

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 Helen Sheehan

The meeting was called to order at 1:20pm by Acting-Presiding Commissioner Vogt.

Subject: Public Hearing for Hillview Acres Neighborhood Improvement District

Commissioner Stamper convened a public hearing on the NID.

Chad Caraker, 6204 Robin Lane stated that he is the president of the Hillview Acres Neighborhood Association. He stated that he would like to offer some positive comments on behalf of the some of the other board members. He cited a list of reason that the neighborhood association would like to have the road paved. He cited the following reasons: dust control/health risk, outside/inside of home and automobiles would stay cleaner, problematic gravel surface and maintenance of cars, ditches and culvert, add value to the homes/property, quality of life, vehicles move more quickly.

Chad Caraker read a letter from an elderly lady in their neighborhood (Mildred Goss of 6101 Eric, which stated stated that the road needed to be paved to aid with her health problems. The letter was submitted for the public record. He requested that the County issue the order to proceed.

Mary Andrews, 6105 E Robin Ln, stated that she also wanted to have the road paved for the reasons that Chad Caraker stated in his testimony. She read a letter from a veterinarian, Susan Caraker, who stated that she would also like to see the road paved due to her health condition (asthma). The letter was submitted for the public record. She also stated that one of her neighbors who could not attend , Fern Richardson of 6108 Robin Lane, called her to relay the message to the County Commission that she is in favor of the road being paved.

Stewart Mullin, 6105 Eric Lane, stated that he and his wife were about to have a child and the dust was a major problem. He stated that 80% of his neighbors wanted to have the road paved.

Lewis Andrews, 6105 E Robin Lane, stated that he also had health problems that are complicated by the dust and would therefore like to see the road paved.

Harlan Bagley, 6002 E River Rd, stated that he felt that the dust is concern, however the paving of the road may create more of nuisance than the dust. He stated that vehicles are driven on this road at a higher speed than allowed already. He also stated that one has to cross the road to get to the park and that creates a dangerous situation.

Harlan Bagley also stated that as a respiratory therapist, there are other factors that contribute to asthma than dust. He stated that he called the County about having the ditch in front of his house re-dug and it never happened. He stated that he moved to this area with the idea that the gravel road would be cheaper (taxes).

Commissioner Vogt read a letter sent by Janet E. Jones, 50 Hillview Acres, who stated that she was appalled by the idea that she (a private property owner) could be charged for road construction and public projects. She stated that she did not want the road paved.

Commissioner Vogt called for comments from NID Coordinator John Watkins.

John Watkins stated that an application for the petition for this NID was submitted on August 5, 1995. He stated that a district meeting was held on May 27, 1999. He stated that approximately 10 of the 87 owners were represented at the meeting. He stated that the petition was signed by 62 of the 87 owners (71% by ownership and 71.5% by area. He stated that the petition cost estimate for this project is \$257,379 or \$2,958 per lot. He stated that the subdivision consists of

five gravel roads that are currently maintained by the County approximately 4600 ft in length. He stated that the Hillview Acres NID was created on August 2, 1999. He requested on behalf of the petitioners that the County Commission order the notice to proceed.

Commissioner Vogt stated that when she first came into office, this process did not exist. She stated that a law was passed in 1992 that allowed for NIDs. She stated that they tried to implement of this nature in Boone County because there were many subdivisions that needed paved roads. She stated that she had worked with this particular neighborhood for the last six years. She stated that she is sympathetic with the people that are concerned about the financial burden, however 71% of the population has worked to accomplish this goal. She stated that she could not deny those people this opportunity.

Commissioner Vogt moved to establish AN ORDER ORDERING PROJECT NUMBER 9318, HILLVIEW ACRES 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 Hillview Acres Neighborhood Improvement District Project, Project number 9318 to be advisable and ordered plans and specifications for the Project to be prepared by Commission Order 275-99; 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 Hillview Acres Neighborhood Improvement District Project, Project Number 9318, providing for an estimate cost of \$257,379.00 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 \$321,724.00.

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 Vogt stated that she had spoken with a property owner in Hillview Acres about how this project will affect her financially. The property owns two lots and her husband is handicapped. She stated that this property owner may have had trouble paying her

taxes in the past at their present rate. She asked John Watkins if a property owner had ever been excluded from a NID.

John Watkins stated that there was one property owner that was excluded in the University Estates NID because it was a corner lot that had to be crossed to actually go to the property, and therefore did not really receive benefit of the road. He stated that they did not exclude anyone in the Hillview Acres NID with the exception of one person who had a history of not paying their taxes until it was time to sell the property.

Commissioner Vogt stated that she promised the woman that she would bring this up during Commission.

John Watkins stated that he had also spoken with the woman before the meeting and had promised her that he would come out and show what part of the project would be performed on the area in front of her house. He stated that the woman was not as concerned with the initial cost estimate as she was if the project went up to the 25% over cost.

Commissioner Vogt asked how many NID projects required using the 25% over funds.

John Watkins stated that there was only one that had to use the 25% over, however he was not aware of any that went over that amount. He stated that many of the projects had come in under the cost estimate.

Commissioner Miller stated that she still believed that this would be a benefit to the neighborhood. She stated that it would increase the taxes, however the value received far outweighs the increase.

The motion passed 2-0. **Order 310-99**

Subject: Budget Revision for JJC Art/Workshop

Commissioner moved to approve the Budget revision transferring \$32,500 from 1123-86800 and increasing 1242-91200 by the same amount.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Miller stated that this revision was necessary because the building came in at a cost higher than anticipated. She stated that they were also waiting on the budget revision from the block grant.

The motion passed 2-0. **Order 311-99**

Subject: First reading of Budget Amendment to establish LEPC budget

Commissioner Vogt read into the public record the budget amendment for the Local Emergency Planning Commission. The budget amendment was as follows:

AMOUNT	(to) ACCOUNT
\$500	2100-22000 LEPC: Postage
\$3,000	2100-23001 LEPC: Printing
\$1,000	2100-30505 LEPC: Other Supplies
\$1,000	2100-71100 LEPC: Outside Services
\$300	2100-84300 LEPC: Advertising

Subject: First reading of Budget Amendment to establish a budget for Juvenile Accountability Incentive Block Grant

Commissioner Miller read into the public record the budget amendment as follows:

AMOUNT	(to) ACCOUNT
\$35,687	1242-03411 JJC: Federal Grant Reimbursement
\$35,687	1242-91200 JJC: Buildings & Improvements
\$18,667	1243-03411 Judicial Grants & Contracts: Federal Grant Reimbursement
\$3,787	1243-10100 Judicial Grants & Contracts: Salaries & Wages
\$290	1243-10200 Judicial Grants & Contracts: FICA
\$727	1243-22500 Judicial Grants & Contracts: Subscription/Publication
\$3229	1243-23050 Judicial Grants & Contracts: Other Supplies
\$1245	1243-23850 Judicial Grants & Contracts: Minor Equipment & Tools
\$5000	1243-71101 Judicial Grants & Contracts: Professional Services
\$1900	1243-91100 Judicial Grants & Contracts: Furniture & Fixtures
\$2489	1243-91300 Judicial Grants & Contracts: Machinery & Equipment

Subject: Homemaker and Personal Care Services Agreement with Pyramid Services, Inc.

Commissioner Miller moved to approve the Agreement for Homemaker and Personal Care Services with Pyramid Services, Inc. and authorize the Acting-Presiding Commissioner to sign the agreement.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 312-99**

Subject: Authorize a Closed session for Tuesday, August 24th pursuant to Section 610.021 RSMo.

Commissioner Miller moved to authorize a closed meeting immediately following the 9:30am regular session on Tuesday, August 24th as authorized by Section 610.021 (1) RSMo. to discuss legal actions, causes of actions, or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 313-99**

Subject: Memo from Ann Crawford, Department of Natural Resources regarding Proposed Stormwater Grant and Loan Rule

Commissioner Miller stated that citizens passed the approval of stormwater grants and loans in November. She stated that these are the proposed rules and Ann Crawford is asking for anyone who has comments to send a written request concerning the rules by September 8th in order to be able to speak on it on September 15th when representatives will be at the Holiday Inn Executive

Center. She stated that Commissioner Stamper had sent copies of the memo to Stan Shawver and Frank Abart for comments.

Commissioner Miller requested that the notice for the public hearing concerning this matter be posted on the upstairs board.

Commissioner Reports

Commissioner Stamper

Commissioner Stamper was absent.

Commissioner Miller

Commissioner Miller reported that she attended the I-70/U.S. 63 Major Investments Study (MIS). She stated that it was pretty interesting and there were a lot of things (proposed) that were not very feasible. She stated that she brought back a document for anyone that wanted to give comments.

Commissioner Vogt

Commissioner Vogt reported that she attended the Columbia Housing Authority meeting the other night. She stated that they are interested in a request for proposal from the County Commission to handle the Section 8 housing program for Boone County.

Commissioner Vogt stated that the next morning she received a call to meet with David Thayer. She stated that she would set up a time for a meeting as soon as possible. She stated that she had not spoken with John Patton about the legalities of that kind of arrangement yet. She stated that there was a Human Development Corporation meeting next Thursday wherein she would present the idea to its board.

Commissioner Vogt reported that attended numerous Hospital and Boone Retirement Center meetings this week. She stated that capital improvements (and their future handling) was discussed at the Hospital Board of Trustees meeting. She stated that there were some great ideas presented.

Commissioner Miller expressed concerns about some of the ideas (Commissioner Vogt relayed) that were presented during the meeting.

Commissioner Vogt stated that she would inform the board that a work session needed to be held to discuss the issues.

Commissioner Vogt stated that they were also continuing to meet to discuss the collaborative effort.

Commissioner Vogt stated that she conducted road tours with Rosie James and visited St. Charles Rd.

There was no public comment.

The meeting was adjourned at 2:17pm.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner