

TERM OF COMMISSION: September Session of the August 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
County Counselor John Patton
County Clerk Wendy Noren
Director of Planning and Inspection-Stan Shawver

The regular meeting of the County Commission was called to order at 7:00p.m. by Commissioner Stamper.

Commissioner Stamper gave a brief review of the order of the Planning and Zoning meetings. He stated that the order is as follows: Staff Report, Agent of the Applicant Briefing, Applicant Comments, Questions from County Commission, Public Testimony, Applicant Rebuttal, Close Hearing, Vote on the Issue.

PLANNING AND ZONING REQUESTS

SUBJECT: Request by Jack Overton on behalf of Sprint PCS to place a transmission facility, including a 190' monopole tower on 57.09 acres located at 5950 Rolling Hills Rd., Columbia.

Stan Shawver gave a report on this piece of property. He noted that it is located south of Columbia, east on Hwy 63. He noted that with the recent annexation of the University of MO south farm the Columbia municipal limits are just 1700' to the northwest of this site. The proposed site comprises a 2500 sq ft area that will contain a transmission facility that will include a 190' tower and related equipment-which will be lighted in accordance with FAA standards. He also noted that the KMOU-Channel 8 tower is 2300' northwest of this site-which is part of a larger 57 acre tract of land. There is CG, General Commercial zoning approximately 90' to the west of this site. The master plan designates this area as being suitable for agricultural and rural residential land uses and the proposed use is consistent with the master plan. The A-1 zoning is the original zoning for the site.

Stan Shawver also stated that there have also been no previous requests on behalf of the site. The staff noted that there were 16 property owners concerning the request. The applications were reviewed and found to be complete meeting all the required criteria for approval. The Staff therefore recommended to the Planning and Zoning Committee that the request be approved. The Planning and Zoning Commission following the Public Hearing and presentation by the applicants concurred with the recommendation and recommended that it be forwarded to the County Commission. The recommendation received seven affirmative votes and therefore is being brought forward to the County Commission for County approval.

There were no questions for the Staff.

Attorney Ken Jacob was then recognized for his presentation on behalf of Sprint PCS and Jack Overton, and the landowners to request the approval of a conditional use permit to build a 190' multi-carrier monopole telecommunication facility. The property of Jack Overton is located on the Columbia Auto Auction at Hwy 63. Ken Jacob stated that the tower would eliminate a gap in coverage between Sprint's co-location on a TCI tower near Hwy 63 and I-70 to the north and the Ashland Water tower to the south. He noted that US Cellular would also be able to utilize the facility to enhance their coverage along HWY 63. He stated that pending approval US Cellular would allow Sprint to located their antennas on US Cellular's facility on Scott Blvd. He further noted that the tract of land was zoned for General Commercial use. Therefore, since transmission facilities are conditional uses, the County's approval is necessary. Ken Jacob requested Boone County's zoning ordinances (for the record), Sec 5a:1, 5a:10, 15a, 15b to be

added to the record in accordance with the way his application was presented. He then requested that the entire application be made part of the record. Copies of the ordinances and the application are available from the Boone County Planning and Zoning Commission located in Rm 210 of the Boone County Government Center.

Commissioner Stamper granted Ken Jacob's request for those items to be added to the record.

Ken Jacob introduced Steve Ward, Director of Engineering for CIS, a land acquisition company representing Sprint and Doug Goodson, Project Manager for US Cellular.

Ken Jacob discussed that they had prepared a presentation which covered the economic necessity of the tower, the structure and size of facility, all safety issues, the impact on the area, property values, future development in the area, necessary other facilities for the facility, traffic, points of access, and tower abandonment. However, Ken Jacob opted to abbreviate the presentation due to time and take questions from the Commission as he went along.

Ken Jacob gave a short report on the location which he had noted was of some concern. The report included a letter from KOMU which stated that their tower was unable to hold all the antennae that was needed. He also noted many obstructions near that location which limited good coverage. Ken Jacob also stated that there were various safety measures in place in the event that something would cause the tower to fall. He showed drawings and photographs of how the tower and its location would be displayed. He also noted how the tower would affect coverage in the area.

Commissioner Miller wanted to know how many miles the tower would cover.

Ken Jacob referred the question to Steve Ward.

Steve Ward stated that it would range from a 9-mi radius in the suburban setting to a 4-mi radius in urban. The range has to do with capacity.

Commissioner Miller also stated that there still seemed to be some areas not covered, and asked if this lack of coverage would require another tower in the future.

Ken Jacob said that he did not think so because this tower would allow better cellular phone coverage along Hwy 63. He also noted that the area still lacking a lot of coverage was not a highly populated area which would require more coverage. He also noted that with the addition of this tower, there would be a network of services.

The presentation also included a report on:

Two storage facilities - one for Sprint, one for US Cellular

Coverage map to demonstrate the current, poor signal strength

PCS system signal strength-9 mile radius in rural/ 4 mile radius in urban.

Increase in signal/coverage in the Columbia/JC corridor

Site plan-trees planted/wire fence for safety

Ken Jacob also spoke on the impact of the tower to the area.. He stated that to his knowledge no one has protested the tower. He also stated that he had studies from other areas that towers have no impact on the land values and/or future development.

Ken Jacob also mentioned that there should be no traffic flow problems and very easy access.

He further mentioned that there would not be a need for any other facilities to aid this tower.

Ken Jacob concluded his presentation by stating that in the event that the tower is no longer in use, Sprint will remove the tower to 5 ft below grade.

Commissioner Stamper convened the public hearing for the issue.

There was no one that wished to speak.

Commissioner Stamper concluded the public hearing.

Commissioner Vogt wanted to know how deep the structure would be, what it would be made of and how far below ground.

Steve Ward stated that there is a preliminary study done on the area before that depth is decided.

Commissioner Miller moved to approve a request by Jack Overton on behalf of Sprint Presiding Commissioner to place a transmission facility, including a 190' monopole tower on 57.09 acres located at 5950 Rolling Hills Rd., Columbia.

Commissioner Vogt seconded the motion.

There was no discussion. The motion passed unanimously 3-0. **Order 397-98.**

Subject: John Selby, Clifford Selby, and Beth Herod Rezoning Request

Stan Shawver gave a brief report on the land and location of this request. He stated that the property was located on Rangeline Rd approximately 1.6 mi southeast of Centralia the subject tract is zoned A-1 Agriculture. The land to west and south is zoned A-1 and the land to the north is zoned A-2. The land to the east of the site is Audrain County and is therefore not zoned.

Mr. Shawver stated that there is a house on the property and farm land. He stated that the farm land may be maintained efficiently and is separated from the site by a creek. He also noted that access to the site is limited to Rangeline Rd.

He further mentioned that the property is located within the Centralia R-6 School District and would be served by Public Water District Number 10. The A-1 zoning is the original zoning for the tract of land. Stan Shawver stated that there were no previous requests submitted on behalf of the property.

Stan Shawver stated that the master plan designates this land as being suitable for agriculture and rural residential land uses. He noted that the rezoning request is consistent with the master plan and the property has 28 points on the point rating system.

He further stated that the Staff notified four property owners concerning this request. The Planning and Zoning Commission conducted a hearing on the request on August 20, 1998 and there was no one that spoke in opposition to the request. The Planning and Zoning Commission therefore made a motion to recommend approval of the request. He stated that the motion received unanimous support and is being brought before the County Commission today for approval.

There were no questions for the Staff.

Don Foreman, Registered Land Surveyor, 101 N Alan St, Centralia, MO came forward with a presentation on behalf of the landowners.

He stated that there is a house on this site (2 1/2 acres) which the landowners would like to sell. Mr. Foreman noted that the property owners' main farm is located on the other side of the creek, while the site that would like to have rezoned is a much smaller piece. He noted that the house would be too expensive for the property owners to maintain or tear down.

Commissioner Miller and Commissioner Stamper wanted to determine if the property was near the County line.

Don Foreman stated that the County line actually divides the property.

He also noted that the line is not actually the Rangeline which lies east of this site, it is actually the County line.

Commissioner Stamper convened the public hearing on the issue.

There was no that wished to speak on the issue.

Commissioner Stamper closed the public hearing on the issue.

Commissioner Vogt moved to approve a request by John Selby, Clifford Selby, and Beth Herod to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 17 acres more or less, located at 19501 N. Rangeline Road, Centralia.

Commissioner Miller seconded the motion.

There was no discussion. The motion passed 3-0. **Order 398-98**

Subject: Sharon Heuer Request for Final Development Plan for Nemow Planned Commercial Development

No hearing was necessary.

Commissioner Vogt moved to approve a request by Sharon Heuer to approve a Final Development Plan and final plat for Nemow Planned Commercial Development, on 2.86 acres located at 16827 N Old Hwy 63 North, Sturgeon and authorize the Presiding Commissioner to sign same.

Commissioner Miller seconded the motion.

There was no discussion. The motion passed 3-0. **Order 399-98**

Subject: Request by Velma Valdovines to approve a Review Plan for Valdovines Planned Residential Development

Dan Brush stated that this piece of property is located on Fenton Rd. There is a mobile home on the property and the owners would like to add a second dwelling to the lot. However, Mr. Brush noted that the only way a second dwelling can be added is by cutting the tract of land in half. This would create lots smaller than 2 1/2 acres which would require certain types of waste units. Mr. Brush stated that the owner preferred to install individual on site waste systems to in order to conserve.

The addition of a second dwelling would classify this lot as a mobile home park, therefore the approval should be that the dwelling be modular or a site built unit. And, if the existing single wide mobile home is removed, it shall be replaced with a modular or site built home.

This plan was approved by the Planning and Zoning Commission and is being sent before the County Commission for approval.

Commissioner Vogt moved to approve a request by Velma Valdovines for approval of a Review Plan for Valdovines Planned Residential Development on 4.72 acres, located at 1811 Fenton Road., Columbia with the following conditions:

1. The second dwelling unit added must be a modular or a site built unit
2. If the existing single wide mobile home is removed, it shall be replaced with a modular or a site built home.

Commissioner Vogt questioned that since two or more mobile homes on a piece of land qualify as a mobile home park, does Boone County's policy require that there be some other kind of conditional use permit

Stan Shawver said yes.

The motion passed 3-0. **Order 400-98**

Subject: Kyd Subdivision

Dan Brush stated that this was a 2-lot subdivision located on Old Plank Rd, just outside of the city limits. There is an existing house on the property. The owners wish to divide the existing tract into two parcels in order to construct another dwelling on the site. This was approved by the Planning and Zoning Commission and is being brought forward to the County Commission for approval.

Commissioner Miller moved to approve Kyd Subdivision; S2-T47N-R13W.;A-R, Margaret S. Kyd Trust, owner.;J. Daniel Brush, surveyor. and authorize the Presiding Commissioner to sign same.

Commissioner Vogt seconded the motion.

There was no discussion. The motion passed 3-0. **Order 401-98**

Subject: Mill Creek Terrace Plat

Commissioner Stamper welcomed Tim Crockett, Crockett Engineering.

Mr. Crockett stated that Planning and Zoning had received and approved the plat.

Commissioner Miller stated that she had been in discussions about the sewer.

Commissioner Stamper stated that he had received an inquiry from the Neighborhood Improvement District about paving the cul-de-sac road in this area.

Commissioner Miller moved to approve Mill Creek Terrace Plat 3. S34-T48N-R13W. A-R/ Bob and Bonnie Stewart, owners. Bill R. Crockett, surveyor and authorize the Presiding Commissioner to sign same.

Commissioner Vogt seconded the motion.

There was no discussion. The motion passed 3-0. **Order 402-98**

Subject: Weil Subdivision

Commissioner Vogt moved to approve Weil Subdivision; S5-T50N-R13W; A-2; Michael Weil and Kimberly Woods, owners; Gene C. Bowen, surveyor and authorize the Presiding Commissioner to sign same.

Commissioner Miller seconded the motion.

There was no discussion. The motion passed 3-0. **Order 403-98**

Subject: Director of Information Services

Commissioner Miller announced that Boone County had selected a new Director of Information Services. However, it would require an adjustment of salary in order to hire him.

Commissioner Miller moved to authorize the Director of Human Resources to hire for the position of Director of Information Services at a rate above the base of range 35 not to exceed \$65,000.

Discussion: Commissioner Vogt commented that she was pleased with the new Director of Information and felt that he would do very well.

The motion passed 3-0. **Order 404-98**

Subject: Budget Revision

Commissioner Stamper moved to authorize a request for Budget Revision to move \$5,000 from 1170-92301 Information Services Replacement Computer Hardware to 1170-10100 Information Services Salaries & Wages to cover shortfall in salary of the Director of Information Services.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Miller stating that this order was to straighten out a few things. The order has to do with overtime and an employee going from exempt to non-exempt to meet the FSLA requirements.

The motion passed 3-0. **Order 405-98.**

Commissioner Reports

Presiding Commissioner Stamper

Commissioner Stamper reported that he had received a notice from the Governors' Counsel on disability. They are currently accepting nominations for the Annual Inclusion Award reception, a Division of the Department of Labor Industrial Relations. The Governors' Counsel on Disability is a public agency providing leadership and support, etc.

Commissioner Stamper gave the report so that anyone who felt they knew a person deserving of the award could nominate that person.

Commissioner Miller

Commissioner Miller reported on the Jail Project bids. She stated that they came in over budget. Commissioner Miller spoke with the architect for the project, and he stated that he would talk with some of the contractors who were unable to bid to find out if there was something wrong with the plans that discourage them from bidding. The architect also agreed to speak with the three bidders on the project to find out why the bids came back over budget. She stated that those involved would then investigate the project in order to see if there was anything that could be done about the costs. Commissioner Miller also stated that there was a discrepancy concerning the amount of days involved in the project.

Commissioner Miller stated that the outcome could even involve re-bidding the project with the Reality House Project.

Commissioner Miller did state however, that the trailers has been placed for the Community Shock and Reality House Work Release Project. She also noted that Pod D had been vacated to allow the project to proceed.

Commissioner Vogt asked why Pod D had been vacated so early.

Commissioner Miller stated that they had wanted Pod D vacant at the start of the bidding process to ensure that the project could proceed if a low bid was placed immediately. She also noted that the contract on Pod D only went through August.

Commissioner Vogt

Commissioner Vogt gave no report.

Subject: Public Comment

There was no Public Comment.

The meeting was adjourned at 7:45p.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