

TERM OF COMMISSION: December Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

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 1:30 p.m.

Subject: Purchasing Department

Heather Turner, Purchasing Department Buyer, was present on behalf of these items.

A. Second Reading and Award of Bid 73-29NOV05 (Carpet Cleaning Services Term and Supply)

Commissioner Miller moved to award bid 73-29NOV05 for Carpet Cleaning Services Term and Supply to Sappington's Carpet Care.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 as follows: Commissioner Schnarre – Aye, Commissioner Miller – Aye; Commissioner Elkin – Absent for vote. **Order 476-2005**

B. Second Reading and Award of Bid 51-09AUG05 (Internet Service Provider)

Commissioner Miller moved to award bid 51-09AUG05 for Internet Service Provider to Tranquility Internet Services, Inc.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 as follows: Commissioner Schnarre – Aye, Commissioner Miller – Aye; Commissioner Elkin – Absent for vote. **Order 477-2005**

C. Second Reading and Award of Bid 65-18OCT05 (Law Enforcement Uniforms Term and Supply)

Commissioner Miller moved to 65-18OCT05 for Law Enforcement Uniforms Term and Supply as follows:

Galls: 4.11.6; 4.11.10; 4.11.12; 4.11.14; 4.11.15; 4.11.16

Safety & Security International: 4.11.1; 4.11.2; 4.11.11; 4.11.13

Leon Uniform: 4.11.3, 4.11.4, 4.11.7, 4.11.8, 4.11.9, Mock Turtlenecks

J.B. Battle: 4.11.5.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 as follows: Commissioner Schnarre – Aye, Commissioner Miller – Aye; Commissioner Elkin – Absent for vote. **Order 478-2005**

D. First Reading of Bid 70-18OCT05 (Automated Fuel Management System)

Heather Turner stated the Bid for an Automated Fuel Management System closed on October 18, 2005. Five bids were received. The bid from the low bidder, Trak Engineering, was determined to be non-responsive because the design of the outside control pedestal does not meet specification 2.4.1 requiring a weatherproof cabinet. Greg Edington submitted a memo outlining the reasoning for this recommendation.

In addition, Public Works felt the lack of a distribution network and local support could affect overall response time. The bid from the second low bidder, Rapac Network International, Inc., was determined to be non-responsive because they did not meet several required specifications. Greg Edington submitted a memo outlining the reasoning for this recommendation.

One of the required specifications is that the system be able to monitor the total transaction time. The system proposed by Rapac does not provide a 'time out' signal. Therefore, a person could access an active pump and add on to the previous transaction.

The third low bidder, Neumayer Equipment, meets all required specifications and has local support in Jefferson City. Therefore, Purchasing and the Public Works Department recommend award to Neumayer Equipment for submitting the lowest responsive bid.

Total cost of the contract is \$42,017.40 to be paid out of Department 2040-PW Maintenance Operations, Account 92300-Replacement Machinery and Equipment.

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 award.

Subject: Planning and Zoning – Reconsideration of Inscore Subdivision vacate and re-plat request as heard on November 29

Stan Shawver, Planning and Zoning Director, was present on behalf of this item.

Stan Shawver stated the Commission considered a petition submitted by Jerry Swartz to vacate Inscore Subdivision Lot 2. This would be vacated and re-platted into two lots. It is zoned A-2. The Commission denied the petition. Subsequently, additional information has come forward regarding this plat and surrounding areas.

The applicant has requested the Commission reconsidered their decision.

He believes any action taken by the Commission would fall under the Administrative Proceeding Act and can be reconsidered for a period of 30 days.

Commissioner Miller moved to reconsider the action of November 29, 2005, Commission Order 461-2005, by which the petition to vacate and re-plat Inscore Subdivision Lot 2 was denied.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 479-2005**

Mr. Shawver stated this is a minor subdivision located on Robinson Road, west of Hallsville.

Section 1.8.2 and 1.8.1.3 of the Subdivision Regulations require the County Commission to hold a public hearing in order to consider any petition to vacate and/or re-plat, taking into consideration character of the neighborhood; traffic conditions; circulation; the proper location and improvement of streets and roads within and adjacent to the subdivision; property values in the subdivision; public utilities; facilities and services and the re-plat will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate

At the November 29, 2005 Commission meeting, a public hearing was conducted on this request. No one spoke during the public comment.

Commissioner Miller stated she requested this issue be brought back forward because after that meeting, she found out the two lots down the road from this property had notes

on the plat that automatically gave them the authority to split their five acre tracts. This petition would be consistent with what the future would be of that roadway.

She did not have this information at the November 29, 2005 meeting. If she had known this, she would not have voted to approve the petition.

Mr. Shawver stated the two lots referred to by Commissioner Miller is Inscore Subdivision Plat 2, which is lot 4 and 5. Even though it is Inscore Subdivision Plat 2, it is separated by 300 feet from Lots 1, 2, and 3. It is a separate subdivision, even though it has the same name.

Lots 1-3 were rezone from A-1 to A-2 in 1996 then the remainder were rezoned in 1999.

Inscore Plat 2 was approved in 2004. There was a proposal before this to do an additional six lot but because of water issues, this was no completed.

Also, RayAnn Estates, a subdivision that dates to the late 1970s, is on the west side of Robinson Road. It is a A-2 subdivision with 2.5 acre lots.

Commissioner Schnarre stated it appears there is a pond on this property. Mr. Shawver stated there is a large pond in the back of the lot.

Commissioner Schnarre asked if there is enough room to build an additional home. Mr. Shawver stated he believes there is enough room.

Commissioner Schnarre asked if there was enough room for a sewer system. Mr. Shawver stated he cannot answer that question.

Any plat must comply with the subdivision regulations. Any construction must comply with set backs and off-site sewer requirements.

Mr. Shawver stated he will make the Commission aware of notes on plats surrounding property, similar to this situation.

Commissioner Miller moved to approve the petition submitted by Jerry Swartz to vacate and re-plat Lot 2 of Inscore Subdivision (located on Robinson Road south of Highway 124). Said vacation is not to take place until the re-plat is approved.

This order shall supersede Commission Order 461-2005.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 480-2005**

Subject: First Reading of Opt Out Ordinance for Sales Tax Holiday

Commissioner Schnarre read the following ordinance regarding the Sales Tax Holiday:

Whereas, Section 144.049 RSMo establishes a so-called “sales tax holiday” for a time period in August, 2004, and each year thereafter, and

Whereas, the legislation does not provide for the reimbursement to local governments for lost revenues, and

Whereas, the sales tax holiday will significantly reduce local revenues, and

Whereas, counties depend on sales tax revenues to provide essential services for the citizens, including law enforcement, property assessment, roads, tax collection, etc., and,

Whereas, these sales taxes were approved by a vote of the people who expect the promised services, and

Whereas, the legislation authorizes local governments to opt out of the sales tax holiday by ordinance or order of the governing body,

Now therefore be it ordered by the County Commission of the County of Boone as follows:

Section One. The County of Boone hereby determines that it will prohibit the provisions of Section 144.049 RSMo., 2003, from exempting sales from local taxes of certain clothing, personal computers, certain computer software, and school supplies that occur within the boundaries of said county during August, 2006, and each year thereafter, unless this order is rescinded.

Section Two. The County Clerk is hereby directed to send written notice to the State of Missouri Department of Revenue as soon as possible, of the decision to opt out of the “Sales Tax Holiday,” by forwarding a cover letter and certified copy of this order.

Section Three. This order shall be in full force and effect from and after the date of its passage and approval, unless and until this order is rescinded by further order issued for that purpose.

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: Appointments to Board/Commissions

- A. Planning and Zoning Commission
- B. Mental Health Board

Commissioner Elkin moved to approve the following appointments:

Name (Township)	Board/Commission	Term Expiration
Paul W. Zullo (Rock Bridge)	Planning and Zoning Commission	March 31, 2007 (Interim)
Elaine S. Larson (Columbia)	Mental Health Board	November 30, 2008 (re-appointment)

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 481-2005**

Commissioner Reports

Commissioner Schnarre

Airport Advisory Committee

Commissioner Schnarre stated he attended the Airport Advisory Committee meeting. The number of passengers is larger than last year but still less than 2003.

They are advertising the Airport Manager vacancy.

Commissioner Miller

Smart Growth

Commissioner Miller stated she attended the Smart Growth retreat on November 18, 2005. They broke into five small groups to discuss different issues. She chose to be in the group that discussed the promotion of regional growth. City of Columbia Mayor Darwin Hindman was in the same group.

In the group, they discussed development agreements and differences between City and County agreements, working on a corridor plan, and revisiting a community wide vision plan.

Hartsburg Levee District

Commissioner Miller stated attended the Hartsburg Levee District meeting. They will be keeping the same assessment.

John Asbaugh will be retained as the chair of the district.

The district does have concerns about the Army Corps of Engineers plans for spring floods on the Missouri River. The district has been sending a representative to those meetings.

Commissioner Elkin

No reports at this time.

Public Comment

There was no public comment.

The meeting adjourned at 1:49 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Keith Schnarre
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner