

**TERM OF COMMISSION:** November Session of the October Adjourned Term

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

**PRESENT WERE:** Presiding Commissioner Kip Kendrick  
District I Commissioner Justin Aldred  
District II Commissioner Janet Thompson  
Employee Recognition Committee Member Kelle Westcott  
Deputy County Clerk Jodi Vanskike

**Conference Call Information:**

**Number: 425-585-6224 Access Code: 802-162-168**

The meeting was called to order at 1:30PM and roll call was taken.

**Employee Recognition Committee**

**1. Employee of the 3<sup>rd</sup> Quarter 2023 Recognition**

Employee Recognition Committee Member Kelle Westcott recognized the following employees who were nominated for Boone County Employee of the 3<sup>rd</sup> quarter.

- David Alexander – Technology Research Operations Analyst – Sheriff’s Office
- Nikki Antimi – Sergeant – Sheriff’s Office
- James Barnes – Application Development and Support Manager
- Heather Fernandez – Shift Supervisor – Joint Communications
- Tina Gladbach – Administrative Technician III – Public Administrator
- Brandt Gorden – Deputy Sheriff – Sheriff’s Office
- Craig Johnston – Assistant Prosecuting Attorney – Prosecuting Attorney’s Office
- James Knapp – Emergency Telecommunicator – Joint Communications
- Alissa Marlow – Chief Deputy Treasurer – Treasurer’s Office

The employee named the Employee of the 3<sup>rd</sup> Quarter was Lindsay Martin Lead Emergency Telecommunicator in Joint Communications.

## **Commission**

### **2. Public Comment**

Commissioner Kendrick stated that public comment is normally held at the end of regular business, but since there were community members that couldn't attend the P&Z night meeting, he would allow them to speak during public comment today and decided to move it up to item number 2 for this meeting. No written public comment forms were submitted for the record.

## **Boone County Joint Communications**

### **3. First Reading: Budget Revision - Department 2701**

Commissioner Kendrick stated this budget revision creates a \$60,000.00 budget for a potential Director for Joint Communications. Commissioner Kendrick stated four different agencies have been having conversations and have been working through proposal ideas. Commissioner Kendrick stated this amount is just to establish a budget and can't imagine they will go up to that amount, but there are several candidates that have upcoming interviews for this position. Commissioner Kendrick stated his conversations with some of the recruitment firms, lead him to believe that this is a challenging time to hire, based on time of year not just the economy.

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

## **Health Department**

### **4. Second Reading: City of Sturgeon – Limited-Service Animal Control Cooperative Agreement – First Read 11.07.23**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Animal Control-Limited Services Cooperative Agreement with the City of Sturgeon.

The terms of the Agreement are set out in the attached and the Presiding Commissioner is authorized to sign said Agreement.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #508-2023**

**5. Second Reading: Nuisance Abatement Parcel# 17-319-12-01-294.00 01 – First Read 11.07.23**

Commissioner Thompson moved now on this 7<sup>th</sup> day of November 2023, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

**Findings of Fact and Conclusions of Law**

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the “Code”) are officially noticed and are made a part of the record in this proceeding.

2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference.

In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.

3. A public nuisance exists and described as follows: grass and weeds in excess of 12 inches.

4. The location of the public nuisance is as follows: 121 Moonglow, Columbia, MO, a/k/a parcel# 17-319-12-01-294.00 01, Sunrise Estates Blk 8 lot 52, Section 12, Township 48, Range 12 as shown by deed book 3176 page 0122, Boone County.

5. The specific violation of the Code is: weeds and grass in excess of 12 inches in violation of section 6.7 of the Code.

6. The Health Director’s designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 17<sup>th</sup> day of August 2023, to the property owner.

7. The above-described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above-described property as a special tax bill and added to the real estate taxes for said property for the current year.

8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official’s original order referred to above.

**Order for Abatement Chargeable as a Special Assessment to the Property**

Based upon the foregoing, the County Commission hereby orders abatement of the above-described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above-described property for the current year in accordance with section 67.402, RSMo.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #509-2023**

**Human Resources**

**6. Second Reading: Memorandum of Understanding (MOU) Regarding Boone County Payroll and Human Resources – First Read 11.07.23**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Memorandum of Understanding for administration of the County's payroll functions moving to the Human Resources department beginning January 1, 2024.

The terms of the Memorandum of Understanding are set out in the attached.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #510-2023**

**Purchasing**

**7. Second Reading: Award of Contract C000672 from Sole Source 172-123123SS for Idemia Livescan as a Service with Idemia Identity & Security USA LLC of Anaheim, California for the 13<sup>th</sup> Circuit Court – First Read 11.07.23**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the award of County Contract C000672 awarded from Sole Source 172-123123SS with Idemia Identity & Security USA LLC of Anaheim, California for Idemia Livescan as a Service for 13<sup>th</sup> Circuit Court.

The Contract is set-out in the attached, and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #511-2023**

## Resource Management

### **8. Second Reading: Approval of extension of the Stormwater Security Agreement and Erosion and Sediment Control Cash Deposit for Columbia Public Schools Nature School – First Read 11.07.23**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve an extension of the Stormwater Security Agreement and Erosion and Sediment Control Cash Deposit between the County of Boone and Columbia Public Schools for the Nature School.

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #512-2023**

## P&Z

### **9. Second Reading: Request by Briley Investments LLC for a conditional use permit to allow a duplex to be constructed in the Single-Family Residential (R-S) zoning district located at 2365 E. Bearfield Subdivision, Columbia – First Read 11.02.23**

Commissioner Thompson stated she understands the concerns raised here, and raised the other night. Dave Bear was a friend of her family, and she knew him when he created this subdivision. Commissioner Thompson stated, with that said, the information that was shared and the nature of their regulatory process leads her to understand that the Brileys bought this property, and as owners of this property, they are entitled, under our prevailing laws, to build a large home on their property. Commissioner Thompson stated if they were to build that home, it could be substantially larger than the rest of the homes in that subdivision. Commissioner Thompson stated the comment about how it would be nice if there were a park at that location is great because it would have been nice if someone had of bought the land for that purpose, but that didn't happen. Commissioner Thompson, stated while that may be a wish of the subdivision, apparently the land was for sale and the Brileys bought the land. Commissioner Thompson stated the Brileys are entitled to use their land according to the rules that are in place. Commissioner Thompson stated, with that said, this is not a rezoning request, this is a conditional use permit process so the Brileys had to go through some hoops and it only applies to this piece of land, not to the rest of them, and anything else that would happen in that area would happen to each piece of property.

Commissioner Kendrick stated this situation reminds him of a situation he experienced in a neighborhood he lived in. Commissioner Kendrick stated he worked with a local developer on a lot that was empty, and he started a community garden there. Commissioner Kendrick stated the developer told him he could use the property for a community garden, but one day he will be

developing it, and finally that one day came. Commissioner Kendrick stated the property required a conditional use permit. Commissioner Kendrick stated, “not only were we watching our neighborhood garden being ripped out, but a large development was going in right across the street from our house; it stung.” Commissioner Kendrick stated the developer told him, “that was part of the agreement” and while he knew that all along, it still stung when it happened. Commissioner Kendrick stated the thing he wants to revisit on this is they do have the ability to control the size of the building with a conditional use permit. Commissioner Kendrick stated if this were to be built as a single-family residential house, they wouldn’t have as much control, and they would be able to have more bedrooms and more square feet, all without the conditions they were able to put on this development. Commissioner Kendrick stated they had the ability to put on conditions about parking and vehicle circulation to ensure that a driveway has the size to accommodate two vehicles in addition to one being able to be parked in the garage. Commissioner Kendrick stated they had the ability to have some control over the lighting in that, prior to a building permit being issued, the exterior lighting plan shall be submitted for approval by the Director and the plan shall implement “Dark Sky” principles. Commissioner Kendrick stated this was direct feedback from a friend of his that presented to the Commission at the night meeting’s first reading. Commissioner Kendrick stated they can address stormwater mitigation knowing this is in a sensitive watershed. Commissioner Kendrick stated they are also able to control the maximum footprint of the structure, where the maximum footprint of a single-family residential home could have been up to 8,000 square feet based on setbacks, this maximum footprint shall not exceed 4,400 square feet and the building as shown on the plans submitted with the application has a maximum footprint of 3,999 square feet. Commissioner Kendrick stated, without a conditional use permit, the Commission has zero ability to impact any of these concerns of the neighborhood.

Commissioner Aldred asked Director Florea, “If the Commission chooses to implement this conditional use permit and accept it today, does that lock the Brileys into following it, or can they choose to forgo it and build a single-family home of up to 8,000 square feet?” Director Florea stated, “They don’t lose their ability to build a single-family home.” Commissioner Aldred stated “Okay, so they still have the choice to build a larger structure, or do whatever they want with the property, that they could under single-family residential laws.” Director Florea stated, “they have up to one year to take advantage of the conditional use permit, otherwise it will expire.”

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Briley Investments, LLC for a conditional use permit to allow a duplex to be constructed in the Single-Family Residential (R-S) zoning district located at 2365 E. Bearfield Subdivision, Columbia, subject to the following conditions:

1. That the duplex be constructed in a manner consistent with the plans submitted with the conditional use permit application, with any changes subject to the approval of the Director of Resource Management.
2. Prior to building permit issuance, a parking and vehicular circulation plan shall be submitted for approval by the Director. There shall be a minimum of three (3)

parking spaces for each unit located on the same side of the building as the front door for that unit. Each space shall be accessible without the need to move another vehicle. A turnaround area shall be provided for the unit facing Bearfield Road to enable vehicles to exit the lot onto Bearfield Road, in a forward direction. Implementation of the plan shall be a condition of occupancy for the building.

3. Prior to building permit issuance, an exterior lighting plan shall be submitted for approval by the Director. The plan shall implement “Dark Sky” principles. Implementation of the plan shall be a condition of building occupancy.
4. Prior to building permit issuance, a stormwater mitigation plan shall be submitted for approval by the Director. The plan shall focus on mitigating the increased runoff from new impervious surfaces such as roof and paved areas and may include techniques such as rain barrel systems, raingardens, and incorporating deep rooted native species in the landscaped areas of the lot.
5. The maximum footprint of the structure, which is defined as the product of the longest two dimensions, each perpendicular to the other, shall not exceed 4,400 square feet. The building as shown on the plans submitted with the application has a maximum footprint of 3,999 square feet.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #513-2023**

**10. Second Reading: Request by Great Rivers Council, Inc. Boy Scouts of America to rezone to Planned Light Industrial District (M-LP) and to approve a Review Plan for Lot one (1) of VH Acres Plat No. 2, on 2.43 acres located at 6081 W. Van Horn Tavern Road, Columbia – First Reading 11.02.23**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request by Great Rivers Council, Inc. Boy Scouts of America to rezone to Planned Light Industrial District (M-LP) for Lot 1 of VH Acres Plat No. two (2), on 2.43 acres located at 6081 W. Van Horn Tavern Road, Columbia.

And

Now on this day, the County Commission of the County of Boone does hereby approve a Revised Review Plan for Great Rivers Council, Inc. Boy Scouts of America on Lot one (1) of VH Acres Plat No. two (2), on 2.43 acres located at 6081 W. Van Horn Tavern Road, Columbia.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #514-2023**

**11. Second Reading: Request by Warren School Properties to rezone from Agriculture (A-1) to Planned Agriculture (A-2P), and to approve a review plan for Warren School Estates on 10.94 acres located at 7900 S. Warren School Road, Columbia – First Read 11.02.23**

Commissioner Aldred stated he confirmed with the Boone County Sheriff's Office that since January 1, 2020, there has been one non-major vehicle crash that went into the ditch, one hazardous traffic violation, one speeding complaint and a few abandoned vehicles.

Commissioner Kendrick stated he understands the concerns within the neighborhood that were expressed at Planning & Zoning. Commissioner Kendrick stated there is going to be additional development on Warren School Road. Commissioner Kendrick stated we are beyond the time of it being just an agricultural use area. Commissioner Thompson stated there will be more homes, and a way to get attention for funding from Road & Bridge is to add more homes. Commissioner Thompson stated it is very rural right now, but it is "the chicken or the egg, which comes first?" Commissioner Thompson stated the data doesn't help the argument to say, "pave it now", and stated the only way you're going to get there is by incrementally adding folks. Commissioner Thompson stated the issues that are always articulated are about fire flow and wastewater. Commissioner Thompson stated when you look at all the properties down there, the only public wastewater is at the top of the map. Commissioner Thompson stated there's not an economic case at this point for extending public sewers down that road. Commissioner Thompson stated an engineered wastewater system is about as close as you can get to the efficacy of a public system.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Warren School Properties to rezone from Agriculture (A-1) to Planned Agriculture (A-2P) on 10.94 acres located at 7900 S. Warren School Road, Columbia:

And

Now on this day, the County Commission of the County of Boone does hereby approve a review plan and preliminary plat for Warren School Estates on 10.94 acres, located at 7900 S. Warren School Road, Columbia, subject to the following conditions:

1. The plan shows two fire hydrant locations for installation of new hydrants. If the Fire District, the Water District and the Director of Resource Management agree the hydrant requirements can be met with a different hydrant plan, then the Final Plan may reflect such a change approved by all three entities.
2. It is recognized that engineered subsurface wastewater systems are proposed and will be the required system if on-site wastewater is used within this development.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #515-2023**



**12. Second Reading: Warren School Properties Preliminary Plat. Pending A-2P. S17-T47N-R13W. Warren School Properties, owner. Jay Gebhardt, surveyor – First Read 11.02.23**

(This item was incorporated into the order for item #11).

**Commission**

**13. Proclamation Recognizing Exercise Tiger Foundation and 2023 Adopt-A-Warrior Class**

Commissioner Aldred stated tomorrow is Veterans Day and this weekend will be the United Exercise Tiger Foundations Adopt-A-Warrior weekend. Commissioner Aldred stated there will be lots of events, including a gala, which will bring in individuals local to the state of Missouri but also Washington D.C. and other states as well.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby enter into the record, a Proclamation recognizing the Exercise Tiger Foundation and 2023 Adopt-A-Warrior Class.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #516-2023**

**14. Proclamation Recognizing Walter Domanski for Over 30 Years of Service to the United States Exercise Tiger Foundation**

Commissioner Aldred stated Walter has put this event together for the past 30 years and it has grown from something that was very small, to something that brings together hundreds of people, including congressional representation.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby enter into the record, a Proclamation recognizing Walter Domanski for Over 30 Years of Service to the United States Exercise Tiger Foundation.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #517-2023**

**15. Proclamation Supporting Operation Green Light for Veterans**

Commissioner Aldred stated he has the honor of sitting on the National Association of Counties Veterans and Military Services Committee, and one of the things they have put together is Operation Green Light. Commissioner Aldred stated Operation Green Light is to welcome home veterans and to raise awareness on veterans issues. Commissioner Aldred stated the plaza will be lit in green lights and there will be an ROTC delegation Friday on the plaza.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby enter into the record a Proclamation supporting Operation Green Light for Veterans.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #515-2023**

**16. Commissioner Reports**

None.

Attest:



Brianna L. Lennon  
Clerk of the County Commission



Kip Kendrick  
Presiding Commissioner



Justin Aldred  
District I Commissioner



Janet M. Thompson  
District II Commissioner