

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 Kenneth M. Pearson  
District I Commissioner Karen M. Miller  
District II Commissioner Skip Elkin  
Director of Planning and Building Stan Shawver  
County Counselor CJ Dykhouse  
Deputy County Clerk Joshua Norberg

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

**1. Presentation by Rick McKernan**

Mr. McKernan stated he is here representing the Downtown Optimist Club and more specifically the Mid-Missouri Soapbox Derby Association. He stated there are a lot of demands placed on the commissioners from the public, but he stated this seems to be right on par because most politicians spend half their life on a soapbox anyway. He stated they recruited Presiding Commissioner Pearson to race against the challenger from the City, which was the Mayor Pro Tem Laura Nauser. Commissioner Pearson soundly defeated Ms. Nauser and held up the honor of the County, and Mr. McKernan stated he is pleased to present to Commissioner Pearson, on behalf of the Soapbox Derby Association, a trophy which hopefully will reside in a prominent place for the next year. He stated he encourages Commissioner Pearson to use all the bragging rights freely and frequently for the next year.

Commissioner Pearson stated he may have to take the trophy to the City Council meeting.

Commissioner Pearson thanked Mr. McKernan for the trophy and for attending.

**Planning and Zoning**

**2. Petition submitted by Michael and Catherine Gill to vacate and authorize the re-plat of lot 43A of Harper's Pointe Subdivision, Block 2, located at 5251 W. Route K, Columbia**

Mr. Shawver stated we received a petition asking for permission to vacate and re-plat this lot in Harper's Pointe Subdivision, which is located off Route K. Harper's Pointe subdivision was originally platted in 1988, so it was platted before there were provisions in the regulations spelling out how to vacate and re-plat a subdivision plat. It falls under Section 1.8.1.3 of the Subdivision Regulations, which establishes vacation procedures calling for the County Commission to conduct a public hearing and take into consideration whether the plat vacation will adversely affect the character of the neighborhood, traffic conditions, circulation, the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision, property values within the subdivision, public utility facilities and services, and will not

generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate. He stated generally when the Commission hears a request to vacate a lot in a subdivision, it is usually in conjunction with a request to be able to re-plat the lot into a different configuration, and that is the case with this one. He stated the proposal is to vacate lot 43A, which was created in 1996 as a combination of parts of lots 33, 43, and 44. What the Gills would like to do if this is approved is to vacate the one lot that was created in 1996 and re-plat it into 2 lots. He stated he notified all property owners within 500 feet of the request and received one call of inquiry. Mr. Gill stated he has spoken with one neighbor with questions as well.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

**Michael Gill, 5251 W. Route K, Columbia**

Mr. Gill stated they have put the house up for sale. He stated there are two listings because of the market. The purchaser at this point would only like to buy the house with the four acres. He stated they would retain the other three acres and give the purchaser the right to first refusal to those three acres.

Commissioner Miller stated her only concern is that she doesn't like shared driveways. We hear about them all the time and people get mad and don't like them. She stated she is not very supportive of a shared driveway.

Mr. Shawver stated he thinks the shared driveway was the expressed interest of MoDOT.

Mr. Gill stated MoDOT did request the shared driveway. They would not allow another access point on the property. When the lot was originally created, it was a shared driveway and the easement was never properly recorded by the developer.

**Jonathan Thomas, 3905 W. Oak Dr., Columbia**

Mr. Thomas stated he is the purchaser of the property. He stated they gave a lot of thought to the shared driveway. They would like to be able to purchase the additional three acres, but they do not have the funds at this time, which is why they asked for the right to first refusal. He stated they plan on purchasing the three acres at a later date. He stated his understanding on the shared driveway is that MoDOT required a single exit from that property.

Commissioner Elkin asked what would happen if they did not buy the other lot and it was subsequently sold, and they wouldn't allow access through their driveway.

Mr. Shawver stated there will be an easement as part of the processing of the plat.

Commissioner Elkin stated when it is recorded there will be a legal document showing the easement.

Mr. Shawver stated that is correct.

Mr. Thomas stated there is also an offer of a second right of refusal for another neighbor because they don't want a house built there either.

Mr. Shawver stated it is pretty safe.

Commissioner Miller stated she thinks we need to put in our regulations that we don't allow shared driveways because you just get fights.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments in favor.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition.

Commissioner Pearson closed the public hearing.

Commissioner Elkin asked if we should note somewhere that the reason we are allowing a shared driveway is because MoDOT required it.

Mr. Shawver stated it is not necessary.

Commissioner Elkin stated someone will come along later and say we let someone else do it.

Mr. Shawver stated it will be reflected in the minutes.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the petition by Michael and Catherine Gill to vacate and re-plat lot 43A of Harper's Pointe Subdivision, Block 2, located at 5251 W Route K, Columbia

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

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 289-2009**

**3. Howland. S24-T48N-R14W. A-R. Howland Family Trust, owner. Steven R. Proctor, surveyor.**

Mr. Shawver stated this is a three lot subdivision off of Gillespie Bridge Road and State Route UU. The Howland property has been there for at least 50 years. There are three houses on the property. Two of them are on very small lots. It looks like what they are doing is estate planning. They are dividing it up into three 5-acre tracts, so each house will be on an appropriately sized tract for making transfer easier. He stated he does not have the plat physically present tonight, so it is up to the Commission whether they want to go ahead and receive and accept it tonight and sign it later, or just hold it until the plat is present.

Commissioner Miller stated we can just receive and accept it and put the signature on it later.

Commissioner Elkin 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 them:

Howland. S24-T48N-R14W. A-R. Howland Family Trust, owner. Steven R. Proctor, surveyor.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 290-2009**

### **County Clerk**

#### **4. Voluntary Payroll Deduction Policy (first read on 6/25/09)**

Commissioner Miller asked Commissioner Pearson what the Personnel Advisory Committee had to say about this policy.

Commissioner Pearson stated there weren't any objections to it. There was some discussion about what kinds of organizations might be able to come in and do this, and it has to be one that is recognized.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached "Voluntary Payroll Deduction Policy" for use by the County Clerk and County Treasurer in determining acceptable vendors, developing guidelines and setting fees for utilization of the County's payroll system in voluntary payroll deductions. The policy shall cover all future voluntary payroll deductions. The voluntary payroll deductions in effect on June 30, 2009 shall be exempt from the requirements.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 291-2009**

**5. Cafeteria Plan Amendments (first read on 6/25/09)**

Commissioner Miller stated this is to amend our cafeteria plan to cover anything that is covered by the IRS regulations.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby amend the Boone County Cafeteria Plan to add as “Premium Conversion Plans” covered under the agreement in Sections 3.1 (a) and 6.1 the following:

Other Premium Conversion Plan Products—This category provides for the direct payment to the insurance provider of the participant’s share of the cost or premium for coverage under any qualified plan or program which provides any other qualified product eligible under Section 125 of the United States Code, to or on behalf of any employee or spouse or dependent, which plan or program is available to the employee through a payroll deduction agreement with the vendor. Vendors of products included in this plan must be approved for participation in the County’s Voluntary Payroll Deduction Program and comply with the County’s policies regarding voluntary payroll deductions.

In addition the plan shall further be revised to allow for change of status of a plan to include those voluntary payroll deductions approved by the County under its “Voluntary Payroll Deduction Policy” as of the time the deductions are approved or disapproved.

Said changes shall be as detailed in the attached revised version of the Boone County Cafeteria Plan and be effective July 1, 2009.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 292-2009**

**Purchasing**

**6. 29-28APR09 – Automotive Parts and Accessories Term and Supply (first read on 6/25/09)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 29-28APR09 – Automotive Parts and Accessories Term and Supply to New Haven Filter Co., Factory Motor Parts, and O’Reilly Automotive, Inc. It is further ordered the Presiding Commissioner is hereby authorized to sign said contracts.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 293-2009**

**7. 21-13APR09 – Patrol Rifles (first read on 6/25/09)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby award bid 21-13APR09 – Patrol Rifles to Express Police Supply. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 294-2009**

**Public Works**

**8. Revenue Sharing – City of Sturgeon – Reallocation of 2009 Funds (first read on 6/25/09)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request from the City of Sturgeon to reallocate 2009 Revenue Sharing funds.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 295-2009**

**Court Administrator**

**9. Budget Amendment for Domestic Violence Program Grant (first read on 6/18/09)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment for the Domestic Violence Program Grant:

Department	Account	Department Name	Account Name	Decrease	Increase
1243	03451	Judicial Grants	State Grant Reimb.		\$6,250.00
1243	71101	Judicial Grants	Professional Services		\$6,250.00

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 296-2009**

**10. Budget Amendment for Mid-Missouri Access to Justice Project (first read on 6/18/09)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment for the Mid-Missouri Access to Justice Project:

Department	Account	Department Name	Account Name	Decrease	Increase
1243	03451	Judicial Grants	State Grant Reimb.		\$12,500.00
1243	71101	Judicial Grants	Professional Services		\$12,500.00

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 297-2009**

**County Counselor**

**11. Agreement for Outside Counsel Services (first read on 6/25/09)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Agreement for Outside Counsel Services with Rogers, Ehrhardt & Weber, LLC. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 298-2009**

**Child Support Services**

**12. Cooperative Agreement for Child Support (first read on 6/25/09)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Child Support Enforcement Cooperative Agreement with the State of Missouri, Department of Social Services, Family Support Division. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 299-2009**

**Miscellaneous**

**13. Budget Amendment for Architectural Fees for Government Center Remodel Project (first read on 6/16/09)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment for Phase I of the Government Center Remodel Project:

Department	Account	Department Name	Account Name	Decrease	Increase
4010	71211	Admin Bldg Const.	A/E Fees		\$42,500.00
4010	71212	Admin Bldg Const.	A/E Reimbursables		\$650.00

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 300-2009**

**14. Appoint Richard Shanker to Building Code Commission**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby appoint Richard Shanker to the Building Code Commission for a term beginning July 1, 2009, and ending June 30, 2011.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 301-2009**

**15. Commissioner Reports**

There were no commissioner reports.

**16. Public Comment**

There was no public comment.

The meeting adjourned at 7:29 p.m.

Attest:

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Kenneth M. 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