

TERM OF COMMISSION: May Session of the May 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
County Counselor John Patton
Deputy County Clerk Ashley Williams

The regular meeting of the County Commission was called to order at 9:35 a.m.

SUBJECT: Revocation of a Conditional Use Permit

Planning and Building Inspections Director Stan Shawver said that in April 1996 the commission heard a request to grant a conditional use permit allowing two single wide units to be attached into one dwelling. The permit was granted to Amega Mobile Home Sales, Inc. for Ricky Knight and Dixie Davis, 759 Cedar Tree Lane, Hartsburg, Missouri 65039, NE 1/4 of Section 26, Township 46 North, Range 13 West, zoned R-S. The permit was approved April 30, 1996 and was reviewed November 1, 1996. The Commission approved the conditional use permit with the following conditions: applicants obtain the required building permits; the structure be covered by a single, shingle roof; the exterior surface of the dwelling be covered by siding; the wastewater system for the dwelling to be inspected by and meet the approval of the City/County Health Department; the property remain free of zoning violations; all vehicles be contained on the property possessed by the applicants; all construction related conditions shall be met and the project completed by November 1, 1996.

Mr. Shawver submitted pictures of the property taken in November 1996 that showed the roof had been completed, but no siding had been installed. The department initiated a period of contact and sent letters to Mr. Knight advising him of the requirements. The property was inspected again in March 1997 and found not to be in compliance.

On April 1, 1997, the County Commission acted on Zoning Ordinance for Boone County, Missouri Section 15.A.4 that states: In the event that it appears to the Director that the holder of a conditional use permit is making use of the permit or premises in violation of the permit, or is permitting others to use the permit or premises in violation of the permit, the Director may file a written complaint with the County Commission, which for cause shown, shall have authority to revoke the permit. The Director will send a copy of the complaint to the holder of the permit, by first class mail to his last known address, at least 45 days prior to a scheduled public hearing to consider revocation of a permit. The Director shall prove by a preponderance of the evidence that violation(s) of one or more conditions of the permit has occurred and shall show cause as to why the permit should be revoked. If the County Commission finds that one or more conditions have been violated, upon hearing the evidence of the director and the permittee, it may revoke the permit. Failure of the permittee to appear at the County Commission hearing or to present evidence shall not constitute grounds to avoid revocation of the permit. The Director may, in his discretion, dismiss the complaint prior to hearing if he determines that the violation(s) alleged in the complaint has been corrected.

Mr. Shawver reported that Mr. Knight was notified that he had 45 days in which to complete the work for the conditional use permit and to remove the zoning violations. The 45 days expired last Thursday and the property was inspected yesterday. Mr. Shawver submitted pictures of the property yesterday. The siding is still not complete, the roof is complete and there is an unlicensed, inoperable vehicle on the property, which is a zoning violation. There was also a stack of logs on the property that was not usable for firewood and could therefore be considered litter, another zoning violation.

Chris Andrews, 600 E. Broadway, an environmental health specialist for the City/County Health Department said she had received a complaint last week concerning the waste water system on the property in question. She sent a 701 violation to Amega Mobile Homes, the owners of the lot. They have 30 days to correct the problem. Ms. Andrews said that due to the limitations of the lot, it would be difficult for them to meet City/County health standards.

Commissioner Stamper asked if the conditional use permit should have been granted to begin with and how the revocation of the conditional use permit would affect Mr. Knight.

Mr. Shawver said that if the Commission elected to revoke the permit, the second mobile home would need to be removed. He said that if Mr. Knight refuses to comply with the revocation of the conditional use permit, the matter will be forwarded to the Circuit Court for enforcement.

Commissioner Stamper said that this is one of those times when the Commission had to do something they really didn't want to do. He said the Commission had done the best they could to establish the rules of the conditional use permit, but the public body had been left no choice but to exercise their authority and force compliance with those rules.

Ms. Andrews explained that the owner had 30 days to correct the waste water problem and then the case would be sent to the prosecution. The punishment, she said, is an injunction.

Commissioner Vogt said that Mr. Knight had made progress on the property, although it's taken more time than she thought it should. She asked if, rather than pulling the permit and creating a legal situation, the time frame for complying with the conditional use permit should be extended. She argued that Mr. Knight was just a person trying to live in this world and that it was costly to the County to go through this prosecution.

Commissioner Miller argued that if Commissioner Vogt lived next door to Mr. Knight, she wouldn't care how much it costs to have him comply with County zoning ordinances. Commissioner Stamper agreed.

Commissioner Miller moved that the County Commission of the County of Boone revoke the conditional use permit granted to Amega Mobile Homes for Ricky Knight and Dixie Davis on April 30, 1996 for violations of terms and conditions contained in the permit upon the complaint of the director and a showing of good cause upon order of the Boone County Commission in accordance with the regulations applicable hereto.

Commissioner Stamper seconded. Commissioners Stamper and Miller voted in favor of the motion, Commissioner Vogt voted in opposition. **Order 197-97.**

SUBJECT: Request for Authorization to Hire an Employee at Above the Base Range

Mr. Shawver reported that Don Abell, a planner for the Planning and Building Inspection Department, will be leaving the first part of June. Per County policy, the job opening was advertised in local media and a number of applications were received. Two candidates, he said, fell out above the crowd. The top candidate has 9 years of direct, current employment in the planning field and as a land use manager. The second candidate has 8 years of planning experience, 9 years ago. After consultation with Human Resources Director Mark Stone, Mr. Shawver requested that the candidate be offered a 4% increase over the base, or .50 cents an hour over the base. That would make the range 22 position start at \$13.15/hour instead of \$12.65. The first choice candidate, he said, is from the Washington area and will be returning to Columbia whether the position is offered or not.

Commissioner Vogt said that during her three years of working on a comprehensive County plan, the citizen committee had discussed the land use planning around Seattle, Washington and had been impressed by their effort. She said she thought people would be pleased if the County employed an individual with that type of experience.

Commissioner Vogt moved that the County Commission of the County of Boone approve the hiring of a planner for the Planning and Building Inspections department at 4% above the base range 22, increasing the hourly wage .50 cents from \$12.65 to \$13.15.

Commissioner Miller seconded. Motion passed unanimously. **Order 198-97.**

SUBJECT: Grant the Conditional Use Permit for Columbia Green Valley Rifle & Pistol Club

Commissioner Vogt moved that the County Commission of the County of Boone approve the conditional use permit for Columbia Green Valley Rifle & Pistol Club and authorize the signature of the acting Presiding Commissioner on May 15, 1997.

Commissioner Miller seconded. Motion passed unanimously. **Order 199-97.**

SUBJECT: Award Bid 21-30APR97, Inmate Uniforms

Purchasing Director Beckie Jackson referred to her memo dated May 12, 1997.

Commissioner Stamper moved that the County Commission of the County of Boone award bid 21-30APR97 for inmate uniforms to Robinson Textiles, Incorporated as having presented the lowest and best bid meeting the minimum specifications and authorize the Presiding Commissioner to sign the term and supply contract.

Commissioner Vogt seconded. Motion passed unanimously. **Order 200-97.**

SUBJECT: Award Bid for Public Works Suspended Ceiling Project

Ms. Jackson referred to her memo dated May 15, 1997.

Commissioner Stamper moved that the County Commission of the County of Boone approve a contract with Quality Drywall Construction Incorporated, for a total project cost of \$2,565.00, and authorize the Presiding Commissioner to sign the contract.

Commissioner Miller seconded. Motion passed unanimously. **Order 201-97.**

SUBJECT: Disposal of Fixed Assets

Ms. Jackson referred to her memo dated May 16, 1997 and explained that the phones to be disposed were not compatible with the lines at the Centralia Clinic. Ms. Jackson recommended that phones for the Clinic could be purchased more economically from an office supply store than from GTE.

Commissioner Stamper moved that the County Commission of the County of Boone authorize the disposal of a Konica 1290RE copier fixed asset tag number 490 228 504 and 28 phones.

Commissioner Vogt seconded. Motion passed unanimously. **Order 202-97.**

SUBJECT: Budget Revision to Cover 1996 Expenditures

Commissioner Stamper moved that the County Commission of the County of Boone approve the following budget revision:

Dept.	Account	Account Title	Transfer From	Transfer To
2045	86800	Emergency Fund	\$9,053	
2045	92000	Replacement Office Equip		\$3,746
2045	91100	Furniture and Fixtures		\$1,824
2045	91300	Machinery and Equip.		\$3,483

Explanation: To cover 1996 expenditures not rebudgeted in 1997 as follows: GTE invoice date 1/13/97 (30 budget days past due) \$3,745.68 telephone upgrade (1996 budget \$4,500, paid \$1,450.91, budget balance \$3,049.09); Columbia Office Supply invoice date 11/4/96 \$1,823.25 5 5-drawer letter files (1996 budget \$5,700, paid \$2,634, balance \$3,066); Nu-Metrics invoice date 12/30/96 \$3,483 traffic counter and auxiliary equipment (1996 budget \$4,975).

Commissioner Vogt seconded. Motion passed unanimously. **Order 203-97.**

SUBJECT: Budget Revision to Replace Total Station

Public Works Director Frank Abart requested a budget revision to replace a used total station that needs costly repairs.

Commissioner Stamper moved that the County Commission of the County of Boone approve the following budget revision:

Dept.	Account	Account Title	Transfer From	Transfer To
2045	71700	Equipment Rentals	\$9,500	
	91300	Machinery and Equip.		\$9,500

Explanation: The funds in 71700 were allocated for truck leasing. There were no response to bids when the invitation to bid was held. In the mean time, the department's total station is in need of repair. The total station is over 10 years old and it will be costly to repair and maintain (\$1,700 to fix at this time). It is the department's recommendation to replace this piece of equipment with a new one, which would be more cost effective and in the best interest of the department.

Commissioner Vogt seconded. Motion passed unanimously. **Order 204-97.**

SUBJECT: Boone County Staff Suggestions

Commissioner Stamper said that two staff suggestions had been forwarded to the Commission. The first was to place an "Elevator>>" sign at the entrance of the new Government Center Building. The request came from Don Abell, planner for Planning and Building Inspections on March 27, 1997. The other suggestion was anonymous and recommended that because a Boone County employee who smokes spends approximately 45 minutes a day smoking, non-smoking employees be able to:

- a. leave 45 minutes early
- b. take one day off every other week
- c. take one week off every quarter
- d. take one month off every year

The suggestions said these were conservative time estimates and to not take action on the request would show a strong bias towards those who are more likely to cost the County money in sick time and insurance costs.

Commissioner Stamper moved that the County Commission of the County of Boone implement the staff recommendation to place an "Elevator>>" sign in the Boone County Government Center Building at the bottom of the stairs and to let department heads handle complaints regarding smoking.

Commissioner Miller seconded. Motion passed unanimously. **Order 205-97.**

SUBJECT: 1997 Assessment for Bluff Creek Office Park and Pinnacles Park

Commissioner Stamper reported he had received a Notice of Change in Assessment for Tax Year 1997 and that the assessed value for both properties had been dropped to 0.

SUBJECT: Hiring for Vacant Position in County Commission Office

Commissioner Stamper moved that the County Commission of the County of Boone extend the vacancy of an administrative assistant in the County Commission office for an additional six months.

Commissioner Miller seconded. Motion passed unanimously. **Order 206-97.**

SUBJECT: Boone County Emergency Management Claim Payment from SEMA

Commissioner Stamper reported that Michael Sanford, director of the Columbia-Boone County Emergency Management had received a check from SEMA in the amount of \$6,039.78 to cover eligible personnel and administrative items on the SLA claim for the months of January, February and March, 1997.

SUBJECT: SEMA Emergency Procedures Test for Callaway Nuclear Plan

Commissioner Stamper reported he had received a letter from SEMA that was a notice of intent for a practice evaluation in August as part of their federal regulatory requirements. On June 18-19, SEMA is also sponsoring a training session to inform county officials about the response roles of state, federal and local jurisdictions in the event of an incident at the Callaway Plant. He invited the other Commissioners to attend and said that Ken Hines, Boone County Fire Protection District, would also be there.

SUBJECT: Capital Cable Notification of New Rates

Commissioner Stamper reported he had received notification from Capital Cable that they would be raising their rates and directed Deputy County Clerk Ashley Williams to post the notice.

SUBJECT: TCI Cablevision Notification of New Rates

Commissioner Stamper reported he had received notification from TCI Cablevision that they would be raising their rates and directed Deputy County Clerk Ashley Williams to post the notice.

SUBJECT: Vote to Hold a Closed Meeting Pursuant RSMo. 610.021 (1, 2, 13)

Commissioner Miller moved that the County Commission of the County of Boone hold a closed meeting at 3:00 p.m. on Thursday, May 22, 1997 in the Government Center Commission Chambers, 801 E. Walnut, Columbia Missouri. The tentative agenda for the meeting includes discussion of 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; and discussion of the hiring, firing, disciplining or promoting of an employee of a public governmental body pursuant to Section 610.021 (3) RSMo.; and individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employees as such pursuant to Section 610.021 (13) RSMo.

Commissioner Vogt seconded. Motion passed unanimously. **Order 207-97.**

SUBJECT: Disclosure of Reclassification of Ranges

Commissioner Stamper moved that the County Commission of the County of Boone disclose the results of a closed meeting.

Commissioner Miller seconded. Motion passed unanimously. **Order 208-97.**

Commissioner Stamper explained that the Job Classification Committee had recommended the following reclassifications:

Position	Current Range	New Range	Current Wage	New Wage
Office Coord.	12	14	\$10.21	\$10.81
Purch. Dir.	25	27	\$15.99	\$17.21
P&B Dir.	27	34	\$22.90	\$28.96
HR Dir.	25	28	\$16.68	\$18.57
Position	Current Range	New Range	Current Wage	New Wage
PW Dir.	36	39	\$26.58	\$29.68

SUBJECT: Out-of-County Housing for March

Commissioner Stamper moved that the County Commission of the County of Boone approve the following budget revision:

Dept.	Account	Account Title	Transfer From	Transfer To
1123	86800	Emergency Funds	\$450.00	
1255	71100	Outside Services		\$450.00

Explanation: To cover out-of-county housing for April 1997.

Commissioner Miller seconded. Motion passed unanimously. **Order 209-97.**

SUBJECT: Reports from Commissioners

Commissioner Stamper reported that he had received an informational video regarding federal benefits and landlord tenant laws and asked that it be placed at senior centers in the County for viewing. He also reported that he had received a letter from the Energy and Environment Commission concerning their findings on Centre Pointe.

Commissioner Stamper asked County Counselor John Patton the requirements for applicants for boards and commissions to complete disclosure forms. Commissioner Stamper suggested the Commission write a letter to the ethics commission asking for data regarding compliance with the disclosure requirement.

Commissioner Stamper moved that the County Commission of the County of Boone appoint Bob Bryant to the Building Code Board of Appeals for a five-year term.

Commissioner Vogt seconded. Motion passed unanimously. **Order 210-97.**

The meeting adjourned at 10:44 a.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner