

TERM OF COMMISSION: August Session of the August Adjourned Term
PLACE OF MEETING: Boone County Government Center Commission Chambers
PRESENT WERE: District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Deputy County Clerk Melanie Stapleton

The meeting was called to order by Acting-Presiding Commissioner Vogt at 1:00pm.

Subject: Public Hearing for Wilson Turner Neighborhood Improvement District

John Watkins stated that on behalf of the residents of the Wilson Turner NID he was requesting the following: issuance of the order to proceed on the final plans and specifications, order the Treasurer to finance the project, pass a resolution to determine the intent to reimburse the County for certain expenditures in connections with the project, and issue an order to record the notice of a formation of a NID with the assessment roll attached.

John Watkins stated that the application notice was submitted to the Public Works Department on June 12, 1997. He stated that there was a meeting held on June 15th with the property owners. He stated that 13 of the 16 property owners were present for this meeting. He stated that the petitions were sent out. The petitions were signed 92%-ownership and 87.5%-area. He stated that the cost estimate for this project is \$134,147 or \$8,384.19 per lot with a not to exceed amount of 25%. He stated that Wilson Turner Rd is an existing, privately-maintained gravel road that is approximately 3000' in length with two cul-de-sacs. He stated that Wilson Turner enters onto Wyatt Lane. He stated that the NID was created on July 15, 1999.

Commissioner Vogt opened the public hearing for Wilson Turner Neighborhood Improvement District.

Denny Buckler, 4969 Wilson Turner Rd stated that he was in favor of the project and appreciated the opportunity to improve the road. He stated that the residents believed that the improvement would make a substantial improvement to the quality of life in their area of Boone County.

There was no one else that wished to speak on the subject.

Commissioner Vogt closed the public hearing.

Commissioner Vogt moved to AN ORDER ORDERING PROJECT NUMBER 9342, WILSON TURNER 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 Wilson Turner Neighborhood Improvement District Project, Project number 9342 to be advisable and ordered plans and specifications for the Project to be prepared by Commission Order 252-99; 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 Wilson Turner Neighborhood Improvement District Project, Project Number 9342, providing for an estimate cost of \$134,147.00 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 \$167,683.75.

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 it was great that there was so much support for this NID. She stated that the petition had some of the strongest support in both area and ownership of any of the petitions for NIDs.

The motion passed 2-0. **Order 281-99**

Subject: Acceptance of Bonding Documents and Plat for Little Oak Subdivision

Thad Yonke stated that this is actually a replat of an existing lot. He stated that the bonding documents are for lots 2,3, and 4 of the plat. He stated that \$16,435 is being pledged to this project.

Commissioner Miller moved to accept the Certificate Receipt (in the amount of \$16,435), Bonding Documents, and plat for Little Oak Subdivision. And further authorize the Acting-Presiding Commissioner to sign all related documents.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 282-99**

Subject: Surplus Disposals

Beckie Jackson stated that the list of disposal items was made available to all County offices.

Beckie Jackson stated that due to the 24/hr shift nature of the Sheriff's Department, new chairs are being purchased in order to better equip that facility.

Commissioner Miller moved to authorize the disposal of surplus property through the Kemper Auction as stated on the August 3, 1999 memorandum from the Purchasing Director.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 283-99**

**Subject: Award bid 22-23JUN99 Hoses and Fitting Term/Supply Contract
Award bid 24-14JUL99 Colt AR-15 Carbine Assault Weapons**

Beckie Jackson presented the recommendation for the bid award.

Commissioner Miller moved to award bid number 22-23JUN99 as follows:

FOR	TO
Hoses and Fittings Term and Supply	Superior Industrial Supply

This award includes all sections except 4.12.3 and 4.13.16 which will be purchased as small dollar items. Said bid is awarded per the attached recommendation of the Purchasing Department. This Acting-Presiding Commissioner is hereby authorized to sign the contract documents.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 284-99**

Beckie Jackson presented the recommendation for the bid award.

Commissioner Miller moved to award bid number 24-14JUL99 as follows:

FOR	TO
Colt AR-15 Carbine Assault Weapons	Simmons Gun Specialties, Inc.

Said bid is awarded per the attached recommendation of the Purchasing Department. The Acting-Presiding Commissioner is hereby authorized to sign the contract documents.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 285-99**

Commissioner Miller asked Beckie Jackson what was going on with the JJC Workshop Bldg.

Beckie Jackson stated that she had not received a response and was assuming that a response had not been sent by the manufacturer. She stated that she had spoken with the Auditor about an alternative in case things did not work out. She stated that she would involve John Patton if the alternative approach had to be taken.

