



# Christian County Commission

100 West Church St, Room 100  
Ozark, MO 65721

October Term

<http://ChristianCountyMO.iqm2.com>

~ Minutes ~

Thursday, November 5, 2015

8:50 AM

The Christian County Courthouse

## I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter. The meeting was attended by Commission Secretary Cheryl Mitchell, Treasurer Karen Matthews, County Auditor Lacey Auditor, Richard Teague, Miranda Beadles County Road Engineer,

Sue Ann Childers approved the agenda and Bill Barnett seconded the motion.

Attendee Name	Title	Status	Arrived
Ray Weter	Presiding Commissioner	Present	8:50 AM
Bill Barnett	Western Commissioner	Present	8:50 AM
Sue Ann Childers	Eastern Commissioner	Present	8:50 AM
Kay Brown	County Clerk	Present	8:50 AM
Cheryl Mitchell	Assistant	Present	8:50 AM
Ashley Hannah	Secretary	Present	8:50 AM

## II. Agenda

### **Motion/Vote - 8:50 AM Christian County Commission**

Discussion - Approve Agenda

The meeting was attended by Commission Secretary Cheryl Mitchell, County Road Engineer Miranda Beadles and Treasurer Karen Matthews.

Presiding Commissioner Ray Weter entertained a motion to approve the agenda.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ray Weter, Presiding Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

### **Motion/Vote - 8:55 AM Kay Brown-County Clerk**

Minutes & Financials Approval - Approve Minutes & Financials

The meeting was attended by Commission Secretary Cheryl Mitchell, County Road Engineer Miranda Beadles and Treasurer Karen Matthews.

Presiding Commissioner Ray Weter entertained a motion to approve the minutes for November 2, 2015.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ray Weter, Presiding Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote -**

Authorize The Treasurer to Send a Letter to Bank

Treasurer Karen Matthews said Ozark Bank has requested a letter prior to transferring funds from one account to another account within Ozark Bank based on the banking agreement.

Presiding Commissioner Ray Weter suggested that John Housley prepare a letter to present to the bank.

Treasurer Matthews said she needs to transfer \$700.00.

Commissioner Childers suggested to approve the Treasurer to send a letter to the bank and copy it to John Housley for his review.

Presiding Commissioner Ray Weter entertained a motion to authorize the County Treasurer to present a letter to Ozark Bank to allow the transfer of money between accounts.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:00 AM Christian County Commission**

Discussion - Employee Health Insurance Decision

The meeting was attended by Commission Secretary Cheryl Mitchell, Assessor Danny Gray, Chief Deputy Clerk Norma Ryan, County Auditor Lacey Hart, Chief Payroll Clerk Paula Brumfield, Mary Argiso, Treasurer Karen Matthews, Jason Stutesmun, Recorder Kelly Hall, County Highway Engineer Miranda Beadles and Richard Teague.

The County Commissioners met to discuss the health insurance for the county employees.

Presiding Commissioner Ray Weter reviewed the health insurance proposal for Barker Phillips Jackson and expressed the following concerns:

\* the cost of specialty medicine is covered at 50%

\* the cost for employee with children would be an additional \$ 67.00 per month

Commissioner Sue Ann Childers said she liked Ollis, Ackers and Arney but they gave us no figures to compare only promises.

Commissioner Bill Barnett said he likes and trusts Trevor Crowley because we have been with him and he has been helpful with catastrophic health costs.

Commissioner Sue Ann Childers said she would like to see the kiddy plan insurance made available through Cox.

Paula Brumfield said Barker Phillips Jackson has richer dental and vision plans, everything could be implemented on line, assist with compliance, lifestyle choice available and it's cheaper. The price that Trevor has presented is the cost for the county and is available to BPJ also.

Commissioner Sue Ann Childers said we are really picking a representative because the number is the same with Cox.

Paula Brumfield said the Barker Phillips Jackson insurance had a richer vision and dental plan and the monthly premiums were less for the employees as compared with Crowley's.

Presiding Commissioner Ray Weter said the additional \$ 67.00 for the 15 employees that are paying for their children would be a hardship.

Paula Brumfield said Barker Phillips Jackson would provide the E.P.A. program free which is not in the Crowley plan.

Recorder Kelly Hall said she pays for her children's insurance and it is a chunk out of her pay check.

Presiding Commissioner Ray Weter said we have an obligation to save the county money but he is not in favor of the higher cost for single parent.

Recorder Kelly Hall suggested having Crowley and Jeff White come back for another presentation.

Presiding Commissioner entertained a motion to work with Crowley Insurance, as our insurance broker.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:45 AM      Miranda Beadles-Highway Engineer**

Discussion - Radio Communications Bid Decision

The meeting was attended by Commission Secretary Cheryl Mitchell, Recorder Kelly Hall, County Road Engineer Miranda Beadles, Jason Stutesmun, Sheriff Brad Cole, Richard Teague, Assessor Danny Gray, Planning and Zoning Director Todd Wiesehan, Cindi Carey, Roseanne Cox, Julia Maples, Christie Hirsch, Karen Matthews, Mike Stone, Public Administrator Ken Davis, Chief Deputy Payroll Clerk Paula Brumfield, Deputy Clerk Alicia Monsanto, County Auditor Lacey Hart and Chief Deputy Clerk Norma Ryan.

The County Commission met with County Road Engineer Miranda Beadles to review the bids for radio phones.

Miranda Beadles recommended to the Commission to award the bid to Radiophone and Rayfield. Ms. Beadles said we currently have an annual contract with Radiophone but would like to award to both companies.

Presiding Commissioner Ray Weter entertained a motion to accept the bid from Radiophone and Rayfield.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 9:50 AM      Christian County Commission**

Discussion - Request for Policy Deviation/Benefit Hours

The meeting was attended by Commission Secretary Cheryl Mitchell, Recorder Kelly Hall, Road Engineer Miranda Beadles, Jason Stutesmun, Richard Teague, Sheriff Brad Cole, Assessor Danny Gray, Planning and Zoning Director Todd Wiesehan, Chief Deputy Collector Cindi Carey, Roseanne Cox, Julia Maples, Christie Hirsch, Treasurer Karen Matthews, Mike Stone, Public Administrator Ken Davis, Chief Deputy Payroll Clerk Paula Brumfield, Alicia Monsanto and County Auditor Lacey Hart.

Commissioner Weter said no names should be mentioned. What we have to deal with is the policy, is it reasonable to deviate from the current policy as stated to allow an employee to become eligible for benefit hours prior to the 90 day waiting period.

County Auditor Lacey Hart said she wants to clarify between an employee never working as opposed to someone who has and she said she has provided actual practice procedure in regards to actual in past referring to three individuals.

Presiding Commissioner Ray Weter said he has looked at those from the past and the Commissioners are aware of those incidents.

Commissioner Sue Ann Childers said the discussion is about transfers between departments. If you look at the handbook there is nothing about transfers. When you look at the handbook it talks about new employees. However if they are terminated that sets up another question. When someone has terminated their service at that department is stopped and they get the final paycheck. If they transfer to another department you start from 0 because there is nothing saved up. However when some transferred they could keep and change to different department. In this case the final check was written but it took an amount of time to get the new position. If the plan is in place to move a person it doesn't matter how much time it took. Budgets had to be created and she doesn't feel they haven't done anything different. There are several things in handbook that are obsolete.

Sue Ann Childers said they had been talking about getting Lacey some help when they found this person. Sue Ann said she asked them to speak. It took longer than it should have to get things changed.

Alicia Monsanto asked if that job begun before the employee was terminated or was the position created because the person was out of a job.

Lacey Hart said in two of the three examples there was a time period of a greater period than a couple of weeks.

Commissioner Weter said a position was held open for a person and he can't speak as to whether the commission was involved or not.

Treasurer Karen Matthews said it looks like a precedence has been set. There is one employee that was terminated not transferred. She looks at it as a precedence has been set. You were setting yourself up for a lawsuit.

Julia Maples said things pop up at times and it has been the discretion of the commission in a special circumstance.

Lacey Hart said she talked to her brother Chris Bradley who is an attorney, regarding the precedence and opening yourself up to a lawsuit is true but he isn't licensed in Missouri. She said she has not called Housley and she would advise we seek legal advice.

Commissioner Weter expressed concern about the auditor consulting independently with an attorney.

Kay Brown said payroll exists in her office and in order to process there are certain procedures that have to be done. We discussed policy procedure and principal. Our system will not allow us to change the benefits without overriding the system. The manual is the only backup. She has taken an oath. A decision was made by the auditor and it put pressure on the commission and the county clerk. Her position is to treat everyone the same. We have 20 people in the same time frame. The person discussing was terminated Oct 16. She won't override the system without an order from the Commission. She agrees Housley needs to be talked to. She said she did consult with Housley over this matter and he said Greene County was in the similar situation and decided to keep with the system. Kay said all employees sign an "at will" employment form. As far as she is concerned the payroll department will follow the manual.

Commissioner Weter said the discussion is over, they will consult with Mr. Housley.

Commissioner Bill Barnett said they created a position in Kay's office.

County Clerk Kay Brown said this was the Commission's decision.

Presiding Commissioner Ray Weter said we are going to consult with Mr. Housley and we will schedule a longer meeting to make a decision.

Presiding Commissioner Ray Weter entertained a motion to table the discussion until further notice.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 10:00 AM Todd Wiesehan-Planning & Development**

Discussion - Previously Scheduled Rezoning Hearing Case No. 2015-0232 Mike & Julie Stone A-R to C-2 809 Glossip Ave, Highlandville, MO

The meeting was attended by Commission Secretary Cheryl Mitchell, Planning and Zoning Director Todd Wiesehan, Sheriff Brad Cole, Mike Stone.

Todd Wiesehan presented a rezoning application to the County Commission regarding the 11.1 acre property owned by Mike and Julie Stone located at 809 Glossip Road, Highlandville, Missouri. Mr. Wiesehan said the Planning and Development Department had received complaints regarding garbage trucks that were parked overnight at the site. Todd Wiesehan said Mr. Stone requested a zoning change from residential to a C-2 commercial zoning. Mr. Wiesehan said Article 43 Section 2 allows for parking of commercial vehicles.

Presiding Commissioner Ray Weter entertained a motion to accept the right-of way dedication and approve the zoning change approved by the Planning and Zoning Commission.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

**Motion/Vote - 10:30 AM Steve Childers-City of Ozark**

Discussion - Amended IGA-Street Lighting Improvements

The meeting was attended by Commission Secretary Cheryl Mitchell and Ozark City Administrator Steve Childers.

The County Commission met with Ozark City Administrator Steve Childers to discuss an amendment to the IGA for Street Lighting Improvements for the Highway CC and 65 interchange. Mr. Childers presented an adjusted price for the lightning for the light poles \$ 28,476.00 and the City will pay \$ 5,695.20. Mr. Childers said a few things were added based on the bids approved by MODOT.

Presiding Commissioner Ray Weter entertained a motion to approve Resolution 1877, an amendment to the IGA with the City of Ozark and the County for lighting for the interchange for Highway CC and 65.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Sue Ann Childers, Eastern Commissioner
<b>SECONDER:</b>	Bill Barnett, Western Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

### III. Adjournment

The meeting was closed at 10:40 AM

The scheduled meetings for today have been completed and the County Commission will resume session on Monday, November 9th, 2015.

#### **Motion/Vote -**

Motion

The scheduled meetings for today have been completed and the County Commission will resume session on Monday, November 9th, 2015.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Sue Ann Childers, Eastern Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett, Sue Ann Childers

#### 2. Emergency Meeting To Purchase a New Air Conditioner for Justice Center Jail - Kitchen

##### **Motion/Vote - 2:10 AM**

Go Into Open Session

Presiding Commissioner Ray Weter entertained a motion to go into an Emergency Session.

Presiding Commissioner Ray Weter said Kenny Coates the County Maintenance Supervisor said the air conditioning unit that serves the kitchen located in the jail of the Justice Center, died after 14 years of use.

Mr. Coates presented a quote from Springfield Parts Supply located in Springfield, Missouri for a new air conditioning unit built by Trane US for \$ 23,704.81. Mr. Coates said there will be an additional cost to rent a crane and the labor to install the unit. The Commissioners estimated an additional charge of \$ 1,500.00 which brings the total cost to \$ 25,204.81.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Ray Weter, Presiding Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett
<b>ABSENT:</b>	Sue Ann Childers

**Motion/Vote - 2:10 AM**

Approve the Purchase of an Air Conditioning Unit For Jail  
Presiding Commissioner Ray Weter entertained a motion to approve the emergency purchase of an air conditioning unit for the kitchen located in the jail for approximately \$ 25,204.81.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Ray Weter, Presiding Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett
<b>ABSENT:</b>	Sue Ann Childers

**Motion/Vote - 2:15 AM**

Adjourn From Emergency Session  
The County Commission adjourned from emergency session.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Barnett, Western Commissioner
<b>SECONDER:</b>	Ray Weter, Presiding Commissioner
<b>AYES:</b>	Ray Weter, Bill Barnett
<b>ABSENT:</b>	Sue Ann Childers



Ray Weter

Presiding Commissioner, Ray Weter



Bill Barnett

Western Commissioner, Bill Barnett



A handwritten signature in black ink that reads "Sue Ann Childers". The signature is written in a cursive, flowing style.

---

Sue Ann Childers

Eastern Commissioner, Sue Ann Childers

**ORDER OF THE  
CHRISTIAN COUNTY COMMISSION  
OZARK, MISSOURI**

**DATE ISSUED:** November 5, 2015

**SUBJECT:** CASE NUMBER 2015-0232

**TEXT:**

The Christian County Planning & Zoning Commission petitions the Christian County Commission to rezone an 11 acre +/- tract of land from A-R (Agricultural/ Residential District) to C-2 (General Commercial District) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map at 800 Glossip Avenue, Highlandville, MO, Parcel 19-0.7-36-0-0-4 and legally described as follows:

A parcel lying in the North-half (N 1/2) of the Northeast Quarter of the Northeast Quarter (NE 1/4-NE 1/4) of Section 36, Township 26 North, Range 22 West, of the Fifth Principal Meridian, being situated South of Highway "O" and West of the Old Highway 160 (Glossip Road), more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 36; thence N 88 degrees 04'39" E, along the North line of said NE 1/4-NE 1/4, a distance of 20.34 feet; thence S 01 degrees 31'55" E, a distance of 34.54 feet to an existing 1/2" iron pin, being on the South right-of-way line of said Highway "O"; thence S 01 degrees 31'55" E, a distance of 150.19 feet to an existing 1/2" iron pin set for the Southwest corner of a parcel of land described in Gen. War. Deed BK 234, Page 160, for the point of beginning; thence follow the bounds of said parcel these next Two courses; N 88 degrees 07'05" E, a distance of 125.00 feet; N 01 degrees 31'55" W, a distance of 149.99 feet to the Northeast corner of said parcel and the Southerly right-of-way line of said Highway "O"; thence following said R/W line these next Six courses; N 88 degrees 12'36" E, 65.68 feet; S 83 degrees 23'53" E, 101.12 feet; N 88 degrees 04'16" E, 226.59 feet; S 78 degrees 39'55" E, 203.68 feet; S 39 degrees 43'34" E, 148.09 feet to a point 158.8 feet right of Sta. 171+64.50 for Highway "O"; thence S 76 degrees 34'14" E, 1.21 feet to a point on the Westerly right-of-way line of Old Highway 160 (Glossip Road); thence following said Old Highway these next Three courses; S 04 degrees 36'26" W, 28.38 feet to a point 30 feet right of P.C. Sta. 934+99.4 +/- of the Old Highway right of way; thence on a curve to the Right having a radius of 1010.44 feet an arc length of 197.49 feet and a chord length of 197.17 feet that bears S 09 degrees 48'41" W; thence S 15 degrees 24'07" W, 241.76 feet to a point on the South line of the North Half of the NE 1/4-NE 1/4; thence S 88 degrees 04'39" W, a distance of 720.39 feet to an existing iron pin at the Southwest corner of said N 1/2-NE 1/4-NE 1/4; thence N 01 degrees 13'27" W, a distance of 43.58 feet to the Southwest corner of a narrow strip described in Quit Claim Deed Book 304, Page 2035; thence following the bounds of said strip these next Two courses; N 87 degrees 13'41" E, a distance of 29.61 feet; thence N 02 degrees 18'26" W, a distance of 437.30 feet to the point of beginning. All being in Christian County, Missouri. Subject to easements, restrictions and rights-of-way of record, in any.

Attachment: P&Z Ord. 11-05-15-01 (2581 : Rezoning Hearing Case No. 2015-0232)

The Christian County Planning and Zoning Commission did, during public hearing on October 19, 2015 vote unanimously to recommend approval of this request.

Now, therefore, the Christian County Commission did this day, upon a motion by Commissioner Childers, seconded by Commissioner Barnett, vote unanimously to approve this request.

Done this 5<sup>th</sup> day of November, 2015, at 10:15 a.m.

CHRISTIAN COUNTY COMMISSION

Ray Wefer  
Ray Wefer  
Presiding Commissioner

Yes X  
Dated: 11/05/15

Sue Ann Childers  
Sue Ann Childers  
Commissioner, Eastern District

Yes X  
Dated: 11/05/15

Bill Barnett  
Bill Barnett  
Commissioner, Western District

Yes X  
Dated: 11-5-15

ATTEST:

Kay Brown  
Kay Brown  
County Clerk

23385-000\ 383506.doc

Attachment: P&Z Ord. 11-05-15-01 (2581 : Rezoning Hearing Case No. 2015-0232)

RESOLUTION NUMBER 1877

A RESOLUTION BY THE BOARD OF ALDERMEN  
OF THE CITY OF OZARK, MISSOURI, AUTHORIZING THE CITY  
ADMINISTRATOR TO EXECUTE AN AMENDING INTER-GOVERNMENTAL  
AGREEMENT WITH CHRISTIAN COUNTY MISSOURI FOR STREET  
LIGHTING AT U.S. 65 AND STATE HIGHWAY CC.

WHEREAS, Christian County, Missouri has previously entered into a transportation improvement partnership with the Missouri Department of Transportation for the improvement of the intersection at U.S. 65 and State Highway CC; and

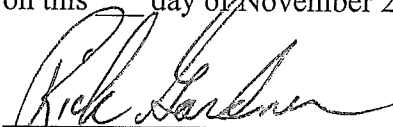
WHEREAS, As a part of those improvements, standard street lighting had been contemplated and the City of Ozark was offered the opportunity to upgrade the light poles and lighting to a more aesthetically pleasing design; and

WHEREAS, The Board of Aldermen, after receiving a report from the City Administrator concerning the project and the alternative funding options, finds that it additional pieces are needed that were omitted from the previous report at the aforementioned intersection and desires to authorize the City Administrator to execute the Amended Inter-Governmental Cooperative Funding Agreement attached hereto, marked "Exhibit A" and incorporated herein by reference.

NOW, THEREFORE, be it resolved by the Board of Aldermen of the City of Ozark, Missouri, as follows:

1. The City Administrator is hereby authorized to execute, on behalf of the City of Ozark, an Amended Inter-Governmental Cooperative Funding Agreement with Christian County, Missouri attached hereto, marked "Exhibit A" and incorporated herein as if fully set out in this Section.
2. This Resolution shall be in full force and effect from and after the date of its passage and approval.

**THIS RESOLUTION PASSED AND APPROVED** at a regular meeting of the Board of Aldermen of the City of Ozark, Missouri, on this \_\_\_\_\_ day of November 2015.

  
 \_\_\_\_\_  
 Rick Gardner, Mayor

ATTEST:

  
 \_\_\_\_\_  
 Chandra Hodges, City Clerk

INTERGOVERNMENTAL  
COST SHARE AGREEMENT

THIS INTERGOVERNMENTAL COST SHARE AGREEMENT (hereinafter "IGA"), made and entered into this \_\_\_ day of November 2015, by and between CHRISTIAN COUNTY, MISSOURI, a first class county of the State of Missouri, acting by and through its County Commission (hereinafter referred to as "COMMISSION") and the CITY OF OZARK, a municipal corporation (hereinafter referred to as "CITY"), for the purpose of the aesthetic improvement of the interchange at State Highway CC and US Highway 65.

**WITNESSETH:**

**WHEREAS**, Article VI, Section 16, of the Missouri Constitution and the Missouri Revised Statutes, Section 70.220, authorize any municipality or county to contract and cooperate with other political subdivisions of this state for the planning, development, construction, acquisition or operation of any public improvement or facility or common service, and this IGA represents an opportunity for the Commission and the City to work cooperatively for the common good of aesthetically improving the interchange at State Highway CC and US Highway 65; and

**WHEREAS**, The CITY and COMMISSION have expressed an interest in upgrading the light fixtures that are currently planned for the improvements to the intersection at State Highway CC and US highway 65 and CITY has agreed to pay for the increased costs utilizing Federal and Local funds; and

**WHEREAS**, the COMMISSION and the Missouri Department of Transportation have entered into a cost share agreement to pay for the cost of the interchange construction and those costs did not include the aesthetically pleasing light poles requested by CITY; and

**WHEREAS**, the CITY agrees to utilize federal surface transportation funds received through the Ozarks Transportation Organization and local matching funds as set forth below to pay the difference between the cost of the standard light poles and the more aesthetically pleasing poles.

**NOW, THEREFORE**, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

1. **Purpose.** The purpose of this agreement is to coordinate the participation by the COMMISSION in the cost of the CITY's request for more aesthetically pleasing light poles.
2. **Financial Responsibilities.** With regard to the work being funded by the COMMISSION under this agreement, the CITY and the COMMISSION agree as follows:
  - A. The CITY will request a transfer of Twenty-eight Thousand Four Hundred Seventy-six and 00/100 Dollars (\$28,476.00) in federal surface transportation funds to Christian County by the Ozarks Transportation Organization no later than December 1, 2015.
  - B. The CITY will pay to Christian County the sum of Five Thousand Six Hundred Ninety-five and 20/100 Dollars (\$5,695.20) from its local funds no later than December 1, 2015.

- C. The COMMISSION agrees to take all those actions necessary including, but not limited to, the execution of those “change orders” that may be required by the Missouri Department of Transportation to include the aesthetically pleasing light poles designated by CITY in the improvements at the intersection of State Highway CC and US Highway 65.
- D. The COMMISSION shall not be responsible for any costs associated with the CITY’s request for more aesthetically pleasing light poles to be installed at the interchange at State Highway CC and US Highway 65 as hereinabove described unless specifically identified in a subsequent written amendment of this Cost Share Agreement. Any costs for the aesthetically pleasing light poles designated by the CITY, which exceed the CITY’s total reimbursement as set forth in subparagraphs A and B of paragraph 2 shall be the sole responsibility of CITY.
3. **General Independent Contractor Clause.** The COMMISSION and the CITY who are parties to this agreement are each separate and independent political subdivisions of the state and, as such, the COMMISSION and CITY each retain their own identity and each is responsible for its own policies and activities. This Agreement shall not be construed as creating a joint venture between the COMMISSION and the CITY.
4. **Miscellaneous.**
- A. The CITY agrees to pass such orders, ordinances or motions as may be necessary to implement the terms and conditions of this IGA. The COMMISSION agrees to pass such orders, ordinances or motions as may be necessary to implement the terms and conditions of this IGA.
- B. This Agreement sets forth the entire agreement between the parties and fully supersedes any and all prior and/or other contemporaneous agreements or understandings between the parties which pertain to the subject matter hereof.
- C. This Agreement may only be modified by a written instrument executed by the parties hereto.
- D. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.
5. **Notices.** All notices, demands, and approvals required under this agreement may be personally delivered or sent by certified mail, postage prepaid, return receipt requested, addressed to the individuals identified in the heading of this IGA, or to their successors, at the addresses listed below:

**Christian County Commission**  
ATTENTION: Ray Weter, Presiding Commissioner  
Christian County Commission  
100 W. Church Street, Room 100  
Ozark, MO 65721  
Telephone: (417) 582-4300  
Facsimile: (417) 581-5924  
Email: countycommission@christiancountymo.gov

City of Ozark  
ATTENTION: Steve Childers  
City of Ozark  
P. O. Box 295  
Ozark, MO 65721

IN WITNESS WHEREOF, Christian County, Missouri, acting through its County Commission, and the City of Ozark have caused this Intergovernmental Cost Share Agreement to be duly executed by their proper officers, duly authorized by their respective Commission or Board, as of the day and year first written above, and hereby further agree that this agreement shall be binding upon the parties hereto, their respective representatives, successors and assigns.

CHRISTIAN COUNTY, MISSOURI,  
BY AND THROUGH ITS  
CHRISTIAN COUNTY COMMISSION

CITY OF OZARK

By: Ray Weter  
Ray Weter, Presiding Commissioner

By: Steve Childers  
Steve Childers, City Administrator

By: Sue Ann Childers  
Sue Ann Childers, Eastern Commissioner

Address:  
P.O. Box 295  
Ozark, MO 65721-0295

By: Bill Barnett  
Bill Barnett, Western Commissioner

ATTEST:  
Chandra Hodges  
Chandra Hodges, City Clerk

Address:  
100 W. Church Street, Room 100  
Ozark, MO 65721

COUNTY CLERK:

APPROVED AS TO FORM:

By: Kay Brown  
Kay Brown

By: David V. Collignon  
David V. Collignon, City Attorney

APPROVED AS TO FORM:

By: John W. Housley  
John W. Housley, County Counselor

Auditor Certification:

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

Lacey Hart  
Lacey Hart  
Christian County Auditor

Attachment: 11-05-15 IGA Amend. - City of Ozark (2582 : Amended IGA-Street Lighting Improvements)



INTERGOVERNMENTAL  
COST SHARE AGREEMENT

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**WITNESSETH:**

**WHEREAS**, Article VI, Section 16, of the Missouri Constitution and the Missouri Revised Statutes, Section 70.220, authorize any municipality or county to contract and cooperate with other political subdivisions of this state for the planning, development, construction, acquisition or operation of any public improvement or facility or common service, and this IGA represents an opportunity for the Commission and the City to work cooperatively for the common good of aesthetically improving the interchange at State Highway CC and US Highway 65; and

**WHEREAS**, The CITY and COMMISSION have expressed an interest in upgrading the light fixtures that are currently planned for the improvements to the intersection at State Highway CC and US highway 65 and CITY has agreed to pay for the increased costs utilizing Federal and Local funds; and

**WHEREAS**, the COMMISSION and the Missouri Department of Transportation have entered into a cost share agreement to pay for the cost of the interchange construction and those costs did not include the aesthetically pleasing light poles requested by CITY; and

**WHEREAS**, the CITY agrees to utilize federal surface transportation funds received through the Ozarks Transportation Organization and local matching funds as set forth below to pay the difference between the cost of the standard light poles and the more aesthetically pleasing poles.

**NOW, THEREFORE**, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

1. **Purpose.** The purpose of this agreement is to coordinate the participation by the COMMISSION in the cost of the CITY's request for more aesthetically pleasing light poles.
2. **Financial Responsibilities.** With regard to the work being funded by the COMMISSION under this agreement, the CITY and the COMMISSION agree as follows:
  - A. The CITY will request a transfer of Twenty-eight Thousand Four Hundred Seventy-six and 00/100 Dollars (\$28,476.00) in federal surface transportation funds to Christian County by the Ozarks Transportation Organization no later than December 1, 2015.
  - B. The CITY will pay to Christian County the sum of Five Thousand Six Hundred Ninety-five and 20/100 Dollars (\$5,695.20) from its local funds no later than December 1, 2015.

- C. The COMMISSION agrees to take all those actions necessary including, but not limited to, the execution of those “change orders” that may be required by the Missouri Department of Transportation to include the aesthetically pleasing light poles designated by CITY in the improvements at the intersection of State Highway CC and US Highway 65.
- D. The COMMISSION shall not be responsible for any costs associated with the CITY’s request for more aesthetically pleasing light poles to be installed at the interchange at State Highway CC and US Highway 65 as hereinabove described unless specifically identified in a subsequent written amendment of this Cost Share Agreement. Any costs for the aesthetically pleasing light poles designated by the CITY, which exceed the CITY’s total reimbursement as set forth in subparagraphs A and B of paragraph 2 shall be the sole responsibility of CITY.
3. **General Independent Contractor Clause.** The COMMISSION and the CITY who are parties to this agreement are each separate and independent political subdivisions of the state and, as such, the COMMISSION and CITY each retain their own identity and each is responsible for its own policies and activities. This Agreement shall not be construed as creating a joint venture between the COMMISSION and the CITY.
4. **Miscellaneous.**
- A. The CITY agrees to pass such orders, ordinances or motions as may be necessary to implement the terms and conditions of this IGA. The COMMISSION agrees to pass such orders, ordinances or motions as may be necessary to implement the terms and conditions of this IGA.
- B. This Agreement sets forth the entire agreement between the parties and fully supersedes any and all prior and/or other contemporaneous agreements or understandings between the parties which pertain to the subject matter hereof.
- C. This Agreement may only be modified by a written instrument executed by the parties hereto.
- D. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.
5. **Notices.** All notices, demands, and approvals required under this agreement may be personally delivered or sent by certified mail, postage prepaid, return receipt requested, addressed to the individuals identified in the heading of this IGA, or to their successors, at the addresses listed below:

**Christian County Commission**  
ATTENTION: Ray Weter, Presiding Commissioner  
Christian County Commission  
100 W. Church Street, Room 100  
Ozark, MO 65721  
Telephone: (417) 582-4300  
Facsimile: (417) 581-5924  
Email: countycommission@christiancountymo.gov

City of Ozark  
ATTENTION: Steve Childers  
City of Ozark  
P. O. Box 295  
Ozark, MO 65721

IN WITNESS WHEREOF, Christian County, Missouri, acting through its County Commission, and the City of Ozark have caused this Intergovernmental Cost Share Agreement to be duly executed by their proper officers, duly authorized by their respective Commission or Board, as of the day and year first written above, and hereby further agree that this agreement shall be binding upon the parties hereto, their respective representatives, successors and assigns.

**CHRISTIAN COUNTY, MISSOURI,  
BY AND THROUGH ITS  
CHRISTIAN COUNTY COMMISSION**

**CITY OF OZARK**

By: Ray Weter  
Ray Weter, Presiding Commissioner

By: Steve Childers  
Steve Childers, City Administrator

By: Sue Ann Childers  
Sue Ann Childers, Eastern Commissioner

Address:  
P.O. Box 295  
Ozark, MO 65721-0295

By: Bill Barnett  
Bill Barnett, Western Commissioner

ATTEST:  
Chandra Hodges  
Chandra Hodges, City Clerk

Address:  
100 W. Church Street, Room 100  
Ozark, MO 65721

COUNTY CLERK:

APPROVED AS TO FORM:

By: Kay Brown  
Kay Brown

By: David V. Collignon  
David V. Collignon, City Attorney

APPROVED AS TO FORM:

By: John W. Housley  
John W. Housley, County Counselor

Auditor Certification:

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

Lacey Hart  
Lacey Hart  
Christian County Auditor

Attachment: 11-05-15 IGA Amend. - City of Ozark (2582 : Amended IGA-Street Lighting Improvements)