

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 II Commissioner Janet Thompson  
Director Resource Management Stan Shawver  
Treasurer Nicole Galloway  
Boone County Sewer District Andy Lister  
Public Health Supervisor Kala Wekenborg  
Deputy County Clerk Mike Yaquinto

The meeting was called to order at 9:30 a.m.

### **Health Department**

**1. 1<sup>st</sup> & 2<sup>nd</sup> reading; Order for Abatement at 4850 E. Leora Lane, parcel #12-204-10-03-001.00 01**

Kala Wekenborg said that this property has been abated every year for the last 4-5 years. The site has an uncompleted structure which was bought on a tax sale. It has been the site of a lot of problems with the kids. Law enforcement has been called several times due to the problems. The structure burned down early summer due to the kids loitering in the area. The rubble just sits there. The owner did sign for the order and called that he could not clean up because it is still being investigated by the Fire Department. Speaking with the Fire Department, they say they are done with the case. It is just a matter of the owner not wanting to mow the grass. It is so overgrown that a bid of about \$200 was received to brush hog the property.

Mike Mehrdad, the owner said that some of what was said is not correct. The structure

was framed and roofed and was not completed because I had to leave the country on family business. When I returned, I had the contractor ready to finish the house when some kids broke in and were doing some things with drugs and it burned down. This was being investigated and the kids were arrested and facing prosecution. One of the kids admitted to the arson. I received a call from Kala and explained that the house had been burned down and that I was out of the country and did not respond to the notices because of that.

Mr. Mehrdad said he has no problem mowing the grass, but because of the debris from the fire, he can't. The debris needs to be cleaned up. I relayed this to the court and am waiting for the court to advise me on who should clean up the debris.

Commissioner Atwill said that the issue before the Commission is to determine if the County cleans up the area and mows and bills you for it. The assumption is that the prosecutor has taken pictures and that should be sufficient for the prosecution.

Mr. Mehrdad said that two of the kids have admitted to the crime and two have not. I am waiting on the outcome of this. I am waiting for them to tell me what to do with the debris.

Commissioner Atwill said the County has no control over the prosecution and will not wait for that to happen.

Commissioner Thompson said that the prosecution has the pictures, defense council has probably seen them as well and the Fire Marshall has issued his report. The Fire Marshall, who is in charge of the crime scene has not told you to leave the debris as it is. There is no order precluding you from cleaning it up.

Commissioner Atwill said that he should take the Commission Order from here to the

prosecution.

Kala Wekenborg said that based on the circumstances, the Health Department will give the owner two weeks to mow and if not done by then, the Health Department will do it. People live in front of this and it is a harbinger for all kinds of animals that carry disease.

There were no further comments or questions.

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the attached Finding of Public Nuisance and Order for Abatement of a public nuisance located at 4850 E. Leora Lane, Parcel #12-204-10-03-001.00 01

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #343-2013**

### **Resource Management**

#### **2. 1<sup>st</sup> & 2<sup>nd</sup> reading; Receive and accept the following plats:**

- **Heuer's Place. S34-T51N-R12W. A-2. Brent Heuer, owner. Michael L. Klassing, surveyor.**
- **Heller Grove. S15-T49N-R12W. A-2. Gary N. Schultz, owner. David T. Butcher, surveyor.**
- **Valley Springs. S18-T48N-R13. A-2. David and Sherri Hockett, owners.**

**Ronald G. Lueck, surveyor.**

Stan Shawver said the three subdivision plats are zoned A-2 and have been approved by the Planning & Zoning Commission. The request is for approval of these plats and for the Presiding Commissioner to sign them.

There were no comments or questions.

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:

- Heuer's Place. S34-T51N-R12W. A-2. Brent Heuer, owner. Michael L. Klassing, surveyor.
- Heller Grove. S15-T49N-R12W. A-2. Gary N. Schultz, owner. David T. Butcher, surveyor.
- Valley Springs. S18-T48N-R13. A-2. David and Sherri Hockett, owners. Ronald G. Lueck, surveyor.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #344-2013**

**3. First reading; Cooperative Agreement between Boone County and the Town of Harrisburg – Road & Bridge Improvement/Repair**

Stan Shawver said that this is an agreement we have with all entities for return of sales tax money. It is allocated per a contract we have that utilizes the funds to work on road improvement or any transportation related activities.

Commissioner Atwill asked if there is anything unusual about this particular agreement.

Mr. Shawver said it is all standard and nothing is unusual.

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.

**4. Second reading; Extension of Security Agreement and Cash Deposit for Meyer Industrial Drive Extension (1<sup>st</sup> reading 7-25-13)**

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve the Extension Agreement between the County of Boone and Lemone Trust relating to the extension of Meyer Industrial Drive. The terms of the agreement are stipulated in the attached Extension Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Extension Agreement.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #345-2013**

**5. 1<sup>st</sup> & 2<sup>nd</sup> reading; Patchett Settlement and Release Agreement**

Stan Shawver said this is an agreement between the County of Boone and James and Trisha Patchett for replacement of their driveway approach. The approach is separated and buckled. The County has agreed to pay ½ of the cost not to exceed \$1,000. The Patchetts have agreed to this settlement.

There were no comments or questions.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Settlement and Release Agreement between the County of Boone and James B. Patchett and Trisha R. Patchett. The terms of the agreement are stipulated in the attached Settlement and Release Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Settlement and Release Agreement.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #346-2013**

**Sewer District**

**6. 1<sup>st</sup> & 2<sup>nd</sup> reading; Formation of the Bolli Road Sanitary Sewer neighborhood Improvement District**

Andy Lister said this is a cul-de-sac just past Rolling Wood. There will be an installation of 10 grinder pumps which will drive the system up over the hill into the Midway Crossing Collection System.

Mr. Lister apologized for presenting the project out of order and said the process is the same as described earlier with the Phenora North NID.

There were no comments or questions.

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby accept the following certification:

I Wendy S. Noren, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the attached petitions contain the signatures of the property owners who own property equal to at least two-thirds by area of all real property located within the proposed **Bolli Road Sanitary Sewer Neighborhood Improvement District** and no petitioner is delinquent in county real estate taxes.

In testimony whereof, I have hereunto set my hand and affixed the seal of the County of Boone, State of Missouri, this 30<sup>th</sup> day of **July 2013**.

/s/ Wendy S. Noren  
County Clerk  
Boone County, Missouri

In that the attached petitions meet the requirements set forth in section 67.457.3 RSMo. and Commission Order #424-91 for the formation of neighborhood improvement districts, the County commission hereby approves the advisability of the improvement and orders the establishment of the **Bolli Road Sanitary Sewer Neighborhood Improvement District** to be described as follows:

Lot One (1) of BOLLI SUBDIVISION as shown by plat recorded in Plat Book 11, Page 204, Records of Boone County, Missouri, and located in the Northwest Quarter (NW 1/4)

of Section 1, Township 48 North, Range 14 West, Boone County, Missouri. AND LOT TWO (2) OF BOLLI SUBDIVISION IN BOONE COUNTY, MISSOURI AS SHOWN BY THE PLAT RECORDED IN PLAT BOOK 11, PAGE 204, RECORDS OF BOONE COUNTY, MISSOURI, AND Lot Three (3) of BOLLI SUBDIVISION as shown by the Plat recorded in Plat Book 11, Page 204, Records of Boone County, Missouri. AND Lot Five (5) of Bolli Subdivision in Boone County, Missouri as shown by the plat thereof recorded in Plat Book 11, Page 204, Records of Boone County, Missouri. AND Lot Three (3) of Bolli Acres as shown by the plat recorded in Plat Book 13, Page 33, Records of Boone County, Missouri. Excepting there from that part thereof previously conveyed by Warranty Deed Recorded in Book 914, Page 686 and as shown by Survey Recorded in Book 909, Page 943, Records of Boone County, Missouri. AND Lot Two (2) of BOLLI ACRES as shown by the plat recorded in Plat Book 13, Page 33, Records of Boone

County, Missouri; and, A tract of land located in the Northwest Quarter (NW 1/4) of Section 1, Township 48 North, Range 14 West, being part of Lot One (1) of BOLLI ACRES as shown by the plat recorded in Plat Book 13, Page 33, Records of Boone County, Missouri, and more particularly described as follows: Beginning at the Southeast Corner of said Lot One (1) of said BOLLI ACRES; thence with the South line of said Lot 1, N 47 degrees 15' W, 220.7 feet to the Southwest Corner of said Lot 1; thence South 6 degrees 08' E, 118.0 feet to the point of beginning. AND Lot Eight (8) of BOLLI SUBDIVISION, located in the Northwest Quarter NW (1/4) of Section 1, Township 48 North, Range 14 West, as shown by the plat recorded in Plat Book 11, Page 263, Records of Boone County, Missouri. AND Lot Nine (9) of Replat of Lots Six (6) and Seven (7) of BOLLI SUBDIVISION, recorded in Plat Book 11, Page 263, Boone County, Missouri Records; AND a tract of land in Section 1, Township 48 North, Range 14 West, Boone County, Missouri being part of Lot Ten (10) of the replat of Lots 6 and 7 of BOLLI SUBDIVISION recorded in Plat Book 11, Page 263, of the Boone County Records more particularly described as follows; Beginning at the Southeast Corner of Lot 10; thence with the South Line of said Lot 10, S83deg.57'00" W, 80.20 feet; thence leaving said



South line N6deg.03'00"W, 13.00 feet; thence N83deg.57'00"E, 80.20 feet to a point on the East line of said Lot 10, said point being N6deg.03'00"W, 13.00 feet from the Southeast corner of said Lot 10; thence with the East line of said Lot 10, South 6 deg.03'00"E, 13.00 feet to the point of beginning and containing 0.02 acres, more or less. AND Lot Ten (10) of a Replat of Lots 6 & 7 Bolli Subdivision as shown by the plat recorded in Plat Book 11, Page 263, Records of Boone County, Missouri. Excepting there from that portion conveyed to Debra Kim Buchstaber by an instrument recorded in Book 973, Page 542, Records of Boone County, Missouri. AND Lot Eleven (11) of the Replat of Lots 6 & 7 Bolli Subdivision as shown by the Plat recorded in Plat Book 11, Page 263, Records of Boone County, Missouri.

The final cost of the improvement shall not exceed the estimated cost of **\$199,046.00** by more than twenty-five percent (25%). The County Commission hereby orders Thomas T. Ratermann, General Manager of the Boone County Regional Sewer District to make plans and specifications for the proposed project and file said plans and specifications with the County Clerk of Boone County, Missouri.

The Commissions further orders that the improvement costs shall be assessed against each parcel described on Exhibit "A" attached hereto as shown on the attached Exhibit "B" attached hereto and shall be payable in not more than twenty (20) substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone, and the clerk shall prepare an assessment list and notify the property owners of a public hearing on the proposed improvement.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #347-2013**

**7. 1<sup>st</sup> & 2<sup>nd</sup> reading; Formation of the Phenora North Sanitary Sewer Neighborhood Improvement District**

Andy Lister said that in October of 2012, there was a neighborhood meeting concerning the formation of the Neighborhood Improvement District. Shortly after, a petition was circulated asking the County Commission to support this effort. The statutes require that more than 2/3 of the owners by area agree. The Commission has required that 2/3 of the owners, by number, also sign the petition. This project received 75% owner representation, accounting for 88% of the land. With this process, we also make sure that all taxes are current and paid.

This project will close the Phenora North privately owned lagoon and will connect to our new Rocky Fork project which is about to start. As the statute is laid out, we form the Neighborhood Improvement District and then will have a Public Hearing before the Commission where the Commission will ask for comment concerning moving forward with the project. The final cost to the owners is the actual cost not to exceed those costs outlined in the petition.

There were no comments or questions.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby accept the following certification:

I Wendy S. Noren, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the attached petitions contain the signatures of the property owners who own property equal to at least two-thirds by area of all real property located within the proposed **Phenora North Sanitary Sewer Neighborhood Improvement District** and no petitioner is delinquent in county real estate taxes.

In testimony whereof, I have hereunto set my hand and affixed the seal of the County of Boone, State of Missouri, this 30<sup>th</sup> day of **July 2013**.

/s/ Wendy S. Noren  
County Clerk  
Boone County, Missouri

In that the attached petitions meet the requirements set forth in section 67.457.3 RSMo. and Commission Order #424-91 for the formation of neighborhood improvement districts, the County commission hereby approves the advisability of the improvement and orders the establishment of the **Phenora North Sanitary Sewer Neighborhood Improvement District** to be described as follows:

All of Lots Ten (10), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Twenty-Six (26), Thirty-one (31) and Thirty-two (32) of Phenora Subdivision as shown by the Plat thereof recorded in Plat Book 8 Page 30 Records of Boone County, Missouri.

The final cost of the improvement shall not exceed the estimated cost of **\$297,679.00** by more than twenty-five percent (25%). The County Commission hereby orders Thomas T. Ratermann, General Manager of the Boone County Regional Sewer District to make plans and specifications for the proposed project and file said plans and specifications with the County Clerk of Boone County, Missouri.

The Commissions further orders that the improvement costs shall be assessed against each parcel described on Exhibit "A" attached hereto as shown on the attached Exhibit "B" attached hereto and shall be payable in not more than twenty (20) substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone, and the clerk shall prepare an assessment list and notify the property owners of a public hearing on the proposed improvement.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #348-2013**

**Treasurer**

**8. First reading; Approval request for PAC Recommendations**

Nicole Galloway said she is requesting approval of the PAC recommendations made during a meeting held last Friday concerning the transition of city employees to the county. Some of the recommendations will also relate to current employees as well. The recommendations passed unanimously and all on the committee believe that it is important to make these employees transferring over “whole” as much as possible.

Ms. Galloway said that the following recommendations were made by the Personnel Advisory Committee:

- 911/Joint Communication employees will transfer at their current rate of pay, at a minimum, into County-assigned pay ranges, and **all county employees** with a rate of pay above their range maximum shall be eligible for annual salary increases until such time as a full salary study is completed.
- 911/Joint Communication employees’ final, accrued sick leave balances at the City of Columbia will transfer to their employment with Boone County.
- 911/Joint Communications employees’ original hire date with the City of Columbia will determine the **accrual rate** for additional, earned vacation time as a County employee.

- Boone County will allow a transfer of accrued vacation time for 911/Joint Communications employees, up to the County maximum, if the City of Columbia compensates Boone County directly, at a rate acceptable to Boone County, for this liability.
- 911/Joint Communications employees' original hire date with the City of Columbia shall be used for purposes of administering all Boone County employment benefits, with the exception of those benefits provided through the County Employees Retirement Fund (CERF).

Commissioner Thompson said it is very important to have these new employees be well informed on the transfer and to make sure they can receive the compensation that is available to other County employees.

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.

### **Sheriff's Department**

#### **9. Second reading; K-9 Maintenance Training Agreement between Boone County and Boonville (1<sup>st</sup> reading 7-25-13)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the K-9 Maintenance Training Agreement between the County of Boone and the Boonville Police Department. The terms of the agreement are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby

authorized to sign said K-9 Maintenance Training Agreement.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #349-2013**

**Children's Support Services**

**10. Second reading; Budget Revision for replacement printer (1<sup>st</sup> reading 7-25-13)**

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for Children's Support Services to purchase a replacement printer.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1263	71100	PA/IVD	Outside Services	680	
1263	92301		Replacement Computer Hardware		680
			Total	680	680

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #350-2013**

**Commission**

**11. 1<sup>st</sup> & 2<sup>nd</sup> reading; Organizational Use of the County Courthouse Plaza by the NAACP on August 3, 2013**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the County Courthouse Plaza by the NAACP for August 3, 2013 from 10:30 a.m. to 3:30 p.m.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #351-2013**

**12. Public Comment**

None

**13. Commissioner Reports**

None

The meeting adjourned at 10:08 a.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