

TERM OF COMMISSION: October Session of the August Adjourned Term

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

PRESENT WERE: Presiding Commissioner Don Stamper  
District I Commissioner Karen M. Miller  
District II Commissioner Skip Elkin  
Deputy County Clerk Shawna Victor

The meeting was called to order at 1:04 p.m.

**Subject: Discussion – Burr Oak Stables Conditional Use Permit**

Commissioner Stamper stated he received notice from the Gerzen’s that they wanted to alter the fence plan that was set in the Conditional Use Permit that was approved by the Commission on July 2, 2002. The Gerzen’s would like to use the back side of a building as a fence and be permitted to put only fence wings from the building to accommodate the fencing requirement. Commissioner Stamper brought this forward for a discussion of the Commission.

Commissioner Miller stated this would not eliminate the mess that is around the barn.

There was discussion about the piles of horse manure around the building.

Commissioner Elkin asked if this item should be held until all parties are able to come to the discussion.

Commissioner Stamper requested this item be held for further discussion until later in the meeting to give Mr. Jerry Gerzen an opportunity to speak.

There was no objection to this request.

**Subject: Purchasing Department**

**A. Second Reading and Award of Bid 61-03OCT02 (South Facility Addition)**

Commissioner Miller moved to award bid 61-03OCT02 for the South Facility Addition to Little Dixie Construction LLC. The County Commission of the County of Boone does hereby approve the following budget revision:

DEPARTMENT ACCOUNT AND TITLE	AMOUNT DECREASE	AMOUNT INCREASE
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2040-92300: Public Works – Replacement Machinery and Equipment	\$37,000.00	
2040-91200: Public Works – Building and Improvements		\$37,000.00

Said budget revision is to cover the cost for the above referenced bid.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 463-2002**

**B. Second Reading and Award of Bid 41-13AUG02 (Food Products and Kitchen Supplies Term and Supply)**

Commissioner Elkin moved to award bid 41-13AUG02 for Food Products and Kitchen Supplies Term and Supply to Sysco Food Services of Kansas City, Inc per the recommendation of the Purchasing Department.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 464-2002**

**Subject: Facilities Maintenance**

**A. Second Reading and Approval of Contracts with Architects**

Commissioner Elkin moved to approve the following General Consultant Service Agreements:

- Butler Rosenbury
- Corsair

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 465-2002**

**B. Second Reading and Approval of Budget Revision**

Commissioner Miller moved to approve the following budget revision:

<b>DEPARTMENT ACCOUNT AND TITLE</b>	<b>AMOUNT DECREASE</b>	<b>AMOUNT INCREASE</b>
6100-48100: Facilities Maintenance – Natural Gas	\$6,900.00	
6100-10100: Facilities Maintenance – Salaries	\$12,600.00	
6100-60100: Facilities Maintenance – Building Repairs		\$4,750.00
6100-60200: Facilities Maintenance – Equipment Repairs		\$9,400.00
6100-60400: Facilities Maintenance – Grounds		\$5,350.00

Said budget revision is to cover outstanding invoices and other expenses.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 466-2002**

**Subject: Treasurer's Office – Second Reading and Approval of Budget Revision**

Kay Murray, Boone County Treasurer, was present on behalf of this item.

Commissioner Miller asked why this budget revision request cannot wait to go through the budget process and if this is an emergency. She noted this was requested in the Treasurer's 2002 budget as a supplemental request. Kay Murray stated she intended to have this done this year. The years do not run consecutively with the calendar year in the Treasurer's Office. During tax season, the office needs help and she would like to have the help during tax season.

Commissioner Miller asked if this would be temporary for tax season. Ms. Murray stated no, this would be a permanent part-time position. She stated she needs the help now in the office and cannot wait until the budget is approved in January.

Commissioner Miller stated she understands but sees the fact there are a lot of needs for County employees and they should be placed on an equal basis at budget time. This is her

concern and is the reason for trying to understand the emergency need for this request. Ms. Murray stated she is not saying this is an emergency.

Commissioner Miller noted that is where the money would be coming from to fund this request. Ms. Murray stated there is nowhere else for her to get the funds for this request.

Commissioner Miller stated she believes this should still go through the budget process. Commissioner Stamper stated this will go through the budget process if it is going to be included in the 2003 budget. There is nothing about this request today that encumbers it; Ms. Murray is requesting this in preparation for tax season.

Commissioner Miller stated that once this is here, this request will not be cut from the next budget. Commissioner Stamper stated he cannot forecast what will be done in the next budget season but knows there will be a lot of challenges.

Commissioner Miller stated she is worried about the budget for 2003 from the meetings the Commission has had with June Pitchford, Boone County Auditor. There was discussion in a meeting with the Auditor about no new FTEs.

Commissioner Stamper noted the Treasurer may shift some of the funds in the Treasurer's budget to accommodate for an addition part-time FTE. He does not believe the Commission can close their minds to the idea that this can be accommodated by shifting resources.

Commissioner Elkin stated he agrees not all departments work schedules are on the same fiscal years. He does not have a problem with this request. It would only be 15 to 18 hours per week.

Commissioner Miller asked if this was a benefited position. Commissioner Elkin stated this is a part-time non-benefited position.

There was no further discussion on this issue.

Commissioner Elkin moved to approve the following budget revision:

<b>DEPARTMENT TITLE AND ACCOUNT</b>	<b>AMOUNT DECREASE</b>	<b>AMOUNT INCREASE</b>
1123-86800: Emergency	\$4,013.00	
1140-91100: Treasurer – Furniture and Fixtures		\$2,800.00
1140-23000: Treasurer – Office Supplies		\$50.00
1140-10100: Treasurer – Salaries and Wages		\$1,080.00

1140-10200: Treasurer – FICA		\$83.00
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Said budget revision is for the hiring of a part-time non-benefited employee for the Treasurer’s Office.

Commissioner Stamper seconded the motion.

Commissioner Stamper stated this is not a predisposition to the 2003 budget.

There was no further discussion and no public comment.

The motion passed 2-1 as follows, Commission Stamper – YES, Commissioner Elkin – YES, Commissioner Miller – NO. **Order 467-2002**

There were no Commissioner Reports at this time.

Commissioner Stamper recessed the meeting to 1:30 p.m.

Commissioner Stamper reconvened the meeting at 1:32 p.m.

**Subject: Sheriff’s Department – Asset Forfeiture Award Presentation**

Sheriff Ted Boehm discussed the investigation of Gary Brian Banks, which began in 1995, for narcotics related crimes and illegal proceeds. This case began with a telephone call from a local bank notifying the Sheriff’s Department of a \$10,000 deposit to the bank. The IRS became involved in the investigation and case. The forfeiture proceedings began in early 2001 and the IRS representatives will be presenting the Boone County Sheriff’s Department with their portion of the proceeds of this investigation. The case was finalized within the last 90 days; Mr. Banks was sentenced at the federal level for 15 months in prison without parole.

Sheriff Boehm thanked the deputies and IRS for their work on this case.

Alvin Patton, Special Agent in Charge of the St. Louis IRS Office, discussed the investigation of this case. Between 1990 and 1997, \$350,000 was moved between three banks in Boone County. Over \$204,000 was seized from banks located in states across the United States.

Mr. Patton noted this funding comes from the Treasury Asset Forfeiture Fund. This fund is used for seized illegally gotten proceeds from individuals involved in criminal activities; this is the receipt account for the illegal funds.

Mr. Patton introduced Janine Meriweather, Public Information Officer, Diana Miller,

Agent who worked with the Boone County Sheriff's Department Deputies, Lucila Rangel, Asset Forfeiture Coordinator for the U.S. Department of Treasury, who were also present for the presentation to the Sheriff's Department.

A check was presented to the Boone County Sheriff's Department from the U.S. Department of Treasury in the amount of \$110,261.58.

**Subject: Discussion – Burr Oak Stables Conditional Use Permit**

Jerry Gerzen, 2315 Magnolia Court, Columbia, was present on behalf of this item.

Jerry Gerzen stated there are currently four fences on the property and he is in the process of getting information from the Planning and Building Inspections Department on the building line restrictions.

Mr. Gerzen discussed the status of the conditions for his permit.

Commissioner Stamper asked Mr. Gerzen what the intended use of the doors on the Chenault side of the building. Mr. Gerzen stated that is the back of the barn and will be used for hay storage.

Commissioner Stamper asked if there was any intent in using this side of the building for horse access. Mr. Gerzen stated no because there is no room between the building and the property line.

Commissioner Miller stated she believes this was a negotiated situation where they tried to find the right way between both property owners and thought the privacy fence is a big part of making a successful relationship. She is not willing to give it up.

Mr. Gerzen discussed the topography and the relationship between his property and the Chenault's property, which is at a higher elevation than his.

Mr. Gerzen explained to the Commissioners the location of the new building and how the Chenault's would still be able to see over a 6' privacy fence because of their higher elevation.

Commissioner Stamper noted the Commission did not specify the height of the fence. Commissioner Miller stated a privacy fence is just that, for privacy and so people cannot see each other.

Commissioner Miller stated she believes the Chenault's should be present so they can be part of this discussion and she would like to tour the properties.

Commissioner Elkin stated there is no requirements for privacy fence height requirements

in the County.

There was also discussion about the building set back requirement for the County. The Deputy County Clerk stated in A-1 and A-2 zoning, the building set back is 50' from the front and back of the property line and 15' from the sides.

There was no further discussion about this issue.

Commissioner Stamper requested this discussion item be tabled until further notice.

There was no public comment.

The meeting was adjourned at 1:54 p.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Don Stamper  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner