

TERM OF COMMISSION: April Session of the February Adjourned Term

PLACE OF MEETING: Hearing Room One, Boone County Courthouse

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Deputy County Clerk Michelle Malaby
County Counselor John Patton

The regular meeting of the County Commission was called to order at 9:30 a.m.

SUBJECT: Open Responses to Bids

Responses to the requests for quotations were opened as follows:

38-04APR95, Juvenile Justice Center Landscaping

Company	Location	Bid Price
Artistic Landscaping	Dixon, MO	Bid
Columbia Turf	Columbia, MO	Bid
Central MO HydroSeeding	Columbia, MO	Bid
Garden Center	Jefferson City, MO	No Bid
Hillside Gardens	Foley, MO	No Bid
Rost Landscaping Design	Columbia, MO	Bid
Turf Technology	Lenexa, KS	No Bid

39-04APR95, Tool Boxes

Company	Location	Bid Price
Ahrens Steel, Inc.	Columbia, MO	No Bid
Columbia Welding & Machine	Columbia, MO	Bid
Cooke Sales and Service	Fulton, MO	No Bid
Crown Power and Equipment	Columbia, MO	No Bid
GM Supply Co., Inc.	Columbia, MO	Bid
Knapheide Truck Equipment Contractors	Jefferson City, MO	Bid

40-04APR95, Compactor Tamper

Company	Location	Bid Price
Ahrens Steel, Inc.	Columbia, MO	No Bid
Allied Construction Equipment	St. Louis, MO	Bid
Cooke Sales and Service	Fulton, MO	No Bid
Crown Power and Equipment	Columbia, MO	No Bid
Fabick & Co.	Jefferson City, MO	No Bid
GM Supply Co.	Columbia, MO	Bid
Knapheide Truck Equipment Contractors	Jefferson City, MO	No Bid

41-04APR95, Single Drum Vibratory Roller

Company	Location	Bid Price
Ahrens Steel, Inc.	Columbia, MO	No Bid
Allied Construction Equipment	St. Louis, MO	No Bid
Cooke Sales and Service	Chillicothe, MO	No Bid
Crown Power and Equipment	Columbia, MO	No Bid
H. M. Dinzler Equipment Co.	St. Louis, MO	Bid
Fabick & Co.	Jefferson City, MO	No Bid
GM Supply Co.	Columbia, MO	Bid
Knapheide Truck Equipment Contractors	Jefferson City, MO	No Bid

42-04APR95, Vibratory Plate Compactor

Company	Location	Bid Price
Ahrens Steel, Inc.	Columbia, MO	No Bid
Allied Construction Equipment	St. Louis, MO	Bid
Crown Power and Equipment	Columbia, MO	No Bid
Fabick & Co.	Jefferson City, MO	No Bid
GM Supply Co.	Columbia, MO	Bid

Knapheide Truck Equipment Contractors Jefferson City, MO No Bid

43-04APR95, Pumps and Hoses

Company	Location	Bid Price
Allied Construction Equipment	St. Louis, MO	Bid
Crown Power and Equipment	Columbia, MO	No Bid
GM Supply Co.	Columbia, MO	No Bid

44-04APR95, Bituminous Materials

Company	Location	Bid Price
Carter Waters Corporation	Kansas City, MO	Bid
Coastal Refining and Marketing, Inc.	Eldorado, KS	Bid
Koch Materials	Sedalia, MO	Bid

45-04APR95, Sand/Cinder Spreader

Company	Location	Bid Price
American Equipment Co.	N. Kansas City, MO	Bid
Crown Power and Equipment	Columbia, MO	No Bid
GM Supply Co., Inc.	Columbia, MO	Bid
H. G. Shaw Equipment Sales, Inc.	Hickman, KY	Bid
Knapheide Truck Equipment Contractors	Jefferson City, MO	Bid
Midwest Systems Truck Equipment	St. Louis, MO	Bid
Victor L. Phillips	Kansas City, MO	No Bid
G. W. Van Keppel Co.	Kansas City, KS	No Bid

46-04APR95, Snow Plows

Company	Location	Bid Price
American Equipment Co.	N. Kansas City, MO	Bid
Clarklift of Central MO	Jefferson City, MO	No Bid
Cooke Sales and Service	Chillicothe, MO	Bid
GM Supply Co., Inc.	Columbia, MO	Bid
H. G. Shaw Equipment Sales, Inc.	Hickman, KY	Bid
Knapheide Truck Equipment Co.	Jefferson City, MO	Bid
Midwest Systems Truck Equipment	St. Louis, MO	Bid
R-CO Equipment	Columbia, MO	No Bid
Reuther Jeep/Eagle	Creve Coeur, MO	No Bid
Root Spring Scraper Co.	Kalamazoo, MI	No Bid

47-04APR95, Ready Mix Concrete & Cement Products

Company	Location	Bid Price
Columbia Ready Mix	Columbia, MO	Bid

48-04APR95, Articulated Motor Graders

Company	Location	Bid Price
Cooke Sales and Service	Chillicothe, MO	Bid
Crown Power & Equipment	Columbia, MO	No Bid
Fabick and Company	Jefferson City, MO	Bid
Roland Machinery Company	Hazelwood, MO	Bid
Tri-State Construction Equipment Co., Inc.	Ashland, MO	Bid

49-04APR95, Computer Equipment

Company	Location	Bid Price
Alltel Supply, Inc.	Norcross, GA	No Bid
Cabletron Systems Sales and Service	Rochester, NH	Bid
CDW Computer Centers, Inc.	Buffalo Grove, IL	Bid
Cedar	St. Louis, MO	Bid
Central MO Computer Center	Columbia, MO	No Bid
Computer City Direct	Fort Worth, TX	No Bid
Computer Resource Management	Jefferson City, MO	Bid
Computability	Milwaukee, WI	No Bid
Computerland	Columbia, MO	Bid
Electronic Support Systems	Bridgeton, MO	No Bid
Information Products, Inc.	Independence, MO	No Bid
Micro Ware House, Inc.	Lakewood, NJ	Bid

Specialized Systems, Inc.	Cedar Rapids, IA	No Bid
Spectra Equipment Corp.	Anaheim, CA	No Bid
Xerox Corp.	St. Louis, MO	No Bid
ZBM, Inc.	Jefferson City, MO	No Bid

SUBJECT: Certify Petition and Establish Walnut Brook Neighborhood Improvement District

Public Works Department Manager of Design and Construction Tom Ratermann stated the Walnut Brook neighborhood submitted a petition to form a neighborhood improvement district in order to improve their streets to standards for County maintenance. Two thirds of the property owners by area signed the petition. Those signing the petition have paid their real estate taxes. The property held by a corporation submitted a resolution authorizing signature of the petition. The Department recommends the Commission create the neighborhood improvement District.

In response to a question from Commissioner Miller, Mr. Ratermann replied there are 39 parcels. The majority are owned by one property owner.

Commissioner Vogt replied there are three property owners.

In response to a question from Commissioner Miller, Mr. Ratermann replied all owners were advised of a neighborhood meeting.

In response to a question from Commissioner Stamper, Mr. Ratermann replied the property is developed with duplexes. The second plat was platted in 1975.

Commissioner Vogt commented the concrete streets have not been properly maintained.

Commissioner Miller stated the Commission agreed the neighborhood improvement district process would not be used as a development tool. However, this property is already developed. The majority property owner is willing to pay the tax bill in order to have the streets repaired.

Commissioner Vogt stated she agrees the process should not be used as a development tool.

Commissioner Miller asked does the Order forming the district give the County the necessary right-of-way if it was not dedicated when the lots were platted.

Mr. Ratermann replied no.

Commissioner Vogt stated she spoke with the majority property owner and encouraged him to involve the other neighbors. He indicated they favor the improvement, but are not interested in attending the meetings.

Commissioner Stamper stated the request does not violate any rules the Commission has set.

Commissioner Stamper moved that the County Commission of the County of Boone accept the following certification:

I, Wendy S. Noren, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the attached petitions contain the signatures of the property owners who own property equal to at least two-thirds by area of all real property located within the proposed Walnut Brook Neighborhood Improvement District and that no petitioner is delinquent in County real estate taxes.

In testimony whereof, I have hereunto set my hand and affixed the seal of the County of Boone, State of Missouri, this 4th day of April, 1995.

(Seal)

/s/ Wendy S. Noren
County Clerk
Boone County, Missouri

In that the attached petitions meet the requirements set forth in section 67.457.3 RSMo. and Commission Order #424-91 for the formation of neighborhood improvement districts, the County Commission hereby approves the advisability of the improvement and orders the establishment of the Walnut Brook Neighborhood Improvement District to be described as follows:

A 15.4 acre tract of land in the Northeast 1/4 of Section , Township 47 North, Range 13 West, Boone County, Missouri, described as follows:

Lots 4, 11, 12, 13, and 14 of WALNUT BROOK SUBDIVISION PART ONE as shown on the Plat thereof recorded in Plat Book 10, Page 147 of the records of said County; lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 of WALNUT BROOK SUBDIVISION PLAT NO. 2 as shown on the Plat thereof recorded in Plat Book 11, Page 127 of the records of said County.

Also all of BROOKSIDE LANE, HILLTOP DRIVE AND BETHEL LANE as shown on said Plat recorded in Plat Book 11, Page 127 and that part of the road shown on said Plat recorded in Plat Book 10, Page 147 as 50' ROAD and is necessary to connect between said BETHEL LANE and BETHEL ROAD to the east.

The final cost of the improvement shall not exceed the estimated cost of \$141,243.75 by more than twenty-five percent (25%). The final improvements costs shall be assessed equally on a per lot/tract basis and shall be payable in not more than ten (10) substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone. The County Commission hereby orders the County Public Works Director to make plans and specifications for the proposed project and file said plans and specifications with the County Clerk of Boone County, Missouri.

The Commission further orders the clerk to prepare an assessment list and notify the property owners of a public hearing on the proposed improvement.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 191-95.

SUBJECT: Agreement with Fry Wagner Moving and Storage Co. for Moving Services

Commissioner Stamper moved that the County Commission of the County of Boone approve the attached agreement with Fry Wagner Moving and Storage Company for moving services associated with moving administrative offices to their new building.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 192-95.

SUBJECT: Agreements with Nelson Sign Company for Signage and Window Lettering

Commissioner Stamper moved that the County Commission of the County of Boone approve the attached agreements with Nelson Sign Company for window lettering and signage for the Boone County Government Center.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 193-95.

SUBJECT: Award Bid No. 32-21MAR95, Hose and Fittings
33-21MAR95, Nuts and Bolts
34-21MAR95, Cemetery Maintenance

Per the recommendation of Assistant Public Works Director Frank Abart, Commissioner Stamper moved that the County Commission of the County of Boone award Bid No. 32-21MAR95, Hose and Fittings, to Superior Industrial Supply

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 194-95.

Mr. Abart stated Superior Industrial Supply submitted the overall lowest and best bid.

Commissioner Stamper moved that the County Commission of the County of Boone award Bid No. 33-21MAR95, Nuts and Bolts, to Superior Industrial Supply.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 195-95.

Per the recommendation of Mr. Abart, Commissioner Stamper moved that the County Commission of the County of Boone award Bid No. 34-21MAR95, Union Cemetery Maintenance, to the Hungry Painter.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 196-95.

The Commission agreed the Facilities Maintenance Department should bid this service next year.

SUBJECT: Discuss County Collector's Request for Furnishings

County Collector Pat Lensmeyer was present.

Commissioner Vogt stated she met with Ms. Lensmeyer yesterday in her Government Center office. The architect did not measure the existing furniture to be moved to the new space. It does not fit. Ms. Lensmeyer would like to have all three employees simultaneously monitor the customer service counter and work at their desk. This can be accomplished by adding pieces to the existing furniture at a cost of \$3,788. Mr. Patton advises the furniture be bid. She thought the furniture could be purchased from Check Office Equipment because they received a portion of the furniture bid. However, this is a different brand of furniture than specified in the bid.

Following discussion, Commissioner Vogt moved that the County Commission of the County of Boone authorize the acquisition of furniture needed in the Collector's office and direct the department to request bids. The furniture will be purchased using the Government Center Owner's Cost account. The cost of the furniture shall not to exceed \$3,790.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 197-95.

SUBJECT: Agreement with Regional AIDS Interfaith Network for Compassionate Care for AIDS Patients

Commissioner Stamper moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached agreement with the Regional AIDS Interfaith Network for Compassionate Care for AIDS Patients.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 198-95.

SUBJECT: Long Range Plan Survey

Commissioner Vogt added the item to the agenda, stating the Commission discussed mailing the survey. Those conducting the telephone survey recommend the survey not be distributed until their work is complete.

Following discussion, the Commission agreed following conclusion of the telephone survey, the survey should be mailed to over 300 organizations in Boone County, placed in the newspaper and mailed to a random sample of residents. The Commission agreed to revise the budget if necessary.

SUBJECT: Cornerstone Ceremony Advertisement

The Commission agreed the cornerstone placement ceremony should be advertised in a Columbia, Centralia and Ashland newspaper.

The meeting recessed from 10:25 a.m. to 10:30 a.m.

SUBJECT: Review Revisions to Subdivision Regulations

Mr. Patton stated the provision for the point rating system is discretionary. If a particular major subdivision does not accumulate the required number of points, the Commission may reject it.

Commissioner Stamper stated what bothered Mr. Simon--of Citizens for a Better Community--was the title, "Required Point Rating for Major Subdivisions." A sentence should be added which says the point rating system is advisory, to be used by the Commission for evaluation.

Mr. Patton stated if the point system is to have no effect, it should be removed from the regulations. When he rewrote the regulations, he did not pay attention to section titles. Many contracts have provisions which state section titles are descriptive only and have no other significance.

Commissioner Vogt suggested removing the word "required" from the title.

Commissioner Miller stated the Commission indicated it would use and evaluate the point system as a tool for the next year.

Mr. Patton stated he does not see a problem with that, but in that case it does not need to be in the regulations.

In response to a question from Commissioner Stamper, Director of Planning and Building Inspection Stan Shawver stated Mr. Simon would revise the title to read, "Advisory Point Rating for Major Subdivision." He would word the provision to state, "In order to permit the Commission and the County Commission to study and identify the effects of development in Boone County and determine whether a major subdivision development is proceeding in those areas with existing adequate infrastructure as opposed to those areas which are undeveloped and do not possess substantial existing infrastructure, a point rating shall be assigned to each major subdivision plat under the subdivision point rating system according to Table B of the these regulations, it being the desire of the County Commission that each major subdivision have a point rating of at least 50 points on such system. However, such point rating system is maintained purely as an advisory and study tool and shall not be used as a basis for accepting or rejecting approval of any major subdivision."

Commissioner Stamper pointed out he invited Mr. Simon to submit additional wording.

Director Shawver stated he likes the wording submitted by Mr. Simon.

Mr. Patton indicated he does not. Regulations are intended to regulate. If wording does not do that, it should be removed. It is difficult enough to design loophole free regulations without having excess wording. He is not criticizing the intent--it is a good idea--he just does not believe wording should be placed in the regulations in order to study the provision.

Commissioner Miller stated the section could be removed in its entirety.

Commissioner Stamper stated he prefers the wording submitted by Mr. Simon.

Commissioner Vogt stated she prefers removing the word "required" from the title.

Commissioner Miller sided with Commissioner Stamper.

Commissioner Stamper stated the other concern expressed by Mr. Simon was that land is being zoned using the land use plan.

Mr. Patton stated he does not agree. A lesson the County learned in the case *Basinger vs. Boone County* was that the County needs an integrated set of land use regulations. Mr. Simon's point that the land use plan is out of date is valid. It is more significant in terms of zoning. He really does not have a problem with eliminating the reference to the land use plan.

Commissioner Miller suggested reference to the land use plan be removed from the document entirely.

Commissioner Vogt argued against removing the reference.

Commissioner Stamper agreed.

Relative to tract splits, the Commission agreed adjacent property owners should be allowed to make minor exchanges of land which are not for the purpose of subdividing.

Director Shawver stated he spoke with the person who raised the issue of cul-de-sac length and block dimensions. He felt 200 feet would be adequate as the minimum lot length and 1000 feet would be acceptable as the cul-de-sac length.

Turning to the concept review process, Director Shawver stated Gene Basinger brought the topic up in the discussion with Citizens for a Better Community. He asked him which provisions he would like removed. Mr. Basinger said he would remove everything on page 25 that begins with illustrate. The problem the Department was experiencing is some people come in with a piece of paper and say, "I don't know." Service providers were frustrated because they would end up having to come back when plans were firmer. An aerial photograph can be used.

In regard to implementation, the Commission indicated they would like the regulations to take effect sixty days from adoption. The Commission could apply the old regulations to anything which is in the door; grandfather only preliminary plats approved by the Planning and Zoning Commission prior to the date of adoption; or require all plats not finally approved by either the Planning and Zoning Commission or County Commission comply with the new regulations.

Commissioner Miller asked Director Shawver if all the survey work is done when a preliminary plat is presented? She does not want to make people redo their survey work.

Director Shawver replied that should not be necessary. A preliminary plat can be done with little field work. The problem is there is a five year anniversary on a preliminary plat. In four years, they could come back and the County would have to dig out the old regulations. He prefers that final plats of subdivisions which come in after the effective date of the regulations comply with the new regulations. Anything which has been approved by the Planning and Zoning Commission would be grandfathered. If the final plat has not been approved, they would have sixty days from the date of adoption to have the final plat approved by the Planning and Zoning Commission. The only concern he has is once the preliminary plat is approved people are advised they can begin improvements. There will need to be a tolerance for improvements which have been started.

The Commission agreed with Director Shawver's preference.

Director Shawver stated in regard to the traffic engineering analysis, the subcommittee decided developments resulting in less than 100 living units could have the traffic analysis performed by the County Public Works Department. The criteria to be used for the analysis is spelled out. In developments of more than 100 units, the developer will be responsible for having a qualified traffic engineer to perform an analysis, subject to review by the Public Works Department. When the County performs the analysis, the developer is responsible for actual costs. The same standards are used for each analysis. One thing that needs to be changed is the sentence which says, "The Commission at its discretion may waive, with the consent of the County Engineer, in whole or part, the necessity of a written traffic analysis report." He recommends that be changed to--on the advise of the County Engineer.

The subcommittee will review the on-site sewage provisions on April 12.

The Commission requested the regulations be presented for adoption one week from Thursday.

SUBJECT: Public Comment

There was no comment.

The meeting adjourned at 11:08 a.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner