

TERM OF COMMISSION: November Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Room 338

PRESENT WERE: District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Director of Resource Management Stan Shawver
Boone County Clerk Wendy Noren
Buyer Tyson Boldan
Director of Human Resources Betty Dickneite
Boone County Treasurer Nicole Galloway
Office Administrator Bonnie Adkins
Fleet Superintendent Greg Edington
Mary Hussmann
William Houston
Deputy County Clerk Cameron Clarke

Presiding Commissioner Daniel K. Atwill was absent.

The meeting was called to order at 9:30 a.m. by Acting Presiding Commissioner Skip Elkin

Resource Management

- 1. Request by Corey and Julia Nettles to approve a Final Development Plan on 1.82 acres, more or less, being lots 125 and 126 of the Replat of Sunrise Estates Subdivision, located adjacent to 7400 E I-70 Drive SE, Columbia.**

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this is the final development plan for the lots you saw last year. Mr. Shawver stated this is the property out by the old Diamond Furniture. Mr. Shawver stated the original zoning is R-S, and they want to use this land to store vehicles waiting for repair. Mr. Shawver stated there were some stormwater issues they needed to resolve, but have done so. Mr. Shawver stated this plan will effectuate the actual zoning on the lot.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the request by Corey and Julia Nettles for the Final Development Plan on 1.82 acres, more or less, located adjacent to 7400 E I-70 Drive SE, Columbia with zoning change from R-S (Single Family Residential) to C-GP (Planned Commercial).

Commissioner Elkin seconded the motion.

The motion carried 2 to 0. **Order # 438-2011**

2. Golden Pond. S5-T49N-R12W. A-2. Michael and Ashley Berendzen, owners. Brian David Dollar, surveyor.

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated the next two items are subdivision plats. Mr. Shawver stated the first one is Golden Pond. Mr. Shawver stated this is ready to be received and accepted, with an authorization for the Presiding Commissioner to sign the plat.

The Commission order for this item is a part of the next item.

3. Haught. S8-T47N-R13W. A-2. Marie Haught, owner. J. Daniel Brush, surveyor.

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this is Haught subdivision. Mr. Shawver stated this is situated between State Route K and Mount Celestial Road. Mr. Shawver stated this property was rezoned from A-1 to A-2, and is a two lot subdivision. Mr. Shawver stated the owners wanted it rezoned so they can sell an existing house, plus 2.5 acres. Mr. Shawver stated these plats were approved by the Planning and Zoning Commission, and they are ready to be received and accepted by the County Commission with an authorization for the Presiding Commissioner to sign them.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorize the presiding commissioner to sign them:

- Golden Pond. S5-T49N-R12W. A-2. Michael and Ashley Berendzen, owners. Brian David Dollar, surveyor.
- Haught. S8-T47N-R13W. A-2. Marie Haught, owner. J. Daniel Brush, surveyor.

Commissioner Elkin seconded the motion.

The motion carried 2 to 0. **Order # 439-2011**

County Clerk

4. Certified tax rates (first and second reading)

Boone County Clerk Wendy Noren was present on behalf of this item. Ms. Noren stated there was a public hearing on tax rates in September. Ms. Noren stated there were a considerable number of entities that were not yet certified by the State Auditor. Ms. Noren stated these are the rates that have been certified for the Collector.

Commissioner Miller moved on this day the County Commission of the County of Boone

does hereby set the 2011 tax rates per hundred dollars of assessed valuation for county purposes as follows:

County of Boone	Total	\$.2805
General Revenue	\$.1200	
Common Road and Bridge	\$.0475	
Group Homes	\$.1130	
County-wide Surtax on Subclass III Property		\$.6100

Now be it further ordered that the County Commission, having received reports from the various political subdivisions, so sets their tax rates per hundred dollars of assessed valuation as instructed for the year 2011:

State of Missouri		\$.0300
Columbia Public Schools	Total	\$4.8812
Incidental Fund	\$1.4212	
Teachers Fund	\$2.5581	
Debt Service	\$.8019	
Capital Projects	\$.1000	
Southern Boone County R-I Schools	Total	\$4.9660
Incidental Fund	\$3.6860	
Teachers Fund	\$.0000	
Debt Service	\$1.2800	
Capital Projects	\$.0000	
Hallsville R-IV Schools	Total	\$4.2411
Incidental Fund	\$3.0211	
Teachers Fund	\$.0000	
Debt Service	\$1.0600	
Capital Projects	\$.1600	
Sturgeon R-V Schools	Total	\$4.9260
Incidental Fund	\$3.6560	
Teachers Fund	\$.0000	
Debt Service	\$1.2700	
Capital Projects	\$.0000	
Centralia R-VI Schools	Total	\$4.3595
Incidental Fund	\$3.4695	
Teachers Fund	\$.0000	
Debt Service	\$.8900	
Capital Projects	\$.0000	
Harrisburg R-VIII Schools	Total	\$4.5533
Incidental Fund	\$3.4033	
Teachers Fund	\$.0000	
Debt Service	\$1.1500	
Capital Projects	\$.0000	

New Franklin R-I Schools	Total	\$3.9620
Incidental Fund	\$3.4363	
Teachers Fund	\$.0000	
Debt Service	\$.5257	
Capital Projects	\$.0000	
Fayette R-III Schools	Total	\$4.2095
Incidental Fund	\$3.4567	
Teachers Fund	\$.0000	
Debt Service	\$.7528	
Capital Projects	\$.0000	
North Callaway R-I Schools	Total	\$3.7904
Incidental Fund	\$3.1282	
Teachers Fund	\$.0000	
Debt Service	\$.6622	
Capital Projects	\$.0000	
City of Ashland	Total	\$.2612
General Revenue	\$.2612	
City of Centralia	Total	\$.9590
General Revenue	\$.6624	
Parks & Recreation	\$.2966	
City of Columbia	Total	\$.4100
General Revenue	\$.4100	
City of Hallsville	Total	\$.8689
General Revenue	\$.5789	
Debt Service	\$.2900	
Town of Harrisburg	General Revenue	\$.3424
Village of Hartsburg	General Revenue	\$.5141
City of Rocheport	General Revenue	\$.2586
City of Sturgeon	General Revenue	\$.5414
Boone County Fire Protection District	Total	\$.6299
General Revenue	\$.6010	
Dispatch Fund	\$.0289	
Southern Bo. Co. Fire Protect. District	Total	\$.3567
General Revenue	\$.2125	
Dispatch	\$.0280	
Debt Service	\$.1162	
Boone County Library District	Total	\$.3001
Centralia Library District	Total	\$.3782
Library	\$.2997	
Library Bond	\$.0785	
Columbia Regional Library	Total	\$.5221
General Revenue	\$.2971	

Debt Service	\$.2250	
Callahan Watershed Subdistrict		\$.0900

Commissioner Elkin seconded the motion.

The motion carried 2 to 0. **Order # 440-2011**

Ms. Noren stated there were no increases from any of the hearings.

Purchasing

5. Cooperative contract 11019-Retail Maintenance Repair and Operating Commodities and Related Services with Home Depot, and Applied Industrial Technologies (first reading)

Buyer Tyson Boldan was present on behalf of this item. Mr. Boldan stated read the following memo:

Purchasing and Facilities Maintenance request permission to utilize U.S. Communities Cooperative Contract 11019-RFP – Retail Maintenance Repair and Operating Commodities and Related Services.

This is a multi award contract with Home Depot and Applied Industrial Technologies that will allow Boone County access to U.S. Communities discounts and rebates.

Invoices from this Term and Supply contract will be paid from department 6100 – Facilities and Grounds Maintenance, accounts 60100 – Building Repair and Maintenance, 60200 – Equipment Repair and Maintenance, 60400 – Grounds Maintenance, 23050 – Other Supplies, and 23035 – Maintenance Supplies.

Commissioner Miller asked Mr. Boldan what the County buys from Applied Industrial Technologies.

Mr. Boldan stated it’s parts, cleaning supplies, and other things.

Fleet Manager Greg Edington stated he buys valve bodies from them. Mr. Edington stated valve bodies make boom mowers work.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

6. Bid award to Absolute Comfort Technologies for bid 43-21SEP11 – Generator Inspection Services Term and Supply (first reading)

Buyer Tyson Boldan was present on behalf of this item. Mr. Boldan read the following

memo:

The Bid for generator inspection services term and supply closed on September 21, 2011. Four bids were received. Purchasing, Public Works, and Facilities Maintenance recommend award to Absolute Comfort Technologies, for offering the lowest and best bid for Boone County.

This will be a term and supply contract and will be paid from department 6100 –Facilities and Grounds Maintenance, account 71100 – Out Side Services. \$5,925.00 is budgeted for this service.

Commissioner Elkin stated there are five generators that need to be kept working in case of emergencies.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

Human Resources

7. Recommendation to establish a Data Management Technician position classification (first and second reading)

Director of Human Resources Betty Dickneite was present on behalf of this item. Ms. Dickneite read the following memo:

The Job Classification Committee met on October 13, 2011 to review and discuss the proposed Data Management Technician classification in the Public Works Department. The Job Classification Committee members unanimously* agreed to bring forward the following recommendation to the Commission:

Establish a new position classification titled **Data Management Technician** on pay range 30. It is recommended that we establish a **new class code number** of **3015**.

CJ comments regarding FLSA status: *“I am of the opinion that this position does NOT qualify for any exempt status, and therefore is a non-exempt, hourly position, based on the PDQ attached.”*

Job Classification Committee Members present – Wendy Noren, June Pitchford, and Betty Dickneite. Members absent: Dan Atwill and Dwayne Carey.

Commissioner Elkin stated they have met a couple times during work sessions.

Commission Miller stated the Commissioners suggested during the budget work session that they move this forward this year.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby establish a new position classification titled Data Management Technician on pay range 30, with new class code number 3015. It is further ordered this position will be added to the FY 2011 budget for Road and Bridge Maintenance Operations (Department 2040), and the Auditor is authorized to effectuate any necessary budget revisions.

Commissioner Elkin seconded the motion.

Commissioner Miller stated there are funds available in the class 1 budget of Public Works due to some positions not being filled, and an absent employee who is having some health issues.

The motion carried 2 to 0. **Order # 441-2011**

Treasurer

8. Budget amendment to increase revenue for administration fee to ABC Labs for PILOT (first reading)

Boone County Treasurer Nicole Galloway was present on behalf of this item. Ms. Galloway stated in the agreement with ABC Labs, there is \$1,000 that is collected in administration fees, was collected in 2009, 2010, and will be collected throughout the length of this agreement. Ms. Galloway stated it was previously recorded in “due to others” because no one knew what to do with it. Ms. Galloway stated they are cleaning out their liability accounts. Ms. Galloway stated this budget amendment is to record the 2009 and 2010 amounts at \$1,000 each, and recognize revenue for 2011.

Commissioner Elkin asked what account 3887 is.

Ms. Galloway stated it is the revenue account.

Commissioner Miller asked what department 1140 is.

Ms. Galloway stated it is the treasurer account, because her office sends the tax bill, monitors it, and collects it. Ms. Galloway stated her and Auditor June Pitchford thought that was the best place to put it.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10 day hold required for budget amendments with an appropriate order for approval.

Prosecuting Attorney

9. Budget revision to cover costs of trial expenses (first reading)

Office Administrator Bonnie Adkins was present on behalf of this item. Ms. Adkins stated her office is requesting \$7,500 in emergency funds to cover court costs, witness expenses, and transcripts for the remainder of 2011. Ms. Adkins stated in the beginning of the year they tried a 30 year old murder case, and it alone cost around \$10,000. Ms. Adkins stated they had witnesses all over the country which contributed to a large expense. Ms. Adkins stated they charged eight defendants in the Break Time Homicide, but thankfully six have pled guilty. Ms. Adkins stated the jury trial cost \$8,000. Ms. Adkins stated there is one more homicide trial this year, so they think \$7,500 should cover the remaining expenses.

Commissioner Miller stated this is what the emergency fund is for. Commissioner Miller stated there is no way to anticipate this.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

Public Works

10. Budget revision to cover fuel costs (first reading)

Fleet Superintendent Greg Edington was present on behalf of this item. Mr. Edington stated he believes this is necessary to continue the next two months. Mr. Edington stated at the beginning of the year, fuel costs were higher than anticipated. Mr. Edington stated he anticipates some more infusion from 2041 for reimbursement from Pavement Preservation.

Commissioner Elkin stated the County is at OPEC's mercy.

Mr. Edington stated they have \$30,000- \$40,000 a month for fuel.

Commissioner Miller asked how much was put in 2012's budget for fuel.

Mr. Edington stated they budgeted a significantly higher amount.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

Auditor

11. Budget amendment to transfer money out of the General Fund for amounts received as reimbursement for bullet proof vests from a grant in 2006 (second reading, first read 10/18/2011)

Commissioner Miller this was just coded into the wrong account, so it is a cleanup.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment to transfer monies out of the General Fund for amounts received as reimbursement for bullet proof vests from a grant in 2006:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1190	83922	Non-Departmental	Operating Transfer out to SRF		452.00
2850	03913	Admin. of Justice Fund	Operating Transfer in from GF		452.00

Commissioner Elkin seconded the motion.

The motion carried 2 to 0. **Order # 442-2011**

Commission

12. License agreement between Boone County and Magellan Pipeline Company (second reading, first read 10/25/2011)

Commissioner Elkin stated Magellan has a keypad they want to push back onto County property. Commissioner Elkin stated it is currently too close to the trucks driving in, so they must get out of their tractor trailers to punch in the code. Commissioner Elkin stated this will allow them to drive up to the gate without needing to get out. Commissioner Elkin stated the County Counselor suggested they do a license agreement that doesn't hold the County responsible for anything.

Commissioner Miller stated they can take it away if they need the land for anything else.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the license agreement between Magellan Pipeline Company, L.P. and Boone County, Missouri to place a security box on Boone County property. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

The motion carried 2 to 0. **Order # 443-2011**

13. Public Comment

Mary Hussmann and William Houston were present to speak about the closing of the El Ray Mobile Home Park. Ms. Hussmann stated it is nice to be able to give an address, and know you will have housing and be warm this winter. Ms. Hussmann stated on Saturday October 29, 2011 the 20 families living in the El Ray Mobile Home Park received a park closure notice. Ms. Hussmann stated the park is being closed because the sewage lagoon is out of compliance, and has been for several years. Ms. Hussmann stated the Missouri Department of Natural Resources told her that they have tried to work with property owner to get the sewer lagoon in compliance. Ms. Hussmann stated it reached a point where litigation was close at hand. Ms. Hussmann stated instead of fixing the lagoon, the owner has chosen to announce he is closing the park, and evicting the residents. Ms. Hussmann stated this has sent a shockwave through the families that are now faced with having the move during the winter months, deal with children having to change schools, and some who are facing homelessness. Ms. Hussmann stated these families do not have the financial resources to move. Ms. Hussmann stated it can cost up to \$6,000 to move. Ms. Hussmann stated some of the homes are too old to move. Ms. Hussmann stated she went to the park on Friday and many of the residents told her they don't know what they're going to do, or where they'll go. Ms. Hussmann stated this is the 8th mobile home park her organization has worked with in these kinds of circumstances. Ms. Hussmann stated some of the families have appealed to the lot owner for more time, and a reprieve from the lot rent for all, or some of this time. Ms. Hussmann stated this would allow them to save for the mobile home toter fees. Ms. Hussmann stated she was coming before the Commission to ask them go see these families, and to write a joint letter to the owner of Whirlwind properties and appeal to him to assist these families. Ms. Hussmann stated the appeal should be for more time, and less lot rent. Ms. Hussmann stated Grass Roots Organizing is calling on both City and County officials to take responsibility and act now. Ms. Hussmann stated they should come together to address this severe, affordable housing crisis. Ms. Hussmann stated public officials have the authority and should pause long enough to come up with solutions to address the decency standards for manufactured home parks by establishing some sort joint commission or task force charged with improving access and availability of decent affordable housing. Ms. Hussmann stated the tenants in the Regency Mobile Home Park also just received their 120 day eviction notices this weekend. Ms. Hussmann stated residents of El Ray will literally be forced out into the cold in the severe of winter.

William Houston stated he was a tenant of El Ray Mobile Home Park. Mr. Houston stated many of the residents asked him to speak on their behalf. Mr. Houston stated he was lucky enough to find a new place to live. Mr. Houston stated he learned about the lagoon situation three months ago, and has looked at it. Mr. Houston stated after he spoke to Ms. Hussmann he found out it was in non-compliance. Mr. Houston stated there are several other issues such as: the outflow to the lagoon is not fenced in, and the outflow is dumping into a creek that ties into Hinkson Creek. Mr. Houston stated there have been tenants that have moved out and left used tires and other junk. Mr. Houston stated the owner has not cleaned this up. Mr. Houston stated a woman has lived there in a modular home for 30 years, and does not know where she is going. Mr. Houston stated

she assumed the park was being kept in compliance, and has told Mr. Houston she believes she will be living in a tent in the woods by December. Mr. Houston stated he has taken several photographs, and it shows where the water is flowing out of the lagoon and into the creek. Mr. Houston stated there is black water that is sitting in the creek bed. Mr. Houston stated he is just trying to help out so they can get some extra time before they must move. Mr. Houston stated the other concern is that he is offering no assistance for trailers that can't be moved. Mr. Houston stated another concern is that even though he is offering three months rent free at his other mobile home park, it has been zoned Commercial and could be redeveloped at any time.

Commissioner Miller asked if the lots are on a month-to-month rent, or year-to-year.

Mr. Houston stated depending on the situation they're month to month. Mr. Houston stated he bought a trailer from the owner, and it was set up on a one year lease agreement. Mr. Houston stated after that it goes to a month-to-month basis. Mr. Houston stated the owner charges a lot rent and pad fee, and it has been raised three times in the three years he has been there.

Commissioner Miller asked how much the lot rent is.

Mr. Houston stated when he first moved in it was \$235 for the lot rent and pad fee, and it is currently \$255.

Commissioner Elkin asked what is included in the lot rent and pad fee.

Mr. Houston stated sewer, trash, and water. Mr. Houston stated the road conditions have deteriorated tremendously. Mr. Houston stated the residents have asked the owner to fix the roads, and he filled some of the holes with quick-crete instead of asphalt. Mr. Houston stated two months later it separated from the asphalt and rose up. Mr. Houston stated several trailers have been torn down, but the lots are still littered with old lumbar, trash, and plastic pipes.

Commissioner Miller asked how many homes the park can accommodate.

Mr. Houston stated all together about 30 trailers. Mr. Houston stated he knows 3-4 families that have moved out since that time.

Commissioner Elkin stated he spoke with Laverne Cochran and she said she thinks there are about 18 units left.

Ms. Hussmann stated it is hard to get a picture because each park is a different situation. Ms. Hussmann stated that is why it would be helpful for the Commissioners to go out there.

Mr. Houston stated he doesn't technically own his trailer because after paying the owner

the \$1,500, he has yet to receive a notarized copy of the title. Mr. Houston stated the owner threatened to sue for eviction and his wife told him that they would counter-sue for the bill of sale. Mr. Houston stated he has asked for the bill of sale three different times. Mr. Houston stated he is getting blown off.

Ms. Hussmann stated not having a bill of sale in another complication in moving.

Commissioner Miller stated she assumes Mr. Houston has a contract.

Mr. Houston stated when he moved in, they needed a place very quickly. Mr. Houston stated there was a page on the application to move in to the trailer park that stated after the trailer is paid off he would receive proof of ownership. Mr. Houston stated he asked the owner about the title and he said they couldn't produce it because they couldn't prove the lineage of ownership of the trailer. Mr. Houston stated he asked about a bill of sale and was told he would have to speak with the owners of Whirlwind Properties, but has been unable to reach them. Mr. Houston stated he is pursuing this on his own, outside of everything else that is going on. Mr. Houston stated this has happened to one other family that he knows of.

Commissioner Elkin asked if Mr. Houston had paid in full.

Mr. Houston stated he had. Mr. Houston stated it was paid at the end of the first year he was there. Mr. Houston stated in light of everything that has happened he has been withholding the lot fee and pad rent the past two months so the owner will come out and talk to him. Mr. Houston stated this is the only way to get him to respond. Mr. Houston stated he will make a visit to collect his money. Mr. Houston stated the owner told those whose rent is current that they better keep paying the rent, or he will sue for eviction. Mr. Houston stated several of the tenants are afraid because the owner is a prominent attorney in Columbia.

Commissioner Elkin stated he understands it's a hardship for many families out there. Commissioner Elkin stated as he mentioned to Ms. Hussmann, the County has very little authority in these matters. Commissioner Elkin stated he checked with the County Counselor and he said the only thing the state statutes address is the minimum 120 days to leave. Commissioner Elkin stated it was the Commission's understanding that even though the tenants may not agree with what is going on, the owner is complying with the state statutes. Commissioner Elkin stated he spoke with the owner, Mr. Netemeyer yesterday. Commissioner Elkin stated Mr. Netemeyer told him what his letter says, that he has vacancies available in others communities and that he would waive the first three months rent if the tenants move to one of his other communities. Commissioner Elkin stated Mr. Netemeyer also told him that he would help with the moving costs for the mobile homes. Commissioner Elkin stated he expects Ms. Cochran's modular home to be much more expensive to move than a single wide.

Ms. Hussmann stated that he will only pay the totter fees if they move to his two other

parks, which are also under the shadow of eviction.

Commissioner Elkin asked Ms. Hussmann why she would say that.

Ms. Hussmann stated the owner went to the city seven years ago and got commercial zoning. Ms. Hussmann stated the city told him that he would have to give residents 6 months notice, and free lot rent for three months before he closes the other parks. Ms. Hussmann stated the area around his two other parks is being developed, and if he gets the right price he would probably sell. Ms. Hussmann stated the tenants know this from friends who live there. Ms. Hussmann stated the community talks, and knows the history.

Commissioner Elkin stated that it could be any mobile home community. Commissioner Elkin stated he spoke with Mr. Netemeyer about the failing sewer system. Commissioner Elkin stated these types of failing systems are all over the County. Commissioner Elkin stated when they were built 30 years ago they were fine, but they have degraded over time. Commissioner Elkin stated this is why DNR is stepping in. Commissioner Elkin stated the owner told him that to connect El Ray to the City or to put in a package plant would be around \$250,000.

Commissioner Miller stated the owner tried to work with the sewer district, but we don't have capacity out there.

Commissioner Elkin stated many mobile home Communities in the County have failing sewer systems. Commissioner Elkin asked Mr. Shawver how many failing DNR permitted facilities are out there.

Mr. Shawver stated most mobile home parks are under disinfection orders from DNR. Mr. Shawver stated most of the parks are looking at turning over their sewer systems to the regional sewer district.

Ms. Hussmann stated it is interesting he gave those figures, because when she spoke to the people in Jefferson City, Mr. Netemeyer told them it would cost \$100,000 to connect to the City sewer, and it would be \$60,000 to bring it up to compliance. Ms. Hussmann stated these families have lived in this very odorous place, especially in the summer. Ms. Hussmann stated if the Commissioners go out there they will see it and smell it. Ms. Hussmann stated the lagoon is unsafe and unsanitary. Ms. Hussmann stated her focus isn't on bashing the owner, but she does feel the Commissioners should speak with these families. Ms. Hussmann stated she feels this is an overall problem that keeps occurring and needs to be addressed by officials. Ms. Hussmann stated going out in the dead of winter is very difficult, and some totes will not tote in certain weather. Mr. Hussmann stated it is supposed to be a harsh winter. Ms. Hussmann stated these are difficult homes to move. Ms. Hussmann stated toter fees rise when they know the residents backs are against the wall, and they must move. Ms. Hussmann stated if the residents had six months to move, that would at least let the kids get out of school, and the toter fees might

not be as high. Ms. Hussmann stated they are trying to do what they can, since they know the law isn't on their side. Ms. Hussmann stated there are other laws, moral laws and ways that you treat people. Ms. Hussmann stated they would like the Commission to commit today to write a joint letter to the owner, asking for a response. Ms. Hussmann stated most of the families have been paying rent, and the owner has made very little investment into the community. Ms. Hussmann stated she would like more than a phone call. Ms. Hussmann stated she wants the Commission to write a letter to the owner asking if he would reconsider this, for some kind of amnesty on the lot rent, and an extension past the 120 days to move.

Commissioner Elkin asked Ms. Hussmann if she would ask the owner to give amnesty to the folks who haven't paid. Commissioner Elkin stated that he meant no disrespect to Mr. Houston, but he said there are people who are out there who haven't paid for a long time. Commissioner Elkin stated he knows this is a business, and understands that. Commissioner Elkin stated the Commission can write a letter if they choose to do so, but they have no authority to require him to do anything.

Ms. Hussmann stated they could put that in their letter. Ms. Hussmann stated the Commission can ask him in the interest of their constituents. Ms. Hussmann stated they could ask for an additional few months for the residents to move. Ms. Hussmann stated it would be complicated to try to figure out who has paid rent, who hasn't, and then only help those who have kept up with rent.

Commissioner Miller stated she thinks you have to treat people who have treated you right, different than people who have blown you off and not paid rent. Commissioner Miller stated if she was in business, she would take care of the ones who were paying her every month, and feel an obligation. Commissioner Miller stated she would not feel obligated to help those who hadn't been paying her. Commissioner Miller stated she would tell them that they had saved their money when they weren't paying rent.

Ms. Hussmann stated they could have lost their jobs.

Commissioner Miller stated she understands that.

Ms. Hussmann stated these families are economically strapped.

Commissioner Miller stated she gets that.

Ms. Hussmann stated the Commissioners can write the letter the way they want. Ms. Hussmann stated they are asking for this because they are the County Commissioners, and they care about their constituents whether they are wealthy or not.

Commissioner Miller stated they will have to get all the facts before they commit to what the letter will say. Commissioner Miller stated she is compelled by the moving in the winter. Commissioner Miller stated that bothers her, because it is harder on families to

move in the winter.

Mr. Houston stated most of the families he has talked to are willing to move, but want to use their income tax return to help pay the costs. Mr. Houston stated the earliest possible time would be around March. Mr. Houston stated everyone understands the park has to close because DNR has gotten involved. Mr. Houston stated the 120 days in the middle of winter is the problem. Mr. Houston stated the residents think the owner is trying to rush them out so he doesn't have to pay a fine.

Commissioner Elkin stated that is part of it. Commissioner Elkin stated the EPA is the worst enemy to affordable housing. Commissioner Elkin stated they are forcing local governments and private property owners to do all this stuff.

Ms. Hussmann stated they have a right to a clean area.

Commissioner Elkin stated he understands that, but when you're in private business if you can't make the numbers meet because big brother in Washington is forcing you to do things, you won't be in business. Commissioner Elkin stated this is happening all over Boone County and it's forcing places to close. Commissioner Elkin stated if the numbers worked, you would see mobile home parks springing up all over the place.

Ms. Hussmann stated the Commissioners need to go see this park, and that there needs to be some standards.

Commissioner Elkin stated he understands that.

Mr. Houston stated one of the tenants looked up DNR's public records, and the permit for the lagoon was still standing up until two months ago when it ran out. Mr. Houston stated the resident wanted to convey that it seems somewhat shady that the owner took over the park while the permit was still valid, and as soon as it became invalid he wants to get rid of it.

Commissioner Elkin stated there are a lot of invalid permits.

Commissioner Miller stated there are probably 30 expired permits for private, DNR permitted facilities, because DNR doesn't have the staff to stay on top of all the permitted facilities in the state.

Ms. Hussmann stated she thinks this facility reached the end of its rope because DNR could not get any cooperation.

Commissioner Miller stated the Commission could possibly work with DNR to allow Mr. Netemeyer to keep the park open until the spring without being penalized.

Commissioner Elkin stated he thinks DNR is telling Mr. Netemeyer that he must close

the park in 120 days or be fined.

Commissioner Miller stated the Commission has a very good relationship with the director of DNR, and that they may be able to speak with Director Pauley.

Commissioner Elkin stated the Commission has the authority to clear environmental health concerns, but not public sewers.

Mr. Houston stated several tenants are known to be well behind on their lot rent, but the majority just wants an extension so they get out of winter and get the kids through the school year.

Commissioner Elkin stated he understands that, and it is reasonable.

Commissioner Miller stated there is pressure from all different directions, so the Commissioner needs to find the balance and work with Mr. Netemeyer.

Commissioner Elkin stated some residents may be willing to take him up on relocation expenses and a new facility.

Commissioner Miller stated if some residents move sooner, it might take pressure off of the sewer.

Ms. Hussmann stated it won't get it into compliance.

Commissioner Miller stated she understands that, but it won't have as much problem if there is less load, and this can hopefully buy some time.

Mr. Houston stated if an extension can be pushed through, he thinks the tenants would be happy with that. Mr. Houston stated the ones with kids have concerns about switching schools in the middle of the school year.

Commissioner Miller stated they would see what they can do as far as lessening the regulatory pressure. Commissioner Miller stated she was unsure if Mr. Netemeyer would even consider it.

Commissioner Elkin stated they are willing to have those discussions.

Ms. Hussmann stated the people in Jefferson City told her it will cost \$10,000 to drain and fill the lagoon. Ms. Hussmann stated he has to restore the land if he wants to close the mobile home park.

Commissioner Miller stated she wishes the County could do more.

14. Commissioner Reports

The meeting adjourned at 10:26 a.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Daniel K. Atwill
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner