

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 Skip Elkin  
County Counsel John Patton  
Deputy County Clerk Brian Wright

The Presiding Commissioner called the meeting to order at 9:30am.

**Subject: Second Reading and Public Hearing for a Budget Amendment**

*A. Hospital Profit Share Professional Services (Phase II Site Analysis for Fairgrounds)*

Commissioner Elkin stated that the budget amendment would cover work done by Professor Vaught and his students, with the University of Missouri. He noted that the amendment covered the Phase II Site Analysis work to be completed at the Boone County Fairgrounds.

Commissioner Stamper opened a public hearing in regards to this item. Hearing no public comment, Commissioner Stamper closed the public hearing.

Commissioner Elkin moved to approve a budget amendment as follows:

<b>AMOUNT</b>	<b>(Increasing) ACCOUNT</b>
\$21,725.00	2090-71101 (Hospital Profit Share Professional Services)

Said budget amendment is to cover Phase II site analysis for the Boone County Fairgrounds by the University of Missouri.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 241-2001**

*B. Judicial Grants and Contracts*

Commissioner Stamper stated that at a previous meeting, the Commission first read into the public record a budget amendment, in the amount of \$2,110.00, revising revenue for reimbursement and computer equipment in the 2001 budget. He stated that the money was budgeted in the 2000 budget, but was not spent.

Commissioner Stamper opened a public hearing in regards to this item. Hearing no public comment, Commissioner Stamper closed the public hearing.

Commissioner Stamper moved to approve a budget amendment as follows:

<b>AMOUNT</b>	<b>(Increasing) ACCOUNT</b>
\$1,055.00	1243-03411 (Judicial Grants & Contracts: Federal Grant Reimbursement)
\$1,055.00	1243-92301 (Judicial Grants & Contracts: Replacement Computer Equipment)

Said budget amendment is a budget amendment for the 2001 Budget. This is grant money that was budgeted in the 2000 budget but did not get spent.

Commissioner Elkin seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 242-2001**

**Subject: Appointments to Boards or Commissions**

Commissioner Stamper stated that he would allow Commissioner Miller to hold on any of the appointments this morning. He stated that this would allow her to further visit with any of the candidates, if she so desired. He noted that Ms. Heitkamp was the only applicant for the Planning and Zoning Commission position.

Commissioner Miller stated that she had no problems moving forward with the items as planned.

***A. Road and Bridge Advisory Committee***

Commissioner Elkin moved to appoint Jeane Grace of the Rocky Fork Township to a 4-year term on the Road and Bridge Advisory Committee to expire on May 31, 2005.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 243-2001**

***B. Planning and Zoning Commission***

Commissioner Miller moved to appoint Kristen Heitkamp of Missouri Township to a 4-year term on the Planning and Zoning Commission from May 31, 2001 to May 31, 2005.

Commissioner Elkin seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 244-2001**

***C. Building Code Board of Appeals***

Commissioner Elkin moved to re-appoint Marion D. Dey to a five-year term on the Boone County Board of Appeals, from May 31, 2001 to May 31, 2006.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 245-2001**

**Subject: First Reading of Highway Safety Overtime Grant Approval**

Captain Beverly Braun, Boone County Sheriff's Department was present on behalf of this item.

Captain Braun stated that this Grant is a continuation of a current grant with the Missouri Department of Highway Safety (MDHS). She stated that the Sheriff's Department has worked with MDHS since 1986, in various forms of grants (DWI checkpoints, traffic officers and equipment). She noted that in the past several years, the Sheriff's Department has used the grant money for two programs, concerning Hazardous Moving Violations:

1. *Operation Slow Down.* Captain Braun stated that this program uses four officers- each working four hours, four times a month, in addition to the officers' regular duties.
2. *DWI Patrol.* Captain Braun stated that last year the Sheriff's Department had to discontinue the DWI Checkpoints, due to its labor-intensive nature. She stated that instead of the Checkpoints, the County is now using DWI Patrols.

Captain Braun stated that the Sheriff's Department is requesting MDHS grant funds, in the amount of \$14,059.98. She stated that the funds will be used for overtime pay for the officers, a radar unit, and a mobile video camera. She noted that the County's would be required to provide a portion of the funds for FICA, disability insurance, and workman's compensation, adding that these funds are required when employees are paid overtime. She further noted that the County would also provide some funding for the equipment.

Captain Braun stated that she met with June Pitchford, Boone County Auditor, last week. She stated that if the grant were approved by the County, it would begin October 1, 2001 and end

September 30, 2002. She noted that the item would coincide with the County's budget preparation time-frame, adding that it would allow the Sheriff's Department to make a request to place the funding in the budget. She further noted that the County-funded portion of this grant could use vacancies created in various open-positions within the Sheriff's Department, throughout this year.

Commissioner Elkin asked Captain Braun to elaborate on the cost-difference for the equipment the grant will create.

Captain Braun stated that MDHS does not pay the full-price for any piece of equipment. (As an example, she noted that the radar unit will have a total cost of \$1,595. The most MDHS will pay for this piece of equipment is \$1000.)

Commissioner Miller noted that there seemed to be a lot of alcohol-related arrests in the Big Bear Boulevard area.

Captain Braun stated that there were more alcohol arrests near the diner-area in the region, according to checkpoints used in the past.

Commissioner Stamper asked if there were any time concerns with this item.

Captain Braun responded affirmatively, noting that the Sheriff's Department has to have to the application in Jefferson City by Friday. She noted that she was comfortable allowing the item to go through the standard reading-policy used by the Commission.

Commissioner Stamper stated that the item had been first read into the public record, and requested that it be returned at the next Commission meeting for further discussion and final approval.

**Subject: Public Works Department**

John Watkins, Public Works Department was present on behalf of these items.

***A. Approve Roadway Maintenance Acceptance Certificate for Hartsburg Hills NID***

Mr. Watkins stated that the road has been brought up from the gravel standing to Asphaltic concrete surface, through the Neighborhood Improvement District program. He noted that the road has been built, in accordance with County standards. He further noted that the Public Works Department requests that the Commission approve to sign the Acceptance Certificate-acknowledging the road going from gravel to asphalt, and changing the maintenance.

Commissioner Miller moved to approve and authorize the Presiding Commissioner to sign the Roadway Maintenance Acceptance Certificate for the Hartsburg Hills Neighborhood Improvement District- Hartsburg Hills Road.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion passed 3-0. **Order 246-2001**

***B. Pre-Bond Assessments for Hartsburg Hills NID***

Mr. Watkins stated that the project cost has been certified by the Boone County Auditor to be \$61,729.44. He stated that the petition estimate was \$72,284.00. He noted that Public Works requests the County to certify the costs, and assess the properties. He further noted that there were thirteen lots, and the amount will be \$4,748.41, adding that Public Works was under budget for this project.

Commissioner Miller moved as follows:

*Now on this day the County Commission of the County of Boone does hereby compute the final cost of the road improvement project for the Hartsburg Hills Neighborhood Improvement District as certified by the Auditor to be \$61,729.44.*

*The County Commission does hereby apportion the cost of said project equally by lot/tract of property within said district according to the provisions of 67.463.2 RSMO. (1993Supp.) and petition approved by said Commission.*

*The County Commission further orders special assessments against the properties as described in the attached Exhibit A and orders the Clerk to proceed with the Notification and collection of said assessments pursuant to the statutory provisions of 67.463 RSMo. The special assessments shall take effect May 31, 2001.*

Commissioner Elkin seconded the motion.

In discussion, Commissioner Stamper stated that the Neighborhood Improvement District Program was one of the better ways the County can work more cooperatively with various neighborhoods- in putting together neighborhood improvements and assistance. He noted that the program provides an opportunity for neighborhoods to bring things to a public standard, allowing items to be accepted for maintenance.

There was no public comment.

The motion passed 3-0. **Order 247-2001**

**Subject: Purchasing Department**

Melinda Bobbitt, Purchasing Department Director was present on behalf of these items.

***A. Bid Opening for Asphalt Paving (#27-29MAY01)***

Commissioner Stamper stated that the Commission had received one bid from APAC-Missouri Central Missouri Division, and one no bid from French Paving Company of Columbia, Missouri. He stated that this item was for the County's annual asphalt bid.

Commissioner Miller stated that on Page 2.1 was item was included with the bid, noting that the Unit Price per ton- Base Mix-in place was listed as \$28.90. The Unit Price per ton- Surface Mix-in place was listed as \$30.60. The Unit Price per hour for subgrade removal was listed as \$445.00. The Lump Sum Price for Concrete Area was listed as \$15,000. She stated that 2.2 was also included.

Commissioner Miller stated that on Page 2.3 the item was included, but noted that APAC acknowledged that the County's total quantities for two of the roads listed in the bid were computed incorrectly.

Melinda Bobbitt stated that the re-computed information should have been included with the addendum.

Commissioner Miller stated that on page 2.3 (Asphalt per ton- in place), the price listed was \$32.60. She stated that pages 3.1, 4.1, (with no exemptions) were included. She noted that on page 7.3 (Cooperative Purchasing), the answer was "no". She further noted that a bid bond was enclosed (page 11.1), as was the acknowledgment of Addendum One.

Commissioner Miller asked what the County paid last year.

John Watkins stated that the price last year was \$27.44.

Commissioner Stamper asked what the \$34 price was for, in the previous year's bid. He noted that the surface program was \$35.00.

John Watkins stated that he believed it was for the overlay program.

Commissioner Stamper stated the bid would be referred to the Purchasing Department, for final evaluation and recommendation to the Commission to award the bid.

***B. First Reading to Award a Bid for Richland Road***

Melinda Bobbitt stated that on April 10, 2001 the Purchasing Department received a request from the Public Works Department to issue a Bid for Richland Road. She stated that the bid was issued on April 11, 2001, and closed on May 15, 2001. She noted that seven bids were received.

Melinda Bobbitt stated that the Purchasing Department, and Public Works recommend awarding bid 19-08MAY01 to C.L. Richardson, for having the lowest and best bid meeting the minimum specifications. She stated that the contract award is for \$504,360.95 and will be paid out of organization 2045, account 71100. She noted that at current time, there will be a balance of \$2,431,041.68 remaining in the account.

Commissioner Stamper stated that this item had been first read into the public record, and requested it be returned at the next Commission meeting for further discussion and final approval.

**Subject: Discussion on Drew Properties**

Craig Van Matre, Legal representation for Drew Properties and Bob Walters, a Principal for the Property were present on behalf of this matter.

Mr. Van Matre stated that he sent a letter and a proposed agreement concerning the roadway dedication- and the problems associated with it- to John Patton, several weeks ago. He presented the Commissioners a copy of the letter and the proposal. He noted that letter discussed working out a deal between the three parties (the City of Columbia, Boone County and Drew Properties). He further noted that Drew Properties wants to get this roadway project on the plans for this year, adding that currently Drew Properties does not have an agreement between the City and the County.

Mr. Van Matre presented a map to the Commission, showing the proposed and current roadwork plans by the County and the City. He stated that the Highway Department may now have new standards and guidelines that could further change the current plans. He noted that there is also the chance for a land-lock and/or visibility problems if there are any re-design plans.

Commissioner Stamper stated that he thought one of the roadway plans Mr. Van Matre presented to the Commission, would run into the soccer parking lot in the area.

Bob Walters stated that the parking lot was further to the North.

Mr. Van Matre stated that one of the metaphysical aspect problems with the roadway plans includes the conflict between the City and the County. He stated that Mr. Patton was unhappy with the agreement in its current form.

Commissioner Stamper stated that Mr. Patton's decision was also the Commission's opinion on the matter.

Mr. Van Matre stated that Mr. Patton found the restrictions in paragraph 5C of the current contract unacceptable. He stated that to his knowledge, matters regarding access were acceptable.

Commissioner Stamper stated that the County agreed with the City's observations, in regards to access. He stated that if the revised plans, presented by Mr. Van Matre were accepted, the City would have no involvement in the roadwork. He noted that the County's opinion regarding limited access were based on the original design. He further noted that the County wanted the project to move forward, adding that the Commission simply wishes to protect an asset of Boone County.

Mr. Van Matre stated that Drew Properties would like to buy the restriction from the County, in essence, making sure the "County does not give up something for nothing".

Commissioner Stamper stated that all three of the restrictions "fly in the face of good taste for all public officials that are up for election". He stated that to his knowledge, Mr. Van Matre's suggestion would also violate one of the City's restrictions, regarding alcohol (nightclubs, discotheques, strip joints, etc.) within the distance of a church. He noted that this cannot be done.

Commissioner Stamper stated that the City will stand in judgement of this area, once it is zoned. He stated that there will also need to be sewer in order to develop this tract, adding that it will have to go into the City in order for it to be done. He noted that there would be a zoning process the City would go through on this matter. He further noted that he did not want to move forward on this matter, with the City still undecided on these issues.

Commissioner Stamper stated that he did not think Drew Properties should have to buy these restrictions, adding that it seemed unreasonable. He stated that the only thing, to his knowledge, that was preventing this issue from moving forward were the points in item "C" of the contract.

Mr. Van Matre stated that he had instructed his clients that they would need to buy it, if the restrictions were for sale, to get the project moving forward.

Commissioner Stamper stated that one of the things the Commission would be willing to do is have a discussion with the City Manager and the Mayor of Columbia on moving this issue forward, without section "C". He stated that the County will be speaking to the City about Annexation issues in the near future, and at which time he would bring the matter forward. He noted that this tract would have to be annexed before it could be developed. He further noted that if the City was unwilling to agree to an agreement without section "C", the County may be willing to price the property.

Mr. Van Matre asked if he could facilitate the meeting.

Commissioner Stamper stated that the County would request that the liaison Commissioner, responsible for infrastructure and transportation (Commissioner Miller), to set-up a meeting with the City Manager. He stated that if Mr. Van Matre wished to facilitate, that would be fine. Commissioner Stamper apologized to Mr. Van Matre and Mr. Walters for the timeliness of the matter, noting that it was not the Commission's intent, after signing the original agreement, to



take so long with this issue. He noted that as of today, he was unwilling to vote to limit the County's future rights on the property.

**Subject: Discussion of City Annexation Plans**

Bill Watkins was present on behalf of this matter.

Commissioner Stamper stated that Mr. Watkins was present today, to give an update to the Commissioners on City Annexation issues, (Lake of the Woods Subdivision & County-wide intentions). He noted that he has placed it on the next Commission meeting agenda (May 31, 2001) for further discussion.

Mr. Watkins stated that Lake of the Woods Subdivision plans were moving forward, adding that the plans are becoming much more definite. He stated that the proposal currently will voluntarily annex, noting that the City has received petitions from fourteen property owners, in or around the interchange at Lake of the Woods Subdivision and I-70. He noted that the City has approved an annexation agreement- authorizing the extension of sewers into the area. He further noted that the City Council advised his department to explore adding to the sewer plans additional sewer capacity in the El Chaparral area, adding that discussion with the sewer district should occur sometime in the future.

Mr. Watkins stated his department will most likely seek an exemption from the City Council for existing customers in the two areas previously mentioned. He stated that his department anticipates the sewer line will be fast-tracked, adding that the City is already in the process of beginning design negotiations. He noted that his department would like to see some construction begin late this year.

Commissioner Stamper asked where the sewer line will come from.

Mr. Watkins stated that in the current proposal, the sewer line would come from a line the department is currently extending from the American Legion. He stated that at that area, there would also be a pump station attached to it. He noted that it would go, most likely, north of Richland Road. He further noted that this plan has not been firmly established yet.

Commissioner Stamper asked if this would be within the eighty-acre point for this development.

Mr. Watkins stated that the eighty-acres point would most likely be further north, adding that it could even be on the other side of I-70. He stated the department would develop the sewer line piece that would take it to Schultz Properties. He noted that the department may also use part of Stevens Properties, adding that it was one of the properties that the City had received a petition from.

Mr. Watkins stated that the department has had discussions with MODoT to extend the city's limit along I-70, to this point. He stated that the department will leave an island in the Lake of

the Woods Subdivision. He noted that it is difficult to get voluntary annexations quickly, especially with individual property owners since each property owner must sign the agreement.

Commissioner Miller stated that all the department would have to do is extend Richland Road to Grace Lane, noting that this action would allow all the property owners to sign.

Mr. Watkins stated that the department's process to bring in the larger tracts voluntarily, begin the sewer process, and then begin to approach the individual property owners. He stated that the City was also under a time-constraint with this issue (to bring the sewer-line in to LW South). He noted that there would be additional voluntary annexations, from other property owners in the area, in the future.

Mr. Watkins stated that he has had discussion with Commissioner Miller regarding the maintenance of several city roads, particularly where the City would, by law, annex to the middle of the right-of-way. He stated that it creates difficulties for both the City and the County. He noted that hopefully his office would have some possible solutions for Commissioner Miller to review this week.

Commissioner Miller stated that as part of the Resolution on Voluntary Annexation that there is a plan as to the maintenance of the roadway, with jurisdiction in regards to law enforcement. She stated that this action is being taken so the citizens know exactly what to expect in these areas. She noted that she thinks it is unfair to give a member of the Community misinformation, because neither the City or the County know who maintains anything in these areas.

Mr. Watkins stated that the City will probably not be able to reach an agreement with jurisdiction in regards to law enforcement, due to the City being unable to enforce the County's laws. He stated that there are options for the two parties to work-out jointly, such as the Maintenance of the road.

Commissioner Stamper stated that it has been the County's attitude to encourage all cities within Boone County to have an active vision of their future, in terms of growth. He stated that one of his concerns with growth- by means of only Voluntary Annexation- appears to be that it is "Helter Skelter". He noted that this is leaving holes and donuts in areas that the law does not intend for it to do. He suggested that the City look at its planning in a twenty-year format, allowing it to keep a balance between urbanization and rural character.

Commissioner Stamper stated that he hoped that the City Council and staff would work on a comprehensive look at annexation. He stated that this type of planning will avoid "leapfrogging" type of annexation issues. He noted that the Commission hears complaints every day from concerned citizens, stating that they do not want to live in the City. He further noted that the Commission also hears complaints for orderly growth. As an example, Commissioner Stamper stated that a farm-owner with property adjacent to the currently proposed annexed area is concerned that the type of sewer development being considered will force the land to develop.

Mr. Watkins stated that there will be a Council retreat in two weeks, and these topics will be addressed at the retreat. He noted that the City wants to have the Commission involved in its annexation issues.

Commissioner Miller stated that she agreed with Commissioner Stamper's summation of the County's concerns with Voluntary Annexation. She noted that this type of development is not smart growth.

Mr. Watkins stated that a Voluntary form of Annexation creates problems for the City, noting that there is currently not much the City can do otherwise. He stated that he did agree with Commissioner Stamper's idea of an "Overall Vision" for these projects.

Commissioner Elkin stated that the planning process is important. He stated that the Commission has been receiving "strong words" about voluntary annexation from various members of the community and the media. He noted that several individuals have stated that they do not want to be in the City.

There was no public comment on this issue.

**Subject: Commissioner Reports**

*Commissioner Stamper*

*Boone Hospital Center Board (BHCB) Meeting report*

Commissioner Stamper stated that the Boone Hospital Center Board met last week. He stated that he attended on the Commission's behalf. He noted that the Board issued a change in their banking bid, adding that the bid is now with Commerce Bank. He further noted that the bid has been with Boone County or First National Bank in previous years.

Commissioner Stamper stated that the Board presented the annual audit at the meeting. He stated that Greg Steinhoff is now the Treasurer for the Board of Directors. He noted that a financial statement and an update on construction projects were also presented at the meeting. He further noted that a resolution on their behalf to purchase the Boone Retirement Center was passed.

Commissioner Stamper stated that he will circulate his packet from the meeting, the previous BHCB meeting minutes for the other Commissioners to review and provide comment.

*Farm Bureau Meeting report*

Commissioner Stamper stated that he went in place of Commissioner Miller to speak to representatives of Farm Bureau, in regards to a stormwater discussion. He stated that Farm Bureau noted its concern about this issue. He noted that Farm Bureau expressed their desire to participate in future stormwater meeting activities. He further noted that sometimes, Farm Bureau does till within fifty feet of a stream.

Commissioner Miller asked if a representative was chosen at this meeting for the committee.

Commissioner Stamper stated that Farm Bureau would contact the Commission office with a decision in the near future.

*Centralia City Council Meeting report*

Commissioner Stamper stated that he attended the Centralia City Council Meeting. He stated that various issues were discussed at the meeting, including two proposed annexations. He noted that one of the proposed annexations was a trailer park next to a golf course. He further noted that budget for the City of Centralia, adding that it has an emergency reserve of \$3.2 million dollars.

Commissioner Stamper stated that an animal ordinance was also amended at the meeting, noting that no public was in attendance for the action item. He stated that the City also amended Chapter 18 of the City Code (exempt persons from certain traffic regulations- wearing a helmet- while part of a parade). He noted that there is a lot of progress going on within the City of Centralia.

*Letter from the State Emergency Management Agency*

Commissioner Stamper stated that he had received a letter from James McNabb, stating the Treasurer's office received a check for \$4,058.33. He stated that the check covers the eligible personnel and administrative items for the County's SLA claim for the months of January, February, and March 2001.

*Judicial Task Force Update*

Commissioner Stamper stated that he had received a letter from Gary Oxenhandler, proposing that George Dodge should serve as the Bail-Bondsman representative for the Judicial and Law Enforcement Task Force.

Commissioner Stamper moved to appoint George Dodge to serve as the Bail-Bondsman representative to the Judicial and Law Enforcement Task Force.

Commissioner Elkin seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 248-2001**

*Commissioner Miller*

Commissioner Miller did not give reports today.

*Commissioner Elkin*

Commissioner Elkin did not give reports today.

Commissioner Stamper and John Patton stated that they would not be attending this evening's Commission meeting, concerning Planning and Zoning Issues. It was agreed that Commissioner Elkin would be the Presiding Official in Commissioner Stamper's absence.

There was no public comment.

The meeting adjourned at 10:25am.

Attest:

\_\_\_\_\_  
Wendy S. Noren  
Clerk of the County Commission

\_\_\_\_\_  
Don Stamper  
Presiding Commissioner

\_\_\_\_\_  
Karen M. Miller  
District I Commissioner

\_\_\_\_\_  
Skip Elkin  
District II Commissioner