

TERM OF COMMISSION: February Session of the January 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: Good Time Acres Neighborhood Improvement District – Notice to Proceed with Neighborhood Improvement District**

John Watkins, Project Development Manager, was present on behalf of this item.

Commissioner Miller stated there are two half assessments for this project. Mr. Perkins felt that it was unfair since he does not have access to the roadway. She felt that his property values will increase having the road improved. She was willing to assess the half assessment because Mr. Perkins could use that road at some time if he so chose to. At that time Commissioner Elkin was more cautious and the decision was made at the last meeting to table this issue.

Commissioner Elkin stated there were some issues pending and Mr. Odle was going to discuss this with his business partners. A suggestion was made to have Mr. Odle's business absorb the cost for Mr. Perkins instead of not doing the project at all.

John Watkins stated Mr. Perkins property is zoned residential and there is a possibility that the lot could be subdivided and have access to that road. Not that Mr. Perkins has that intention but there is that potential because the lot is big enough. The suggestion of adding Mr. Perkins' cost to others participants is not feasible. If this is done then a new petition would have to be done because there will only be 17 people instead of 18.

Commissioner Schnarre stated in reading the minutes from the meeting, Mr. Watkins had stated this had been done before. Mr. Watkins stated that is correct.

Commissioner Miller moved to establish:

**AN ORDER ORDERING PROJECT NUMBER 9750, GOOD TIME 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 Good Time Acres Neighborhood Improvement District Project number 9750 to be advisable and ordered plans and specifications for the Project to be prepared by Commission Order 33-2004; 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 Good Time Acres Neighborhood Improvement District Project, Project Number 9750, providing for an estimate cost of \$139,474.94 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 \$174,343.68.

**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 Elkin seconded the motion for discussion.

Nathan Odle, partner with NJE LLC, 3315 Berrywood Drive Suite 101, Columbia, stated he believes the improvements to the road are something that NJE LLC has been looking into for a long time because the area has become run down. They have been preparing to

make improvements to their properties and they are one of the major property owners in the area. Key to all those improvements is the road. They have created a situation where there are a lot of vacant units. They, the other land owners, believe the whole neighborhood will benefit. They believe that half shares on the ends are fair; Mr. Bock saw the benefit of the project.

Joe Perkins, 5791 S. Route K, Columbia stated he does not agree that he has to pay. He does not see that it will improve his property.

Commissioner Schnarre asked where Mr. Perkins' property is located. Mr. Perkins stated he has the corner lot south of Hoedown.

Commissioner Schnarre asked if the commercial property is on the north corner. Mr. Perkins stated that is correct.

Mr. Perkins stated the suggestion made by Commissioner Miller about building a garage; he has already built a garage. He has a driveway to his garage. The driveway is off of Route K.

Mr. Perkins asked why this is not a county road. Commissioner Schnarre stated the road was never accepted for maintenance but has been dedicated to the public right-of-way.

Mr. Perkins stated he has discussed this with his lawyer about the road being public right-of-way but the County never accepting the road. Commissioner Schnarre stated the County does not accept maintenance of a road until it is built to County standards.

Mr. Perkins stated it was built to County standards. Commissioner Schnarre stated it was not accepted into the road inventory. Anyone can dedicate public right-of-way but that does not mean the County has to maintain the road until it is accepted for maintenance.

Mr. Perkins asked if it was a private road. Commissioner Schnarre stated it is a public road because it has been dedicated to the public. A lot of the older subdivisions are that way. Since 1995, all subdivision roads have had to be built to County standards and the County accepts maintenance of those streets. There was not a road standard before then and a lot of the roads were not accepted for maintenance. Those roads were dedicated to the public right-of-way.

Commissioner Elkin asked Mr. Odle if he discussed the payment of Mr. Perkins' share with the business partners. Mr. Odle stated he did discuss this with his partners and they believe it will benefit all the neighbors.

Mike Leipard, 165 E. Hoedown Drive, Columbia, stated his property is the commercial property on the corner of Hoedown Drive and Route K. He stated Mr. Perkins does not use Hoedown Drive. He supports improving the neighborhood. Mr. Leipard asked about

the maintenance of the entrances to his property.

Mr. Watkins stated the County will give Mr. Leopard a commercial entrance on Hoedown. The County has nothing to do with Route K, that is a state road and he will need to discuss that with MoDOT.

Mr. Leopard stated he was unaware of the previous name change that was brought forward and was not aware of this NID until he received the notice of public hearing. He was concerned that the neighbors did not discuss this with him. He does want to see the neighborhood get better but wishes that Mr. Odle would have come by to let him know what is going on.

Mr. Watkins stated the County is the facilitators in the program and only sends notices of meetings. The NID solicitors are the ones to contact the participants to let them know what is going on.

Commissioner Miller stated the Neighborhood Improvement District allows for a quasi-government group to come together and tax themselves. The Commission does not get involved in the politics of how it is developed. This is only brought forward after all the requirements have been met, which they have been.

Mr. Leopard stated he is concerned with the entrance from Route K and Hoedown. Also, he believes the costs are high.

Commissioner Schnarre asked if half lots have been used before. Mr. Watkins stated the County has not used half lots but have had people on corner lots that did not have access to the road that was being improved being assessed the full assessment. This is the first time to have half assessments.

Commissioner Schnarre questioned Mr. Watkins about previous projects, is it correct if there was a corner lot it was full price even if the driveway went to the other road. Mr. Watkins stated that is correct and this was their way of trying to make it fair for people that did not access it. This problem has been raised before with Hillview Acres NID, Hartsburg Hills NID but according to the regulations they do receive compensation when they have road frontage and can still get access at any time if they so chose.

Commissioner Miller stated the key to this decision is Mr. Perkins lot is big enough it could be split.

Commissioner Schnarre stated he can see that the road is along side Mr. Perkins property and any improvement to a road touching your property will increase the property values.

Commissioner Elkin stated he does not disagree that this is a good project and needs to be done but he does not think that Mr. Perkins should have to pay. Mr. Perkins has lived

there for over 30 years and does not use the road. He noted Mr. Odle owns the majority of the properties. It gives him an uneasy feeling because Mr. Odle has chosen to buy all those properties. He has problems assessing Mr. Perkins.

Mr. Watkins stated these issues are always addressed at the initial meetings. He presented the rules and regulations but it's the neighbors that have to decide how this will be done and live together. This is the first time the County has done half assessments.

Commissioner Elkin asked how long it would be to do a new petition. Mr. Watkins stated it would be at least 30 to 45 days to get back to the stage they are at today.

Commissioner Elkin asked if there were others opposed to this. Mr. Watkins stated the Leipards, Sapps, and Perkins did not sign the petition.

Commissioner Miller asked if the Sapp lot was purchased. Mr. Leopard stated he had a verbal agreement with the Sapps to purchase the lot.

Mr. Odle stated the Sapp property is a non-issue.

Commissioner Elkin stated if Mr. Perkins had a driveway on the road then he would not have a problem with this.

Commissioner Schnarre stated unfortunately this is an issue that happens sometimes because not everyone is in agreement but it was set up to have percentages to keep it fair. It sounds to him that the half lot is a fair way to deal with the issue. He is willing to support this NID.

There was no further discussion and no public comment.

The motion passed 2-1 as follows: Commissioner Schnarre – Aye, Commissioner Miller – Aye, Commissioner Elkin – Nay. **Order 49-2004**

**Subject: Purchasing Department – Second Reading and Award of Bid 05-27JAN04 (County Roadside Trash Pickup)**

Marlene Ridgway, Purchasing Department Buyer, was present on behalf of this item.

Marlene Ridgway stated this is a recommendation to award the bid to Handyman Haulers. The budgeted amount for 2004 is \$1,200.

Commissioner Elkin moved to award bid 05-27JAN04 for County Roadside Trash Pickup to Handyman Haulers.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 50-2004**

**Subject: Sheriff's Department – First Reading of Budget Revision**

Major Warren Brewer was present on behalf of this item.

