

**TERM OF COMMISSION:** June Session of the May Adjourned Term

**PLACE OF MEETING:** Boone County Government Center Commission Chambers

**PRESENT WERE:**  
District I Commissioner Karen M. Miller  
District II Commissioner Linda Vogt  
Deputy County Clerk Michelle Malaby  
County Counselor John Patton

The County Clerk previously appointed Commissioner Miller to act as Presiding Commissioner. The regular meeting of the County Commission was called to order at 9:34 a.m.

**SUBJECT: Accept Rosadene Lane for Maintenance**

Public Works Department surveyor David Piest distributed a map showing the location of the property and described the road as a rock road, 2281 feet in length, including a cul-de-sac at its terminus. Quit claim deeds have been signed by the property owner.

Commissioner Miller asked is the length of the cul-de-sac a problem?

Mr. Piest replied Public Works Director Stan Elmore must not think it is a problem in that he signed the road maintenance acceptance certificate.

Commissioner Vogt moved that the County Commission of the County of Boone accept Rosadene Lane as a County road and authorize the acting Presiding Commissioner to sign the road maintenance acceptance certificate.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 313-95.**

**SUBJECT: Designate Assistant Public Works Director as Boone County Agent for Purpose of Obtaining State and Federal Financial Assistance Through Disaster Relief Act**

Commissioner Miller stated Mr. Abart was the County's agent for the 1993 flood. It makes since for him to continue in that role for the 1995 flood.

Commissioner Vogt agreed, stating he did a good job, and moved that the County Commission of the County of Boone designate Assistant Public Works Director Frank Abart as the Boone County agent for the purpose of obtaining State and Federal financial assistance through the Disaster Relief Act. The acting Presiding Commissioner is authorized to sign the document.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 314-95.**

**SUBJECT: Authorize Disposal of Fixed Asset: Inoperable Cellular Telephone**

Commissioner Miller stated an inoperable cellular phone from the Sheriff's Department was replaced with a new cellular phone under the County contract for cellular telephone service.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the disposal of a cellular bag telephone, serial number 140105, fixed asset tag number 7346, through trade for a new cellular bag telephone.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 315-95.**

**SUBJECT: Appoint Assistant County Counselors**

Commissioner Vogt stated last week the Commission briefly discussed providing legal support for the County Constitution Commission. She would like to postpone action on the item. She would like to talk with Steve Scott, who is proposed to provide the legal support, and receive a budget from the County Constitution Commission.

Commissioner Miller agreed.

Auditor June Pitchford commented she spoke with County Constitution Commission Chair Keith Schnarre who indicated he understood the County could not pay for expenses until a budget has been created. They need direction on what the County Commission expects from them.

In regard to appointing the other assistant County Counselor, Mr. Patton stated he will be absent next week. He requests the Commission pass an order authorizing him to appoint assistant County Counselors, at his expense, to cover commitment hearings in his absence. He realizes the authorization is in his contract, but it would be helpful to have a separate Commission Order to provide to the court when a substitution is necessary.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the County Counselor to appoint Assistant County Counselors at his own expense from time to time as necessary to cover commitment hearings as authorized by section 631 and 632 RSMo.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 316-95.**

**SUBJECT: Pin Oak Sanitary Sewer Neighborhood Improvement District Design Costs**

Ms. Pitchford stated Manager of Design and Construction Tom Ratermann contacted her last week to ask how to pay for design costs. The Public Works Department provides the design for road neighborhood improvement districts (NID). Upon Commission approval of the project, costs incurred by the Department for the design are charged to the NID budget. This is the first sanitary sewer NID. Although the NID has been formed, there is no budget and there will not be until the project is approved. She has no authority to pay the bills. The possibility also exists that the project will not proceed as a NID.

Mr. Patton agreed a budget is needed for the project. The County cannot enter into a design contract if funds are not available for payment.

Commissioner Vogt stated she thought funds had been set aside.

Ms. Pitchford replied she reviewed Commission minutes pertaining to the Pin Oak project. They indicate the Commission would ask the Treasurer to pursue inter-fund borrowing to finance the project. No funds have been budgeted, because the project has not been approved.

Commissioner Miller stated the Boone County Regional Sewer District could pay for the design work. They can use the design whether the project proceeds as a NID or not. They could charge the costs to the NID once the project is approved.

In response to a question from Commissioner Miller, Mr. Ratermann replied the cost is estimated at \$35,000, or ten percent of the estimated project cost. The County might need a contract with the Sewer District outlining who will pay the design costs.

Mr. Patton agreed. The existing agreement with the Sewer District might suffice. If it does not, he will prepare a short agreement. Costs are chargeable under the assessments provided the County is ultimately responsible for the costs.

Commissioner Miller requested the item be placed on the agenda for next Tuesday.

In response to a question from Ms. Pitchford, Mr. Ratermann replied it will take at least 90 days for the final design to be prepared.

Ms. Pitchford stated she prefers the alternative being discussed. She prefers the County not appropriate money until the neighborhood improvement district project is approved.

Commissioner Miller stated that is also her preference, but she will not hold the project up for the amount of money being discussed. The project needs to be done.

**SUBJECT: Discuss Diamond Council Agreement**

Commissioner Vogt stated the Commission needs to discuss any desired changes in the pending agreement. She advised Mr. Patton the agreement should allow the property to be used by any Boone County citizen even though it is managed by the Diamond Council. Mr. Patton advises that is in the contract.

Mr. Patton reviewed the agreement as it is currently prepared. Unresolved issues include a provision to not permit small motorized recreational vehicles (such as motorcycles or off road vehicles) and hours of operation. Prohibited uses and hours of operation were removed from the last draft of the agreement prepared by Skip Walther. Mr. Patton stated he needs to know how much control the Commission wants regarding the use of the facility.

Commissioner Miller stated she wants the hours of operation included in the agreement.

Mr. Patton stated it could be said the facility may operate from 7:00 a.m. to 11:00 p.m. Other hours of operation must receive the prior approval of the County Commission.

The Commission agreed. The Commission also requested the prohibited uses be placed back in the agreement.

**SUBJECT: Reports from Commissioners**

Commissioner Miller reported the Boone Retirement Center Board of Directors received presentations from five architectural firms whose specialty is health care facilities. A wide range of approaches were presented. A special meeting will be held next Monday at 5:00 p.m. to narrow the selection to two to three firms. The Board requested she ask whether the meeting could be closed to the public.

Mr. Patton replied no.

Commissioner Miller stated for the certificate of need, the site for the facility and the architect must be identified by July 7, 1995. The certificate of need can be amended until July 23, 1995.

The meeting adjourned at 10:11 a.m.

**ABSENT**

Attest:

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Don Stamper  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner