

TERM OF COMMISSION: April Session of the February Adjourned Term

PLACE OF MEETING: Ashland Middle School Gym, Ashland, Missouri

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Planning and Building Inspection Director Stan Shawver
County Counselor John Patton
Deputy County Clerk Ashley Williams

The special meeting of the County Commission was called to order at 7 p.m.

Commissioner Stamper addressed an audience of 400 people saying that the purpose of the meeting was to hear an appeal for a Planning and Zoning recommendation to deny a rezoning request made by Industrial Ventures, Inc.

Commissioner Stamper said the meeting would be conducted in a typical hearing format. There would be a brief report by staff and then a detailed presentation by the applicant. There would be no questions and answers during that time, except from the Commissioners. He asked that the audience reserve their comments until the public hearing. At that time, he asked that those interested in testifying come to the microphone, state their name and address for the record and give the reasoning behind their support or opposition for the proposed Industrial Park.

Planning and Building Inspections Director Stan Shawver reported that the tract in question is 224 acres located on State Route H, one mile east of Highway 63, approximately 4 miles northeast of Ashland and 6.5 miles southeast of Columbia. The tract is just north of Columbia Regional Airport. The entire tract is zoned A-1 (Agriculture) as is all of the surrounding area. The applicant is requesting that the tract be rezoned M-LP (Planned Industrial) and has submitted a review plan along with the rezoning request. Boone County regulations provide that the rezoning request and the review plan may be considered concurrently, however the land will not be rezoned until a final development plan is submitted and approved.

This property has primarily been used for row crops. There is a single wide mobile home on the property, grain bins and a barn. There have been no previous requests submitted on behalf of this property. The 1996 Master Plan designates this particular site as being suitable for agricultural land uses; however, the plan does show industrial use in the vicinity of the airport..

There is no existing infrastructure available on the site. Consolidated Public Water District No. 1 plans to drill a new well in the vicinity of the site as early as spring 1997. This well is part of a project to upgrade the service available at the airport. The improvement will include a 12 inch line along Route H, however, if this development proceeds, the water district will require their main line from the well down Route H to be increased to a 16 inch line. The developer would have to pay a cost differential for the upgrade. Based on the review plan presented with this application, at least a 12 inch line will be required to provide the necessary flows within this development site. Electricity, natural gas and phone service would have to be extended to the site. A wastewater collection system is not available at the site. The nearest fire station is located in Ashland and is operated by the Southern Boone County Fire Protection District.

This site is located within the Southern Boone School District. The site itself should not have a negative impact on school facilities, and in fact will generate tax money for the district. However, development may result in additional residential growth in the south part of the County.

The south branch of Turkey Creek crosses the north end of this property. Turkey Creek ultimately drains into the Three Creeks State Forest. The Topeka Shiner, a protected species has been identified as inhabiting Turkey Creek. It should also be noted that the Gray Bat, an endangered species, is found in the Three Creeks State Forest.

Staff notified 16 property owners concerning this request, as well as the City of Columbia, Columbia Regional Airport, the Southern Boone Fire District, Consolidated Water District No. 1, the Boone County Sheriff's Department, the Southern Boone School District, the Missouri

Department of Transportation, the Missouri Department of Conservation and the Department of Natural Resources.

Craig Van Matre, legal counsel from Van Matre Law Firm, 1103 East Broadway, Columbia, Missouri, addressed the Commission on behalf of the owner/developer. He supplied them with packets that included 19 exhibits. He explained that during the presentation he will ask the expert team to explain each exhibit and said that he believed their plan is in the best interest of the County, the best use for the land and said that the request for the rezoning as Planned Industrial would be in the best interests of all concerned. Also in the packet, he explained, is a booklet showing the qualifications of the expert team Mr. Len Levy, developer, had assembled. One of the major concerns of the project, he said, came under the heading of environmental concerns and Mr. Van Matre called, as his first witness, Dr. Clark Gantzer.

Dr. Gantzer introduced himself as a conservationist, environmentalist and member of the Sierra Club since 1972. He is an assistant professor in soil conservation and management at the University of Missouri-Columbia. His concern with the issue was, that he had been trained in the areas of soil conservation and management, and he thought he might be able to illicit the truth as best he could see it and answer questions the Commissioners might have.

Dr. Gantzer began his presentation using a transparency that showed the location of the property in question. The U.S. Geological map of the area west of Highway 63 showed Turkey Creek and the Three Creeks Area. A red line drawn at the upstream area showed the protected status of Turkey Creek.

In response to questioning from Mr. Van Matre, Dr. Gantzer pointed to the three creeks - Bonne Femme, Turkey Creek and Bass Creek. Cedar Creek, he said, is located to the east of Highway 63. In a continuation of the previous map, Dr. Gantzer used another transparency that showed Turkey Creek outlined in blue and the proposed outline of the property for the research development.

Dr. Gantzer then showed an aerial map of the same area and pointed to the drainages to the east that drained into Cedar Creek. He answered Mr. Van Matre's question regarding drainage by saying that in respect to the site request for rezoning, runoff wouldn't drain into Cedar Creek, but that for all practical purposes, all drainage would be into Turkey Creek. A little drainage, he said, would occur in Bass Creek from a small area off the 224 acres.

Mr. Van Matre said that they had learned that portions of the Three Creeks area were sensitive with respect to environmental concerns.

Dr. Gantzer replied that all the areas were sensitive, but the headwaters, where all the water collects, was legally protected and it was approximately three linear miles from the property to the protected stream.

Dr. Gantzer then used a transparency to illustrate a water cycle. It rains, some water infiltrates the soil, some runs off and ultimately travels to a stream or river. Simultaneously, evaporation occurs, creating clouds and rain and the cycle begins again. He explained that Turkey Creek is a watershed and except for a small amount of the runoff, all water would feed into Turkey Creek.

Using a soils map of Boone County, Dr. Gantzer showed that the soil in the proposed research park consists of the highly erodible Leonard and Mexico soils. The land is classified as Class IV Land, making it less than prime farmland.

Class IV land, he explained, is the last category of soil that can be used for farming before it's considered too constrained to use for row crop production, which means there are severe limitations to its use as farm land. The ground is losing five tons of soil per acre per year in erosion, probably more because of the ephemeral gullies within the field that increase the amount of sheet/stream bank erosion caused by the traffic found in farming.

In response to more questions from Mr. Van Matre, Dr. Gantzer said that if the property is not rezoned the Topeka Shiner population would continue to decline not because of the proposed park, but because of continued agricultural practices.

Dr. Gantzer said that as federal incentives for farming dwindle away because of budget constraints, within the next five years, increased competition will cause farming to be done more for economic reasons and less for conservation. It would be probable that a significant amount of land used for agricultural practices would be highly erodable.

Citing a Department of Natural Resources water quality report, Dr. Gantzer said that the most significant contribution to the impairment of waters in Missouri was due to pesticides, making agriculture a more damaging factor than an industrial park. Row crop production used chemicals that are considered carcinogenic, while using the farm land for swine or beef would also affect the current water quality. The solution, he said, is to establish a buffer that would protect the river from the transport of sediments by developing vegetation, designed and rezoned in three forests.

Mr. Van Matre asked if it was possible to design an ecologically friendly industrial research park.

Dr. Gantzer said that in his opinion, Mr. Levy had asked for his help so there would be no problems with the environment. Sooner or later, he said, there will be certain types of development within Boone County. Dr. Gantzer said that by establishing regulations now, there would be an opportunity to insure that future development be done in an environmentally stable way.

Mr. Van Matre asked the Commissioners to look in their packets at a yellow bound book that outlined the key points of the Industrial Ventures, Inc. proposed plan.

Dr. Gantzer said the proposed plan exceeds the Missouri state land disturbance law and the erosion control requirements for the City of Columbia. Dr. Gantzer said that he believes the development can be built without creating a net increase in storm water runoff, total runoff or a decrease in existing water quality.

The north forty acres of the property, he said, will be permanently set aside and no development will occur there. None of the streams on the property will be crossed and a wetland reserve easement will be put in place to make sure the land is maintained. The function of the undisturbed riparian forest will insure that by the time the wetland runoff reaches a stream, it would be filtered through vegetation and soil, making it 99% pollutant-free. On the rest of the property, or 180 acres, where there are major water courses, those courses will have a buffer on either side maintained with native vegetation with no fertilizers or pesticides used.

Dr. Gantzer said that under rural conditions, as the soil is denuded of its vegetation, runoff increases and streams become flashier in nature and the stage of the stream changes quickly in response to a storm. Under urban conditions, impermeable surfaces and retention basins become a concern and runoff becomes even more severe. Should this park go in, he said, the Topeka Shiner would be better off than if the land was continued as agricultural land.

In terms of construction, he said, the pre-construction phase requires little land removal or disturbance and disturbed vegetation will be replanted. There will not be, he said, a similar situation as with the local three-year-old mall that is encouraging sediment to travel into Hinkson Creek. The vegetation will be covered with straw and maintained on a weekly basis. The plan inhibits the construction site gullies common on many building sites. Post-construction and continuing management would be maintained by a not-for-profit organization to insure that native species were maintained. Streets would be swept biweekly, making sure that pollutants are taken up on site, and roads will be fitted with traps so that antifreeze and oils would be caught and not allowed to be routed downstream.

Dr. Gantzer said that he believed the greatest threat to the land would be to zone it for rural residential uses or agricultural uses. Currently, landowners are not required to show the same amount of care for the property as the park developers would have to show. As a concerned environmentalist, Dr. Gantzer recommended that the Boone County Planning & Zoning Commission explore additional protective measures for environmentally sensitive areas. Missouri, he said, has the second worst problem in soil erosion in the United States and he challenged anyone to drive down Highway 63 to look at the practices currently being used.

Mr. Van Matre then asked Dr. Gantzer if he felt he was being true to himself by supporting the proposed research park's plan.

Dr. Gantzer responded by saying that the issue was complex and that there are serious protection problems associated with it. He again encouraged the Commissioners to look seriously at the way everybody uses the land to insure that the streams maintain their water quality. He went on to say that no plan is perfect, there was no way to make things perfect, but that this was their best effort.

Commissioner Stamper clarified for the audience that the applicant was allowed to admit testimony and to call witnesses. He said there were two more witnesses and then the public hearing would be opened.

Mr. Van Matre then called his next witness, Robert Boland, president of Boland Associates, an architectural and planning firm, 1716 Hidden Creek Court, St. Louis. Mr. Van Matre said that Mr. Boland was one of the first people that had been contacted regarding the proposed industrial park.

Mr. Boland said that the process involved developing a plan with a team of people who were sensitive to the site in terms of environment and traffic. His firm worked in conjunction with a traffic engineer, a marketing group and a landscape architect to help develop the proposed plan. They also incorporated flexibility, taking into account the fact that the park would be able to accommodate larger or smaller companies.

Mr. Boland showed that Highway H runs vertically and how the proposed plan respected the entrance to the airport. There are two access points to the park off of Highway H. He also showed how a block of six potential buildings could as easily be one building. He said the plan had been created with flexibility built into it. Mr. Boland pointed to a proposed map of the industrial park and showed how the lakes and retention areas created meandering lines, more aesthetically pleasing than a square grid with straight lines.

Mr. Boland reiterated that no development would occur in the north forty acres that Dr. Gantzer had referred to earlier. Problems with traffic and congestion within the park would be minimal as high population areas with offices would be mingled with areas of distribution facilities with less traffic. He said Industrial Ventures, Inc. has offered to update the Commission with traffic reports and counts so that they could keep pace with all of the improvements necessary over time.

Mr. Van Matre told the Commissioners that included in their packet was a copy of the traffic study and the waste treatment program.

Mr. Boland said they had looked at all the services required by a development including water, sewers, electricity, gas and that all of those will be brought to the site, upgrading the utilities and services in the area. The ultimate objective, he said, is to make sure that everything has been taken into consideration.

In response to Mr. Van Matre's questioning, Mr. Boland showed a transparency of the proposed site with a representation of the variety of types of buildings that could be built in the development. He said that all buildings would face the street and they were planning on building an island where regional offices could be located.

Mr. Van Matre said that one of the concerns with the proposed development was that it would contribute to urban sprawl. He asked Mr. Boland if Industrial Ventures would be damaging the area by promoting urban sprawl.

Mr. Boland replied that the airport had been in the area since the mid-1970s. All research facilities want to be associated with an interstate, airport or accessible rail line and in this case, the facility would be located at the northern end of the runway. Nobody else would be able to develop that area because no one wants to live off the end of a runway. The park, he said, will attract local, national and international companies. The location is well-established and is similar to other research parks in the state.

Mr. Boland said that they were taking a piece of property that could be environmentally improved and could become a demonstration project for Boone County. More importantly, he said, it means permanent jobs. Permanent jobs over a long period of time. The park could generate 1,000 to 1,800 new jobs, would generate a substantial amount in taxes and would establish operating utilities which would benefit areas around the park. Mr. Boland argued that this park would increase pressure on other developers to do responsible developing. A well-landscaped environment for a business makes a good neighbor. He said to think of the development as an asset to the area and asked for the Commissioners' support.

Mr. Van Matre said that the testimony of the traffic engineers was summarized in the Commissioner's packet. Because they were pressed for time, there would be no witnesses called to testify, but if the Commissioners had any questions, those engineers were available for answers. Mr. Van Matre called his next witness.

Mark Farnen, principal in the public relations firm of Woodruff & Company, 23 S. Fourth Street, Columbia, said he has been representing International Ventures and the Centre Pointe Industrial Park since mid-November of 1996. He said he had attended every Planning and Zoning meeting, meetings with the Columbia and Ashland city councils and had met with school boards and attended work sessions. He said he had a good feel for the questions and the issues that have come up over the past five months.

Mr. Farnen said that he had worked for four years as the economic developer for Mexico, Missouri and had been employed by the Missouri Department of Economics in Jefferson City. He has been the president of the Hawthorne Foundation, an organization that encourages job growth and creation in Missouri. He is also a chairman of QuickCorp, an organization that makes small business loans.

Mr. Farnen displayed a copy of the Southern Boone County Journal and pointed to a front page story whose headline stated that the Ashland schools are struggling with an overpopulation problem. The story cited serious crowding in the school district and a need for additional building space. The story reported that it would take four new homes to be built in the area to generate enough revenue to pay for one new child in school; however, fifty new students are estimated to arrive this year. Mr. Farnen said that 200 homes would have to be built just for the school district to keep up.

The options, he said, were to stop growth completely, increase class sizes, annex Columbia or for Ashland to get its own industrial base. He quoted a 1996 study commissioned by the Ashland Area Chamber of Commerce where 77% of the group's members said they thought an industrial park should be developed in the area and 74% said they felt the town should be actively working to attract new businesses.

He said that by building at the airport, they could control and prevent the overlapping or infiltration of an industrial base into residential areas. Mr. Farnen showed the tax revenues expected to be generated by each building and said that figure came to \$200,000. He said that the intersection at Highway 63 and H would be improved, the development would be environmentally safe with a clean modern design, it would dislocate few people or homes and would allow improvements in the school district without relying on residential growth. The park would create jobs, help the schools and by offering research avenues, it would keep University of Missouri-Columbia graduates here.

Mr. Farnen said that just ten new companies in the park could result in over \$2 million in new county tax receipts each year. Most of that money would go to the schools, the rest would go to public safety agencies, libraries and other entities that rely on tax money.

In summary, he said, the area could not continue an indefinite residential growth without an accompanying tax base resource; 76% of the responders in a survey said that jobs are a priority. The opportunity for jobs, even construction related jobs, would be spread out over the time frame of the park. He said it would take three years to establish an infrastructure and two more years until the first building would be completed. He felt it would take ten years for the park to be halfway completed. That would be how long the construction jobs would last. Ten years. The

park would also give the area the chance to retain graduates from the University. The graduates would be well trained and well schooled and will now have the chance to stay.

Mr. Farnen also addressed the issue of the airport. Columbia, he said, spends \$500,000 annually to subsidize its operation and it was his opinion that a critical mass of users needed to be developed in order to stop the erosion of those funds. Mr. Farnen said that every airport study has encouraged additional development in this area. The research park would be well-suited to provide substantial increase in air traffic and this park fits in with the Master Plan for land use.

Mr. Farnen referred to an industrial park developed in Mexico, Missouri. They have developed over 1.5 million square feet of new industrial space in about the same time frame it would take to build Centre Pointe to a similar size. Much of the development was centered around the airport and involved pharmaceuticals, warehousing and manufacturing industries. That park was developed by one economic developer, one city manager, one assistant, one building inspector and one planner.

The result of that park was no environmental degradation, needed highway improvements were accelerated, major airport improvements were made, it increased the tax base for the schools and created over 1,000 permanent jobs. It did not restrict their way of life, Mr. Farnen said, it enhanced it.

He then read a letter from Bob Lemone, president of Little Dixie Construction. He quoted, "In my opinion, another industrial park will be necessary in the Columbia area within the next five years. The question then becomes whether we plan for this growth or whether we merely sit back and experience random and haphazard development. The Centre Pointe Research Park appears to me to be the best available site for an additional industrial park."

Mr. Farnen quoted the Southern Boone County Journal again, "If we don't start planning now, we are not going to be ready. It's going to be too late. We may be a little late now, Principal of the Ashland Elementary School, Dave Decker."

Mr. Van Matre concluded with his witness' testimony and spoke on behalf of his client, Industrial Ventures, Inc. He said that his client has agreed that when there are 200,000 square feet under roof, or before, if insurance dictates, Mr. Levy will build a fire station for the location of fire equipment and for the industrial park site. Mr. Shawver, he said, has summarized the extensive covenants contained in the Commissioners' packets as recommended conditions for approval. Those recommended conditions and a letter from the client accepting those conditions, with a few moderate changes, is also in the Commissioners' packets.

Mr. Van Matre said they would be willing to allocate parking surfaces based on usage. A warehouse won't generate a need for parking like a manufacturing facility with a number of employees would. Use will determine parking Mr. Van Matre said that any issue that might cause concern would have to come back through the Planning and Zoning process before it would be allowed in the park. Nothing is final, he said, and they would be willing to revisit the conditions at any time.

Commissioner Stamper asked that everyone in support of the proposed industrial park please stand. About a quarter of the audience stood. When he asked if everyone opposed to the industrial park would stand, about three-quarters of the audience stood.

Commissioner Stamper noted that if the industrial park were to be approved, there could possibly be some peripheral development. He asked Dr. Gantzer if his vision and statements concerning the management of storm water and streams took into consideration the possibility of additional runoff.

Dr. Gantzer said that he had tried to suggest that the Commissioners and Planning and Zoning Commissioners require that all businesses meet the same criteria pertaining to water quality. Development of agricultural lands and residential housing do not have to meet the same environmental standards, he said, as do planned developments.

Commissioner Stamper replied that he had heard Mr. Gantzer loud and clear and asked him again if his study had taken into consideration the possibility of additional runoff.

Dr. Gantzer replied that there would be no increase in storm runoff, no net increase in total runoff and the water quality would not be impaired. He suggested that future development was also possible and that there were no legal provisions that would require agricultural and residential lands to meet the standards required of a planned industrial development.

Commissioner Stamper asked if the controls placed within plan exceed those required by the City of Columbia.

Dr. Gantzer said that the only codes he had seen were for the Department of Natural Resources and it was his understanding that Boone County had to conform with the same codes. He said he presumed that the County would have to conform with those codes, but wasn't sure if Boone County had separate codes.

Commissioner Stamper asked Mr. Boland if he had previous experience with industrial parks or research related parks and asked if he had ever represented a project of this size. He also asked if Mr. Boland has participated in the writing of the assessment of the property.

Mr. Boland listed previous projects he had worked on and said he had been involved in the development of a three to four thousand acre research park in St. Louis. Mr. Boland said he had participated in the discussion of the assessment, not in the writing of it.

Commissioner Stamper asked him to summarize his opinion of the assessment and to define urban sprawl.

Mr. Boland replied that this was the most environmentally sensitive project he'd seen so far. He defined urban sprawl as a domino theory. He said that as development occurs, it continues to skip out to undeveloped property on the periphery of an expanding community. He explained that type of development should not be allowed to occur in a haphazard manner. He said that planners needed to pick protected, established areas and drive the businesses there in order to protect the residential areas.

Commissioner Stamper asked about the estimated costs for the needed traffic improvements.

Mr. Boland didn't have an estimate.

Commissioner Stamper then asked questions about the proposed sewers.

Glenn Borgard, an engineer with VOLZ Land Surveyors, Engineers, Land Planners, 10849 Indian Head International Blvd., St. Louis, said that he had participated in writing the assessment of the property. The assessment proposed a typical gravity collection system constructed within the pump. The waste would go into a wastewater treatment plant site that as of yet had not been identified; it may be within the park or may be on a parcel on the airport. The cost estimate for the treatment plant was \$950,000, if it was combined with the airport, the cost would be estimated at \$1.5 million.

Commissioner Stamper asked how they proposed to acquire the necessary easements.

Mr. Borgard said they would approach the property owners, acquire the property and the highway rights for utilities.

Commissioner Stamper asked about the increase in water usage.

Mr. Borgard said that Public Water District No. 1 planned on extending 16 inch water mains to reinforce their services. At the same time they are planning constructing a well near the park and looping a 12 inch line at that location. The district has agreed that if the client pays for the costs of an upgrade to a 16 inch line, the district would provide fire and water service to Centre Pointe.

Commissioner Stamper asked about the traffic study.

Craig Holan, 1723 Clairmont Estates Dr., Chesterfield, Missouri, an engineer representing Crawford, Bunte & Brammeier said that he had not helped write the traffic study, nor was he aware of a cost analysis having been done on the traffic study.

Commissioner Stamper asked for clarification regarding a proposed stoplight at the Highway 63 intersection.

Mr. Holan said that the study was an estimate of future conditions and was a conservative approach to long-term plans the state had for the intersection.

Commissioner Stamper said that a stoplight on the interstate seemed ridiculous.

Mr. Holan said that it was done quite often to allow for safety maneuvering for traffic on side streets.

Commissioner Stamper asked about the developed industrial park in Mexico, Missouri.

Mr. Farnen replied that in Mexico, tax waivers had been granted to some of the businesses. They also granted a Chapter 353 tax abatement because the developed land had been considered blighted.

Commissioner Stamper said he was not proposing tax abatements, he just wanted to understand how the development project had been handled in Mexico. He also asked how long the project took to complete.

Mr. Farnen said the project was started in 1987 and was completed in 1997.

Commissioner Stamper asked Mr. Van Matre if Mr. Levy had ever been involved with a project of a similar capacity and if he had, what types of conditions had been placed on it.

Mr. Van Matre said Mr. Levy had, to his knowledge, never been involved with this type of a project. He could not list any projects Mr. Levy had done in the United States, but said that he had been involved with projects in Europe and Japan. Mr. Van Matre could not describe the nature of those businesses, but said he believed they involved golf courses.

Commissioner Stamper said that according to his research, Mr. Levy's approach to this industrial park seemed to be atypical. Traditionally, a research park evolves a study commissioned by the state and local jurisdictions. This seems to be a park in search of those partnerships and not one that has evolved from them, he said.

Mr. Van Matre said there had been intensive contacts with the business school and that he has seen other parks in the United States similar to the one being proposed. He said there was a research park in Florida that was very successful and worked in conjunction with a university. Mr. Levy believes there will be a strong possibility that he will attract businesses through a combination of location, marketing and the nearby university.

Commissioner Stamper said that research parks traditionally start with a cornerstone client. He wanted to know who that client would be for the proposed park.

Mr. Van Matre said he didn't agree with that assessment. It was his opinion that developers believe if they get the zoning and the right kind of permits they can make a go of a particular development. He said it was hard to sell a plan to an executive when the zoning wasn't in place, the property wasn't platted and there was no potential infrastructure plan. Mr. Van Matre said that businesses want to see a particular location so they know what opportunities they have in one community as opposed to another.

Commissioner Stamper said it seemed that a common strategy in research parks was to corner a client like Microsoft. Suddenly, he said, you'll have Motorola coming to the location because of the center stone of the research park. He was curious as to whether or not Mr. Levy was soliciting clients.

Mr. Van Matre replied that the process was like that of the chicken or the egg. If the zoning isn't in place, they were reluctant to make contacts until the plans were firmer.

Commissioner Stamper asked if there was a business plan available for public scrutiny of the project.

Mr. Van Matre said that the best opportunity was to combine their sewer project with the city. He said the city wouldn't do that until the zoning had been approved and that those costs needed to be figured into the plan.

Commissioner Stamper asked if it was possible to design a plan based on a worst case scenario. He said he would hate to think they had wasted their time without a business plan. The bottom line, he said, was for the Commissioners to have some confidence that they were dealing with a project that has the capacity to be successful. A business plan may involve rights of privacy, but he said he was curious about the aspects of the development.

Mr. Van Matre asked what it would hurt if the development didn't go any farther. He said it didn't seem unreasonable to say that if the applicant had the wherewithal to invest \$150,000 in the planning, then he's got what it takes to make it work. He said there were too many variables to figure cost estimates.

Commissioner Stamper asked if they knew the scope of the project. He said that the sewer costs seemed to be between \$1 to 2 million and he felt that other infrastructure components ought to be known.

Mr. Van Matre said it was an unusual request and would check with his client and have an answer for the Commissioners tomorrow.

Commissioner Stamper said there were already 600 acres zoned and available in the County, most of which already have utilities.

Mr. Van Matre said that if those particular areas had a focus that Mr. Levy was interested in developing then they might be interested in those properties. Mr. Van Matre said there was no competition in this area.

Commissioner Vogt asked about the terms of the conditional use permit.

Mr. Van Matre said that his client had outlined the suggestions he could live with in the Commissioner's packets. If there were any permits the Commissioners felt should be conditional use permits they would agree that before a particular user was admitted into the park, the Commissioners could look at their development to see what the impact might be before they were allowed to develop in the park.

Commissioner Miller asked if the client would be willing to wait before moving any dirt on the property until all of the proper permits and easements had been obtained for the storm water and the sewers.

Mr. Van Matre said yes.

Commissioner Miller said they had not heard anything about fire protection. Southern Boone County Fire Protection District has just constructed a nice facility, she said, and it was not likely that they would be able to finance another one in the near future. She asked if Mr. Van Matre had any thoughts regarding fire protection.

Mr. Van Matre said that they would allocate a tract of land and make a gift or dedication of that land to the fire department. Once 200,000 square feet of businesses are under roof, Mr. Levy has agreed to build a facility for fire protection at that time; earlier if required by insurance.

Commissioner Miller was curious about the traffic patterns. The applicant, she said, has talked about building an interchange and she asked if Mr. Levy would be willing to build an interchange

at a time determined by the staff and the Commission without a guarantee of reimbursement from the state highway department.

Mr. Van Matre said that if the airport and the County continues to grow it didn't seem fair that Mr. Levy should be responsible for building an interchange when he would only be responsible for ten percent of the interchange's use. Mr. Van Matre said that it did seem reasonable to wait and not continue building after Phase I until the interchange was completed. Mr. Van Matre said that Mr. Levy had agreed to finance the cost of an interchange if he would be reimbursed, with interest, from the state.

Commissioner Miller said that the issue was a line drawn in the sand that would have to be resolved if the Commission decided to move forward with the approval of the rezoning.

Mr. Van Matre suggested that a better approach would be to require a traffic study when the Commission felt there was enough construction to warrant a study. He said that the interchange was on the state's list of projects, but it was a matter of politics, as much as anything else, as to when the state would actually build the interchange.

Commissioner Stamper submitted 28 letters from people for and against the proposed research park to be kept in the Public Record. He then said there would be a ten minute break before the public hearing was opened.

Commissioner Stamper asked for those who oppose or support the project and who live in the Ashland school district to please stand. Almost everybody in the audience stood. He explained that the next phase would be the public hearing and asked that comments be limited to three to five minutes. He asked that the comments not be redundant and that the testimony state whether or not an individual was in favor of or in opposition to the rezoning request and their reasons why. He said it was all right for people to raise questions they felt needed to be answered. Commissioner Stamper said that at the end of the public hearing the applicant would have the opportunity to rebut and then the Commissioners would end the meeting with their closing statements.

Commissioner Stamper convened the public hearing at 9:30 p.m.

C. Stephen Heying, 514 Redbud Lane, Ashland, stated that he supported the rezoning request on the basis that the process for rezoning meant that questions had already been answered and that other questions will be covered during the preliminary plat stage when submitted as a final plan.

J.C. Stevens, 9051 Mount Zion Road, Ashland, recommended the approval of the rezoning request. He said he had been a professional engineer for 50 years and felt that the proposed plan was comprehensive, thought-out and should get favorable consideration. The proposed park involved jobs, a tax base, and an infrastructure would be provided. All of these questions have been answered, he said, at least to the extent that they can be at this point in time. Right now, this is just a piece of land and nothing can happen until it has the proper zoning. Nothing good can happen in Boone County, unless it's within the city limits, he said. This is a chance to show what the County can do. He said the County has the staff and know-how and recommended that they approve.

Curtis E. Chick, Jr., 1902 Sun Meadow, Jefferson City, stated that he is a business representative for sheet metal workers. The labor unions do the bulk of construction in central Missouri. They have met with the Levy group on several occasions. He said that Mr. Levy had presented an environmental impact study, proposed sewer and water supplies and he said that the sheet metal workers felt this was a good project. He said it was important to keep Missouri growing and to create jobs for the men and women his union represented. The Sheet Metal Workers Labor Union stands in favor of the rezoning request.

James Watson, 8400 S. Warren School Road, Columbia, said that he was against the project. A friend of his owns a farm not far from the property in question and he said that property would be affected. It is a beautiful place, not just a piece of land. He said the land was a piece of him, a piece of his heritage and if it went away, he would weep like a baby.

Debbie Harmon 11951 E. Englewood Road, Columbia submitted petitions opposing the research park on the basis that it is a speculative commercial venture. She asked that the Commission wait until easements and permits had been received before they allowed dirt to be moved on the property. Ms. Harmon also said that with a 1.8 percent unemployment rate in the area, the creation of new jobs was not a concern. She said if there are other similar developments in the country, those needed to be studied to see how successful they were without giving away the quality of life in the areas where they were developed.

Mark Osborn 304 Anderson, Columbia, said he was interested in Dr. Gantzer's comments concerning the soils of the area. He said that Dr. Gantzer indicated the land capability was a Class IV and his recollection of the capabilities of Mexico soil, that wasn't right and needed to be verified. He also said that a soils tax was passed last fall and would give farmers funding for their erosion problems and that landowners in the area have incentives available for conservation practices to protect the stream. Mr. Osborn said he didn't think that agriculture was more damaging than the proposed industrial park.

Jim Davis 9642 South Route N, Columbia, represented the Environment and Energy Commission and stated they oppose the rezoning request. There were obvious physical damages created by storm water and runoff and the Commission felt that the conditions that had been placed on the request were too weak. More runoff created more sedimentation and would clearly destroy the aesthetic qualities of the stream. It would also destroy the species living in the stream. More subtle biological effects, like chemicals from the parking lots and excess water flow would dramatically change the biological conditions of the stream. The stream would become flashier, the water temperatures would change and when those factors were combined with chemicals and radical changes, some species would be suppressed and could become extinct. The proposed changes would make a healthy rural stream an unhealthy urban stream.

Mr. Davis asked about the sewage disposal and if the developers would be able to combine with the airport, or would they use Cedar Creek. He said it was unlikely that they would go through the airport and the other alternative was Cedar Creek. Mr. Davis said that would put treated sewage water just above Devil's Backbone, one of the nicest areas in Missouri. Is treated water clean water, he asked. As long as they don't exceed state limits, they would be in compliance. At times, he said, Cedar Creek has extremely low flow and the sewage water will continue to flow through the stream, so at times, the flow will be nothing but sewage water and not water mixed with runoff. Mr. Davis said he saw some severe problems with what would be going into the streams.

Mr. Davis said that some of the proposed conditions were not strong enough. He said there were a lot of ambiguities as they stand. Developers shall minimize excavation work is one of the conditions and he wanted to know what that meant exactly. After discussing the conditions with several lawyers, Mr. Davis said it is his understanding that Boone County would not have legal ground to enforce the conditions, once businesses move in. At that point the issues would become the Department of Natural Resource's business to regulate and Boone County would have to take the individual businesses to court, like anyone else. Mr. Davis said the maximum penalty would be a \$1,000 fine.

Dysart Fisher, 509 Meadowmere View, Ashland,. stated that he moved to Ashland 33 years ago, had two children who spent their school-aged lives in the area and now has three grandchildren in school in Ashland. He said the only way Ashland could keep their schools was to have a development like the proposed research park in the community. Mr. Fisher said he had been on the Ashland City Council and had served eight years as mayor and that in all those years he looked for a project like this for the city and the Southern Boone County area.

Carri Camel, Route Z, Columbia, said she was opposed to the project. She said it would be detrimental to the habitat and surrounding areas. She said the bottomland is home and food for a lot of animals native to the area and that it would be a shame to see the industrial park.

Kim McHale, 706 Washington, Columbia said that as a resident of Columbia and of Boone County she opposed the proposition. She said that Commissioner Stamper's questions were good, but he didn't ask how much each gentleman (witness) made and if their beliefs were solidified before or after their checks were delivered. She asked that the Commissioners be prudent in their

conversations about infrastructure and the interchange. She asked why the development would be built in Ashland when there were areas available near the 3M plant. Ms. McHale said it seemed that urban sprawl, regardless of its definition, should be stopped. She said it seemed the request was putting want above need.

Alyce Turner 2194 E. Bearfield, Columbia, said she was a resident of Southern Boone County and that her comments would fall under the category of planning. She said she had contacted the Commission office and had been told she could speak for five minutes.

Ms. Turner said that in January, her son had had a baseball game in Ashland and she had asked the referee what he thought of the park. He replied that he thought the schools were really in trouble, that schools were in trouble all over Boone County and that they needed the income. Besides, he said, that's way down the road.

Ms. Turner recommended that the Commissioners support Planning and Zoning's vote 6-1 to deny rezoning for the proposed park. She said that the Environment and Energy Commission voted 7-0 against because the County lacks regulatory oversight of the development. She said that Mr. Levy wanted to build near the airport so he could make money using rural land. The citizens, she said, will pick up the real costs.

Ms. Turner said that the study done by the developers and presented at Planning and Zoning said that 800 additional cars per hour would be using Highway 63 once the development reached peak use. The developer, she said, has offered to pay for the overpass, but only if the state would reimburse him, which she said was highly unlikely. She said that the increased traffic could result in deaths and accidents before major improvements on the road are made. She said there had been no answer as to how the increased traffic on Highway H would be made.

Big Branch Creek, barely ten feet wide in many locations, empties into Cedar Creek. Ms. Turner said that sewage would eliminate most of the life and if the sewage treatment facility should fail...She said it was her understanding that the Conservation Department spent \$5 million cleaning up Cedar Creek and she said it would be a shame to let sewage back into it.

Kim Penyon, 1626 University Ave., said she was concerned with ways of life. She said she understood that the Commissioners were being bombarded by both sides and that this wasn't an easy decision and she asked that they be selective. She said she wanted a community that grows, but that is protected as well. She wanted planned growth, livability and sustainability and said that she didn't think the project does that, as it stands now, without drastic repercussions. She asked that the Commission take a look at the direction the County should move and to deal with concerns now instead of acting on consequences later. She said to focus on the concrete facts of the proposal and that the sketchy details and unknowns were warnings that the proposal has not been thought through. When does the voice of the people count, she asked, and how loud do we have to speak before you listen. She said that it had been a long time since people have been so concerned over a County issue and hoped a positive solution could be found.

Jean Kuntz, P.O. Box 532, Ashland, said that she has raised two children in Ashland and read the following letter from the Department of Conservation addressed to Dr. Clark Gantzer:

Dear Dr. Gantzer:

This letter provides our Department's comments on the *Environment Study for Proposed 225-AC Research and Development Park Near Columbia Regional Airport Boone County, Missouri*.

Although we applaud the document's "environmentally sensitive" language, we are concerned the recommendations for maintaining the immediate project area, and the surrounding area, may not be implemented. We base this comment on statements such as, "Construction of this development **should** limit removal and compaction of topsoil etc." Rather than preferencing environmental recommendations with "should," we believe using "will" conveys a stronger commitment. The environmental quality of the Three Creeks region is very high. We cannot support construction of the proposed research and development part without assurance that this high quality environment will be maintained.

Another, perhaps even greater concern, is that if the proposed research and development park is constructed, additional follow-up development around the park is inevitable. With additional development, we fear water quality will suffer from both point and non-point source pollution. As stated in the report, the proposed development is within the Turkey Creek watershed. Classified outstanding state water's are located in this watershed as are sensitive environmental concerns such as the state endangered Topeka Shiner (also a candidate for federal listing). The attenuate status of this species is such that it could be extirpated by water quality degradation.

The above comments are provided with our belief that the proposed development's area's environmental quality warrants nothing less than complete protection. Thank you for providing the opportunity for commenting on this document.

Sincerely,

Dan F. Dickneite
Planning Division Chief

Chris Hayday, 700 West Boulevard, Columbia spoke on behalf of the Sierra Club. He stated that the Sierra Club is opposed to the rezoning request. They have run radio ads and have contacted all of their members, who in turn contacted the Commissioners. He said there was only one member of the Sierra Club who supports the rezoning (Dr. Gantzer) and said the Commissioners had already heard from him. Mr. Hayday's fear is that the big picture is being overlooked. Mr. Hayday said he would like to think that the developer is sincere in his intentions, but that there was nothing to keep him from signing the whole kit and caboodle to someone who is insincere. The fact that the developer says he will do something doesn't mean he will follow through. All the Commission has to go on, he said, is a plan of action, not a binding contract. Mr. Hayday made it clear he wasn't calling Mr. Levy a liar, he's just not liable to honor stated intentions. Mr. Hayday said that the Commissioners were being asked to change a zoning without knowing the property's specific use. He said it was possible that a steel mill or a lead smelter could be built on the property. Even if it is built and Mr. Levy follows all of the covenants with little impact, the land could still be sold to someone else. He said that the Commissioners were being asked to change zoning, they couldn't force a specific development. He said that 56% of national industries are currently in noncompliance with state and federal laws and that enforcement for those restrictions didn't exist. Mr. Hayday said that Missouri was ranked number one in water pollution and that the Sierra Club was opposed to the project because every other stream has been impacted in the area, except for Turkey and Bass Creeks.

Peter Noce, 1151 Nashville Church Road, Ashland, said that his children go to school in Ashland. He said he is against the rezoning because he lives downstream of the proposed project. Turkey and Bass Creeks, he said, are beautiful creeks and he has not seen any assurances offered to the Commissioners that the aesthetics of the creek will be maintained. He strongly recommended the Commission not approve the request. Mr. Noce said he did not have a financial stake in the project, the only reason he was speaking was because he lives down stream. He said that the development would cause wildfire development that would make the school system overflow with more students. He said the area needed slow development around urban areas instead of in the Ashland area. As far as he was concerned, Columbia is cancer and the development should be located near it.

Peter Yronwode, 301 N. Ann, Columbia said that there had been numerous comments in opposition and asked to speak to the specifics that had been stated. He said they had been encouraged to believe the park was a research entity and would be clean and pollutant-free. He asked that everyone think of the University of Missouri-Columbia and to consider its recent impact on water and air quality. He didn't feel there was any reason to suspect that the proposed development would do any better. He said not to forget that the businesses being proposed would generate solid waste and cause water and air pollution. Mr. Yronwode said he was opposed to the park.

He said if the land was rezoned and not farmed, then other, more sensitive land may be farmed, if the need for row crops increases. Mr. Yronwode said that the Environmental Protection Agency was working with agricultural issues concerning pesticide runoff to regulate its impact.

Mr. Yronwode recalled his own experiences in northern California and said he was driven to the midwest because of the increasing taxes in California. Individuals who want to remain on the land and farm will find it is no longer financially feasible and when they sell their property, they sell to developers for residential and industrial use until a vicious circle is created that continues to drive farmers from communities.

Mr. Yronwode said that there were already 600 acres zoned appropriately. He said that urban sprawl had entered the discussion, but there had been no discussion of wildlife. He asked that the

Commissioners resist the temptation to grant the request and said that local development should be done by local people.

Susan Fields 11500 JT Benedict Road, said that she had lived in Boone County all of her life and was living her dream on a farm that is bordered on the east side by Cedar Creek. She said if the developers asked permission to float their effluents through her property, the answer would be no. Ms. Fields said she was speaking as a neighborhood representative. Her neighborhood consists of Rock Bridge State Park, the Three Creeks Conservation area and an enormous amount of national forest. When she talked to a forest service employee, Ms. Fields learned that 200,000 people use the Cedar Creek Range area and that 49% of those people were Boone County residents. The area was used for hiking and picnicking and that 31% of the people who camp in the campground were also from Boone County. Ms. Fields said it didn't make sense to take a natural area and introduce urban development. When she talked to the Department of Natural Resources she learned that in 1990 when the DNR completed the upper Cedar Creek reclamation project, the total cost came to \$4.5 million. She said to dump sewage in it now was illogical. Recently, after a meeting with the Commissioners in the chambers, Ms. Fields took her children, her daughter is 3 1/2, her son is 7, to Devil's Backbone and told them to take a mental picture of the creek and to remember it all their lives. Her son asked her why they were doing that and she said because there was talk of changing Cedar Creek. Her son's response was, "They can't do that."

Nick Wiedemeier, 705 Medavista, Columbia, said that his family owns land around Devil's Backbone and he is opposed to the proposition. He said that the Commissioners should have another look at what the people had said this evening.

Charlie DuCharme, 871 Highway MM, Ashland agreed that runoff would be substantial and that storm water would have to be implemented properly. He said that the location and size of the basin, the rate of release and the percentage of impervious surfaces aren't specific. Buffer strips, he said, have to be adequate or there would be adverse impact. If these conditions aren't met, he said, there would be a bigger mess caused by the industrial park than from agricultural practices. He also said there could be stream vacation, which would add to sedimentation. When streams are channeled down, cutting initiates the watershed to cut into itself and it begins to erode quickly. The plan does not specify how things would be done to assure they would be done properly.

Mr. DuCharme said that the wastewater treatment plant would not be discharged into Turkey Creek, but didn't think it was a good idea to channel it to Big Branch, either. Big Branch is small and if the waste water is channeled through it, there would be nothing flowing through it but treated waste water. He said Cedar Creek has times when it does not flow. Mr. DuCharme said he wouldn't want one of his children playing in the creek in August. He also said he felt they'd been shown a distorted view of the soils in the area. Agricultural production has been high and he is proud of agriculture in Missouri and proud it's a high production state. He said he hoped that people would continue to see Missouri as a leader and research has found many new ways so agriculture has a reduced impact on the environment.

Donnie Wren, 6100 Loy Martin Road, Ashland, farms the 200-acre farm his mother owns on the west side of the airport. His reason for opposing the development was because of storm water damage on the proposed site. He said that 75% of the area would be covered by buildings and parking lots and that figure didn't include streets. It would be impossible, he said, to control runoff from the area. He submitted pictures of his mother's farm that gets a portion of the runoff from the airport. He showed a picture of a 2-3 foot deep gully that was on the farm land when the airport went in. Mr. Wren said that gully was never crossed. Currently the gully is 7 feet and 8 inches deep. Mr. Wren said the property may not be the most productive land in the nation, but if this land was taken, we may all become a little bit thinner. Mr. Wren was also concerned that the upgrade of roads like Rangeline and New Salem would encourage people to use backroads, rather than deal with the 800 cars per hour that will occur due to the proposed development. The proposed development, he said is outside of the Master Plan for future land use. He also said the site is directly in line with the northwest/southeast runway at the airport, putting it in an accidental risk area. The development, he said, was the first step leading to urban sprawl and Mr. Wren was afraid that the quality of life would be affected, area schools will be faced with more students and the district will be faced with another bond issue.

Ernie Wiggers, 8901 S. Ginn Lane, Columbia, said he was opposed for environmental reasons. Mr. Wiggers said that Commissioner Stamper had said that sewage would be transported into Big Branch and Cedar Creek and that now they were impacting two streams. Mr. Wiggers said that Big Branch runs through his back yard. He said that most commercial areas use fertilizers the environment can't afford to keep the grass green.

He asked the Commissioners if they had tried to get onto Highway 63 from access roads. He said it was almost impossible and you had to go at your own risk now that the speed limits were set at 70 miles per hour. He wanted to know how people would get access to I-70. He said there seemed to be an attitude of "if you build it, they will come." He said he still hadn't heard who will come and he had a major problem with that. Mr. Wiggers commented that once the developers had invested \$1 million they wouldn't be too selective in who they rented to. He also asked why, if the park is a research park, why there hadn't been negotiations with the university to see what kind of research is needed. Mr. Wiggers told the Commissioners that if they voted to approve the rezoning, they would change the quality of life in Southern Boone County in a negative way.

Ross Braun, 11801 Englewood Road, Ashland, said he lived four miles east of the airport and opposed the request as a matter of safety. His concern was with the Highway H intersection and said it was already dangerous. He said if it remained as it is, it would be okay, but any increase is a serious increase in danger. He was also opposed for environmental reasons and said that economic development can be sustainable without harming the environment. However, he said, it's not cheap and there's always a risk and he is concerned about the area because it is already an environmentally sensitive area. Mr. Braun said that he didn't think Boone County is ready for a development of this nature. The County doesn't have erosion or sediment control, though he said the plans were good and some laws were in place that would make the developers come close. He also said that the County is understaffed and would need to add inspectors. If everything works right, it will be fine, he said, but it was still a gamble of the environment against a financial endeavor and he didn't think that's something the County should do. He suggested passing regulations to meet environmental concerns, to look at the infrastructure and then to decide what locations are available for sustainable developments in the County.

Mark Haim, 1402 Richardson, Columbia, said he is a landowner in Southern Boone County and has strong ties to the County and to Columbia. He was speaking in opposition to the proposal and was concerned with the validity of a lot of the comments that had already been made. He said that realists like Mr. Van Matre, Mr. Farnen and Dr. Gantzer were professionals and pragmatic and realists. The plans they presented purported to answer environmental questions and they had sheets and studies to back up what they were saying, but Mr. Haim said, bottom line, they just don't get it. Even if the environmental skeptics are wrong and there are no sewage problems and nothing gets off the site to harm the streams, even if everything is done perfectly, Mr. Haim argued there would still be a huge problem in dealing with the growth. He said it was not possible to have infinite growth in a finite system.

Mr. Haim said they were proposing 1800 permanent jobs when it was common knowledge that Boone County has one of the lowest unemployment rates. People will be moving into the area demanding services and infrastructure. The development would line the pockets of the developers, while it will cost the citizens. New people will need more schools, more taxes and if 1,800 people come looking for jobs, the population could realistically grow to 3,000 because of children and families. He said there was a possibility of attracting thousands of people in a County that's already growing rapidly.

Mr. Haim said that these responsible people will have a profound impact by introducing thousands of people, thousands of cars and longer lines. He said they would be faced with temporary classrooms and more urban sprawl. He said it was good to recognize that growth was happening in the County, but that it was time to step on the brakes and to stop promoting it. Mr. Haim said it was time to look at creating a quality of life instead of a quantity.

Dale Helms, 200 Norma Lane, Ashland, said he was for the project. He said that in the original plan, Columbia and the County agreed that an industrial park was needed at the airport. He said the airport was designed and laid out for a project just like this one. Mr. Helms said he is close to the area and said that people had been concerned about the salt residues that would be carried by the increased traffic and said that with current farming regulations, more fertilizer enters the creek

because of agricultural practices than would 200 cars during a winter's time. He said again he was for the project.

Jane Flink, Hartsburg, asked the Commissioners to vote favorably on the Centre Pointe research project. Planned development near the airport has been approved by citizen committees and the Department of Natural Resources has not found particular grounds against the project. Southern Boone County Fire Protection District says they can adequately serve the area with Centre Pointe in existence and a Boone County regional sewer district official said he is not concerned about the infrastructure overburdening the current system. In brief, she said, Centre Pointe is a plus for Boone County, offering a balanced tax, the location has been approved by the citizens in the Master Plan, it offers protection for the environment and a site where adequate fire protection and adequate water supply is possible. She said the development would supply incremental growth under County oversight. Many people, she said, seem to feel if Centre Pointe is stopped then growth is automatically stopped. She said that land around the airport will continue to be developed and asked the Commissioners to vote in favor of the rezoning request.

David C. Westhoff, 13101 South Joy Road, Ashland, said he was a business owner, tax payer and president of the Ashland Area Chamber of Commerce. He said he wears a lot of hats and assured the Commissioners that the vast majority of people in the area support the project. The purpose of the Chamber is to promote business in the community and is in partnership to steer growth in a positive manner. He said that neighboring Columbia has one business for every four homes, while Ashland has one business for every fifty homes. Mr. Westhoff felt this was a dangerous imbalance between a residential and commercial tax base. He said everyone needed to work together to balance the tax base. He cited a recent release by the Census Bureau that showed an 11.8% growth in Southern Boone County with an estimated rate of growth at 75,000 residents over the next ten to fifteen years. That figure, he said, adds 990 students to the school district. The district will need \$2.5 million based on those figures. He said that as a business owner and resident of Southern Boone County, he is scared to death.

Mr. Westhoff said that when he moved to Ashland and built his store, his taxes were \$260 a year, that same building is now taxes at \$2,000 and he's heard talk of a five year reassessment.

On the issue of environment, Mr. Westhoff said that while he wasn't an expert, he found it hard to believe that the Department of Natural Resources, the Department of Conservation, the University of Missouri and the Environment and Energy Commission could not come up with a plan to make this work under reasonable guidelines and cost structures. There are always options and always solutions. The County plan created in 1972 says that the airport land should be used for industrial use. He applauded the Commissioners for bringing the public hearing to Southern Boone County since these are the people affected most by the industrial park. Mr. Westhoff said that Boone County citizens should be seen as doers and achievers promoting positive growth. This is the right place, he said, and now is the right time.

Keith Peterson, 6700 Highway Y, Ashland, said that he and his wife Mary were invited to school by their Chelsea, their granddaughter, a fourth grader in the Ashland school district. He asked her how many students were in her class and she said 20. He asked her how many rooms there were for the fourth grade and she said four. That makes 80 fourth graders, he said. He said Chelsea took him out to the playground and he watched hundreds of young children and as he listens this evening to all of these wonderful people, with their own points of view, he knows that in a few years those fourth graders are going to want homes. He said they're going to want homes, like he wanted a home. He said that those children were going to need jobs in order to buy those homes. Mr. Peterson said he believed that most of those children will settle in Boone County and said, with all respect to the state of Missouri, all those children can't work for the state or the university. He said that Boone County was a growth area and this area would grow in spite of everyone. Mr. Peterson said that he and his wife, Mary, will have lived in Ashland for 37 years this fall. He said that even though he sometimes disagrees with the Department of Natural Resources, he has a lot of confidence in the DNR and other government agencies. He said it was important to trust those government agencies and to let the research project go through so Southern Boone County could have a good environment, jobs and a strong economy for the schools.

Ralph LaFoy, 14170 Highway DD, Ashland, said he is a father, husband, business owner and has lived in Ashland for 16 years. He said that there had been a lot of talk about the environment, traffic and the quality of life. The quality of life in Southern Boone County changes every year, he said. His children have grown up here and the area is clean and family oriented and will continue to be that way. People move to Southern Boone County, he said, because it's a nice place to live. Those in favor and in opposition of the research park didn't walk to the hearing, they didn't ride bikes, they drove their cars. Ours is a polluting society, he said, and the best we can do is to minimize what we do. He said we continually pave and concrete, grow and cut down and the question becomes whether or not this land use is the right land use. Mr. LaFoy said he believes it is. If the airport wasn't nearby, he argued, there wouldn't even be a hearing. In regards to concerns for traffic, he said that until recently, there hadn't even been a flashing yellow light on Highway 63 and that an outer loop linking Columbia to the southern end of the County is inevitable. He said he wanted his children to grow up in this community knowing that the best was done to let growth occur at the same time it was controlled. He wants his children to have the opportunity to stay home and make their livings like he has made his. Mr. LaFoy said he was submitting a petition, signed by Southern Boone County residents, in favor of the research park.

David Mans, 209 Ash, Ashland, said that he is a 33 year resident of Boone County and has spent 20 years in Ashland. His daughter goes to school in Ashland and he feels that most of the problems with economic outlook are due to Mr. Greenspan and not to the issues brought up during the hearing. He asked how many people worked in the biotech field and said that the park's potential businesses may involve importing workers from other countries. If it takes four new homes to pay for one student, he reminded people that the state picks up half of that figure, so in reality it takes two houses to support a student. He was also concerned with the TIF discussion and said that even though the current Commission may be opposed to it, he has a feeling they may want to become involved in other political arenas. He asked if Universities become involved in the park, are they taxable entities? He wanted it clarified that even though there had been discussion about taxes generated, he wanted to know the nature of the groups buying into the development park and if they would be taxable. The traffic conditions have been belabored, he said, but he was concerned with the three school buses that travel the route in question. He was also aggravated that the developer, Mr. Levy, uses his hired people to talk for him. He said if Mr. Levy would speak then the community might be able to get a feeling for his vision of Southern Boone County. Mr. Mans also said that agriculture was the basis of the strength of Ashland and was the reason most of the residents were there. He said that South Korea is predicted to run out of food in mid-April.

John John, 1001 LaGrange Court, Columbia, said that he owns 200 acres traversed by Turkey Creek and 300 acres upstream is owned by his father. He said he could remember a time when Ashland residents dumped their trash there. He said the developer had put together a lot of nice paperwork, but that there are no guarantees. He said if the developer could provide guarantees, then it wasn't a bad proposal, if not, then it was a very bad proposal. CG zoning provides for laboratories, research, experimental or testing and a business can do warehousing and wholesaling in CG zoning. Mr. John said he is familiar with CG zoning because he put a facility in Sturgeon that was fought by the residents and he was forced to get a conditional use permit.

Mr. John said the reason the airport was moved to the Ashland location was because that was the only place where the FAA would fund it. Mr. John said he spent 12 years in California's Silicon Valley and said that high technology is not clean industry. In California, he said, if a development catches on fire, firefighters walk away from it and let it burn. Computer layouts tell them where the plume of smoke will go so they can evacuate people downwind. Firefighters can't fight industrial fires with water because of the chemicals. A planned industrial park, he said could include meat packing, textile and paper mills, chemical plants and recycling. He suggested if folks wanted a research park they needed to find one, otherwise, they were looking at an industrial park. He also said if there should be a spill, cleaning it up means dumping 20,000 gallons of water on it. That was not something to take lightly, he said.

Charles Timberlake, 9221 South Route N, Columbia said he has operated a livestock farm since 1973. He said he didn't know that Boone County residents were so dumb that they were polluting the streams and needed to be rescued by a developer on his way from China. Mr. Timberlake said he was reminded of an old Holstein he used to own, an old long-faced girl. He said he thought he might load her up and show her how she has ruined the County and how paving is better than

agriculture. He said he felt the development would have a more devastating impact on traffic problems than most realize. He said he is not a naysayer, he bases his conclusions on research. Mr. Timberlake said that development of Highway 750 would begin on I-70.

Commissioner Stamper said that the public hearing was not for Highway 750 and would Mr. Timberlake please direct his comments toward the issue at hand.

Mr. Timberlake said there would be immediate discussion regarding Highway 750 if the park is approved. The sooner the spot zoning is approved, the sooner Highway 750 will be built through the areas everyone is worried will be impacted by the industrial park.

Dee Dokken, 208 Sanford Ave., Columbia, said she is a member of the Greenbelt Coalition, an organization that represents 100 individuals, 15 organizations and 1,500 households. She said they were opposed to the development for reasons that have already been mentioned.

Jerry Carrington, 729 Demerat, Columbia, said that one of the real problems was the airport and that the airport was going to be a success. Mr. Carrington suggested that the people in Ashland need to be on committees because their attitudes are not the same as those in Columbia concerning the master plan. He said there were a number of ways the environmental problem could be solved rather than just going along with the plan.

Mitchell Bennett, 1002 E. Fox Hollow Road, Ashland, said he was born in Ashland in 1931 and his father owned the farm before Mr. Bennett bought it a few years ago. The property in question was said to be rocky by the economic developer. That's true, said Mr. Bennett, but it's good land, good cattle land and good goat land. His father dug a living out of that land. Mr. Bennett was concerned about the springs that run year round. The spring surrounded by a housing development has become contaminated and Mr. Bennett lost a cow who drank from that spring. He said he knows we need progress, and there has to be development, but thinks that there are a lot of problems with development and if this property is rezoned, everyone with land to the west will see an affect from the rezoning.

Don Wilson, 1500 Leo Smith Road, said is a life long resident of Southern Boone County. He said he has enjoyed living in the County. He said there were people afraid of the park if it goes in and he is afraid of what will happen if it doesn't go in. Mr. Wilson said the school district almost ran out of funds while completing the Middle School building and the district is saying that within the next three years they will need to build another elementary building and he doesn't know where those funds will come from. What he sees now are portable classrooms, and he considers them to be a drain on the school system. The residential tax base will not be able to continue to support the growth. People have been asking for more things in town, better grocery stores and commercial sales so they don't have to go to Columbia for the things they need to buy. People will not invest here, he said, unless there's support for it. He urged the Commissioners to support the rezoning for the sake of Southern Boone County.

Ralph Goetting, 7020 Angel Lane, Ashland, said he took exception to the agricultural rating given to the land. He said the land is prime ground and that the Three Creeks area runs high at the end of the winter. The figure of five tons of runoff is inaccurate, he said. As a member of the Boone County Soil and Water Board he said the farm is in compliance with the runoff plan of three tons per acre. He urged the Commissioners to think carefully on the issue because it affected a lot of lives, the environment and ways of life.

Gene Windmiller, 705 Medavista Dr., Columbia, owns property downstream on Cedar Creek. He said that all of his concerns had been voiced and if something sounds too good to be true, it probably is. Boone County needs to have some regulatory controls in place before it accepts the plan.

Donna Prather-Bennett, 11604 Clinkenbeard Road, Ashland, said she was born and raised in Boone County and her mother is a business owner in Ashland. She said she is strongly opposed because the proposed park would not only bring environmental problems, it would affect Ashland's way of life. She has stayed in Boone County because she loves Ashland and is insulted by the supporters of the project who say there are folks who are afraid of progress. She said she looks to progress. She graduated from the Ashland schools, her children attend school here and

she wants it to be a successful institution. She does not believe the park is necessarily the answer. She said there was a moral obligation as a community and as the people who live in Ashland to look beyond the money to see what a project of this magnitude might bring. The things that could go wrong may go wrong, she said, and said that she was sure that Exxon had rules and regulations they had to follow and that clean up there has not stopped. She asked the Commissioners to think about the people who live in Ashland and she wanted them to know that she enjoys her way of life and hopes they will take that into consideration.

Cliff Nahler, 4301 E. Pearman Road, Ashland, said he had looked at the property in question and he had screwed up tremendously by not buying it. He asked if the park was for personal gain or the gain of the community. He said that needed to be determined and he hadn't heard too much of that tonight. He spent a week this winter working on a special watershed district and the goal of the Commission was to set the guidelines for the formation of a water district. The goal was to improve water quality. Before it was over with he was convinced that it would be close to impossible to maintain water quality.

Dr. Gantzer responded to the testimony by saying his intent was not to bash agriculture, but to say that a majority of the problems are related to agriculture. He stood corrected from the gentleman on the Soil and Water District board in terms of the amount of soil erosion that would occur. The waste water facility proposed by the plan would be one of only a handful in the state.

Mr. Boland said again the development raised the chicken or the egg question and asked how could a developer capture the interest of major companies when the zoning wasn't in place. He said Missouri is the Show Me state and people said show me the zoning, the place, and then they would take a look at it. Things don't work the other way, he said, with respect to cost, if in fact the development skews toward the office research side, where costs for building would be higher than if the project skewed toward distribution. He said it was hard to predict the final cost of a development.

Mr. Van Matre said that what had been stated as intended by the developer would be done. He said if the Commissioners wanted to make regular inspections part of the conditions, that would be acceptable. He said the plan had grafted conditions that are enforceable and penalties that made it impractical to violate. He said there were plenty of incentives to keep them away from violations. If there was a part of the plan that was considered too indefinite they would make it more definite. If there was a part of the plan considered not enforceable it would be made more enforceable.

The public hearing was closed at 11:30 p.m.

Commissioner Stamper told the audience that it was difficult to hear the testimony and then to make a decision. He said the Commissioners had chosen to step back from the biggest hearing ever held in Boone County in order to carefully analyze the issue. He said that their actions from this point forward would be public and part of the public record.

He thanked the Ashland School District for hosting the public hearing. Commissioner Stamper said they held the hearing in Ashland because it was the area on which the proposed industrial park would have the greatest impact. He said it would have an affect on the entire county, but no greater affect than in Ashland.

Commissioner Stamper said the proposed park was the largest issue the Commissioners have had to deal with since they'd been in office. He said that there have been four or five big issues in the six years since he'd been a commissioner, but that the issues were becoming more frequent. He said the proposal was not a case of the city invading the country, he said it was a call for quality, balance and planned economic growth.

Commissioner Stamper said that in a discussion he had had with the County Assessor, he learned that the growth and assessed value for the Columbia public school was greater than the entire assessed value of the district. He said the Commissioners were sympathetic to the call for balanced growth and at the same time they understood the concerns regarding urban sprawl. He said the Commissioners were walking a tightrope. Commissioner Stamper told the audience that their decision would be based on whether or not the research park was appropriate land use. He

thanked the people who spoke for being courteous, factual and for conducting a good public hearing.

Commissioner Miller thanked the audience for the opportunity to have the public hearing. She said she had talked with many of her Ashland constituents and that she felt she was playing devil's advocate and could argue the issue either way. However, she said, a couple of good things have come out of the hearing, one of those is the process. Commissioner Miller said the hearing had opened up the process so that citizens feel they have the right to ask the Commissioners address their concerns. She said the Commissioners have looked under every rock to find out everything they could to protect the environment, to address citizen's concerns and to look for solutions to those concerns.

Commissioner Miller said that many people have asked her what part of no didn't she understand. She explained that in Missouri there are property rights and everyone should be treated the same and have the right to appeal and that was what the public hearing was accomplishing. She said that the Commissioners have been gathering information regarding storm water and erosion control, but have not made it a priority. This issue has brought those needs into focus. Commissioner Miller said she would vote from the most thorough evaluation, utilizing facts and keeping her emotions out of her decision.

Commissioner Vogt thanked the Ashland residents for their hospitality. She said she appreciated the kind words that were spoken from the heart. She said there were a lot of people involved in the issue and that it would take all of those people telling the Commissioners their concerns. Commissioner Vogt said that during the hearing she kept thinking of possible compromises and said that in the weeks ahead maybe they could come up with solutions to the issues of storm water, waste water and traffic. Those seemed to be solvable issues. She said that when people begin to talk about their quality of life, she didn't see how there could be a compromise.

Commissioner Vogt said that she had heard several comments from people who were not familiar with comprehensive planning in Boone County. She said she had been a part of that process and there had been a lot of discussion regarding farm property and how it should be dealt with. The bottom line was that farmers didn't want to be restricted from using their property, even if it meant development, so that is what Boone County planned for the immediate future.

She thanked the audience again for their involvement in the community and said the Commissioners would make the best decision.

The meeting was adjourned at 11:45 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner