

TERM OF COMMISSION: May Session of the May Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper  
District I Commissioner Karen M. Miller  
District II Commissioner Linda Vogt  
Deputy County Clerk Michelle Malaby  
Director of Planning and Building Inspection Stan Shawver

The regular meeting of the County Commission was called to order at 7:05 p.m.

Mr. Shawver presented the **minor plat of Anderton Subdivision, located in Section 13, Township 51 North, Range 13 West. The property is zoned A-R and is owned by Brent Anderton. Don Bormann is the surveyor.** The two lot subdivision is located at the intersection of Crofton Hall Road and Highway 63 North, about one half mile north of Highway NN. Lot one is 4.46 acres in size. Lot two is 2.58 acres. The Planning and Zoning Commission approved the plat at their May 16, 1996 meeting.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept, and authorize the Presiding Commissioner to sign the minor plat of Anderton Subdivision, located in Section 13, Township 51 North, Range 13 West. The property is zoned A-R. Brent Anderton is the owner. Don Bormann is the surveyor.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 314-96.**

Mr. Shawver presented the **minor plat of Highway 70 At The River, located in Section 7, Township 48 North, Range 14 West. The property is zoned C-G and is owned by James Guthrie and David Babel. Brian David Dollar is the surveyor.** The four lot subdivision is located north of the northwest corner of I-70 and Highway BB--at the Rocheport exit. It contains a total of 11.07 acres. The Planning and Zoning Commission approved the plat at their May 16, 1996 meeting.

In response to a question from Commissioner Miller, Mr. Shawver replied there is currently an old gas station on the property.

Commissioner Miller moved that the County Commission of the County of Boone receive, accept, and authorize the Presiding Commissioner to sign the minor plat of Highway 70 At The River, located in Section 7, Township 48 North, Range 14 West. The property is zoned C-G. James Guthrie and David Babel are the owners. Brian David Dollar is the surveyor.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 315-96.**

Mr. Shawver presented the **minor plat of Ness Subdivision, located in Section 18, Township 50 North, Range 12 West. The property is zoned A-2 and is owned by Gary and Anita Ness. C. Stephen Heying is the surveyor.** The three lot subdivision is located on Sportsman Drive, south of Highway 124 and east of Highway 63. The lots are 6.06 acres, 7.44 acres and 5.69 acres in size. The Planning and Zoning Commission approved the plat.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept, and authorize the Presiding Commissioner to sign the minor plat of Ness Subdivision, located in Section 18, Township 50 North, Range 12 West. The property is zoned A-2. and is owned by Gary and Anita Ness are the owners. C. Stephen Heying is the surveyor.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 316-96.**

Mr. Shawver presented the **minor plat of Woodruff Acres, located in Section 19, Township 47 North, Range 12 West. The property is zoned A-2 and is owned by Mark and Laura Woodruff. Ronald G. Lueck is the surveyor.** The two lot subdivision is located off Bluebird

Lane which runs east and west between Route N and Tomlin Hill Road. The Planning and Zoning Commission approved the plat at their May 16, 1996 meeting.

In response to a question from Commissioner Miller, Mr. Shawver replied one lot is 7.1 acres in size. The other is 2.6 acres.

Commissioner Miller moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the minor plat of Woodruff Acres, located in Section 19, Township 47 North, Range 12 West. The property is zoned A-2. Mark and Laura Woodruff are the owners. Ronald G. Lueck is the surveyor.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 317-96.**

**SUBJECT: Vote to Authorize Closed Meeting Immediately Following Regular Meeting on May 30, 1996, 610.021 (3) RSMo.**

Commissioner Miller moved that the County Commission of the County of Boone authorize a closed meeting immediately following the regular meeting of the County Commission on May 30, 1996 as authorized by section 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.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 318-96.**

**SUBJECT: Accept COPS AHEAD Grant from U.S. Department of Justice**

Commissioner Stamper stated the grant would place two additional officers on the road. The grant provides funding over a three year period.

Commissioner Vogt stated this afternoon she advised Auditor June Pitchford of the commission's inclination to accept the grant. Ms. Pitchford prepared a budget revision.

Commissioner Vogt moved that the County Commission of the County of Boone accept the COPS AHEAD grant from the U.S. Department of Justice and authorize the following budget revision:

<b>Dept.</b>	<b>Account</b>	<b>Account Title</b>	<b>Transfer From</b>	<b>Transfer To</b>
1251	10100	Salaries & Wages		\$24,807
1251	10200	FICA		\$ 1,898
1251	10300	Health Insurance		\$ 2,380
1251	10350	Life Insurance		\$ 35
1251	10375	Dental Insurance		\$ 210
1251	10400	Workers Compensation		\$ 893
1251	03400	Fed. Grant Reimbursement		\$21,156
1123	86800	Emergency	\$9,067	

Explanation: To establish budget for COPS AHEAD Grant for two officers.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 319-96.**

**SUBJECT: Discuss Use Tax Election**

Commissioner Vogt stated the deadline to call an election for the August ballot is June 11. Commissioner Vogt suggested the commission meet with community leaders who have the potential to use a use tax and determine what they want to do.

Commissioner Miller agreed with the suggestion and stated she would like additional time to consider the issue. She is interested in knowing why the State initially sought the tax.

Commissioner Stamper replied without a use tax, out of state vendors are allowed to sell their product here, but do not have to support infrastructure or the cost of providing services. He has heard support for and opposition to such a tax. There is no greater example of a democracy than putting the issue to a vote.

Following discussion, the commission agreed to invite Boone County mayors and municipal representatives, county elected officials and department heads to a meeting in the Commission Chambers on June 5, 1996 at 7:00 p.m. Commissioner Stamper stated the commission will receive a briefing, have a discussion, and hold a public hearing.

**SUBJECT: Application for Permit for Organization Use of Boone County Courthouse Grounds: Mid-Missouri Traditional Dancers for Public Dance**

Commissioner Stamper moved that the County Commission of the County of Boone approve an application for a permit for organization use of the Boone County Courthouse Grounds by the Mid-Missouri Traditional Dancers for a public dance on Friday, June 21, 1996 from 6:00 p.m. to 11:00 p.m., provided it does not conflict with previously scheduled events on the grounds.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 320-96.**

**SUBJECT: Finance Agreement with McBaine Levee District**

Commissioner Stamper stated he circulated a proposal to finance repayment of funds owed to the county by the McBaine Levee District. The total amount would be \$100,000. They would repay the amount as they receive levee district fees over a ten year period. About \$60,000 was spent creating the levee. They would like an additional \$40,000 to complete work. The proposed agreement was discussed with Ms. Pitchford, Treasurer Kay Murray, County Counselor John Patton, and the McBaine Levee District. An amount of \$80,000 was discussed at that time. Everyone supported the agreement.

Commissioner Miller and Commissioner Vogt did not object.

Commissioner Stamper moved that the County Commission of the County of Boone approve a proposed agreement with the McBaine Levee District authorizing repayment of funds they owe Boone County over a ten year period, using tax bills, for work completed in conjunction with the McBaine levee which was not funded by the Federal government. The Presiding Commissioner is authorized to sign the agreement pending completion of the document by legal counsel.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 321-96.**

**SUBJECT: Reports from Commissioners**

Commissioner Stamper reported he met with Department of Natural Resources Director David Shorr and two Huntsdale residents to discuss their drainage problems and the impact of the levee district on Huntsdale. Mr. Shorr will discuss the matter with his planning and design staff.

Commissioner Stamper reported he met with Stan Elmore and architect Linda Phillips regarding the Courthouse Square project. Leo Daly Architects returned requested documents. An agreement with Mr. Elmore for his services as construction manager is forthcoming for commission consideration. He expects the project to be bid in three to four weeks with project completion planned for late this year.

The commission requested a discussion of employee suggestions be scheduled on an agenda.

In response to a question from Commissioner Miller, Mr. Shawver replied City of Columbia Director of Disaster Preparedness Mike Sanford has scheduled a meeting on June 10, 1996 at 5:00 p.m. to discuss the Local Emergency Planning Commission.

In response to a question from Commissioner Miller, Commissioner Stamper replied the armory is now vacant. Commissioner Miller and Commissioner Vogt need to tour the building.

In response to a question from Commissioner Miller, Commissioner Stamper replied he sent a letter to Court Administrator Bob Perry requesting advice on the status of video arraignment.

In response to a question from Commissioner Miller, Mr. Shawver replied the Long Range Plan Steering Committee Working Group will meet June 10, 1996 to review comments on the plan.

Commissioner Vogt commented the Steering Committee will also meet with the Planning and Zoning Commission. The Planning and Zoning Commission will ultimately make a recommendation to the County Commission concerning adoption.

Commissioner Miller reported on her participation in a mini-internship program offered by Boone County Medical Society. It was a wonderful opportunity which was well worth her time.

Commissioner Miller reported on her attendance at the meeting of the NACO Board of Directors.

**SUBJECT: Public Comment**

Marge Peg Barker, 4851 East New Haven Road, stated she is concerned with what is happening with New Haven Road. What is the County doing and when will it be in satisfactory condition?

Commissioner Vogt replied she sent information to Ms. Barker regarding the timeline for completing New Haven Road. She and Ms. Barker have communicated mostly by mail; they never seem to reach each other on the telephone.

Ms. Barker replied that is right, that has been happening for months.

Commissioner Vogt stated she also sent information on acquisition of easements and right of way needed to improve the road. A chip and seal surface will be applied to the road this year. That will help control dust and act as the beginning of a hard surface.

Commissioner Stamper stated that should occur about the first of July.

Ms. Barker asked Commissioner Vogt if she is aware of dump truck after dump truck placing gravel on the road last Thursday or Friday? The gravel is already off to the side. The surface is down to clay again. The road is just not acceptable. They cannot live with the road as it is. Her health is being affected. Commissioner Vogt sent her a letter saying she could not see the damage to the road. She obviously has not been there. There are holes in the road big enough to bury her little Ford car.

Commissioner Vogt stated she was there on a road tour. She goes on a road tour once a week.

Ms. Barker asked when?

Commissioner Vogt replied she could not recall that right now.

Ms. Barker stated the dump trucks mashed in the culverts and left holes in front of the neighbor's house and her house. She received the information Commissioner Vogt sent, but did not receive responses to her questions. Ms. Barker stated she brought her complete file of questions. She hopes Commissioner Vogt will review them in the quiet of her office.

Commissioner Stamper requested Ms. Barker ask her questions now.

Commissioner Stamper stated what the County is trying to do on New Haven Road is consistent with the county's policy for converting roads from gravel to asphalt. The county shapes the road and adds drainage structures as needed in preparation for paving.

Ms. Barker stated she understands the County has obtained easements on the section of road from the blacktop to Rolling Hills Road, and prepared the road in terms of width. Why can't the county pave that section? Residents are suffocating from the dust.

Commissioner Vogt replied it is the county’s policy to complete each project in total. The county tries to spend public funds frugally in order to accomplish the greatest number of projects.

Ms. Barker stated the traffic on this section of road is unbelievable. In reading the minutes she saw where roads with much less traffic have been given attention.

Commissioner Stamper stated he does not believe that is correct and encouraged Ms. Barker to show evidence of that statement.

Ms. Barker stated the county did a vehicle count on the road a couple of years ago. No one responded to her question as to what that was. Ms. Barker requested the county perform another vehicle count. She believes the commission would be amazed at the amount of traffic on that particular piece of road.

Commissioner Vogt stated she is unclear on what that would accomplish. The road is on the list of projects to be performed in 1997. That would simply take employees off other projects in order to perform traffic counts.

In response to a question from Ms. Barker, Commissioner Stamper replied it is unfortunate there is no gravel on the road. The weather causes that. The rock is being added to create a base on which to apply the chip and seal.

Ms. Barker, referring to her list of questions, stated she wrote a letter to the district supervisor, Mr. Sapp, dated April 5th, wanting to know if he had seen East New Haven Road east of The Woodlands Subdivision in the previous month. She also asked: Who is tearing the bottom out of the road? Was he aware the destruction was to take place before it started? Has he witnessed the speed at which trucks hauling rock travel going both east and west? When will destruction of the road stop? When can homeowners expect the damage to be repaired to their satisfaction?

Commissioner Stamper replied the county is taking what it believes is the best approach to improve the road. It is hard for him to believe Ms. Barker has tremendous frustration with the dust this year given the amount of moisture received. The commission and Ms. Barker have the same goal--sealing the road. He accepts the criticism that the county is not paving the road at the pace or by the design she would like. The county is doing the best it can to prepare the road for a chip and seal surface and ultimately, paving. Commissioner Stamper indicated he has seen the road in the last ten days.

Commissioner Vogt stated Mr. Sapp is not responsible for the speed at which the trucks are traveling. If they exceed the speed limit, it is a traffic violation, enforceable by the Sheriff’s Department. New Haven Road is a public road. Trucks have a right to use it. Roads are created as public thoroughfares for all citizens to use.

Ms. Barker replied the trucks she is referring to are county trucks. They are driving like maniacs.

Commissioner Vogt agreed the commission is responsible for county owned vehicles.

The meeting adjourned at 7:55 p.m.

Attest:

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Don Stamper  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner