

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 Commissioner Ken Pearson  
District II Commissioner Skip Elkin  
Planning and Zoning Director Stan Shawver  
County Legal Counselor John Patton  
Deputy County Clerk Josh Norberg

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

**Planning and Zoning**

**1. Request submitted by Forrest Cunningham to rezone from A-1 (Agriculture) to C-GP (Planned Commercial) and to approve a Review Plan for Cunningham Performance Planned Development on .90 acres located at 13555 N. Frink Rd., Hallsville.**

Forrest Cunningham and Dan Brush were present on behalf of this item.

Mr. Shawver stated the property is located approximately 200 feet to the southwest of the city limits of Hallsville, on the west side of Frink Road. The subject tract is approximately 42 acres, of which .90 acres is described by this rezoning. The current zoning of this property is A-1 (Agriculture). The property has A-R (Agriculture-Residential) zoning to the east, A-2 (Agriculture) zoning to the north, and A-1 zoning to the south and west. This is original 1973 zoning. This site is located in the Boone Electric Cooperative service area and is in the Public Water Service District #4 service area. It is located in the Hallsville school district. Staff notified 9 property owners about this request. This proposal scored 57 points on the point rating system.

The review plan describes the existing structures on the property to the west of the home, approximately 115 feet to the south of the northern property line. The .90 acres being rezoned to C-GP (Planned General Commercial) is to resolve a zoning violation regarding the operation of an automobile repair shop. Under this rezoning, automobile repair, farm implement repair, and agricultural uses are the only approved uses in this area. The applicants designated only one of the structures in the area being rezoned as being used for the actual repair work, and the other structures for agricultural use only. At this time, there are no identified areas for expansion, new structures, or signage in the area being rezoned. The City of Hallsville, in an effort to keep Frink Road's width consistent as they annex properties along it, have requested that a 33 foot half-width be dedicated by separate document as part of this process.

The Master Plan designates this property as suitable for agricultural and rural residential land

uses. The Master Plan also identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal.

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

Utilities: Public water is provided by Public Water Service District #4. The existing infrastructure is capable of providing domestic service and fire protection can be provided with a main extension onto the property for a single fire hydrant. Boone Electric can provide sufficient electric service to the site. The City/County Health Department has approved the design of an engineered system for the disposal of wastewater on site, and there is a plan on file describing the disposal of vehicular waste products such as oil and coolant.

Transportation: Access to the site is provided by Frink Road. Frink is a paved road and is capable of providing access to the property. As there is no subdivision involved in this proposal, the existing transportation infrastructure can support this proposal.

Public Safety: The nearest fire station is in Hallsville, approximately 1.75 miles away. The existing road network provides access for emergency service providers.

If approved, staff requests the following: that a 33’ strip from the parent parcel along Frink road is dedicated by separate document to the county for use as right-of-way.

Mr. Cunningham stated his business helps repair school buses from several surrounding school districts and that there is support from many parties, including neighbors. He said he originally started as a mobile business, but it was more practical to bring the buses to his site. He said he is before the commission to try to continue his business as he was doing before and that this need to rezone was just another hurdle.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request by Forrest Cunningham to rezone from A-1 (Agriculture) to C-GP (Planned Commercial) on .90 acres located at 13555 N. Frink Rd., Hallsville.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 316-2007**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request by Forrest Cunningham to approve the Review Plan for Cunningham performance Planned Development on .90 acre located at 13555 N. Frink Rd., Hallsville, with the following condition:

1. A 33’ strip from the parent parcel along Frink road is dedicated by separate

document to the county for use as right-of-way.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 317-2007**

**2. Request by Anthony Holmes and Sharon Hageman to revise an approved Review Plan for Maximum Media Planned Development located at 4700 W. Gibbs Rd., Columbia.**

Mr. Shawver stated the property is located on Gibbs Road approximately 500-feet north of the intersection with I-70 Drive NW. It is currently occupied by a structure that was built as a single family dwelling. In 2006 the property was rezoned to CG-P and a Review Plan and Final Development was approved. The basement of the structure is being converted to office space for operation of a graphic design company. The upper floor will remain residential. The applicant is seeking a modification to the approved development plan that will change the location of the parking area.

The proposed changes will have no measurable impact to the site or to surrounding properties. All conditions placed on the previous approvals remain in effect and are printed on the Revised Review Plan.

Staff recommends approval of the Revised Review Plan.

Dan Brush and Anthony Holmes were present on behalf of this item.

Mr. Holmes stated he wanted to relocate some parking further away from the building. He stated there will be the same number of parking spots, but they will be farther away from the building so his building will be protected from being hit.

Commissioner Pearson moved on this day the County Commission of the County of Boone does hereby approve the request by Anthony Holmes and Sharon Hageman to revise an approved Review Plan for Maximum Media Planned Development located at 4700 W. Gibbs Rd., Columbia.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 318-2007**

**3. Recommendation on Bonne Femme Watershed Plan**

Mr. Shawver stated this is a report from the Bonne Femme Watershed group. There were over

3,000 notices sent out to all those in the Bonne Femme Watershed area about a public hearing, and that 3 people spoke at the hearing, two of which were members of the policy steering committee. He stated there was no opposition. Planning and Zoning decided not to hold anymore public hearings and decided to send it to the commission for approval.

Commissioner Elkin inquired as to whether the Commission could have a public hearing of their own. Mr. Shawver stated they could if they wished, but that only one hearing was required and had been held. He recommended the Commission hold a public hearing.

Commissioner Pearson asked when the plan would come to Commission. Mr. Shawver stated that it currently was. Commissioner Elkin stated they would discuss it in a work session.

**4. Receive and Accept the Following Plats**

Commissioner Elkin 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 said plats:

- Gustofson Acres. S34-T46N-R12W. A-R. Gus and Wendy Gustofson, owners. Curtis E. Basinger, surveyor.
- Grandview Estates Plat 1A. S19-T50N-R11W. James D and Nancy A Brush, owners. J. Daniel Brush, surveyor.
- Longhorn Acres. S29-T51N-R12W. A-2. Teresa Robinson and Diane Painter, owners. Brian David Dollar, surveyor.
- Shadowridge Block 3. S8-T46N-R12W. A-2. Miller Properties LLC, owner. Michael L. Klassing, surveyor.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 319-2007**

**County Clerk**

**5. Budget Amendment – Polling Place Access Grant (second reading)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment:

Department	Account	Department Name	Account Name	Decrease	Increase
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2312	23005	Polling Place Access Grant	Election Supplies		\$2,510.00
2312	03411	Polling Place Access Grant	Federal Grant Reimb		\$2,510.00
2312	86900	Polling Place Access Grant	Miscellaneous		\$102.00

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 320-2007**

**Purchasing**

**6. Purchasing Policy Manual Revision – Approval of Contracts (second reading)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Purchasing Policy Manual revision allowing the County Commission to approve bid award recommendations during the first reading for bids that have been publicly opened in Commission meetings.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 321-2007**

**9. Commissioner Reports**

There were no Commissioner Reports

**10. Public Comment**

There was no public comment.

The meeting adjourned at 7:30 p.m.

Attest:

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Ken Pearson  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner