

TERM OF COMMISSION: September Session of the July 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 Commission Skip Elkin  
Deputy County Clerk Kristina Johnson

The meeting was called to order at 9:32 a.m.

**Planning and Zoning**

Thad Yonke from Public Works was present on behalf of these items.

**1. Budget Revision to move amount budgeted in contingency for the purchase of one recycling roll-off container (second reading, first read on 9/3/2009)**

Mr. Yonke stated that slightly before a year ago when Boone County was creating the budgets for 2009, the Commission directed Mr. Yonke to write a grant to receive more recycling containers. Mr. Yonke prepared for the grant but at budgeting time last year the budget had to be in prior to even submission of the grant. So the Auditors Office determined that the best way to do this was to put the estimated amount for what the County was going to have to pay for the match portion of the grant and put it into the contingency budget rather than the Planning and Zoning budget because if the grant was not awarded then Planning and Zoning would not need the funds at all. Since then Planning and Zoning was awarded the grant and they have gone through the process of bidding and would have a successful vendor which came in successfully less than expected. Mr. Yonke stated that what was explained to him was that the proper procedure was to ask for the amount of money needed from the contingency to pay for the one container and then there would be the revision to the budget so that the County can purchase all of the other containers they are going to get. All of this is of course contingent on the Commission wanting Planning and Zoning to go forward with the grant.

Commissioner Pearson asked if the money was there for the grant?

Mr. Yonke stated that the money is sitting in the Mid-Missouri's Management District's account, and they will reimburse the County. The issue comes with part of the grant is to establish new sites and every time the County establishes a new site that has an ongoing fiscal impact. Part of the County's match for this particular grant is the ongoing cost.

Commissioner Miller stated that if the County accepts these grants the bottom line is the County has to pay for pick up. The County cannot charge it off or the money becomes program income and goes back to the Mid-Missouri Solid Waste District.

Mr. Yonke stated that the County has always just paid for recycling services, the County receives nothing. Any discussion that the County might look at having the communities that are hosting these sites contribute to the service is not plausible because these funds would be considered program income. The problem is under DNR's interpretation they have handed down is that any money that the County collects in relationship to the County providing these services is considered program income. Program income is deducted from the amount that the County can ask for in reimbursement.

Commissioner Miller asked how long does the County have to do this grant?

Mr. Yonke stated that the County has one year commitment for reporting to DNR, but there is a lien on it for four years on the containers. Mr. Yonke stated that he would be unable to tell the Commission how they may look at reimbursement from the localities.

Commissioner Miller stated that the Commission needs to know that. In addition the Commission needs a written document that tells the County how long they are committed to these interpretations.

Mr. Yonke stated that he knows that there is a lien for four years.

Commissioner Miller asked if that means that the County is not allowed to receive any program money for the next four years?

Mr. Yonke stated that he does not know how they will look at that. He stated that he can ask Cindy and have her ask DNR but he stated that he is not sure how many different answers they would get. He stated he can try and find out. He stated that program income was not an issue when the County wrote the grant; no one even looked at it.

Commissioner Elkin inquired if the County added more sites then the County will not haul as much. Isn't the haul where the cost to the County occurs?

Mr. Yonke stated that placing more containers would not reduce the number of hauls from the existing place.

Commissioner Elkin asked why that was?

Mr. Yonke stated that the County is operating pretty much at capacity and there is seemingly unmet demand because there has been nothing but increases in the number of hauls that have been needed to be done.

Commissioner Miller stated that this is information the Commission needs to know before signing these orders.

Commissioner Elkin stated that he did not understand why DNR would mind whether the match provided by either the County or the City for a match.

Mr. Yonke stated that they might allow us to amend the County's financial assistance agreement to allow this.

Commissioner Miller stated why don't you and Skip work on this before the Commission adopts this.

Commissioner Pearson stated that the Commission would be tabling these items until further information would be provided.

**2. Budget Amendment for the Boone County Recycles Expansion 2009 Grant (second reading, first read on 9/3/2009)**

Commissioner Pearson stated that the Commission would be tabling these items until further information would be provided.

**Public Works**

Derin Campbell from Road and Bridge was present on behalf of this item.

**3. Road and Bridge Advisory Committee Recommendation for Mr. John Crafton (first and second reading)**

Commissioner Miller inquired where the pictures were from Mr. Crafton's property.

Mr. Campbell stated that pictures had been taken and were seen in the Road and Bridge hearing. Mr. Campbell also stated that the memo that was written for the Commission requested that the Commission consider precedence on this and if the Commission does agree then Mr. Crafton should be submitting a drawing with dimensions.

Commissioner Pearson stated that in Mr. Crafton's original request he asked to establish a wall at his entrance. There was an interpretation that Mr. Crafton wanted to build a wall down the length of the property line. During the hearing Mr. Crafton stated that he just wanted to do the entrance way to avoid mowing down the ditch. Commissioner Pearson stated that Mr. Crafton had originally wanted to use mortar in that but then he had agreed to not mortar the rock.

Commissioner Miller stated that she saw the conditions but is not supportive because the Commission had turned down another request recently and it sets precedent and she does not want to go there.

Commissioner Pearson stated that he voted for it.

Commissioner Elkin asked if the Road and Bridge Advisory turned down Mr. Cramer?

Commissioner Pearson stated yes.

Commissioner Miller stated that they were not being consistent.

Commissioner Elkin asked if the two situations were apples and oranges.

Commissioner Pearson stated yes.

Commissioner Elkin stated that is what he does not understand.

Commissioner Pearson stated that the original one that was turned down was because the man wanted to put a retaining wall the length of his property. This one is more of an entrance way.

Commissioner Elkin asked where does he want to put the rock?

Commissioner Pearson stated that he wants to put it a little in the front as well as the side of his driveway.

Commissioner Miller stated that she understood the difference between the two situations however the Commission originally refused the wall because it was in the County's right of way. These are precedent setting issues and the Commission must be careful.

Commissioner Elkin stated that if the Road and Bridge approved it he would not go against them.

Commissioner Pearson stated that maybe the Commission should table it for the day until more information could be provided.

Commissioner Miller stated that she would like to see pictures because the memo states there are pictures and none were provided.

Commissioner Pearson stated that the Commission would be tabling these items until further information would be provided.

### **Purchasing**

#### **4. Sole Source Approval for Tiger Mower Parts (second reading, first read on 9/17/2009)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request by Public Works to utilize Crown power and Equipment as a sole source vendor to purchase boom mower parts for the Tiger mowers.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 444-2009**

**5. Sunrise Estates Subdivision Pavement Project Phase 1 (second reading, first read on 9/3/2009)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 51-03Sep09 – Sunrise Estates Subdivision Pavement Project Phase I to APAC Missouri. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion carried 3 to 0. **Order 445-2009**

**Miscellaneous**

**6. SOA Phase I Service (second reading, first read on 9/15/2009)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby accept the Phase I services final report prepared by Simon Oswald Architecture.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion carried 3 to 0. **Order 446-2009**

**7. Commissioner Reports**

Commissioner Elkin stated that the Park Board met with Columbia City Park Board last evening. The two boards meet periodically to update each other on what each has been up to. Currently the City is working on updating their master trails plan. They have several areas where the trails will connect with County areas such as Fairgrounds.

**There was no public comment.**

The meeting adjourned at 10:09 a.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