Major Brewer stated this is a budget revision for November and December 2003 out of county housing for \$78,951.

The population today is 190 in house and 27 out of county.

The female population percentage is 17% to 18% and the national average is 12.5%. There was discussion about the female population at the jail and keeping them in house.

There was no further discussion and no public comment.

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: Public Works**

**A. Second Reading and Approval of Request to Post “No Parking” Signs (Sunrise Estates Subdivision)**

Allison Anderson, Project Engineer, was present on behalf of this item.

Allison Anderson stated she contacted the Boone County Regional Sewer District and they do not see a problem with the sign on Sunshine Drive.

Commissioner Elkin moved to approve the recommendation from the Boone County Public Works Department to place “No Parking Here to Corner” signs on each side of Broadview Court, Rainbow Drive, and Sunshine Drive approximately 40 feet from the intersection of each road with Richland Road.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 51-2004**

**B. First Reading of Water Line Relocation Agreement with Public Water Supply District #9**

David Nichols, Design and Construction Manager, was present on behalf of these items.

David Nichols stated this is an agreement with Public Water Supply District #9 for the relocation of a water line for the Olivet Road reconstruction project. This follows the format in conjunction with the cooperative agreement with the Water Districts. This agreement allows for the design of the relocation and inspection costs associated with it. This is a not to exceed agreement.

Commissioner Schnarre stated he just signed a change order for \$5,000 for the Olivet Road project for an electrical pump. Mr. Nichols stated that is in association with their lot where the tower is. They put their meter on a pole that is now affected by the reconstruction and it all has to be relocated.

Mr. Nichols noted they have received the land disturbance permit. This bid will open on March 16.

There was no further discussion and no public comment.

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.

**C. First Reading of Budget Revisions**

Jane Morris, Public Works Office Administrator, was present on behalf of these items.

Jane Morris stated this is a request for two budget revisions. One is in the amount of \$3,850 for unemployment charges in FY2003. The other is for \$31,514 for overtime and salaries for FY2003.

There was no further discussion and no public comment.

Commissioner Schnarre stated this is a first reading and requested the Deputy County Clerk to schedule these items for a second reading at the next available meeting with appropriate orders for approval.

**Subject: Human Resources – Second Reading and Approval of Letter Agreement with Rick McRoy**

Betty Dickneite, Human Resources Director, was present on behalf of this item.

Commissioner Schnarre stated during summer 2003, the Job Classification Committee discussed how to update the pay plan. The Committee requested a cost estimate for budgetary purposes. No commitment was made to Public Sector Personnel Consultants that the County would utilize their services.

Betty Dickneite commented on Rick McRoy's employment.

In January 2004, the Personnel Advisory Committee reviewed the recommendation to utilize Rick McRoy. This was approved by PAC and brought forward to the Commission.

Some elected officials have expressed some concerns about possible ethical issues.

A suggestion was made to do a RFP on this item. A RFP will not cost the County anything.

Commissioner Miller stated there are two knowledgeable vendors but there is possibly more.

Ms. Dickneite stated she told Mr. McRoy that the Commissioners agreed to use his services from the PAC recommendation. This was approved by the Commission on January 27, 2004.

The Commission tabled this item for further review and discussion.

**Subject: Health Department – Second Reading and Approval of Animal Control and Public Health Services Contracts**

Commissioner Schnarre moved to approve the following agreements with the City of Columbia:

- Animal Control Agreement
- Public Health Services Agreement.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 52-2004**

**Subject: Second Reading and Approval of Medical Examiner Contract**

Commissioner Elkin stated this agreement is for the new Medical Examiner, Dr. Valerie Rao. This agreement is effective March 1 to December 31, 2004.

Commissioner Miller moved to approve the Medical Examiner Agreement with the Curators of the University of Missouri.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 53-2004**

**Subject: Planning and Zoning**

Stan Shawver, Planning and Zoning Director, was present on behalf of these items.

**A. First Reading of Budget Revision**

Stan Shawver stated this is a budget revision to transfer funds between accounts to cover overtime and correct split position between Solid Waste and Planning and Zoning. This budget revision is in the amount of \$8,746.

There was no further discussion and no public comment.

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.

**B. First Reading to Receive and Accept Bond (\$50,960), Bonding Documents and Plat for Lake of the Woods Little General Subdivision**

Stan Shawver stated the Lake of the Woods Little General Subdivision plat is ready to be received and accepted by the County Commission. There is also a Guaranty and Collateral Pledge for sewer improvements.

Commissioner Elkin moved to receive and accept Lake of the Woods Little General Subdivision Plat. It is further ordered that the Presiding Commissioner be hereby authorized to sign said plat and the Guaranty and Collateral Pledge for bonding of sewer improvements (\$50,690) and authorize the County Treasurer to accept the bond.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 54-2004**

**Subject: Treasurer's Office – First Reading of Budget Revision**

This is a budget revision in the amount of \$4,090 to cover shortage due to unbudgeted bank fees.

There was no further discussion and no public comment.

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: Public Defender – First Reading of Budget Revision**

This is a budget revision in the amount of \$1,961. The shortfall was due to an increase in the rent allocation because the Public Defender occupied more square footage in the Johnson Building.

There was no further discussion and no public comment.

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: Clerk's Office – First Reading of Budget Revision**

This is a budget revision in the amount of \$896 to cover the cost of 2003 auto claims.

There was no further discussion and no public comment.

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: Authorize Use of County Facilities (Mid-Missouri Peaceworks)**

Commissioner Schnarre moved to authorize the use of the Courtyard Square and Commission Chambers on March 20, 2004 from 11:00 a.m. to 2:00 p.m. for a Peace Gathering sponsored by Mid-Missouri Peaceworks.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 55-2004**

**Subject: Appointment to Boone County Regional Sewer District**

Commissioner Elkin moved to appoint David A. Shorr of the Rock Bridge Township to the Boone County Regional Sewer District Board for a term to expire on January 1, 2009.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 56-2004**

**Subject: Authorize Closed Session (610.021.3 and 610.021.13)**

Commissioner Elkin moved to authorize a closed session on Monday, February 23, 2004 at 1:30 p.m. The meeting will be held in Room 220 of the Roger B. Wilson Boone County Government Center at 801 E Walnut, Columbia, Missouri, as authorized by 610.021(3) RSMo. to discuss hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded and by 610.021(13) to discuss individually identifiable personnel records, performance rating or records pertaining to employees or applicants for employment.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 56-2004**

**Commissioner Reports**

*Commissioner Schnarre*

*Boone Electric C.A.S.H/H.E.L.P Program*

Commissioner Schnarre stated the beginning balance of the C.A.S.H. program on January 1, 2004 was \$78,865.19. Donations during January were \$2,772.70, interest was \$26.34 and disbursements were \$1,562.49. The end balance was \$80,101.74.

The beginning balance of the H.E.L.P. program on January 1, 2004 was \$23,433.32.

Donations during January were \$2,111.71, interest was \$7.82 and disbursements were \$1,934.51. The end balance was \$23,618.34.

Notice of Voluntary Annexation

Commissioner Schnarre stated the County has been notified a voluntary annexation of 29.11 acres of land owned by Larry W. and Cecilia A. Benton, located on the north side of Brown School Road approximately 2,000 feet west of State Route 763.

University Outreach and Extension County 2003 Annual Report

Commissioner Schnarre stated the Commission has received the Boone County University Outreach and Extension Council 2003 Annual Report.

*Commissioner Miller*

None to report at this time

*Commissioner Elkin*

Farm Bureau

Commissioner Elkin stated the Commission will be receiving a letter from Farm Bureau requesting the County to consider following the City's lead in using soy diesel in Public Works vehicles.

There was no public comment.

The meeting adjourned at 2:24 p.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Keith Schnarre  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner