

Bob Dixon  
Presiding Commissioner

Harold Bengsch  
1<sup>st</sup> District Commissioner

John C. Russell  
2<sup>nd</sup> District Commissioner



Shane Schoeller  
Clerk of the Commission

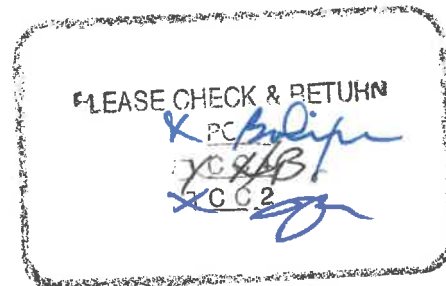
Christopher J. Coulter, AICP  
County Administrator

Megan Applegate  
Executive Assistant

**COUNTY COMMISSION**  
**Greene County, Missouri**  
**(417) 868-4112**

**Greene County Commission  
Commission Briefing Minutes**

**Thursday, November 5, 2020**  
9:30 AM  
Commission Conference Room  
1443 N. Robberson, 10<sup>th</sup> Floor



The Greene County Commission is now offering an alternative to attending the meeting. Please join our meeting from your computer, tablet or smartphone. <https://www.gotomeet.me/GCCommissionOffice>. You can also dial in using your phone United States: +1 (872) 240-3412. You will be prompted for a PIN number where you will hit the "#" key and be prompted for an access code: 675-853-269

**Attendees:** Bob Dixon, Harold Bengsch, John Russell, Chris Coulter, Clay Goddard, Rick Artman, Lyle Foster and Megan Applegate.

**Teleconference Attendees:** Kevin Barnes, Adam Humphries, Cindy Stein, Justin Hill, Jeff Bassham, Jeff Scott, Jim Arnott, Royce Denny, Tina Phillips and Mike Cagle.

**Informational Items**

**Resource Management-Kevin Barnes**

- YTD 500 single family building permits issued since the end of October, numbers are up from 2019.
- Jail maintenance complete for the RTU.
- Temp Jail update: Possibility of being finished by end of next week is looking good.
- Jail Project update: tour on Monday for Commission scheduled.

**Health Department-Clay Goddard**

- Spike statewide.
- Up 28% on Tuesday, with 173 reported yesterday
- 172 people are in Cox and Mercy
- 32 in ICU
- 36 on Ventilators
- 71 Greene County residents are in the hospitals.
- Rural and midsize cities being hit hard with the virus.
- West Plains has passed a masking ordinance.

**CARES Act-Lyle Foster**

- Updated Commission on upcoming recommendations that will zero out balances for Taxpayer entities and Healthcare sub committees.

**Cox Medical Tower • 1443 North Robberson Avenue, 10<sup>th</sup> Floor • Springfield, Missouri 65802**  
**Mailing Address 940 Boonville Avenue • Springfield, Missouri 65802**  
**[www.greencountymo.gov](http://www.greencountymo.gov)**

- Application portal will be closed out Sunday so anyone with outstanding applications will be notified later today to complete.

**Items for Consideration and Action by the Commission**

**(EX1) Cooperative Agreement with Milestone Engineering –Pavement Repairs Farm Roads 193 & 199 Highway**

Commissioner John Russell moved to approve the cooperative agreement with Milestone Engineering for pavement repairs as presented. Commissioner Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch and Russell.

**(EX2) Discussion and Possible Vote: CARES Funds Allocation**

For motions please see attached exhibit.

**Other:**

With no other business the meeting was adjourned.

**Small Business:**

**#221-Little Sunshine's Playhouse & Preschool, Inc (West Chestnut)-\$15,000.00-Business Interruption**

Commissioner John Russell moved to approve application #221 Little Sunshine's Playhouse & Preschool, Inc (West Chestnut) for \$15,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#573-Peapod Learning Center (Brentwood)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #573 Peapod Learning Center (Brentwood) for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#917-Republic Chamber of Commerce-\$32,340.00-General Support**

Commissioner John Russell moved to approve application #917 Republic Chamber of Commerce for \$32,340.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#984-FP F&B, LLC (Farmers Park) (Progress Restaurant)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #984 FP F&B, LLC (Farmers Park) (Progress Restaurant) for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#985-Stephanie D Ireland, Inc (Architecture firm)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #985 Stephanie D Ireland, Inc (Architecture firm) for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#986-Payne Sign Company-\$ 10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #986 Payne Sign Company for \$ 10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#987-417 Brewery Bus Tours-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #987 417 Brewery Bus Tours for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#988-The Phoenix Group (WF Codys) Restaurant -\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #988 The Phoenix Group (WF Codys) Restaurant for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#991-SoundLife Hearing Technologies, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #991 SoundLife Hearing Technologies for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1001-J. Howard Fisk Limousines, Inc-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1001 J. Howard Fisk Limousines, Inc for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1004-Riad Burgers and Gyros, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1004 Riad Burgers and Gyros, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1013-Springboard Ventures, LLC (Alamo Theatre)-\$15,000.00-Business Interruption**

Commissioner John Russell moved to table application #1013 Springboard Ventures, LLC (Alamo Theatre) for \$15,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1017-Goodboys, LLC (Druff's) Rev1 (Restaurant)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1017 Goodboys, LLC (Druff's) Rev1 for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1023-O'Reilly Hospitality Management, LLC (management company)-\$15,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1023 O'Reilly Hospitality Management, LLC for \$15,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1026-RTT Hospitality, LLC (Marriott Towneplace Suites)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1026 RTT Hospitality, LLC for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1028-Glen44 Investments, LLC (Multiple Businesses)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1028 Glen44 Investments, LLC for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1029-O'Reilly Hospitality II, LLC (Hilton Garden Inn)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1029 O'Reilly Hospitality II, LLC for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1030-O'Reilly Hospitality III, LLC (Houlihan's Farmers Park)-\$15,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1030 O'Reilly Hospitality III, LLC for \$15,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1032-O'Reilly Hospitality, LLC (Doubletree, Fairfield & Houlihans)-\$30,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1032 O'Reilly Hospitality, LLC for \$30,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1033-OH-MD Republic, LLC (Macadoodles Republic MO)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1033 OH-MD Republic, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1037-Platos Closet (Sixteen Feathers LLC)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1037 Platos Closet (Sixteen Feathers LLC) for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1040-La Luna Hair Academy, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1040 La Luna Hair Academy, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1042-Phillips Transport, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1042 Phillips Transport, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1044-Beth's Bake Shoppe, INC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1044 Beth's Bake Shoppe, INC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1045-Smart Start Daycare, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1045 Smart Start Daycare, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1051-Signs Now, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1051 Signs Now, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1063-Sivarts, Inc dba ACIS IT Solutions-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1063 Sivarts, Inc dba ACIS IT Solutions for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

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**Mailing Address 940 Boonville Avenue • Springfield, Missouri 65802**

***www.greenecountymo.gov***

**#1065-Romella Foods, LLC (Culvers on Sunshine)-\$15,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1065 Romella Foods, LLC (Culvers on Sunshine) for \$15,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1066-Take a Break Cleaning Service, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1066 Take a Break Cleaning Service, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1071-Country Fresh Inc dba Cash Saver #417-\$20,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1071 Country Fresh Inc dba Cash Saver #417 for \$20,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1072-Allendale Risk Management (Harmon commodity risk management)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1072 Allendale Risk Management for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1075-Evans Wealth Planning, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1075 Evans Wealth Planning, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1076-Pearson Creek Properties, LLC-\$ 5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1076 Pearson Creek Properties, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1078-Lucy's Chinese Food, Inc (Campbell Street)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1078 Lucy's Chinese Food, Inc (Campbell Street) for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1080-Brooke Evans Realtor-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1080 Brooke Evans Realtor for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1081-Springfield Tint Company, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1081 Springfield Tint Company, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1082-Lucy's Chinese Food, Inc (Sunshine Street)-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1082 Lucy's Chinese Food, Inc (Sunshine Street) for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1088-East Sunshine FW, LLC (First Watch)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1088 East Sunshine FW, LLC (First Watch) for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1092-Old Towne Event Center, LLC (Republic)-\$ 5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1092 Old Towne Event Center, LLC (Republic) for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1098-Queen City Cycles, LLC-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1098 Queen City Cycles, LLC for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1099-LSP Claremont, Inc (Little Sunshine's playhouse)-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1099 LSP Claremont, Inc (Little Sunshine's playhouse) for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1102-Whiteaker & Wilson PC dba Law Office of Stuart Huffman-\$5,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1102 Whiteaker & Wilson PC dba Law Office of Stuart Huffman for \$5,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**#1103-LSP Cardinal, Inc-\$10,000.00-Business Interruption**

Commissioner John Russell moved to approve application #1103 LSP Cardinal, Inc for \$10,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**SMALL BUSINESS SUBCOMMITTEE TOTAL: \$372,340.00**

## Health Care

#261-NAMI-\$66,000.00

Commissioner John Russell moved to approve application #261 NAMI for \$66,000.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

**HEALTH CARE SUBCOMMITTEE TOTAL:       \$66,000.00**

## Tax Payer Entities

#896-City of Springfield Workforce Development-\$56,551.00

Commissioner John Russell moved to approve application #896 City of Springfield Workforce Development for \$56,551.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

#1210-Ash Grove Fire Protection District-\$4,550.00

Commissioner John Russell moved to approve application #1210 Ash Grove Fire Protection District for \$4,550.00. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

#642-Sheriff's Office-\$678,949.44

Commissioner John Russell moved to approve application #642 Sheriff's Office for \$678,949.44. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

#5-Budget Office Submission -\$135,702.57

Commissioner John Russell moved to approve application #5 Budget Office Submission for \$135,702.57. Commission Harold Bengsch seconded the motion and it passed unanimously. Yes: Dixon, Bengsch, and Russell.

It is recommended that Commission use reserve funds to fully fund Budget Office request balance of \$317,665.42.

Commissioner John Russell moved to table the request to use the reserve funds to fully fund the Budget Office request for \$317,665.42. Commissioner Harold Bengsch seconded the motion and I passed unanimously. Yes: Dixon, Bengsch and Russell.

**TAX PAYER ENTITIES SUBCOMMITTEE TOTAL:       \$875,753.01**



Ex 1

## COOPERATIVE AGREEMENT

THIS AGREEMENT made and entered into this 13 day of November, 2020, by and between **MILESTONE ENGINEERING, INC.**, hereinafter referred to as the "Engineer", and **GREENE COUNTY, MISSOURI**, hereinafter referred to as "County":

### WITNESSETH:

**WHEREAS**, the Engineer is currently serving as a representative for the Burlington Northern Santa Fe Railroad (BNSF) and is employed to act as a project manager overseeing the administration and inspection of contracted construction work on behalf of BNSF for the installation of a new railroad siding track and a new railroad bridge adjacent to Farm Road 193 and Farm Road 199 in southeast Greene County, and

**WHEREAS**, the Engineer acknowledges that it is necessary to perform certain pavement repairs along Farm Road 193 and Farm Road 199 in order to address damages that have occurred to the County's roadway system by BNSF's contractor's work vehicles and heavy equipment during the construction of the new railroad siding track and the new railroad bridge adjacent to these public roadways, and

**WHEREAS**, the County and the Engineer are in agreement that conducting certain pavement repairs to improve and preserve the County's public roadway system along Farm Road 193 and Farm Road 199 is in the best interest of both parties, and

**WHEREAS**, both the County and the Engineer desire to make a financial contribution towards the costs associated with repairing and restoring the roadway pavement along Farm Road 193 and Farm Road 199;

**NOW, THEREFORE**, the parties do hereby mutually covenant and agree as follows:

- 1.) **PAVEMENT REPAIR WORK BY THE ENGINEER:** The Engineer shall administer and oversee a construction contract for the purpose of performing pavement repairs to Farm Road 193 and Farm Road 199. These pavement repairs will include cold milling of the existing bituminous roadway wearing surface, construction of a 1-inch asphalt wedge to level the existing travel lanes, and the construction of 1.75-inches of asphalt overlay to resurface approximately 10,400 linear feet of the County's aforementioned roadways. The total estimated cost for these pavement repairs is \$221,192.32. The asphalt pavement repair work will be on South Farm Road 193 and South Farm Road 199 from a point beginning on the north end of South Farm Road 193 where it intersects with East Farm Road 148 (East Old Sunshine Road) continuing south and east along South Farm Road 193 to where it intersects with South Farm Road 199 and continuing north along South Farm Road 199 to a point of intersection where Greene County maintenance ends and MoDOT maintenance begins.
- 2.) **REIMBURSEMENT OF COST BY COUNTY:** Following completion of the pavement repairs specified in Paragraph 1, the Engineer shall submit to the County invoices, checks, or other evidence of all costs incurred for the pavement repairs to Farm Road 193 and Farm Road 199, whereupon the County agrees to reimburse the Engineer for such costs within 30 days of receipt of such

documentation, provided however, the amount of reimbursement to be paid by the County shall not exceed \$84,000.

- 3.) **RIGHT OF WAY USE:** The County agrees to grant Engineer and its contractor a temporary license for access to the public right-of-way of Farm Road 193 and Farm Road 199 as is necessary for the construction of the pavement repairs defined in Paragraph 1. The Engineer shall require its contractor to obtain and comply with the County's right-of-way permit requirements. The Engineer's contractor shall not perform any work on the County's right-of-way until a right-of-way permit has been approved by the County to authorize these repairs on Farm Road 193 and Farm Road 199. All work on Farm Roads 193 and 199 by the Engineer and its contractors shall be performed in a workman like manner and in compliance with acceptable governmental and industry road standards.
- 4.) **INDEMNIFICATION:** The Engineer acknowledges and agrees that the County is not, and shall not be, in any way liable for damages or injuries that may be sustained as a result of the County's approval of the pavement repairs defined in Paragraph 1, or as a result of the County's issuance of any approvals, permits, certificates, or acceptances of any improvements to Farm Roads 193 and 199. The County's issuance of any such approvals, permits, certificates or acceptances does not, and will not, in any way be deemed to insure the Engineer, nor any of its contractors, or any third party, against damage or injury of any kind at any time. The Engineer further agrees to defend, hold harmless and indemnify the County, and all of its elected officials, officers, employees, agents, engineers and attorneys, from any and all claims, losses, damages, liabilities, judgments and expenses, including attorneys fees and court costs, whether based on a claim for damages to real or personal property or to a person including personal injury or death, for any matter that may be asserted at any time against any such County, its officials and employees, including, but not limited to the County's approval of the pavement repairs defined in Paragraph 1; the County's issuance of any approval, permit or certificate for the pavement repairs defined in Paragraph 1; the construction of any of the roadway improvements defined in Paragraph 1 by the Engineer or any of its contractors or agents; the performance of the Engineer of its obligations under this Agreement including, but not limited to, any acts of negligence or wrongful conduct on the part of the Engineer, its agents, contractors, or employees, and performance by the County of its obligations under this agreement. The engineer will require any contractor procured by the Engineer to perform work under this agreement to carry Commercial General Liability Insurance and Commercial Automobile Liability Insurance from a company authorized to issue insurance in Missouri, and to name the County and its elected officials and employees as additional named insured in an amount sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000.00 per claimant and \$3,000,000.00 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri pursuant to Section 537.610, RSMo. In no event shall the language of this agreement constitute or be construed as a waiver or limitation on County's rights or defenses with regard to its applicable sovereign, governmental or Official immunities and protections as provided by Federal and State Constitutions, statutes and laws.
- 5.) **ASSIGNMENT:** Greene County shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Engineer thereto.

- 6.) **ENTIRE AGREEMENT:** This agreement contains the entire agreement of the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.
  
- 7.) **JURISDICTION:** This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.
  
- 8.) **INDEPENDENT PARTIES:** The County and the Engineer who are parties to this agreement are each separate and independent, and nothing contained herein shall constitute or designate Greene County, or any of Greene County's contractors, agents, or employees as agents or employees of the Engineer. The County and the Engineer shall each retain their own independent identity and each is responsible for its own policies and activities. This agreement shall not be construed as creating a joint venture between the County or the Engineer.
  
- 9.) **DISCRIMINATION:** Greene County agrees in the performance of this contract not to discriminate on the ground or because of race, creed, color, national origin or ancestry, sex, religion, handicap, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation.

***[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK; SIGNATURES AND EXECUTION APPEAR ON FOLLOWING PAGE]***

IN WITNESS WHEREOF the parties have caused this instrument to be duly executed the date first written above.

**MILESTONE ENGINEERING, INC**

By: Bradley L. Tate

Date: 11/13/2020

**GREENE COUNTY**

By: Bob Dixon  
Bob Dixon, Presiding Commissioner

By: Harold Bengsch  
Harold Bengsch, Commissioner 1<sup>st</sup> District

By: John C. Russell  
John C. Russell, Commissioner 2<sup>nd</sup> District

ATTEST: Share Schoeller  
Share Schoeller, County Clerk

**AUDITOR CERTIFICATION:**

I, Cindy S. Stein, the duly appointed and acting Auditor of Greene County, Missouri, and in that capacity, do hereby certify on this ~~11th~~ day of November, 2020, that there is an unencumbered balance to the credit of the appropriation which is to be charged for the County's share of the costs described in the agreement sufficient to meet the County's obligations under this agreement and an unencumbered cash balance in the County treasury to the credit of the fund from which the County's financial obligation described in the agreement shall be paid sufficient to meet the County's obligations under this agreement.

Cindy S. Stein  
Cindy Stein, Greene County Auditor

**APPROVED AS TO FORM:**

John W. Housley  
John W. Housley, Greene County Counselor