Subject: Discussion of Out of County Housing

Sheriff Boehm stated that the Sheriff's Department asked for a certain amount in the 1999 budget, however that amount had been exceeded as of the month of June. He stated that they believed that they would only have to expend money for out of County housing for the months of July and August.

Sheriff Boehm stated that in two weeks they would be bringing back some of the prisoners that are currently being housed out of County.

Commissioner Vogt asked if the Auditor had been briefed on this subject.

Sheriff Boehm stated that the Auditor asked him to present this item to the County Commission in a public forum.

Commissioner Miller stated that the budget revision could be approved pending the approval of the Auditor.

Commissioner Miller moved to authorize the budget revision taking \$41,870 from 1123-86800 Emergency Funds and transferring the same amount to 1255-71100 Outside Services pending Auditor's certification.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Miller stated that the County is almost utilizing the full capacity of the Jail.

The motion passed 2-0. **Order 286-99**

Subject: First Reading of Budget Amendment for Sheriff's Department Forfeiture Fund

Commissioner Miller first read for the public record the Budget amendment increasing the following accounts: 2500-03615 Forfeiture-\$24,307, 2500-23200 Ammo-\$1150, 2500-37200 Seminars-\$750, 2500-37275 Meals and Lodging-\$1350, 2500-48050 Cell phones-\$1200, 2500-59000 Motor fuel-\$12,500, 2500-59100 Vehicle Repairs-\$1500, 2500-59105 Tires-\$550, 2500-71600 Equipment Leases-\$330, 2500-91300 Machine & Equipment-\$5100, 2500-92400 Used Vehicles-\$10,000.

Commissioner Miller stated that this budget amendment would be brought back in 10 days for approval.

Subject: Budget Revision for Facilities Maintenance

Chuck Nichols stated that he was asking for a budget revision in order to replace a base radio that was destroyed by lightning.

Commissioner Miller asked if this required a budget revision.

Chuck Nichols stated that the budget revision was required for Class 9 items.

Commissioner Miller moved to authorize a budget revision as follows:

AMOUNT	(to) ACCOUNT	(from) ACCOUNT
\$215	6100-92300 Replacement Machinery & Equipment	6100-91300 Machinery & Equipment

Said revision is to replace a radio destroyed by lightning.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 287-99**

Subject: Walnut Grove Quitclaim Deed

Frank Abart stated that this property was donated and the old, road bed needed to be quit-claimed back. He stated that this was the final paperwork associated with this project.

Commissioner Vogt moved to accept the easements for Public Roadway and Utility Purposes for the realigned portion of Walnut Grove Lane. And further authorize the Acting-Presiding Commissioner to sign the Quitclaim Deed for the obliterated portion of Walnut Grove Lane.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 288-99**

Subject: Approval of Engineering Services Agreement for the design of Doziers Station Rd

Frank Abart stated that this was an agreement for the design and specifications of Doziers Station Rd.

Commissioner Vogt moved to approve an Agreement for Engineering Services with Trabue, Hansen & Hinshaw in the contract amount of \$29,235 for design work on the Doziers Station Rd Project and further authorize the Acting-Presiding Commissioner to sign the agreement.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Vogt stated that he discuss this with Rick Harvey and Rosie James to get their opinions.

Commissioner Miller stated that she received a call from a constituent who was complaining that the County was hiring additional engineers for the St Charles Rd Project when there were already engineers on staff. She asked Frank Abart to clarify for the public record how many engineers were on staff for the County, what the engineers responsibility are, and why the County handles things the way that they do.

Frank Abart stated that one of the engineers was dedicated solely to sanitary sewer activities (Tom Ratermann). He stated that the two other engineers' (Mr. Solzer and Mr. Nichols) objectives are to manage all of the other projects. He stated that he and the County Commission agreed that it was far better to utilize outside resources by hiring consultants available in the private sector as opposed to having a staff of 30 or more people on the public payroll.

The motion passed 2-0. **Order 289-99**

Subject: Acceptance of Goodson Rd

David Sapp stated that he is the chair of the Commission that was established for the preservation of the Booneslick Trail. He stated that Don Sanders would like to donate this stretch of land to the County as a way of preserving this historic section of the trail. He stated that he just wanted to lend his support to what the County Commission is considering today.

Commissioner Miller asked: what is the mission of this commission in regards to the future?

David Sapp stated that they had not developed a formal proposal for this trail. He stated that they did not envision a cross-County trail similar to the Katy Trail. He stated that some other parcels of land could come to the County voluntarily over the course of time. He stated that at that time there would be some sort of signage that would indicate this.

Commissioner Vogt stated that she had concerns about part three of the agreement that discussed the donation of land (from first party to the second party) after legal titles are established on Goodson Dr. And further stated that if full legal status is not established in three years then the first party shall have no obligation to donate or convey said real estate to the second party. She stated that it would seem futile for the County to accept the road and then not be able to get the title to the property.

Commissioner Vogt stated that she would like to leave out the reference to a time frame in part three. She stated that in part 6, she would like to remove the reference to a certain appraiser.

Commissioner Miller suggested that the item be tabled until these issues could be addressed and worked out at a future meeting.

The item was tabled until a later date.

Greg Olson, curator of Boone County Historical Society, stated for the public record that BCHS does not have a grand design to condemn the entire 22 mi section. He stated that they received a call from a landowner on a public right-of-way on the old trail who is concerned that BCHS is going to give this right-of-way some kind of limitation or designation across the County. He stated that landowner was concerned that this would infringe on the County's maintenance of this right-of-way in the future and also of the property right implications of such a designation. He stated that they have no desire designate those right-of-ways that are still being used by the public.

Commissioner Vogt stated that the County Commission is interested however in identifying those roads [that were a part of the original Booneslick Trail].

Subject: Compromising Taxes in Collins/Strader Real Estate

Pat Lensmeyer stated that her office needed to have a decision made on this subject by August 7th. She stated that she forwarded a memorandum to the County Commission and also to the County Counsel for review of the situation. She stated that the Collins/Strader real estate was a parcel of land that is 1 ft by 92 ft that through a combination of errors was conveyed to an individual that had no interest in the property (and that the property never should have been conveyed to).

Pat Lensmeyer stated that the transfer of the ownership on the warranty deed in 1975, the portion that included this 1 ft by 92 ft piece of land was not picked up by the Assessor's Office. She stated that the parcel should have transferred to an individual by the name of Collins [last name] at that time. She stated that the parcel retained adjacent to a parcel held by a person named Crouse [last name]. She stated that subsequent to that, the taxes remained unpaid from 1989-1991. She stated that the property was sold the second time that it was offered to an individual by the name of Lloyd Strader.

Pat Lensmeyer stated that there was also an 81 ft section of the 1 ft by 92 parcel that was granted as an easement. She stated that a Collector's Deed was issued on a piece of property that never should have gone to the tax sale and should have been attached to the correct parcel. She stated that there is no monetary value to this property and the Assessor's Office agreed that it should be combined with the adjacent parcel to the right owner. She stated that when this occurs, it will not increase the value of the existing lot that it is hooked onto.

Pat Lensmeyer stated that the Collector's Deed is a legal document. She stated that the purchaser at the tax sale had issued her a quitclaim deed to Mrs. Collins. She stated that, based on a discussion she held with County Counsel John Patton, the County Commission has the authority to compromise the taxes that should have never had been imposed on this property in 1989. She stated that the County would reimburse the purchase at the tax sale for the monies he has against the property. She stated that she could record the quitclaim deed and the Assessor's Office combine the parcel to the rightful owner.

Pat Lensmeyer also submitted a packet of information on this matter for the public record.

Commissioner Vogt asked if this kind of thing happened very often.

Pat Lensmeyer stated that it does not.

Commissioner Vogt moved to

1. Approve returning \$95.41 from Tax Sale Excess Fund to Floyd H. Strader
2. Approve refunding \$109.26 from General Revenue Emergency Fund to Floyd H. Strader
3. Approve \$18.00 from General Revenue Emergency Fund to pay for recording Quit Claim Deed from Strader to Collins
4. Compromise and remove from tax file/roll taxes and costs for tax years 1989 through 1998 as Assessor's Office has verified this parcel will not affect value of adjoining parcel when it is combined with Collins' existing parcel

The County Collector is hereby authorize to complete all actions as stated above.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 290-99**

Subject: Fairgrounds Survey Invoice

Commissioner Miller read into the public record a budget amendment to amend the 1999 annual budget by establishing an appropriation from the Hospital Profit Share fund in the amount of \$5,100. The appropriation is to be used for payment of professional services associated with planning and conducting a survey for the Fairgrounds Task Force as authorized in Commission Order 420-98. The Boone County Auditor is hereby authorized to establish appropriation #2090-71101 in the amount of \$5,100.

Commissioner Vogt stated that this item would return to the County Commission agenda after the ten-day waiting period.

Subject: Animal Control Monthly Reports

Commissioner Vogt submitted the report for the public record.

Subject: Scott Blvd Hazard Elimination

Commissioner Vogt stated that the City of Columbia issued an update to Frank Abart on the status of the Scott Blvd right-of-way project. She stated that the City of Columbia is in the process of calling for bids on the project. She stated that a timeline was included for the project.

Commissioner Vogt stated that this was the following schedule for the project:

Final Plans	August 13, 1999
Bid Call Ordinance (first reading)	August 16, 1999
Bid Call Ordinance (second reading)	September 7, 1999
Bid Opening	September 28, 1999
Award Contract (first reading)	October 4, 1999
Award Contract (second reading)	October 18, 1999
Pre-construction Conference	November 1999
Clearing Drainage (begin)	November 1999
Street Construction	Spring 2000

Commissioner Miller asked if the County would be involved in the final plans.

Frank Abart stated that the Public Works Department would be involved. He noted however for the record that there was no time frame provided in the event that there are condemnations.

Commissioner Miller stated that she told the constituent that this would have to be a Y2000 project (since this year is about over). She stated that Mr. Montgomery informed her that they (City of Columbia) had acquired about 80% of the right-of-way and had given full value offers to everyone. She stated that Mr. Montgomery believes that this is the hardest project that he has ever tried to get right-of-ways for. She stated that he believed that he would probably have to condemn about eight properties.

Subject: Resignation from the Boone County Library Board

Commissioner Miller moved to accept the resignation of Richard Robinson from the Boone County Library Board.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 291-99**

Subject: GIS License Agreement

Bob Ormiston, IT Director and Ross Short, GIS Manager were present to discuss this item.

Ross Short stated that he had read over the agreement put forth by the Boone County Regional Sewer District. He stated that he did not see any problems with this particular agreement/entity. He stated that other issues could arise from other entities involved in the project. He stated that some of the issues would be (not being able to) sell or transfer this data without the permission of Boone County and commercial use of GIS data.

Ross Short stated that they were currently trying to figure out how to accommodate the requests for data from the other entities involved and a way to recoup the costs (only) for the medium in which the data is provided and the time involved in providing the data. He stated that the total of such services would be around \$50.

Ross Short stated that they may need to establish a general agreement for all entities requesting data and in some cases they may have to alter the general license agreement to fit the needs of the entity requesting the data.

Commissioner Miller clarified that Ross Short was requesting that this agreement be approved as a general license agreement and then submit the Boone County Regional Sewer District as one of the entities of the agreement. She stated that then BCRSD could exchange their data layer for the County's maps.

Ross Short stated that this agreement also addressed data sharing. He stated that if the entities, that Boone County is giving its data to, intends to put information on top of that information, then any of the other departments (of Boone County) would be able to use the data.

Commissioner Miller asked if Ross Short was certain that this agreement requires that the other entities give their data in exchange for the County's information.

Ross Short answered affirmatively. He stated that there would not be any extra cost involved in the creation of the maps since all of the other entities would be creating their GIS information at the same time.

Commissioner Miller moved to authorize the Acting-Presiding to sign the Licensure Agreement between the County of Boone and the Boone County Regional Sewer District as presented.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 291A-99**

Commissioner Reports

Commissioner Miller

Commissioner Miller reported that she attended the Hartsburg City Council meeting and presented the Regional Planning Commission resolution. She stated that Hartsburg passed a resolution to join the organization and they would be sending a check for such purposes very soon.

Commissioner Miller stated that the Hartsburg City Council also held a public hearing on a possible open-container ordinance to be established for the Pumpkin Festival.

Commissioner Miller reported that she attended the Soil & Water Conservation this morning. She stated that the urban conservationist brought forward a bill that is being proposed to the State House of Representative in the coming term concerning farmland. She stated that there was a copy of the bill available for each Commissioner. She stated that there are federal funds used for farmland however the legislation is not in place in order for the County to apply for those funds.

Commissioner Miller reported that Carlie Olsen who works with the Bonne Femme Watershed District and with Jim Davis on water quality issues has put together guidelines for wastewater systems in Boone County. She stated that she had a copy of that for each Commissioner. She stated that this was the draft form of the document because Carlie Olsen needed to discuss this with Jerry Worley, Health Department before it could be finalized.

Commissioner Vogt

Commissioner Vogt did not give a report.

There was no public comment.

The meeting was adjourned at 2:50pm.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner