistrict to be known as the “Branson/Hollister Library Subdistrict”; and

WHEREAS, pursuant to § 182.050, RSMo., within sixty (60) days after the establishment of a county library district, the County Commission shall create a county library board of trustees and appoint five (5) residents, none of whom shall be elected county officials, from the district to serve on the Board of Trustees; and

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI, AS FOLLOWS:

1. Incorporation. Each and every finding set forth in the whereas clauses set forth above are incorporated as the findings of the County Commission by reference.

2. Adoption and Enactment. The County Commission of Taney County, Missouri hereby enacts and adopts this Order establishing a county library district for Taney County, Missouri to be known as the “Taney County Library District.” The Taney County Library

District, as a body corporate, by and through the Board of Trustees, shall have the powers set forth and described in § 182.010 through § 182.120, RSMo.

3. Creation of Library Subdistrict. The County Commission of Taney County, Missouri hereby enacts and adopts this Order creating a library subdistrict to be known as the "Branson/Hollister Library Subdistrict" that is wholly located within the geographic territory and located within the boundaries of the Hollister R-V School District and the Branson R-IV School District, a map of which is attached hereto and incorporated herein by reference as Exhibit A.

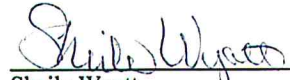
4. Creation of Board of Trustees. Within sixty (60) days after the date of this Order, there shall be created a county library board of trustees, of five members, who shall be residents of the library district, none of whom shall be elected county officials. The members shall be appointed by the county commission for terms of four years each, except that as to the members of the first board, two shall be appointed for one year, and one each shall be appointed for two years, three years, and four years, respectively, from the first day of July following their appointment; and annually thereafter before the first day of July the county commission shall appoint successors. Vacancies in the board occasioned by removals, resignations or otherwise shall be reported to the county commission and shall be filled in like manner as original appointments; except that if the vacancy is in an unexpired term, the appointment shall be made for only the unexpired portion of that term. No member of the board shall receive compensation as such. No person shall be employed by the board of library trustees or by the librarian who is related within the third degree by blood or by marriage to any trustee of the board.

5. Effective Date. This Order shall be recorded in the office of the Taney County, Missouri, Recorder of Deeds and shall be in full force and effect from and after the date of its passage and approval by the County Commission.

So ordered this 28 day of February, 2022.

TANEY COUNTY COMMISSION


Mike Scofield
Presiding Commissioner

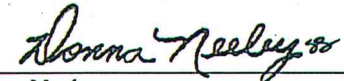

Sheila Wyatt
Eastern District Commissioner


Brandon Williams
Western District Commissioner

ATTEST

On this 28th day of February, 2022, before me personally appeared Mike Scofield, Presiding Commissioner, Sheila Wyatt, Eastern District Commissioner, and Brandon Williams, Western District Commissioner, and said Commissioners acknowledged this instrument to be their free act and deed of and on behalf of the Taney County Commission.

I, Donna Neeley, Clerk of the Taney County Commission, do hereby certify that the above and foregoing is a true and accurate record of the Order made and entered by the Taney County Commission on this 28th day of February, 2022.


Donna Neeley
Clerk of the Taney County Commission

DISCUSSION OF TABLETS FOR THE PLANNING COMMISSION

Scott Starrett, Planning & Zoning Administrator, was present.

Discussion ensued.

SPRING CLEANUP DISCUSSION

Devin Huff, Road & Bridge Administrator, was present.

Spring Cleanup in Taney County has been set for April 1st and 2nd, 2022.

Presiding Commissioner MS; Eastern Commissioner SW; Western Commissioner BW

RECESS: 9:58 A.M.

RECONVENE: 10:12 A.M.

MISSOURI'S HIGHWAY SAFETY PROGRAM AUTHORIZATION

(Taney County Commission Conference Room)

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

Also present: Kim Schade, Administrative Assistant.

EXECUTIVE SESSION: 10:17 A.M.

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

(Taney County Commission Conference Room)

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

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

END OF EXECUTIVE SESSION: 10:34 A.M.

DAILY STAFF REVIEW AND AGENDA REQUESTS

(Taney County Commission Conference Room)

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

Also present: Lesley Wallace, 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: Scofield (aye), Williams (aye), and Wyatt (aye).

ADJOURN: 10:47 A.M.

The minutes were taken by Mike Scofield, Presiding Commissioner, and Stephanie Spencer, Chief Deputy Clerk, and typed by Stephanie Spencer, Chief Deputy Clerk.