

TERM OF COMMISSION: June Session of the April Adjourned Term

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

PRESENT WERE:

Presiding Commissioner Daniel Atwill
District I Commissioner Karen Miller
District II Commissioner Janet Thompson
Director Resource Management Stan Shawver
Planner Uriah Mach
County Counselor C. J. Dykhouse
Deputy County Clerk Mike Yaquinto

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

Commissioner Atwill began the meeting with the following statement:

Good evening, thank you for coming. Many are here for the public hearing about a county monument and I would like to say a few words about the procedure for tonight's meeting. First, we have some regular business to take care of as referenced in the agenda. This hearing is not a debate, not a press conference and not a time for argument and is not a question and answer process. It is a time for each of you to put into public record your opinion about the pending issue. Your comments will be recorded and will become a part of the official history of Boone County. Please start by stating your name and what organization you represent if you are here on behalf of a group.

Each person who speaks will be allowed 3 minutes. Time will be kept by our County Counselor. A green light will be on for 2 minutes, a yellow light starts one minute before the end of your time and a red light means your time has expired. We request that you sign up while our regular business is being handled. When the public hearing begins, we will start by calling the first three names. One will take the podium and the other two may be seated at the

table. We will rotate through in that fashion with names being called as speakers finish. Please do your best not to be repetitive. Everyone who chooses to speak will be given the opportunity to speak. Please be courteous to all during this process.

After the hearing, we will do whatever further review is prompted by what is presented here tonight. Any Commissioner or all may request preparation of an order. Such prepared order will be on our agenda for a first reading at a publicized public meeting. At that meeting, Commissioners may comment on the proposed order. The proposed order may be placed on the agenda for a vote at another publicized meeting. If the order is passed, it becomes the final decision of the Commission. This is the process we use on all County Commission business. So please proceed to sign up as we begin with our regular agenda.

Resource Management

- 1. Public Hearing and Petition submitted R. Newton and Joyce I. Riley to vacate and replat Lots 1-4 of Lake Chateau Block 2 and Lots 1-10 Lake Chateau Block 3 as shown in Plat Book 10, Page 107 of Boone County Records, located at 2855 S Montrose Ave., Columbia.**

Stan Shawver said he would like to enter the Boone County Zoning and Subdivision Regulations into the record of this meeting. The petition submitted by the Riley's is to vacate 14 lots. The property is located 3.5 miles east of Columbia on Hwy. WW. The zoning is R-S, residential, single family.

Lake Chateau subdivision was plated in 1970. Newton and Joyce Riley are the owners and are requesting that 14 lots be vacated and re-plated. The petition comes under sections 1.8.1.3 and 1.8.2 of the Subdivision Regulations. Those sections require the County Commission to conduct a public hearing to grant permission to vacate or re-plat land.

In making a decision, the Commission is to consider a vacation will not adversely affect the character of the neighborhood, traffic conditions, circulation, proper location, alignment and improvement of streets and roads as well as property values, public utility facilities and services and will not adversely affect the health, welfare or safety of persons owning real estate within the subdivision or surrounding real estate. We have notified all owners within 500 feet of this property.

The Commissioners had no questions at this time.

Commissioner Atwill opened the public hearing and asked if there is anyone here that would like to speak on behalf of the applicant.

Tim Reed said he is with Engineering Surveys and Services and is representing the Riley's. This issue started when the Riley's were putting an addition onto their house as well as a garage and saw that they were crossing one lot line. When Mr. Riley looked at the area, he decided to vacate the entire block to make it one large lot.

Commissioner Atwill asked if there is anyone else present that would like to speak on this request. There were no additional speakers and Commissioner Atwill closed the public hearing.

There were no further comments by the Commissioners.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** a petition submitted by R. Newton and Joyce I. Riley to vacate and replat Lots 1-4 of Lake Chateau Block 2 and Lots 1-10 of Lake Chateau Block 3 as shown in Plat Book 10, Page 107 of Boone County Records, located at 2855 S Montrose Ave., Columbia.

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

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #269-2015**

2. Public Hearing and Petition submitted by Michael and Marla Fuller to vacate and re-plat Lot 2 of Chitwood Subdivision as shown in Plat Book 49 Page 13 of Boone County Records, located at 19615 N Hwy 124, Centralia.

Stan Shawver said Chitwood subdivision is located 1 ³/₄ miles south of Centralia on Hwy. 124. It is zoned A-2, agriculture. The Chitwood subdivision was plated in April of 2015. The Fuller's own Lot 2 as well as a tract immediately south of this lot and it is their desire to reconfigure the two tracts.

The petition comes under sections 1.8.1.3 and 1.8.2 of the Subdivision Regulations. Those sections require the County Commission to conduct a public hearing to grant permission to vacate or re-plat land.

In making a decision, the Commission is to consider a vacation will not adversely affect the character of the neighborhood, traffic conditions, circulation, proper location, alignment and improvement of streets and roads as well as property values, public utility facilities and services and will not adversely affect the health, welfare or safety of persons owning real estate with the subdivision or surrounding real estate. We have notified all owners within 500 feet of this property.

The Commissioners had no question at this time.

Commissioner Atwill opened the public hearing and asked if there is anyone present that would like to speak on behalf of this request.

Don Borman said he is a professional surveyor and is representing the Fuller's on this petition. They want to reconfigure their lot so the tract of land they just bought to build a house on, includes the pond. There is sufficient acreage to do this.

There were no comments or questions by the Commissioners.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby **approve** a petition submitted by Michael and Marla Fuller to vacate and re-plat Lot 2 of Chitwood Subdivision as shown in Plat Book 49 Page 13 of Boone County Records, located at 19615 N Hwy 124, Centralia.

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 #270-2015**

3. Hagan's Ridge. S13-T46N-R12W. A-2. Bryan & Leslie Crump, owners. Steven R. Proctor, surveyor.

Stan Shawver said this is a one lot subdivision, zoned A-2, located on Hagan's Road in the Southern District of Boone County. This has been approved by the P & Z Commission and is ready to be received and accepted by the Commission.

There were no comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorize the Presiding Commissioner to sign it:

- Hagan's Ridge. S13-T46N-R12W. A-2. Bryan & Leslie Crump, owners. Steven R. Proctor, surveyor.

Commissioner Atwill seconded the motion.

The motion carried 3 to 0. **Order #271-2015**

County Counselor

4. 1st & 2nd reading; Approve an Acknowledgement and Estoppel Certificate relating to ABC Labs and its Chapter 100 Transaction

C. J. Dykhouse said this is further evidence of ABC Labs continuing success in our community. This agreement dates back to 2008. This current transaction contemplates ABC acquiring another entity. The Estoppel Certificate assumes that with the entity acquired, the Chapter 100 benefits that were extended in 2008 will continue as intended.

There were no comments or questions.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Acknowledgement and Estoppel Certificate relating to ABC Labs and its Chapter 100 Transaction.

It is further ordered the Presiding Commissioner is hereby authorized to sign said Certificate

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #272-2015**

Community Services

5. Public Hearing and second reading; Budget Amendment to allocate funds to enter into contracts (1st read 6-16-15)

Commissioner Atwill opened the Public Hearing and asked if there is anyone present that would like to speak on this issue. There were no speakers and Commissioner Atwill closed the Public Hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby acknowledge the following budget amendment for Community Services to increase the budget for contracts with organizations whose proposals will be funded.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
2130	71106	Community/Health Medical	Contracted Services		1,000,000

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #273-2015**

Family Court Services

6. Public Hearing and second reading; Budget Amendment to increase revenue and expenditures for the Domestic Relations Resolution Fund – Contact for Kids (1st read 6-16-15)

Commissioner Atwill opened the Public Hearing and asked if there is anyone present that would like to speak on this issue. There were no speakers and Commissioner Atwill closed

the Public Hearing.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby acknowledge the following budget amendment for Family Court Services to increase revenue and expenditures for the Domestic Relations Resolution Fund – Contact for Kids: A Safe Way Grant for the period 7/1/15 – 12/31/15.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1243	3451	Judicial Grants	State Reimbursement Grant		7,500
1243	71101	Judicial Grants	Professional Services		7,500

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #274-2015**

Commission

7. First reading; Budget Amendment to cover additional site inspections at the CMEC

Commissioner Thompson said that this finishes out the need for services from A Civil Group and JC Landscaping to maintain the work already done so there is no further erosion or impairment of the creek that runs through the property.

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.

8. First reading; Consultant Services Agreement with A Civil Group for additional site inspections at the CMEC

Commissioner Thompson said this will allow A Civil Group to do the inspections at the CMEC based on the work that is being done for the erosion issue.

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.

9. Presentation of a Draft policy for Displays on Courthouse Grounds

C. J. Dykhouse said he has been directed to review various policies from different cities and counties from around the country regarding courthouse displays and displays on courthouse grounds. Themes that emerged were basically appropriateness and safety issues. He has prepared a Draft Policy for the Commission to consider and guide them in future decisions.

Following is the Draft Policy:

When considering the acceptance of donated monuments or displays for the Courthouse Plaza and the courthouse grounds, the County Commission of the County of Boone Shall consider all relevant factors, including but not limited to, the following:

1. Appropriateness of size, type, and character of the donated monument for the courthouse plaza property in light of existing monuments or displays, sidewalks, space limitations, desire for open or green space, and other public uses of the property.
2. Any safety concerns the proposed monument or display may create as any sort of

hazard, attractive nuisance, or other safety concern to the members of the public using the property and/or county staff in maintaining the property.

3. The nature of the monument as a secular display that contains no religious symbols or messages and does not endorse any political cause, issue, or event.
4. Anticipated maintenance costs of the monument or display and availability of donations to absorb those on-going, anticipated costs.
5. Contribution of proposed monument or display as a memorialization of Boone County's history.
6. Contribution of the proposed monument or display as community art.

All donated monuments or displays shall become the property of Boone County, Missouri, and can be relocated or removed in the sole discretion of the County Commission.

The Commissioners had no questions at this time.

Commissioner Atwill this will be discussed, as needed, at a further time.

10. Public Hearing on Desert Storm Memorial

Following are the speakers and their comments concerning the Desert Storm Memorial:

Hugh Odneal

I have requested several times an explanation on how the action to cover the ichthus was arrived. As yet, there has been no explanation. The first amendment deals with the restriction on the government, it has nothing to do with the restriction on the citizens. Four times it says Congress shall not make a law in its own way, interfering with any way we exercise our right. What is the specific violation to cover the ichthus. If you don't have one, then you are the one who violated the first amendment of the people who put up the monument.

The only explanation given is that it is a clear violation of separation of church and state. That is just an opinion. The main concern seems to be with the cost of litigation. That seems to creep up almost every time. The threat of litigation is not a reason for an action such as this. That's the only thing that I see that comes up. We spent \$250,000 for those other people and it might cost \$500,000 to defend this. That's what you are here for; to defend our rights against bullies who are violating and threatening our rights. What would have happen in 1776. Where would we be now. You have done a grave injustice to Boone County. You took an oath to support the Constitution and you have not supported the Constitution. You have taken the easy way out and now, we are still here one year later. Please reconsider this decision and do what is right.

Reed Hickam

I am Senior Ride Captain for the Patrol Guard Riders. I stand for those who stood for us and I'm standing for those two names on the memorial. It is not right what was done to the monument. The ichthus is one of the symbols that are allowed on the headstones at Arlington Cemetery for these soldiers. It is even pictured on one of their headstones now. It is not right what was done. It should be restored to its original state.

As I understand it, Boone County is represented by the people, you represent us, we put you in these positions to represent us. You should listen to what we say and take for granted what we say is from our hearts. The monument being covered is the wrong thing to do. You took a letter threatening us with litigation and covered it without asking our opinion. It is allowed on federal property and tombstones at Arlington Cemetery and why not on our memorials representing all those who gave their lives for our freedom.

I want to thank all the veterans in this room for your service. Because of you we have the freedoms we have today. The memorial was bought with private money and placed on county property. It belongs to the county and we are the county. We pay our taxes, we pay

for all this. It represents us, it represents what we believe in. It represents our hearts. People died for that memorial. They died for all those memorials out there. I have two Gold Star grandkids. Their dad died in 2008 in Iraq. I hope we have a memorial one day up there for them. If they want to put a religious symbol on his memorial, I hope they do. They have the right. They have the right when they buried him at the cemetery.

Jim Coy

I am a combat veteran of the Persian Gulf War, serving 21 years in the military and retiring in 2001. For 22 years, the names of Patrick Connor and Steve Farnen have stood shoulder to shoulder with over 350 men from Boone County who paid the ultimate sacrifice on the altar of freedom. It would be a disgrace to move the memorial and separate these two men from their brothers in arms. We believe these monuments stand on hallowed ground. The families, friends of these men, veterans groups and people of faith are asking you to restore the monument and leave it with the other memorials.

My connection to the memorial is as a friend of the Connors. I am a person of faith and a combat veteran. During the Persian Gulf War, I served in the 3rd Group Army Special Forces Airborne. I was involved in the invasion into Kuwait City to liberate the American Embassy and the city. I was involved in operation Urban Freedom.

The memorial states "For those who died and for those men and women who were willing, but were spared." I'm that and one of those who was spared. That is my monument also. People in the United States were praying that people would be spared in the conflict, many of you in this room. Due to that, many Evangelical Christians believe that the death rate was low because of that.

There is a cadence in the Airborne called C130 Rolling Down the Strip and the end of it says; "If I die in a combat zone, box me up and ship me home. Tell my wife I done my best,

put silver wings on my sons chest." Pat and Steven paid the ultimate sacrifice for freedom. They never came home, never married, never had children. It is often said by those who served in combat; "To those who fight for it, freedom has the flavor the protected shall never know." I'm reminded of two quotes in the book Prisoners of Hope; "To die for freedom is not the worst thing that can happen. No, to die for freedom and be forgotten, that is the worst thing that can happen." That appears what we have done with these young men. The final quote is; "As Americans we have a sacred obligation to remember those who have fallen and died on foreign battlefields and not returned home." Please restore the monument and do not move it and do not make decisions on symbols of any faith and take the Alliance Defense Counsel opportunity to defend this right.

Steve Paulsell

For the past six years I have had the privilege and honor to be in the company of thousands of WWII, Korean and Viet Nam war veterans. I have heard their stories, witnessed their humility and experienced their patriotism. Many have found God in a fox hole. The monuments that stand in the Courthouse Plaza stand in memory to those that gave the ultimate sacrifice on our behalf. In some cases, they have fought with some of the veterans I have had the opportunity to meet.

While I can't speak to the spirituality of every veteran in our community, my experiences over the past six years tells me that the vast majority believe in the same fundamental philosophy of those who started this country; God indeed has been at work here from the very beginning. I have spent a lot of time in Washington D.C. and Gods presence is in our nation's history as documented from the top of the Washington Monument to the graves at Arlington, so, why not here.

I understand that one of the many obligations is the need to protect the financial viability of our county government. You would be remiss if that was not factored into each decision that

is made. However, the organization that has threatened legal action does not seek financial restitution, but seeks to eliminate those practices they view as offensive or a threat to separation of church and state. In a Supreme Court decision last year, they lost in their effort to stop a city from saying a prayer before their council meetings. If this is truly the case, then the remaining financial threat is the cost of the legal defense if a lawsuit is brought forward. In addition to your insurance, the county now has an offer that addresses that liability. It would seem in the worst case scenario a final judgment could be rendered to have the county take action such as that it is currently considering and years down the road without any financial exposure. The question continues to be why do anything now. This is a very emotional issue and has been hard on the aging parents of these soldiers.

This is also causing considerable concern amongst our veteran population. These monuments stand as testimonies to those who gave all and to our community commitment to never forget the cost of freedom borne by our veterans. Sadly, this decision has caused some to question this commitment. I think you have met your financial obligations and responsibility and also have a new opportunity come your way.

Also, another obligation you carry is one of leadership. With the financial concerns minimized, if not eliminated, there is no reason to bow to the threats of a lawsuit. To continue to bow to this threat sends a very poor message to many. It is a message of weakness and timidity. I encourage you to stand and lead this county against this threat. The vast majority of our community wants you to do this. This is the time and the place to put a stake in the ground and say not here, not on our watch, not in our county and absolutely not to our fallen veteran heroes.

Neil Riley

I am a Christian and veteran. Who are Patrick Connor and Steven Farnen. The ultimate question is one of identity. In Galatians 2:20 it says "I have been crucified with Christ. It is

no longer I who live, but Christ who lives in me. And the life I now live in the flesh, I live by faith in the Son of God, who loved me and gave himself for me.” In 2 Corinthians 5:17 it says “Therefore if anyone is in Christ, he is a new creator. The old is gone, the new has come.”

As Christian men, the ichthus under the names of Patrick Connor and Steven Farnen denotes who they are. That is their identity. By covering up the ichthus, in effect, their identity, as they would want to be known, has been covered as well. For these young men it could mean as much or more as covering their given names.

Two weeks ago, the families and parishioners of a church in Charleston, S.C. responded to the murder of their pastor and eight members of their church with a response of forgiveness, the foundation of our Christian faith. It takes great courage and commitment in their faith to respond in that way. I would like the Commissioners to also act with courage to restore the identities of these valiant young men who made the ultimate sacrifice so we could have freedom of religion. Moving this memorial to a less desirable location is an erosion of this freedom and the self proclaimed identity of Patrick Connor and Steven Farnen.

Betsy Phillips

I became concerned about this and share many of the views of the people that have already spoken. We need to speak up sometimes when we think things are important. We all have a choice. Some are on national things, some are on local things. It depends how important these things are and sometimes small things are more important than we realize. I consulted a young man at the University of Missouri Law School and he suggested getting petitions with signatures because that would show that there is a concern and interest. I have around 600 signatures from Boone County residents, probably more, some of these are from on-line, but they gave their location. A lot of people are involved. There is a Facebook page that has over 10,000 views and maybe more. This just resonates with people as it does for many of us

here. It is not just Christians, but traditional thinkers as well. Things have changed in the last 30-40 years but our fundamental beliefs, for most of us, have not changed.

We have an opportunity now to work together due to the offer from Alliance Defending Freedom. This could be a win-win situation. We can have what we want and the county would not have to worry about any financial problems. I realize that this is not England and Mr. Churchill, but he talked about that time in WWII as being its finest hour. Boone County is not England, but somehow we have to think about how we can do something that is right and take the high road and that is what I am hoping for tonight, especially when I heard about the offer. I would like to read a quote from the Declaration of Independence.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...

We all get the general idea. We have an opportunity here and I'm hoping that the county will take it. Some people are upset, but at the same time we have hope. We don't always agree, but I'm hoping we can agree on this.

Linda Cheatham

I am a retired CPA here in Columbia and am speaking in support of keeping the original monument on the county grounds. The Boards reaction to the perceived threat and letter received earlier was not adequately explored. The 1st amendment does not say NO recognition of religion, only that there shall be no specific religion established by the government.

Many of the colonists came here to practice their religion. You have been offered free legal

representation by the group mentioned previously who have been very successful in such suits. Congress starts every session with a prayer by a rotating group of ministers, priest, etc., including an Imam. Arlington Cemetery is full of religious symbols of our fallen service members. Government buildings have the 10 Commandments on them. The memorial is of the same type and the monument should be allowed to remain on the courthouse grounds with the ichthus displayed and also item #3 should be removed from the proposed policy.

Ron Rold

I am a retired U.S. Army Lt. Colonel and was a Senior Active Duty Army Officer. I was on duty here in Columbia during the Gulf War. I also commanded ROTC. I was an Armor Officer and asked if I could go to the Gulf, instead I stayed here, much to my chagrin.

I was the officer that got a call about 2 a.m. and the hardest duty I have ever had in my life was to notify Mr. & Mrs. Farnen that their son had paid the ultimate sacrifice. Ask yourself if you have ever done that. I have not seen the Farnens since the funeral until tonight. They are with us. The mere fact that they have to appear here tonight is an additional insult to the service and faith of these two young men, both of who were devout Christians first and offered, volunteered, to put their life on the line for their country. Do not add further injury to our friends and neighbors. They have sacrificed enough.

I have West Point classmates who are Gold Star parents. If you ever knew the pain of a parent, to ask them to come here to have their identity of their son's memorial is an insult, especially since any reason about funds for the county has now gone away.

I would like to quote from the Cadet Prayer at West Point:

Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice and knows no fear when truth and right are in jeopardy

It only takes two of you to do the right thing. It should be unanimous. Do not be one to shrink from doing your duty. Surely Patrick Connor and Steven Farnen did not.

Kim Foley

I am a resident of Boone County and a Christian. After college I married a Boone County boy who also is a Christian and has operated a small business in this community for over four decades. I attended church with the Connor family in the 70's and early 80's and graduated from Hickman High School with Jeff Connor.

At that time, Patrick was just a skinny, goofy kid brother who wasn't cool enough to hang out with us. Before we held our first 10 year reunion, Jeff had already experienced combat himself and far, far worse, he had been the voice on the phone telling his mother that Patrick's plane had been shot down and was missing in action. As an active duty Navy officer, Jeff was the first to be notified. He knew that his father was out of town on business and his mother would be home alone. He needed to tell his mother before the two Navy officers arrived at the front door. Weeks later, Jeff also delivered the news that Patrick's body was found which was devastating, but at least gave them closure as the lead pilot and plane have not been found.

I am just a Boone County resident and don't stand before you tonight as a person of any great influence or notoriety. You didn't know my name before tonight and will forget it quickly

after tonight. I don't represent an organization or political party or social group or any branch of the military. I don't even speak on behalf of my High School friend Jeff, or the Connor and Farnen families. I am just one small voice, just trying to stand up for doing what is right. I also believe there are many more voices like mine who have chosen not to speak tonight. I am just an average Boone County citizen, living, working and raising our families and calling this home. But we are outraged at this situation. I want you to know we expect better than this from our elected officials and we expect our Commissioners to be forthright and accountable and be good listeners and good communicators.

We want to stand up to bullies and to honor those who have defended our freedoms. We don't appreciate meetings held off the record or official decisions made without documentation or plaques covered up in secret. We raised our kids that if you had to be sneaky about it, you probably should not be doing it. We believe you can do better and not just the next time, but this time. It is still not too late to make this right. This is not about political parties or re-election campaigns. If it ever was about money, that is no longer the case. This is not even about religion or power or any of those things. This is just about integrity. It's about doing the right thing even if no one were watching. But we are watching. Please do the legal, courageous and honorable thing tonight and restore the Desert Storm memorial to its original condition and original location.

Debra Hickam

I want to thank everyone here tonight that came to support what we believe in, which is to uncover the religious symbol on this memorial. As my husband stated, I am a Gold Star grandmother and a Patriot Guard Ride Captain and have way too many times, in our community, gone to a home, a mother's home, to hold their hand and listen to her speak of her son. I know that feeling all so well. These young boys are our community. They left and went to fight for us. Now we have to stand and fight for them. We are all they have left.

Michael Williams

I am a Boone County resident, representing myself. I have heard tonight that we have some parents here of a deceased hero and they could probably speak more than anything I ever could. The single most important thing I have heard tonight, the most important words are; don't separate those heroes from the rest of the heroes. Don't do it. It is wrong.

Secondly, there is an offer on the table to litigate this for free. I urge you to take it. I think all of us in here would say, take that. If you don't, I think it needs litigation. If we have to litigate this ourselves, my wife and I are pledging, right here in public, for the next 90 days to get it set-up, \$1,000 to do so. We need an attorney who believes and a bunch of like minded individuals willing to do similar things.

Dennis Mills

I am from the VFW, Centralia Post 6276. I am here to speak on behalf of these two men who I did not know, but knew seven others that are on the wall right next to these two young men who gave their lives. I represent two things which are shown on the two hats I have here tonight. One says American and Proud of it. The other says All gave some, some gave all. I am one of those that gave some. All seven on the Viet Nam wall are from Centralia and these two young men need to be left with them. If you care about them, then you will keep them there. If a fish on the monument is what you are afraid of, don't be because these two men weren't afraid because they believed in Jesus Christ. If a fish symbol has them taken away, then you can take my leg away because I will have a fish on it and it is government paid for.

Hugh Farnen

I have 545 signed petitions from Centralia and the Anchor Festival. You don't have to satisfy me or satisfy anybody here, but come judgment day, you might be making an instant attitude adjustment

Gladys Farnen

I just want to say I agree with everyone that spoke tonight and hope you think it over and do the very right thing which is leaving the fish showing.

Bart Tichenor

In the interest of full disclosure, I am Bart Tichenor, a licensed attorney in the state of Missouri and an ordained Baptist minister and a member of the Americans United for Separation of Church and State, but not here in an official capacity representing them.

I want to remind the Commission tonight that the 1st amendment to the Constitution is anti-majoritarian. If the founders of this country had established a republic in which the majority was to rule, in the matters of religious affairs, in the matters of free speech, in the matters of a free press, in the matters of the right to assemble and to petition the government, then there would be no 1st amendment. You would simply put it all to a majority vote.

I respect the fact that people brought petitions and I respect the fact that the majority of this room, in fact I may be a minority of one, that they are for keeping the monument as it was originally built. I speak in opposition to that. So long as the ichthus, so long as the Christian declaration, Jesus Christ, Son of God, Savior, is covered, then that is appropriate because in keeping with the 3rd point of the proposed draft, it is a secular monument. The moment the Christian symbol is exposed, then it becomes a sectarian monument. As much as that means

to me, as one who for nearly 60 years has been a follower of Jesus, I don't want it on a government monument.

I support, as I did last November at the League of Women Voters debate, the removal of it to a non-government site and a replacement that has no religious symbol. So long as it is going to remain and if it is going to remain with that distinctively Christian symbol, it places every other religion, every other practitioner of religion in Boone County in a minority position. Just as I would not like to be placed in a minority position of my religion, I want that for no one else either. So I encourage you, if the monument is to stay here on the courthouse grounds, leave the ichthus covered. I think the better solution is to remove it to a non-government site and then construct an appropriate memorial for those that not only served in Desert Storm, but those who served in Iraq and Afghanistan.

Ross Mutrax

I am here representing my family which has been part of Boone County for at least seven generations. We are the 7th generation serving Oakland Christian Church. We have founded schools, churches and many other facilities in Boone County. I find it very offensive that these boys who gave and paid the ultimate price, that this monument, put on the courthouse grounds and authorized at that time, all for good, and now, once threatened, are covered. I find it detestable and cowardly that they were covered without a vote, without a voice for the people that they could be left alone. We were threatened by an organization and we turned tail and ran. I don't see that's what the U.S. stands for, not what Boone County stands for and not what my family stands for. I am truly embarrassed by this. I hope that you reconsider this. You are our elected officials and you will pay.

Gene Baumann

I am here as an individual and a long time friend of the Connor family. I have the honor to read a letter from Marsha Connor.

How does a mother feel. Every year we return to Columbia, still home to us, to see good friends and visit the Desert Gulf War memorial which honors our son Patrick Connor and Steven Farnen. There were two young men who gave their lives. We were crushed last year when notified by a newspaper reporter that on the memorial, the fish symbol below their names had been covered from view. The Boone County Commission authorized the action to be done because of a complaint. We also learned, because of a threatened lawsuit, it might be moved to private property. How disrespectful and dishonoring of our sons, through their service and sacrifice and also to all Gold Star families in America, those who have lost a child in military service. How would these young soldiers of this Gulf War be recognized and remembered at Memorial Day ceremonies at the Boone County Courthouse and other military honor events. It would break the Gold Star mother's heart if this original Gulf War memorial is moved.

Marsha K. Connor

Gold Star Mother

Proud Mother of Lt. Patrick K. Connor

1965-1991

Sara Walsh

I am from Ashland and I stand here with my fellow Americans and Boone Countians to make a matter of public record that I ask the Commission to restore the Desert Storm memorial to its original condition and original location therefore honoring our fallen and their families. With all due respect to the Commission, I am very disappointed in the

covering of the symbol without consulting the families of the fallen or openly soliciting input from Boone Countians. As a Christian, I believe in second chances and we trust you will reconsider and make the right decision. I would also like item 3 removed from the draft policy.

Dan Clinkinbeard

I was born in Boone County Hospital. Mom and Dad were born in Boone County Hospital. I have two grandparents buried in Boone County and have future generations coming up in Boone County. We are all proud to be Boone County people. I am a little disappointed in Boone County because there should be 10,000 people here. It is so easy that we forget those people who gave their lives so we can come down here and argue about a fish. We are lucky, only one of a few counties that you can do this. The boys gave their lives, it's their monument. There are two people on it. If they want a fish or whatever they want, those boys deserve to have it.

I hope we never have to go here, but I own some property on Broadway, across from the hospital. It has a nice big tree and I would be glad to put it there. But let's not do that. Do the right thing. These boys did the right thing. Let's do the right thing.

Cathy Cox

I am a Christian, a Christ one and life time resident of Boone County and have lived in Columbia all my life. As my uncle Ross, uncle by blood said, I'm part of a family seven generations into Boone County. We have a rich history here in Boone County that is very Christian.

I want to speak about the monument this evening. A monument that was erected by one of

our city councils, by our government and it was given the okay. It was a government that was willing to stand for what they believed was right and allowed the monument to be erected. The monument includes the names of two individuals from Columbia, from Boone County, who were killed in action due to their patriotism and commitment to serve God and Country. How do I know they made a commitment to serve God and Country, because they took the oath each military person takes to protect the Constitution of the United States and at the end of that oath they say – so help me God. At the end of the oath it says – I will protect the Constitution of the United States; so help me God. That is every person who enters the military, whether they are Christian, Muslim, Jewish, it does not matter what their religion is, they pledge – so help me God, to defend this nation and the Constitution.

I further want to say the ichthus on the monument represents the beliefs of the only two names specified on that monument. These two young men were believers in the Most High God. They were believers in Jesus Christ. It is their right to have whatever they and their families would want to have on that monument which was given permission to be erected by one of our councils.

I also want to say that the symbol is no more offensive to me than the Liberty Bell that stands in front of the Courthouse. I say that as the only African American in this room. I apologize, as one of two African Americans in this room. That liberty stands for the freedom of Caucasian Americans. The freedom for Caucasian Americans to have the rights to do and say whatever they want to do. At that time, my people were still enslaved. My people were still under the power of the rest of you. I should say ½ of my people, there is my uncle right there. The other ½ were still enslaved. The other ½ were still under the thumb of someone else. If the ichthus is offensive to others, then let's remove that Liberty Bell. In addition, let's remove all those pictures inside of the Courthouse that depict African Americans in a negative way, that depict people being hung. At what point does it stop.

I implore you tonight to act with the courage that the council that OK'd for that monument to

stand and not turn tail and run because someone is offended. I will be offended if you don't stand for my rights.

Phyllis Hunsley

I am here to represent the families because I have gone through what they have gone through. I am a Gold Star wife. I have suffered from Viet Nam for 46 years. I have been slapped in the face, went through all the war protest years while going to school at MU as a wife on the GI Bill of my husband who gave his life. He was put in for the Medal of Honor and received the Distinguished Service Cross because there were one too few witnesses to the night he got killed in a battle that lasted 3-4 hours.

I also just buried my significant other a little over a year ago. I filled out the government forms to put the military marker with a symbol of a cross on his marker as he was finished off by Agent Orange. It is a slap in the face to the families to have this taken away. My own husband, in his own hometown, which was not in Boone County, MO, they did not fly the flag at half mast. Please don't hurt these people. This is so hurtful. I'm 70 years old and I'm still hurt every time the flag flies at half mast when somebody sneezes. Don't take this away from them.

Fred Parry

I would like to begin tonight by saying thank you to Hugh and Gladys Farnen who are here tonight. Our community owes you an apology and I promise you that we will make it up to you and honor your son's memory.

I also want to say, if it is unclear, what the public will is tonight and what the public will is in this community. I want to ask all of the people here in support of restoring the Desert Storm memorial back to its original condition and removing item #3 from the proposed

policy to stand up and be recognized. (people stand up)

I want to follow up on the comments made by Bart Tichenor tonight. I know he is an ordained Baptist minister and lawyer. I want to draw attention to the cornerstone of this very building where we are standing here tonight, the symbol of the Free Masons. In the middle of the symbol is a “g”. A little bit of research tells you what the “g” stands for. It stands for God and geometry. We all know there is no denying what the “g” stands for and that in itself is a religious symbol so we need to be consistent about the displays of religious symbols in our community. We need to be entirely consistent.

Cheri Reisch

First off, I would like to criticize the Commission, the accommodations are terrible. We have a guy with one leg over there who does not have a chair. It’s like it’s 85 degrees in here and you all knew the controversy. I think you could have had a larger venue or brought us more chairs and we could have had 10,000 people here. I brought a person with me, but they are diabetic and could not stand for two hours and had to go sit in the car. People out in the hallway can’t hear what is being said.

My name is Cheri Toalson Reisch, a sixth generation Boone Countian. My family came here before it was called Boone County. It was called Howard County. My grandchildren are eighth generation. My father was a veteran and on his grave, issued by the military, it has a cross on it. My grandfather was a veteran and his grave, issued by the military, it has a cross on it.

I was also going to make a comment about the Masonic Lodge symbol, but that has been addressed already. I go in and out of the Boone County Courthouse next door and it says – Site of the first Catholic School in Boone County – are you going to take that down also. Its history and it was approved by prior Commissions. I don’t know if you are afraid of a fight.

Two of you are attorneys, have been in court and have litigated. We have free lawyers who are willing to take this to court, if and when you are sued. Who says they are going to sue. We are not chicken here in Boone County. We need to stand up for our rights and need to stand up for ourselves and you need to speak on our behalf, we elected you to represent us.

This came out on the agenda about Friday and this has been going on for about a year. There could have been a little more advanced notice, maybe moved it to a school or auditorium because sitting back there, they don't have a chair. This is poor planning and we would have had this room filled with more people, but they left. Uncover the fish and leave it on the Boone County square.

My ancestors that died here in Boone County, their names are on the Civil War memorial and you can look up the name Toalson, that's my ancestry and I would not like their memorial desecrated.

Brent Haden

I am an attorney here in Columbia representing myself as a citizen of Boone County and working in Columbia. I want to state that I do not support moving or covering the ichthus. I say that because there was some apparent confusion regarding my position given out in a letter that came from the County Counselor's office to the parents of the folks that are on this memorial. I say that because it was taken from comments that I made at the debate that we did at the League of Women Voters with Mr. Tichenor back in November. I said I did not think we should move the memorial or cover the memorial. I want to clear some confusion up on that. I'm not sure where that confusion came from given everybody at the table tonight was there that night. I want to be clear about that because I don't think that it is morally necessary to remove or cover the ichthus under the principals of an open society, a society where we have some level of separation of church and state.

I don't think it is politically necessary in Boone County, which means to say, I don't think you would pay a political price for leaving the ichthus here. Also, it is not legally necessary under any precedent put forward by the courts in this country, to return this monument, specifically. I know that is a complicated area of the law. We all heard on the night of the League of Women Voters debate that it is a complicated area of the law. All the analysis that is out there as it relates to this specific monument and about what has been done here, a privately funded monument on the courthouse grounds, would indicate it is not unconstitutional to have this monument.

You do not have to take this from me as you obviously have received a letter from the Alliance Defending Freedom, one of the top religious freedom organizations in the country and that has been their opinion. You saw the letter. It is a long, well reasoned, thorough memo about these precedents which is something that, as far as I know, Americans United for Separation of Church and State has not sent you. The Alliance has now stepped up and obviously offered to defend the county for free. The practical concern, if we leave the ichthus in place, is it is going to cost the county a bundle of money is now moot. We have an organization that is willing to defend the county for free. If that is the case, it is just a philosophical and political question – where are we really, as to whether we should have the ichthus on the monument and do we have to cover and move it.

With that, the last point, which goes to transparency, because in a democracy, it is important that citizenry know where their elected officials are. It is important for elected officials to be transparent, important the citizenry be informed. That runs both ways. It is important they get information and also important we seek out information. There are a lot of people here tonight who are interested in the Commission's rationale for covering the ichthus. We are about a year in now before we had a public hearing on this issue. The answer as to why this has been done has been either silence or evasive at best. Go and look at the comments from the Commission. There has been no public vote to my knowledge as to these issues specifically. I think, in a democracy, whatever you think about this issue, even if you think

the ichthus should go, citizens deserve better in terms of being informed.

I urge you to talk back to us. If you have a pragmatic concern that it is going to cost the county money to defend the lawsuit, that's fine, that's now moot. We have someone to pay for that. If you are in a philosophical place where you think the ichthus should be removed, we have disagreements all the time in the political process, come out and say that and let the people know and voters who get informed can act accordingly within a democracy. That's voters on both sides. Voters deserve to know where you are on this and not a trotted out policy you can hide behind, but a rationale offered by elected officials where this is what we think and why and then we can make our decisions.

Lisa McCoy

I have lived in this town since 1983 and am a grad of UM and work as a physical therapist. Tomorrow, I return to my 1st day of work after being immobilized. I have been gone for two years, having been at Ft. Hood. Part of my job, I was a Commander, we moved SRP site, Soldier Processing Center, when in November, 2009, they saw many, many soldiers be killed and part of my job was to move that process back to where it occurred. So, I saw many soldiers, many civilians and parents and the hurt they went through by that tragedy. For over five years it was ignored and all of a sudden, we moved them back and I saw those civilians that worked there go back into the workplace and have tears. I could not keep my composure at that time either because I looked at the grass, where their good friends died, that ground was precious. When people wanted to even do PT on that ground, I knew it's just ground, but it important to them, so we tried to ask soldiers not to exercise there. They have a memorial there and have things that they look at. I just ask that we honor it.

When I was a Commander, I didn't look at them, I'm a Christian, but I took care of my Jewish friends, my gay friends, my Muslim friends. We had atheists in the unit. We worked together as a team. We loved each other and we all fought together for faith and that was

what it was all about, our own personal faith, our personal liberties. I think that's what's happening in this country, so often, we are seeing everybody just say let's not do anything, let's become sterile, just makes me think of a Communist country. I'm fighting for liberties and it just seems like, let's make it sterile, let's wash everything out. Colonel Coy, you are a great Commander. I was with him, he took care of us, year after year. This is a man of honor.

I served during Operation Desert Storm. I have been in for 34 years. I'm a Colonel. I can't represent as a Colonel, I'm not allowed to. I'm coming as a citizen. But as a Colonel for 34 years, serving in this reserve unit in this town, I have been immobilized for five years, the last two years I have been gone. I want to say I'm proud to serve and still will serve .

I'm fighting for liberty, justice and the things every soldier fights for, no matter what their faith is, what their belief is. I think that this is what we are standing for. Do we want to become sterile and we can't have any symbols. I even heard on the radio, I was proud of this one atheist who said – I don't see why they can't have it, it's okay. Sometimes it's okay to be offended.

I'm thankful to be here. I know you are servants and as a Commander, I know how hard you work. People don't realize what's involved with service of community or unit. A lot of time is put into the job. Thank you and let's work together so we can have the same freedoms our forefathers fought for way back before us. My father was also in Korea and just received an award from the Korean president for fighting for that country and look where South Korea is versus North Korea. I want to be South Korea.

Dan Viets

I speak tonight on behalf of the Missouri Civil Liberties Association, a group that is comprised primarily of Boone Countians who care very deeply about the principals established in our Constitution, in particular our Bill of Rights. We feel that it was a break

with the traditions of the country when a religious symbol was added to the war memorial placed on public grounds, specifically on the grounds of our courthouse plaza. I think it's striking that, when you consider the fact, all other memorials to all of the veterans who fought in past wars contain no such religious symbols. There is no religious symbol on the Civil War memorial, for either side, no religious symbol on the WWII veterans memorial, on the WWI veterans memorial, or on the Korean War memorial. There is no need to have a religious symbol on those war memorials. It is inappropriate.

It is not offensive. Some people try to characterize this issue as a matter of someone being offended. I don't know of anyone who is offended by the presence of the Christian fish symbol on that monument. It is poor public policy. I can understand how many people believe that the line that our courts have drawn regarding what the 1st amendment means, do indeed seem somewhat arbitrary. We realize that "In God We Trust" is a national motto and that there are crosses in Arlington Cemetery and that there are prayers said before Congress convenes, but to change where that line is drawn, and it may be somewhat arbitrary, but to change where that line is drawn is a serious matter and is a matter to not be undertaken lightly.

It was a mistake, in our opinion, when a memorial, containing a religious symbol, was approved to be placed on public lands. We think the Commission has been very courageous in fact, in its consideration of this issue. There have been comments questioning the courage of this Commission and criticizing the Commission for seeming to knuckle under to some people outside our community. I think that is totally unfair. What takes courage is to stand up for what is right even when it is an unpopular position to take and that is exactly what we think the Commission should do. We think the Commission's considered solution to move the religious memorial to private grounds and replace it with a memorial that does not contain religious symbols is as good a solution as we can probably come up with to solve this problem. We appreciate your time, your work on this issue and your service to our community.

(singing of God Bless America)

Randy Asbury

I am here representing a number of people from the city of Salisbury on behalf of our fallen soldier, Steve Farnen. As a former county Commissioner and state Representative, I understand the difficulties of making decisions in many instances. In fact, very few decisions for county leaders, state leaders and national leaders come easy. At the same time, our society cries out today for people that will take courageous stands and do their duties. The first duty of any elected official in this country, state and county is to uphold the Constitution of the United States of America.

Secondly, the next duty is to protect the freedoms of the citizens. In this particular instance, county precedent is not on your side, history is not on your side, legal precedent is not on your side, the 1st amendment is not on your side and a financial challenge has been removed by the Alliance Defending Freedom.

I don't envy the position you are in. You face a dilemma. The dilemma is ruling right or ruling wrong and in this instance to rule against all the precedents that stand against you would indicate it is a wrong ruling. We ask that you honor the sacrifice of Mr. Connor and Mr. Farnen. We ask that you do it courageously and we ask that you be the leaders that our society is hungry for today, leaders that will stand up, leaders that will listen, leaders that will take matters into consideration and ultimately rule on the rule of law and what our Constitution stands for. If you do that in this instance, there is no way in which you can remove that memorial from its location or cover the fish. It's impossible. Please do your job as you would need to do it and please do it in a matter that would be expedient and to the best interest of the county, state and country.

Commissioner Atwill said that concludes our speakers. I want to thank you for your courtesy, your time, your patience and your music. Good evening.

11. Public Comment

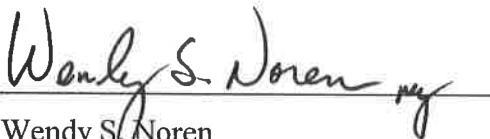
None

12. Commissioner Reports

None

The meeting adjourned at 8:34 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