

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 Daniel K. Atwill
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Director of Resource Management Stan Shawver
Planner Uriah Mach
County Counselor CJ Dykhouse
Christine Corcoran
Don Stamper
Timothy Harlan
Steve Proctor
Brian Dollar
Deputy County Clerk Cameron Clarke

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

Putting Kids First

1. Putting Kids First Petition Verification (first reading)

Christine Corcoran was present on behalf of this item. Ms. Corcoran stated she is the Director of Lutheran Family and Children Services, and is also the coordinator for the Putting Kids First Initiative. Ms. Corcoran stated she has some packets with the legislation, the executive summary of the needs assessment, and some other information. Ms. Corcoran stated she looks forward to working with the Commission. Ms. Corcoran stated we have been working with over twenty providers for two years to address the mental health needs, and address gaps in services in Boone County. Ms. Corcoran stated in 2010 we conducted a needs assessment and found an enormous gap in services. Ms. Corcoran stated they met with Commissioner Miller and were encouraged to get signatures. Ms. Corcoran stated over 50 volunteers, agency directors, and staff went out and did over 100 presentations, and collected 8,233 signatures, of which we verified about half. Ms. Corcoran stated it was a great experience; one I wish I will never have to do again in the heat. Ms. Corcoran stated it was very enlightening and awesome to talk to people. Ms. Corcoran stated in Boone County, we have a 13.4% considered suicide rate for kids between 6th and 12th grade, and it's on the rise. Ms. Corcoran stated 8.9% of those 13% had a plan, and that's a serious problem. Ms. Corcoran stated Boone County has higher prescription drug abuse, alcohol, and marijuana use rates among 6th – 12th graders than the state average. Ms. Corcoran stated we know that this works, because this has passed in approximately seven other counties. Ms. Corcoran stated St. Charles County, who has had this the longest, has seen a huge return on their investment. Ms. Corcoran stated they have seen a 23% decrease in child abuse and neglect, an increase in the high school graduation rate, and a 40% decrease

in juvenile status offenses. Ms. Corcoran stated we've done a ton of research, and we look forward to sitting down with the Commission and going over the best parts of what other counties have done. Ms. Corcoran stated the funding would be disseminated by an independent board appointed by the Commission. Ms. Corcoran stated we look forward to having a discussion with the Commission about how we think it could work in Boone County.

Commissioner Miller stated when Ms. Corcoran met with her the other day, she mentioned St. Charles has an independent body (501(c) (3)), but St. Louis County which passed after them decided to put it under the County. Commissioner Miller asked Ms. Corcoran to explain the different options people have used.

Ms. Corcoran stated St. Charles County created an entirely new 501(c) (3). Ms. Corcoran stated St. Louis County decided to make it more an arm of their County government. Ms. Corcoran stated for a lot of reasons, that makes sense for Boone County in that human services disseminates funding. Ms. Corcoran stated they have a tracking system and a process. Ms. Corcoran stated it seems like that could work really well in Boone County. Ms. Corcoran stated in St. Louis County, they have about four to five staff that are County employees.

Commissioner Miller confirmed it's up to the Commission to determine how it would work if this passes.

Ms. Corcoran stated yes. Ms. Corcoran stated we have copies of bylaws, and policies and procedures, and we can show you how different counties have done it and what they have learned.

Commissioner Miller stated the legislature set this up so you can either come to the County Commission and request they put it on the ballot, or you can go through the petition process. Commissioner Miller stated when you came to me, Commissioner Elkin was gone, and so we didn't have a full Commission at the time. Commissioner Miller stated I asked you to do the petition process because we wanted to know if there was any support, and I felt like that was the best way to show if there was any support. Commissioner Miller stated she would like to submit emails she received, and the Children's Mental Health Services Assessment as part of the public record (these can be found at the end of these minutes). Commissioner Miller stated that way, citizens can look at it for more information should the petition be verified by the County Clerk.

Commissioner Atwill stated this is listed as a first reading tonight, and it will be back on the agenda Thursday for action.

Ms. Corcoran stated a lot of the Committee is present at the meeting tonight to show support for this. Ms. Corcoran stated there are a lot of agency directors, staff, and supporters here.

Commissioner Elkin stated the way the statute reads, if you present us with a valid petition,

we're obligated to put it on the ballot. Commissioner Elkin stated we don't even have a say whether we want to put it on or not. Commissioner Elkin confirmed they're asking for a quarter cent sales tax.

Ms. Corcoran stated that's correct.

Commissioner Elkin stated the public is going to ask what you're going to do with the money. Commissioner Elkin stated he hasn't heard, and he would like to be able to explain it better. Commissioner Elkin stated as soon as that's put together he would like to see it.

Ms. Corcoran stated it's put together. Ms. Corcoran stated there are ten service areas outlined in the statute as to how the money can be spent, so you can't spend it on something not outlined in the statute. Ms. Corcoran stated we have researched how other counties did it. Ms. Corcoran stated they took their needs assessment and a capacity poll to determine how to disseminate the money. Ms. Corcoran stated we can give you all of that. Ms. Corcoran stated the nine member board that would be appointed by the Commission is really key to making sure the money is well spent. Ms. Corcoran stated St. Louis and St. Charles counties have focused on making sure the money is efficiently used, and that there is a lack of duplication in services. Ms. Corcoran stated they have committees that meet every month so that prevention services are offered in a consistent and non-duplicating manner. Ms. Corcoran stated there are two wonderful models out there to share with you, and they're ready to come and train the board.

Commissioner Miller stated when she met with Ms. Corcoran; she asked to set up a work session before the initiative is voted on. Commissioner Miller stated Ms. Corcoran would like to have a work session with the Commission, the Auditor, and the County Attorney so we can look at all these different elements and tell the public what direction we think is best. Commissioner Miller stated after the County Clerk is able to certify the petition as valid; we need to have that meeting shortly thereafter. Commissioner Miller stated we didn't go into the differences the other day because there was no sense wasting their time or mine, so we could have all three of us there along with the Auditor, County Counselor, and probably Stephanie or Steve Hollis from the Health Department. Commissioner Miller stated we could look at how we might be able to use the same program that we're using for Community Health dollars, so that all tax dollars are in one place and can be reported out as to what our taxpayers are spending on community needs.

Ms. Corcoran stated by next week that will be finalized. Ms. Corcoran stated we have binders with the bylaws and local ordinances that have been set up. Ms. Corcoran stated the statute is very clear what the board looks like, as well as the terms.

Commissioner Miller stated I think this clarifies for the public where we're going, what we're doing, and what steps are being taken, and that was the purpose for tonight.

A person from the audience stated he works for PFH down in Jefferson City.

Commissioner Miller asked what that is.

He said it's Preferred Family Healthcare.

The gentleman asked what window we are looking at to have this all in place so it can get on the ballot.

Commissioner Miller stated the County Clerk has said she won't start anything until after the election on Tuesday. Commissioner Miller stated she is in the process of verifying three state petitions, and it's up to the clerk to determine what method she uses to verify the petitions. Commissioner Miller stated she has to do it in a timeframe that it meets the deadline of the election law for it to be placed on the ballot.

Commissioner Elkin stated he believes that's ten weeks prior to the election.

Ms. Corcoran stated the petitions request this to be on the November ballot. Ms. Corcoran stated the Clerk's office and the County Attorney helped us with the ballot language.

Commissioner Miller stated it will be done it time to get on the ballot.

The gentleman asked if a simple majority passes this.

County Counselor CJ Dykhouse stated yes.

Don Stamper was present to make a comment. Mr. Stamper stated it's an honor to be back in your chambers, and be before the Commission. Mr. Stamper stated his tie to this goes back to the day he sat on the other side of the table, and we did a lot of research after the loss of the first mental health tax. Mr. Stamper stated that's been 18 years ago. Mr. Stamper stated the thought then, was that the County needed to take responsibility for its own destiny, and we needed to stop relying on state and federal monies unless we had local dollars to match it. Mr. Stamper stated we were headed in a different direction that day, but we met frequently with the St. Louis City Mental Health Board, and learned how exhausting their petition process was. Mr. Stamper stated it lost its momentum. Mr. Stamper stated he appreciates the work that has been done by the committee, and stated he met with the committee several times early on. Mr. Stamper stated it's an extraordinary amount of work, but it's an extraordinary initiative. Mr. Stamper stated it's an opportunity for the Boone County voters to decide whether or not they want to bring adequate or increased levels of funding to children. Mr. Stamper stated the needs assessment is real, and the problems are real. Mr. Stamper stated the state legislature has chosen to balance its budget on education and children's/mental health services. Mr. Stamper stated its left counties like Boone and the rest of the state in a real lurch. Mr. Stamper stated the stories you're going to hear are compelling, real, and advanced; if we don't take the steps to start with our children, we'll never get a handle on some of the problems we're seeing as a community. Mr. Stamper stated he has a passion for this, and hopes the Commission does too. Mr. Stamper stated ultimately this will be a decision by the people of Boone County.

Tim Harlan was present to make a comment. Mr. Harlan stated he would like to commend the hard work that has gone into this. Mr. Harlan stated everyday in his life he sees the product of people who are not able to be treated. Mr. Harlan stated he was on the mental health appropriations committee about ten years ago, and we thought it was awful that the percentage of the budget devoted to mental health was so much lower than it had been. Mr. Harlan stated we only wish it was as bad now as it was then. Mr. Harlan stated this is a chance for Boone County to take care of its own, and to move in a better direction.

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 an appropriate order for approval.

Resource Management

2. **Request by David and Christine Casey to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 15.0 acres, more or less, located at 9420 E Clatterbuck Rd., Ashland.**
 - **Rezone**
 - **Review Plan**

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver read the following minutes from the Planning and Zoning Commission meeting:

The minutes for the Planning and Zoning Commission meeting of July 19, 2012 along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The subject property is located on Clatterbuck Road, approximately 2 miles east of the city of Ashland, near Bob Veach Road. The applicants own a 15 acre tract, currently zoned A-1(Agriculture). It is surrounded by A-1 zoning, all of which is original 1973 zoning. There is currently a house and shed on the property. Their location, within the setback, was approved by the Boone County Board of Adjustment 24 May 2012 as case number 2012-004. The applicants are submitting a request to rezone the property, currently zoned A-1(Agriculture), to A-2P(Planned Agriculture). Under the proposed review plan, the property will be divided into two lots, each approximately 7 acres in size.

The Boone County Master Plan designates this area as being suitable for agricultural and rural residential land uses. The Master Plan also identifies a “sufficiency of resources test” to be used in determining whether there are sufficient resources available to support the proposed uses.

The sufficiency of resources test can be broken up into three categories: utilities, transportation, and public safety.

Utilities: The property is located in the Consolidated Public Water Service District #1

service area. There is existing service to the house located on proposed Lot 1. To establish service to Lot 2, a waterline extension will be required. Boone Electric will provide electrical service.

Transportation: The subject tract has direct access on to Clatterbuck Road, a county-maintained public right-of-way.

Public Safety: The subject tract is located in the Southern Boone County Fire Protection District, whose nearest station is located in the city of Ashland, approximately 2 miles to the west.

Zoning Analysis: The zoning requested, A-2P (Planned Agriculture), meets the requirements of the applicants. The nearest higher density zoning, A-2(Agriculture), is approximately ¼ of a mile away to the west. The lots proposed by the review plan are consistent with the overall character of the immediate area, as are the proposed uses for the property.

The property scored 47 points on the rating system.

Staff recommended approval of the rezoning request and the review plan.

The Planning & Zoning Commission conducted a public hearing on this request during their July 19, 2012 regular meeting. There were eight members of the commission present.

Following the public hearing, a motion was made to recommend approval of the rezoning request. The motion to recommend approval of the rezoning request passed unanimously.

A motion was then made to recommend approval of the Review Plan as presented. That motion also passed unanimously.

Steve Proctor was present on behalf of the applicants. Mr. Proctor stated this all came about because they thought they would be able to do a family transfer, but they don't have 20 acres. Mr. Proctor stated their plan was to sell their home at a reasonable price to a sibling that is expecting a fourth child. Mr. Proctor stated they are going to build another home on the other 7.5 acres.

Commissioner Miller stated this is exactly how family transfers happen, and it's something we allow and encourage.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request by David and Christine Casey to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) on 15.0 acres, more or less, located at 9420 E Clatterbuck Rd., Ashland.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order # 371-2012**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby **approve** the request by David and Christine Casey for a **Review Plan** on 15.0 acres, more or less, located at 9420 E Clatterbuck Rd., Ashland.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order # 372-2012**

3. **Request by Karen Kay Furlong Heritage Trust to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) and approve a Review Plan for Furlong Acres on 22.7 acres, more or less, located at 20635 and 20803 N Tucker School Rd., Sturgeon.**
 - Rezone
 - Review Plan

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver read the following minutes from the Planning and Zoning Commission meeting:

The subject tract is located approximately 3 miles south of the city of Sturgeon on Tucker School Road, north of Monroe Drive. The property is 21.61 acres in size, zoned A-1(Agriculture), and is surrounded by A-1 zoning. This is all original 1973 zoning. There are currently two houses and a few barns on the property. The applicant is requesting a rezoning to A-1P(Planned Agriculture) for purposes of subdividing the property into three lots. Two lots, sized at approximately 5 acres each, will contain the two houses, and the third, at approximately 10.58 acres, will be solely for agricultural purposes. Under the A-1P, this land division is made possible by using the density on the entire 21 acres to create two residential lots smaller than 10 acres while restricting the remainder's development potential.

The Boone County Master Plan designates this area as being suitable for agricultural and rural residential land uses. The Master Plan also identifies a "sufficiency of resources test" to be used in determining whether there are sufficient resources available to support the proposed uses.

The sufficiency of resources test can be broken up into three categories: utilities, transportation, and public safety.

Utilities: The subject property is located in Public Water Service District #10. Any new development on this property requiring water will require consultation with the District for setting a new meter. Boone Electric will provide electrical service to the property, and the property is located in the Boone County Fire Protection District.

Transportation: The subject tract has direct access on to Tucker School Road, a county-maintained public right-of-way.

Public Safety: The subject tract is located in the Boone County Fire Protection District, whose nearest station is located in the city of Sturgeon, approximately 3 miles to the north.

Zoning Analysis: This is a classic example of the use of A-1P zoning. It creates smaller residential lots where the homes exist and reserves the land in use for agriculture. The agricultural lot is protected from future development and reserved for agricultural activity, while now the homes can be transferred with smaller acreages. This is an appropriate use of A-1P Zoning.

The property scored 24 points on the rating system.

Staff recommended approval of the rezoning and the review plan.

The Planning & Zoning Commission conducted a public hearing on this request during their July 19, 2012 regular meeting. There were eight members of the commission present.

Following the public hearing, a motion was made to recommend approval of the rezoning request. The motion to recommend approval of the rezoning request passed unanimously.

A motion was then made to recommend approval of the Review Plan as presented. That motion also passed unanimously.

Brian Dollar was present on behalf of the applicant. Mr. Dollar stated there are no proposed changes in the land use; it's just a land deal that required rezoning. Mr. Dollar stated Karen Furlong, her children, and grandchildren live there. Mr. Dollar stated it's her grandmother's old farm. Mr. Dollar stated they don't farm, but they're selling some row crop ground to Randy Ridgeway who farms all the land around there.

Commissioner Elkin asked for an explanation of the lagoon easement.

Mr. Dollar stated the lagoon would ordinarily require a 75 foot setback from the property line, but since it's just agricultural land around it, the setback can be waived with permission of the adjoining owner. Mr. Dollar stated it's permission to place the lagoon closer than 75 feet to the boundary. Mr. Dollar stated it will just be next to a corn field.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby **approve** the request by Karen Kay Furlong Heritage Trust to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) on 22.7 acres, more or less, located at 20635 and 20803 N Tucker School Rd., Sturgeon.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order # 373-2012**

Commissioner Miller moved on this day the County Commission of the County of Boone

does hereby **approve** the request by Karen Kay Furlong Heritage Trust for a Review Plan for Furlong Acres on 22.7 acres, more or less, located at 20635 and 20803 N Tucker School Rd., Sturgeon.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order # 374-2012**

Commissioner Elkin asked what a heritage trust is. Commissioner Elkin asked if it's a special category of trust.

County Counselor CJ Dykhouse stated it's not a special category he's aware of. Mr. Dykhouse stated it's just part of the name that was chosen. Mr. Dykhouse stated he's fairly current on the Uniform Trust Act, and stated he doesn't recall a special designation like that.

4. **Whitetail Hollow. S8-T50N-R13W. A-2. Sterling and Meghan Sublett, owners. Steven R. Proctor, surveyor.**

Director of Resource Management was present on behalf of this item. Mr. Shawver stated this is a one lot subdivision in the northern part of the county, close to Route NN and north of Lockwood Lane. Mr. Shawver stated the zoning is A-2, and the Planning and Zoning Commission approved this at their July 18th meeting as conforming with all of the requirements of the subdivision regulations. Mr. Shawver stated it's ready to be received and accepted by the County Commission with an authorization for the Presiding Commissioner to sign the plat.

Commissioner Atwill asked how much acreage it is.

Mr. Shawver stated he believes it's five acres.

Commissioner Miller stated we don't get any say about this; if it meets the rules we sign it.

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 it:

Whitetail Hollow. S8-T50N-R13W. A-2. Sterling and Meghan Sublett, owners. Steven R. Proctor, surveyor.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order # 375-2012**

Human Resources

5. Personnel Advisory Committee Recommendations (second reading, first read 7/26/2012)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached recommendations from the Personnel Advisory Committee regarding Missouri Task Force One, allowable business and travel expenses, and the mileage reimbursement policy.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order # 376-2012**

Commission

6. Public Comment

7. Commissioner Reports

The meeting adjourned at 7:39 p.m.

Attest:

Daniel K. Atwill
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner