

TERM OF COMMISSION: November Session of the November Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Deputy County Clerk Melanie Stapleton

The meeting was called to order by the Presiding Commissioner at 5:05pm.

Subject: Public Hearing for Notice to Proceed on the Cedar Gate Neighborhood Improvement District

John Watkins stated that the Cedar Gate Neighborhood Improvement District was created on October 28, 1999. He stated that the petitions were signed 71% by ownership and 69.5% by area. He stated that the petition cost estimate is \$153,779 or \$5,492.10 per lot with a not to exceed amount of 25%. He stated that the Cedar Gate Subdivision consists of three, privately maintained roadways that total approximately 2,300 feet in length. He stated that the two entrances into this subdivision are off of Rte B, just south of Hallsville.

Commissioner Stamper convened a public hearing on the notice to proceed on the Cedar Gate Neighborhood Improvement District.

Scott Fadler, 13210 N Branch stated that his daughter is currently in a wheelchair and will be in and out of a wheelchair for the next 8-10 years. He stated that the paved road would be a big asset and improvement to his family and the entire neighborhood.

Jack Gofourth, 13050 N Rte B stated that he is in opposition to the Cedar Gate Neighborhood Improvement District. He stated that he does not feel that the NID would be beneficial to him for the amount of money that he would be charged. He stated that he does not use the road for which the NID would be established.

Commissioner Vogt asked Mr. Gofourth if his driveway came out onto Rte B or onto the road involved in the Neighborhood Improvement District.

Jack Gofourth stated that his driveway goes out onto Rte B. He stated that there is a drive that goes out onto the road involved in the Neighborhood Improvement District, however he does not use it.

Keith C. Keller, 13060 N Branch stated that the biggest reason for moving forward with the NID was the possible property value increase. He stated that he was told that a house in the Cedar Gate Subdivision did not meet appraisal due to the surface of the road. He stated that the subdivision has to pay twice a year to have rock hauled in, graded, and dug up. He stated that it is not really possible to open the windows because of the dust and gravel. He stated that when snow is removed, a lot of the road goes with it.

William F. Hardin, 13090 N Branch stated that he lost half of one of his lungs and dust is a big problem for him. He stated that he would like to see the road paved.

Dwight Schooley, 13075 N Branch stated that he believes the road needs to be paved because of the dust. He also stated that the "chuck holes" are also a major problem. He stated that paving the road would help the appraisal value of all the homes in the area.

Bill McAllister, 13165 N Branch stated that he has lived in this area for seven years and planned to spend the rest of his life at that location. He stated that the road has been a mess every since he has lived there. He stated that he went around to everyone in the neighborhood to get their

signature on the petition. He stated that it is very difficult find anyone to haul and grade rock for the road.

Commissioner Stamper asked three times if there was anyone else that wished to speak.

There was no one else that wanted to give comments.

Commissioner Stamper closed the public hearing.

Commissioner Vogt asked Mr. Keller if Mr. Gofourth is assessed for the current maintenance of the road.

Keith Keller stated that Mr. Gofourth is not assessed for the current maintenance.

Commissioner Stamper asked Mr. Gofourth if two sides of his property are contiguous to a street that goes into the subdivision.

Jack Gofourth stated that one side of his property is contiguous to Rte B and the other side is contiguous to a street that goes into the subdivision.

Commissioner Stamper stated that it was his recollection that Mr. Gofourth has a looped driveway.

Jack Gofourth stated that he has a looped driveway, however he stated that he is willing to have it removed.

Commissioner Vogt reported that several years ago she was invited to a neighborhood meeting of the Cedar Gate Subdivision. She stated that the discussion at that meeting had to do with creating a NID and repairing the roads in the area. She stated that majority of the people in the area are obviously in support of the NID.

Commissioner Stamper noted that there were other lots that would have less benefit of the NID than the Gofourth property, however those lots are participating in the NID.

John Watkins stated that the reason that the Gofourth property was included in the NID was that it was mentioned by Mr. Gofourth's wife (a meeting regarding the formation of the NID) that they might sell the property. He stated that there would not be anything that would keep the new owner from putting an entrance onto the road.

Commissioner Vogt moved to establish:

AN ORDER ORDERING PROJECT NUMBER 9645, CEDAR GATE NEIGHBORHOOD IMPROVEMENT DISTRICT IMPROVEMENTS TO BE MADE AND AUTHORIZING THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, TO OBTAIN FINANCING, REIMBURSE ITSELF AND RECORD WITH RECORDER OF DEEDS.

WHEREAS, pursuant to Sections 67.453 to 67.475, inclusive, RSMo, named the Neighborhood Improvement District Act (the "Act"), the County Commission of Boone County, Missouri has heretofore determined the Cedar Gate Neighborhood Improvement District Project number 9645 to be advisable and ordered plans and specifications for the Project to be prepared by Commission Order 428-99; and

WHEREAS, plans and specifications for said Project, including the estimated cost, were submitted to the County Commission, an assessment roll was prepared and, pursuant to notice duly given, a hearing was held on the proposed improvements and assessments:

NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI:

Section 1. The plans and specifications for the Cedar Gate Neighborhood Improvement District Project, Project Number 9645, providing for an estimate cost of \$153,779.00 will be assessed against property benefited by the improvements, are hereby determined to be final and complete and the improvements described therein are ordered to be made.

Section 2. The County of Boone expects to make expenditures on and after the date of passage of this Order in connection with the Project, and the County of Boone intends to reimburse itself for such expenditures with the proceeds of notes or bonds of the County of Boone. The maximum principal amount of notes or bonds expected to be issued for the Project is \$192,223.75.

Section 3. The County of Boone hereby authorizes the Treasurer to issue temporary notes pursuant to the Act to finance the costs of the Project until the Project is completed and final costs are determined for the purpose of making assessments against the owners of property within the district.

Section 4. This Order and the proposed assessment roll for the Project, a copy of which is attached hereto as **Exhibit A**, is ordered and directed to be filed by the Clerk of Boone County, in the real estate records of the Recorder of Deeds of Boone County, Missouri.

Section 5. This Order shall be in full force and effect from and after its passage.

Commissioner Miller seconded the motion.

Discussion: Commissioner Miller stated that this neighborhood has some of the highest percentage of signatures by ownership of the NIDs that have been created so far.

Commissioner Vogt stated that the neighborhood has been working toward this for a long time.

The motion passed 3-0. **Order 453-99**

Commissioner Stamper thanked everyone for coming to the meeting to offer testimony.

Subject: Budget Revision for out of County housing for September 1999

Major Warren Brewer stated that the request is for a budget revision to cover out of County housing for the month of September 1999. He stated that he would get the statistical data to the County Commission at a later date. He stated that through November 18th, the average number of inmates housed out of County is 54. He stated that for the last six days, there have been over 200 inmates housed out of County. He noted that November is historically a high month for housing inmates out of County.

Commissioner Miller moved to authorize a budget revision as follows:

AMOUNT	(decreasing) ACCOUNT	(increasing) ACCOUNT
\$38,420	1123-86800 Emergency Funds	1255-71100 Outside Services

Said revision is to cover the cost of out of County housing for September 1999.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 454-99**

Subject: Revised Budget for the Voucher and Certificate Programs

Commissioner Vogt stated that these are the normal documents and information sheets that the County Commission signs for the Human Development Corporation.

Anita Sanderson stated that included among the documents before the County Commission was an anti-lobbying certificate. She stated that this document certifies that since the Human Development Corporation receives federal funding, they will not use any of their time on lobbying efforts.

Commissioner Vogt moved to authorize the Presiding Commissioner to sign the following documents {2 each} related to the Human Development Corporation Section 8 Housing Program: Disclosure of Lobbying Activities, Requisition for Partial Payment of Annual Contributions, and the Certificate of Payments to Influence Federal Transactions.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 454A-99**

Subject: Clearview NID Report

Commissioner Stamper stated that the County Commission met with Gerald Worley-Health Department, John Watkins-NID Coordinator, and Tom Ratermann-Boone County Regional Sewer District to discuss the pending formation of a NID for sewer in the Clearview area known as Hackberry.

John Watkins noted that the name was changed from Hollrah to Hackberry.

Commissioner Stamper stated that there are a number of households in this area that are in violation of sewer regulations and have been cited by the Prosecuting Attorney's Office and the Health Department.

Commissioner Stamper stated that they received word today that there are enough signatures to go forward with the establishment of a NID. He stated that this NID was moved up on the list due to the complaints and problems in the area. He stated that it appeared that the NID would be formed within the next couple of weeks. He stated that maps and a summary composed by John Watkins were available for public viewing.

Subject: City of Columbia Annexation

Commissioner Stamper stated that the County received notice of the City of Columbia's intention to annex 38.88 acres of land owned by Stephen B. Smith, Beatrice B. Smith, and Jeffrey E. Smith. He stated that this property is across the street from Rockbridge Elementary School. He stated that the hearing is scheduled for December 6th.

Subject: A T & T Notice

Commissioner Stamper stated that the County received notice of A T & T's new channel lineup. He asked that the notice be posted.

Commissioner Reports

Commissioner Miller

Commissioner Miller stated that she received a report from the State Land Surveyor's Office regarding the town of Wilton. She stated that the office wanted to know if the County Commission wanted them to appear in person to give the final report.

The County Commission agreed that it would not be necessary for the State Land Surveyor's Office to appear in person to give a report.

Commissioner Miller stated that she would submit the report for the public record at a future meeting.

Commissioner Miller stated that she received a request to read a postcard into the public record.

The postcard read as follows:

1. Fact-Columbia is only growing 1.4% more people (Source: the Columbia Chamber of Commerce)
2. Fact-Most of them get no COLAs like you Commissioners do or teachers or State of Missouri
3. Fact-So 3% more sales tax a year is good. Love it or leave the kitchen. Just try to pass an Internet sales tax, if you want to see real opposition.

**Fred and Pamela Springsteele
311 Longfellow Lane
Columbia, MO**

Commissioner Stamper

Commissioner Stamper stated that the Downtown (Columbia) Lighting Ceremony would begin at 6pm this evening.

Commissioner Stamper reported that the County Commission would be out of town for the Missouri Association of Counties meeting this Sunday through Wednesday morning.

Commissioner Stamper reported that there would be a work session for the Windy Point matter on this coming Wednesday.

Commissioner Stamper stated that the County Commission would also discuss the Mertens L. L. C. conditional use permit on Wednesday. He noted that there would be a closed session on Wednesday pursuant to Section 610.021 (1) RSMo.

Commissioner Miller moved to authorize a closed session on Wednesday, November 25th to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to Section 610.021 (1) RSMo.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 454B-99**

Commissioner Vogt

Commissioner Vogt reported that Rick Harvey, Public Works department invented a crack-seal

machine that seals cracks in the road. She stated that the machine works very well.

There was no public comment.

The meeting adjourned at 6:40pm.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner