

TERM OF COMMISSION: July Session of the July Adjourned Term

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

PRESENT WERE: Presiding Commission Daniel Atwill  
District I Commissioner Karen Miller  
District II Commissioner Janet Thompson  
Director Resource Management Stan Shawver  
County Counselor C. J. Dykhouse  
Director Information Technology Aron Gish  
Deputy County Clerk Mike Yaquinto

The meeting was called to order at 7:00 p.m.

Commissioner Atwill said that the appeal by Tompkins Homes and Development has been withdrawn for the Allton Park Development located at lot 118 Gateway South, Plat No. 7. It has been removed from the agenda for tonight's meeting.

### **Resource Management**

**1. Petition submitted by Michael and Arlene Priest for permission to vacate and replat Lot 21, of Country Farms Subdivision, as shown in Plat Book 11, Page 262 of Boone County Records.**

Commissioner Atwill asked if there was anyone that would like to speak to this item. Since there were no speakers, Commissioner Atwill did not request a Public Hearing.

Commissioner Miller asked if the applicant needed to be present.

Stan Shawver said that the County would like the applicant to be present, but sometimes there is miscommunication or they don't understand the process. It is up to the Commission to proceed, or hold until they appear. The Commission has done it both

ways.

Commissioner Atwill asked Mr. Shawver during his review if there is an apparent need for explanation beyond what has been prepared in the staff report.

Mr. Shawver said there is no further explanation required beyond holding a hearing before the Commission per regulations.

Commissioner Miller asked if the regulations require the applicant to be present.

Mr. Shawver said only in the case of a Conditional Use Permit or Rezoning. If the recommendation is denied and the applicant is not present, it is summarily discharged and if it is approved and the applicant is not present and there is opposition present, then the request is summarily discharged.

Commissioner Atwill said the order says that the vacation is not to take place until the re-plat has been approved so it would be wise for them to be present.

Mr. Shawver said that is language we put on all the orders in case they change their mind. We don't want to vacate unless we have something in hand going forward to complete an action. The Commission does approve the re-plat and it stays the same until they do appear.

There were no further comments or questions.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the petition by Michael and Arlene Priest for permission to vacate and replat Lot 21, of Country Farms Subdivision, as shown in Plat Book 11, Page 262 of Boone County Records.

Said vacation is not to take place until the re-plat is approved.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #302-2013**

**2. Request by James E. and Sylvia L. Crane to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 4.13 acres located at 12501 S Easley River Rd., Columbia.**

Stan Shawver read the following Staff Report:

**Crane Rezoning Request – A-1 to A-2**

The minutes for the Planning and Zoning Commission meeting of June 20, 2013, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The property is located southwest of Columbia just north of Easley and the end of State Highway N and there is a small house on the property. The property is zoned A-1(Agriculture), adjacent zoning to the north and south is also A-1, to the east is A-2(agriculture), and to the west is the Missouri River. This is original 1973 zoning. The small house appears to have been built prior to the adoption of zoning regulations. The applicant would like to be able to subdivide the property to include the house, and is before the commission seeking a rezoning from A-1(Agriculture) to A-2(Agriculture). Staff notified 21 property owners about this request.

The Master Plan designates this property as suitable for agriculture and rural residential land uses. The Master Plan also identifies a “sufficiency of resources” test for

determining whether there are sufficient resources available for the needs of the proposal.

The resources necessary to serve the proposed development can be broken down into 3 general categories; utilities, transportation, and public safety services.

Utilities: The subject property is in the Consolidated Public Water Service District #1 service area, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District.

Transportation: Access to this property is via Easley River Road from State Route N. This is a publicly-dedicated, publicly-maintained county gravel road.

Public Safety: Southern Boone County Fire Protection District provides fire protection for this property. Their nearest station is in Ashland.

Zoning Analysis: The desire to sever a portion of the parent property for sale to a long-time lessor without encumbering additional property that is not contiguous to the area of interest is quite understandable. While the resources to serve the existing structure are present, due to its continued occupancy, further development will be limited by the size & shape of the tract and limits on existing resources. This rezoning request is reasonable.

Staff recommended approval of the request.

The Planning & Zoning Commission conducted a public hearing on this request during their June 20, 2013 regular meeting. There were ten members of the commission present during the meeting.

Following the public hearing, a motion was made to recommend approval of the request.

That motion carried and so the application comes forward with a recommendation for approval.

Commissioner Atwill asked if there was anyone that would like to speak to this item.

Mr. Steve Proctor came forward and Commissioner Atwill opened the meeting to a Public Hearing.

Steve Proctor said he is the surveyor for Mr. Crane who could not be here today. Stan has covered pretty much everything in the request.

Commissioner Atwill asked if there was anyone else that would like to speak for or against this request. There were no additional speakers and Commission Atwill closed the Public Hearing.

There were no comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the request by James E. and Sylvia L. Crane to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 4.13 acres located at 12501 S Easley River Rd., Columbia.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #303-2013**

**3. Receive and Accept the following plats:**

- **Phillipe Road. S1-T49N-R12W. A-2. Doug Fifer, owner. J. Daniel Brush,**

surveyor.

- **Whitworth Hills. S30-T46N-R12W. A-2. Tompkins Homes and Development, Inc, owner. David T. Butcher, surveyor.**
- **Whiskey Wolff Creek. S14-T49N-R13E. R-S. Gregory R. Wolff, owner. Jay Gebhardt, surveyor.**
- **Old Log Cabin. S24-T46N-R13W. A-2. Justin and Laura Crane, owners. Brian David Dollar, surveyor.**
- **Wolf. S30-T48N-R13W. A-2. Adam and Hailey Wolf, owners. J. Daniel Brush, surveyor.**
- **Biggs Road Plat 2. S4-T46N-R12W. A-2. Charlotte Pisarek, owner. Curtis E. Basinger, surveyor.**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorize the Presiding Commissioner to sign them:

Phillipe Road. S1-T49N-R12W. A-2. Doug Fifer, owner. J. Daniel Brush, surveyor.

Whitworth Hills. S30-T46N-R12W. A-2. Tompkins Homes and Development, Inc, owner. David T. Butcher, surveyor.

Whiskey Wolff Creek. S14-T49N-R13E. R-S. Gregory R. Wolff, owner. Jay Gebhardt, surveyor.

Old Log Cabin. S24-T46N-R13W. A-2. Justin and Laura Crane, owners. Brian David Dollar, surveyor.

Wolf. S30-T48N-R13W. A-2. Adam and Hailey Wolf, owners. J. Daniel Brush, surveyor.

Biggs Road Plat 2. S4-T46N-R12W. A-2. Charlotte Pisarek, owner. Curtis E. Basinger, surveyor.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #304-2013**

**4. Second reading; Irrevocable Letter of Credit Extension and Reduction Agreement between Columbia Public Schools and Boone County (1<sup>st</sup> reading 7-1-13)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached Extension and Reduction Agreement between the County of Boone and the Columbia Public Schools. The terms of the agreement are stipulated in the attached Extension and Reduction Agreement. It is furthered ordered the Presiding Commissioner is hereby authorized to sign said Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #305-2013**

**5. Second reading; Budget Revision to purchase computer, wireless keyboard and mouse (1<sup>st</sup> reading 7-1-13)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for the Resource Management Department to purchase one (1) computer with wireless keyboard & mouse.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
2045	91301	PW – Design & Construction	Computer Hardware		675
2045	92300	PW – Design & Construction	Replacement Machine & Equipment	675	

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #306-2013**

**6. Second reading; Acceptance of the No-Cost Amended Subgrant Award for the Hinkson Creek Urban Retrofit Project (1<sup>st</sup> reading 7-1-13)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby accept the attached No-Cost Amended Subgrant Award for the Hinkson Creek Urban Retrofit Project. It is furthered ordered the Presiding Commissioner is hereby authorized to sign the Financial Assistance Agreement, Certificate Regarding Debarment and Suspension and Anti-Lobbying Act forms.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #307-2013**

**Information Technology**

**7. First reading; Budget Revision to purchase a web server and software**

Aron Gish said that the Budget Revision is to purchase a new web server and operating system. This is not a replacement, but a new system to keep up with the advancing technology on Microsoft.net solutions. The Recorder's Office is having problems with Windows 8 and IE 10 and we are as well. This will be set up in front of the current server and allow us to detect the users Internet Explorer version and get them to the right communication method. We would slowly migrate out the old system as we are looking at 18 months before the new would be fully operational. So this is not a replacement but an additional server.



There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**County Counselor**

**8. First reading; Approval of Proposal from Simon & Associates, Inc., for architectural services relating to the 609 E. Walnut reconstruction project**

C. J. Dykhouse said that this agreement allows us to begin the design facilitation process with Simon & Associates. The adjustor has agreed that the actual costs associated with the design services will be part of the claim ultimately. I will meet with Nicole Galloway and June Pitchford next week to discuss the other financial implementation details of the project. We should expect the first claim check within 2 – 3 weeks and once the Commission Order has been executed, I will ask Beverly to schedule a meeting to discuss the re-design elements. By then, the finances should be in place and we can go out for bid. The insurance company will be advised on each milestone along the way, especially on the financial side. We will need to keep tabs on the \$323K they will be sending us so we can make a decision later on to augment the claim or wait and settle at a later date.

Commissioner Atwill asked if Mr. Dykhouse had a guess on the project start.

Mr. Dykhouse said that once the design work is done, we go out to bid by end of summer and have a demo available by September or October.

The Commissioners congratulated Mr. Dykhouse for his work on this project.

There were no further comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**Commission**

**9. 1<sup>st</sup> & 2<sup>nd</sup> reading; Re-appointment of Susan Daly to the Library Board**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby re-appoint the following:

<b>Name</b>	<b>Board</b>	<b>Period</b>
Susan Daly	Library Board	July 2, 2013 through July 2, 2017

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #308-2013**

**10. 1<sup>st</sup> & 2<sup>nd</sup> reading; Approve Commission Minutes for II Quarter, 2013**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Boone County Commission Minutes during the II quarter beginning on 04/01/2013 through 06/30/2013.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #309-2013**

**11. Public Comment**

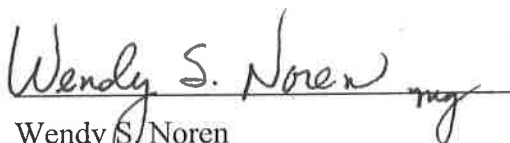
None

**12. Commissioner Reports**

None

The meeting adjourned at 7:26 p.m.

Attest:



Wendy S. Noren  
Clerk of the County Commission



Daniel K. Atwill  
Presiding Commissioner



Karen M. Miller  
District I Commissioner



Janet M. Thompson  
District II Commissioner

