

TERM OF COMMISSION: January Session of the November Adjourned Term

PLACE OF MEETING: Boone County Commission Chambers

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

The regular meeting of the County Commission was called to order at 9:37 a.m.

SUBJECT: Topeka Shiner on the Endangered Species List

Commissioner Stamper apologized for not reporting the receipt of a certified letter from the United State Department of the Interior Fish and Wildlife Service with an invitation for public hearings on the matter of the endangered Topeka Shiner. The comment period, he said, has been reopened.

Gary Frazer, supervisor of the Fish and Wildlife office in Columbia, said that among their responsibilities was the administration of the Endangered Species Act within the state of Missouri. In October, his counterpart office in Manhattan, Kansas published a proposed rule to add the Topeka Shiner to a list of species protected under the Federal Endangered Species Act. That listing is a formal step to provide a level of protection to the Topeka Shiner, a small stream fish found in small headwater prairie streams characterized by high water quality and cool temperatures. This species, in the last 20 years, has declined dramatically. The listing also sets in motion, he said, a way to undertake recovery of the species. In response to the rule making, there were requests for public hearings in each of the states in the species current range. The comment period now extends through February 9, 1998 and there will be a public hearing in Missouri in Bethany in Harrison County. Mr. Frazer said the request for a public hearing came from the people in that part of the state.

In response to questions from Commissioner Stamper, Mr. Frazer said they were currently located in the Bonne Femme creek drainage. He said the service was not proposing to designate critical habitat, the listing simply provides protection to the species. Any activity that would affect the species would be subject to special review. This species, he said, used to be found in abundance in Perche Creek. It is possible, he said, some of the land use changes have affected the species and caused it to disappear. Land use management, storm water management, green space, etc. will be things that could protect the habitat and help ensure the species recovers.

Commissioner Stamper questioned what type of natural contribution the Topeka Shiner makes to the environment.

Mr. Frazer said he could not put a specific value on this particular species. He did say the species was a characteristic of streams with high water quality. The fact that the species is declining, he said, does not bode well for water quality.

Eldon Kreisel, Farm Bureau, said he became aware of the Topeka Shiner when he was on a committee with the Airport Expansion. Through that, he said, it became apparent that putting this animal on the endangered species would be more of a detriment to the Missouri River area than the Spotted Owl was to the west. He said he hated to think what would happen to a farmer who would happen to step on one of these endangered species and would kill it. While Mr. Frazer does not have any funds, if this issue would go to court, Mr. Kreisel argued they would find all the funds they wanted. If there was no value to this animal, he asked, then why put it on the endangered species list. The government, he said, could stop use of all fertilizer, chemicals and building in Boone County just because of a fish. They have done it out west, he said, and that same thing will happen here. He urged the Commissioners to attend the public hearing scheduled in Bethany to oppose this action.

SUBJECT: Agreement with TranSystems Corporation

Public Works Director Frank Abart explained that the next two agenda items were with the same company and would both require an authorization for the Presiding Commissioner to sign. He explained that one agreement was a blanket agreement for 1998 to perform traffic engineering and other services for Boone County. The other is to perform a Functional Classification Study with a clause that it not exceed \$10,500.

Commissioner Miller moved that the County Commission of the County of Boone accept the letter of agreement with TranSystems Corporation for professional engineering services for the Roadway Functional Classification Study for Boone County, Missouri and authorize the Presiding Commissioner to sign the agreement.

Commissioner Vogt seconded. Motion passed unanimously. **Order 7-98.**

SUBJECT: Consultant Services Agreement

Commissioner Stamper moved that the County Commission of the County of Boone approve a consultant services agreement with TranSystems Corporation and authorize the Presiding Commissioner to sign the agreement.

Commissioner Vogt seconded. Motion passed unanimously. **Order 8-98.**

Commissioner Stamper said he needed to leave Columbia by 10:30 a.m. in order to make a flight and suggested the closed session be conducted without him or be rescheduled.

The Commissioners agreed to reschedule for Tuesday, January 20, immediately following the regularly scheduled Commission meeting.

SUBJECT: Death Investigator Services Agreement

Auditor June Pitchford said the contract was a little different than the structure of the contract for 1997. The County has folded into the contract with Jo Fountain for Death Investigator Services all of the items the County previously paid directly, like telephone service, supplies, and body bags in an attempt to simplify things. The County will contract with Jo Fountain for Death Investigator Services and for morgue services at her facility. Testing fees, she explained, will be paid by the County on an as-needed basis. She said also folded in to the contract are payments to funeral homes for transport. Previously the County made payment directly to those subcontractors.

Commissioner Vogt moved that the County Commission of the County of Boone approve an agreement between the County and Jo Fountain for Death Investigator Services and authorize the Presiding Commissioner to sign the agreement.

Commissioner Miller seconded. Motion passed unanimously. **Order 9-98.**

SUBJECT: Emergency Shelter Grant Program Availability of Funds

Commissioner Stamper submitted an official notification of funds available under the Emergency Shelter Grant Program as authorized by Subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended. Missouri's share of those funds is \$1,342,000.

SUBJECT: 1997 Annual Report of Hazardous Waste Sites and Fund Statement

Commissioner Stamper reported he had received the 1997 Annual Report of Hazardous Waste Sites and Fund Statement. He said there were a few sites in Boone County: Green Acres Farm Supply, .75 miles west of Centralia; University of Missouri, South Farm; Old Centralia Landfill.

SUBJECT: Reports from Commissioners

Commissioner Miller was designated as Acting Presiding Commissioner during Commissioner Stamper's absence.

Commissioner Stamper congratulated the Public Works Department for a job well done during the recent ice storms.

Commissioner Miller reported she was appointed to the Missouri Department of Transportation committee.

Commissioner Miller reported that the residents on Miller Lane had agreed to dedicate the rights-of-way once the road had been surveyed to establish full County maintenance. Commissioner Miller admitted that she had dropped the ball and failed to get Mr. Taylor’s signature and he has since given the land to his son who refuses to dedicate the right-of-way as was originally implied in a letter signed by Mr. Taylor.

County Counselor John Patton asked if they were trying to transfer the road by statutory road establishment processes?

Commissioner Miller said, no. She said the road has not been maintained by the County. She explained the only thing the residents wanted was snow removal. She said the impediment was to County policy since Mr. Taylor had signed a letter transferring the right-of-way, the typical 50 feet. Commissioner Miller wanted the authority to give the Public Works department authority to begin with snow removal even during this process.

The meeting adjourned at 10:20 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