

TERM OF COMMISSION: April Session of the April Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Room 243

PRESENT WERE: Presiding Commissioner Keith Schnarre
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Shawna Victor

The meeting was called to order at 9:30 a.m.

Subject: Second Reading on the vacation of the Old Hallsville- Centralia Road

John Patton, County Counselor, was present on behalf of this item.

Ray Nichols, 16681 N. Highway 124, Centralia and Laurel Davison, 16691 N. Highway 124 Centralia, were present on behalf of this item.

Commissioner Schnarre stated this item has previously been discussed by the Commission.

Laurel Davison stated she still has the same concerns with the road bed. She believes there will be more calls to the Sheriff's Department.

Ms. Davison stated there have been issues with the surveyor she hired and survey would not complete the work for another three to four weeks.

Commissioner Schnarre asked if there is a recorded survey. Commissioner Elkin stated that is correct.

Commissioner Schnarre stated there is a disagreement between the surveyors regarding the survey. Commissioner Elkin stated that is correct.

Ms. Davison stated the recorded survey is from 1961.

Commissioner Elkin stated Steve Heying has recorded a more recent survey. He noted there is a discrepancy between the surveys.

Commissioner Schnarre asked Ms. Davison if she is using this area to access her property. Ms. Davison stated that is correct.

There is also a discrepancy about who would be able to use the land and if Mr. Davison would have any access to her property.

John Patton asked Ray Nichols if he was the petitioner and if he gathered the names on the petition. Mr. Nichols stated that is correct.

Mr. Patton stated the description on the petition refers to a 1971 survey recorded in Book 388 Page 730 and asked what this survey is. Mr. Nichols stated there is a copy with the petition.

Mr. Patton stated regardless of the dispute concerning accuracy of the surveys, at one time, there was a road. This has not been used by the public since 1975 but has been used as a driveway access. Mr. Nichols stated this is correct.

Mr. Patton asked if the County has not maintained the road. Mr. Nichols stated that is correct and have not for many years.

Mr. Patton asked if the road is identifiable. Commissioner Miller stated you can see it.

Mr. Patton stated the road is present whether one survey or another is accurate. Mr. Nichols stated the road is there but a survey was done to detail out where the road is.

Mr. Patton asked if it would be fair to say the road is where it has always been. Mr. Nichols stated that the road has changed because a house was built and an access was built to get to the property.

Commissioner Elkin showed where the location of the road is now and the original road.

Mr. Patton stated according to State Statutes, if a road location can be ascertained, but it has not been used by the public and has not been maintained due to the lack of public use it can be deemed vacated. This does not change the location but is declared to no longer be a public road. How people resolve a boundary dispute it between them.

Commissioner Miller asked if the only access to Ms. Davison's property is on the road that is proposed to be vacated and asked what would happen if Mr. Nichols puts a fence across the old road because he says it is his.

Commissioner Elkin stated that cannot be done because there is a general easement. The easement is very general but did specify that they have access to their property.

Mr. Patton noted that if a road is not used by the public for five consecutive years then it is deemed vacated by abandonment.

Commissioner Miller asked Mr. Nichols if he will not put a fence up. Mr. Nichols agreed that he would not put up a fence until a court has made a decision.

Ms. Davison was pleased with Mr. Nichols word on this issue.

Commissioner Elkin moved to enter into the following order:

That the county road located in Rocky Fork township in the SW1/4 of the NE1/4 of section 6, township 50 north, range 11 west, Boone County, Missouri, and more particularly described in the petition for vacation attached hereto should be vacated, the county commission finding that:

1. All jurisdictional requirements have been met and that no written remonstrance to the petition has been filed.
2. The road described in the petition is useless to the public and repair of same would present an unreasonable burden to the county and district responsible for maintenance and repair of same.

Now therefore, the road described in the petition is hereby ordered vacated in accordance with section 228.110, Revised Statutes of Missouri.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 153-2005**

Subject: Purchasing Department

A. Second Reading and Award of Bid 22-17MAR05 (Model Year 2005 Light Duty Truck)

Commissioner Elkin moved to award of Bid 22-17MAR05 for Model Year 2005 Light Duty Truck to Lou Fusz Chevrolet. The County Commission authorizes the disposal through trade-in of one 1993 Ford F150 Pickup VIN# 1FTEF15Y0PNB00296.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 154-2005**

B. Second Reading and Award of Bid 21-10MAR05 (Motor Grader)

Commissioner Miller moved to award bid 21-10MAR05 for Motor Grader to Tri-State Construction Equipment Company. The County Commission authorizes the disposal of one 1995 Gallion 850B S/N 202350 and one 1995 Gallion 850B S/N 202349.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 154-2005**

Subject: Sheriff's Department – First Reading of Contract with Dialysis Clinic, Inc.

Sheriff Dwayne Carey was present on behalf of this item.

Commissioner Schnarre stated this is an agreement that has been negotiated with the Dialysis Clinic, Inc. for inmate care. This has been approved by the Dialysis Clinic, County Counselor and Sheriff Carey.

Commissioner Miller asked if the costs for this agreement are at the Medicaid rate. Commissioner Schnarre stated costs are at the Boone Hospital Center rate.

Commissioner Schnarre stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available meeting with an appropriate order for approval.

Subject: Information Technology – First Reading of Fiber Optic Cable Cooperative Agreement

Michael Mallicoat, Information Technology Director, was present on behalf of this item.

Michael Mallicoat stated this is an agreement with the City of Columbia to connect remote locations to fiber optic cable.

There will be a monthly charge of \$3,847. This will not begin until all connections are made.

This agreement will connect all the County's remote locations to the City's radio loop except Public Works.

This connection will eliminate the AS/400 at the Sheriff's Department and move those applications to the AS/400 at the Government Center. Also, this will allow for GIS applications to be viewed at remote sites, such as Public Works.

Commissioner Miller asked about the time line of this project. Mr. Mallicoat stated the City will schedule work as soon as the County approves the agreement. He believes it will be a couple of months.

There will be a cable installed between the Government Center and the Courthouse. There will be a connection made at the Juvenile Justice Center to connect the fiber for the Sheriff's Department to the Government Center. There will be fiber run across Highway 63 for Public Works. The Johnson Building will be connected to fiber that currently runs near the alley behind that building.

Mr. Mallicoat stated this agreement also allows for any future connection with no increase to the monthly charge. The only charge there will be is for the installation for a point to point connection not if the location is on the loop.

Mr. Mallicoat noted the loop will give some redundancy. If the connection on one side of the loop is broken, services will not be lost as there still be a connection on the other side of the loop.

Commissioner Schnarre stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available meeting with an appropriate order for approval.

Subject: Public Works – Second Reading and Approval of General Consultant Service Agreements

- Farnsworth Group
- Terracon
- A Civil Group
- Harrington and Cortelyou, Inc.
- Simon Oswald Associates
- EFK Moen, LLC
- Peckham & Wright Architects

Commissioner Elkin moved to approve the following General Consultant Service Agreements and authorize the Presiding Commissioner to sign said agreements:

- Farnsworth Group
- Terracon
- A Civil Group
- Harrington and Cortelyou, Inc.
- Simon Oswald Associates
- EFK Moen, LLC
- Peckham & Wright Architects

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 156-2005**

Subject: Child Abuse Prevention Month Proclamation

Commissioner Miller moved to adopt the Child Abuse Prevention Month proclamation.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 157-2005**

Commissioner Schnarre read the following proclamation and presented said proclamation to Detective Andy Anderson:

WHEREAS, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community;

WHEREAS, generally, statistics of children who are abused and neglected escalate each year;

WHEREAS, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies, and the business community;

WHEREAS, youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community;

WHEREAS, all citizens should become more aware of child abuse and its prevention within the community, and to become involved in supporting parents to raise their children in a safe, nurturing environment;

NOW, THEREFORE the Boone County Commission does hereby proclaim April as Child Abuse Prevention Month in Boone County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live.

Sheriff Dwayne Carey, Boone County Prosecuting Attorney Kevin Crane, Rainbow House Ron Graves, Dr. Patty Schnitzer, and Kirsten Hazig were also present on behalf of this proclamation.

Subject: Authorize Closed Session (610.021.1 and 610.021.2 RSMo.)

Commissioner Elkin moved to authorize a closed session on Monday, April 4, 2005 immediately following the regularly scheduled Commission Meeting at 9:30 a.m. The meeting will be held in Room 243 of the Roger B. Wilson Boone County Government Center at 801 E Walnut, Columbia, Missouri, as authorized by 610.021 (1) RSMo. to discuss legal actions, cause 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 and 610.021(2) RSMo. to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 158-2005**

Commissioner Reports

There were no Commissioner Reports.

There was no public comment.

The meeting adjourned at 10:02 a.m.

Attest:

Keith Schnarre
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner