

TERM OF COMMISSION: May Session of the April Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center  
Commission Chambers

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson  
District I Commissioner Karen M. Miller  
District II Commissioner Skip Elkin  
Deputy County Clerk Josh Norberg

The meeting was called to order at 1:30 p.m.

### **County Clerk**

Wendy Noren, County Clerk, was present on behalf of this item.

#### **1. Discussion of the Village of Yahweh**

Ms. Noren stated there was a petition filed in January of 2008 by Farrel and Valerie Pride to incorporate the Village of Yahweh. John Patton determined there needed to be some additional metes and bounds descriptions on it for it to meet the requirements. The petitioners were notified of that. The petitioners submitted a revised petition on March 21.

The petition contained two signatures. The boundaries have four registered voters, one of whom no longer resides there. The petition does meet the fifteen percent of registered voters of the proposed district requirement, so it is a valid petition. The proposed district also does not come within two miles of any other district.

Ms. Noren stated there are two conflicting statutes regarding this petition. 78.020 RSMo requires the County Commission to place this on the ballot if it is a valid petition. Also, 80.040 RSMo is a mandatory, not discretionary, requirement for the County Commission to appoint five qualified residents to serve on the initial board of trustees. Those two statutes are in conflict when you are presented with a petition where there are not five qualified residents to serve on the board of trustees. In discussions with CJ Dykhouse, Ms. Noren is recommending denying placing the issue on the ballot since there are not enough qualified residents to serve on the board of trustees.

Ms. Noren stated there are two ways of dealing with conflicting statutes. One is have the legislature amend one, and the second is to have the courts determine which statute prevails. The legislature has determined the prevailing statute is going to be 80.040 RSMo if the governor signs it.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby accept the attached certification from the County Clerk and Election Authority regarding the formation of the Village of Yahweh under the provisions of 78.020 RSMo. as revised.

Pursuant to the provisions of 80.040 RSMo. as revised, the County Commission has a mandatory, not discretionary, duty to appoint 5 qualified residents to serve as the initial Board of Trustees if the incorporation of said Village is adopted by the qualified voters.

Now therefore, the County Commission hereby denies placing the issue of the incorporation of the Village of Yahweh until such time as the number of qualified voters is sufficient to allow the County Commission to meet its mandatory obligations under 80.040.

The Clerk is further directed to notify the petitioners to resubmit the petition at such time that the qualified voters is sufficient to allow the County Commission to constitute a Board of Trustees.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 263-2008**

### **Prosecuting Attorney**

#### **2. Approval of Application for Victims of Crime Act Grant**

Commissioner Miller stated this is just a renewal of a yearly grant.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the Victims of Crime Act Grant renewal application.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 264-2008**

### **Court Administrator**

Kathy Lloyd, Court Administrator, was present on behalf of this item.

#### **3. Budget Amendment for Drug Re-Integration Court (first reading)**

Ms. Lloyd stated this is a budget amendment to the Drug Court fund, which is a court-managed fund. The fund is paid by participants in the drug court. They pay a monthly fee and it goes into this fund. This is to add funds to this year's budget to provide outside services and drug testing.

Commissioner Miller asked how many people were in the Drug Court.

Ms. Lloyd stated there are probably 75 or 80 people in the program.

Commissioner Miller asked if the Integration Court is when someone gets out of prison and works with the court to get them a job, make sure they are on their medications, etc.

Ms. Lloyd stated there are job training components; they work with the Housing Authority. There are some family counseling services. It is mostly for individuals who have been sent to “120” (120-day shock). They have been sent in for shock incarceration, so they are coming back out under the court’s jurisdiction. The court has the authority to direct them and see that they abide by certain conditions while they are on probation.

Commissioner Pearson asked how the drug court is different from the re-integration Court.

Ms. Lloyd stated the drug court has several tracks. It takes people from diversion – which means they don’t have a record; in lieu of a guilty plea they participate in the program and if they successfully complete it the charges are dropped. There are also people on probation in the drug court. The re-integration piece was added to take the individuals coming back to the community with their unique needs and interventions and to deal with them as a separate entity. Those folks that are coming out are in the re-integration court rather than the drug court. Much of the same team concept is used, and many of the treatment providers are at the table, but they are dealing with this population in a separate track.

Commissioner Pearson stated he thought the re-integration court dealt with anybody that was coming out of prison.

Ms. Lloyd stated the re-integration court basically deals with two populations of offenders: those who are sent for 120-day shock, and people under long term treatment (which is typically up to a year). The court doesn’t deal with individuals who come out on parole.

Commissioner Elkin stated there are other re-integration programs for those individuals.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

## **Joint Communications**

### **4. Budget Amendment for E-911 Computer Hardware (first reading)**

Commissioner Miller stated this amendment is to set up the budget to purchase the hardware for two Sentinel Command POST workstations. These workstations are mobile stations that can be used outside of the PSAP.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

### **Child Support Services**

Barbara Morris, Child Support Services, was present on behalf of this item.

### **5. Cost Allocation Plan and Indirect Cost Proposal**

Ms. Morris stated this is the Cost Allocation Plan for 2007 put together by Maximus. It is the yearly plan that allows recovery of overhead costs.

Commissioner Miller stated this is just our annual plan that is done.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the Cost Allocation Plan for 2007.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 265-2008**

### **Miscellaneous**

### **6. Appoint Voting Delegate for National Association of Counties (NACo) Annual Conference**

Commissioner Pearson stated the national conference for NACo is July 11-15, 2008, in Jackson County, MO. This commission order is to appoint Commissioner Miller as Boone County's voting delegate.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby appoint Karen M. Miller as the Boone County voting delegate for the 2008 National Association of Counties Annual Conference, and authorizes the Presiding Commissioner to sign the Credentials Identification Form.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 266-2008**

**7. Commissioner Reports**

There were no commissioner reports.

**8. Public Comment**

There was no public comment.

The meeting adjourned at 1:50 p.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Ken Pearson  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner