

TERM OF COMMISSION: June Session of the May Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

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

The regular meeting of the County Commission was called to order at 9:33 a.m.

**SUBJECT: Call Use Tax Election**

County Clerk Wendy S. Noren stated she used the language in HS SS SB 981 with the exception of one word. She changed the word local to county as it refers to the sales tax rate in the proposition. She discussed it with the City of Columbia and they decided that word would be confusing to voters who have both questions. The City was going to have their proposition say total *city* sales tax rate. She added a provision that she must certify the results by the 15th of August because the county is required to notify the Director of Revenue by the 16th of August in order to have the tax take effect in October. The City of Columbia is also calling the issue Proposition 1. Centralia is calling it Question 1.

Commissioner Vogt stated she believes it is the commission’s responsibility to place the issue on the ballot. It is the citizen’s decision as to whether they want the tax collected.

Commissioner Miller commented the state has been collecting use tax for twenty years. She believes the rate should equal the local sales tax rate.

Commissioner Stamper moved that the County Commission of the County of Boone, pursuant to the provisions of 144.757 RSMo., as amended by HS SS SB 981 of the 1996 General Assembly, hereby imposes a local use tax at a rate equal to the total county sales tax rate provided that if any county sales tax rate is repealed, reduced or raised by voter approval the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the county sales tax rate. Said tax shall be not be effective unless approved by a majority of votes cast by the qualified voters of said county voting at the election to be held on Tuesday, the 6th day of August, 1996.

The County Commission of Boone County hereby calls said election to be held on Tuesday, the 6th day of August, 1996 from and between the hours of 6:00 a.m. and 7:00 p.m. to vote on the proposition contained in the following Notice of Election and Sample Ballot.:

**NOTICE OF ELECTION**

Notice is hereby given to the qualified voters of the County of Boone, State of Missouri, that the County Commission of said County has called for an election to be held on Tuesday, the 6th day of August, 1996 from and between the hours of 6:00 a.m. and 7:00 p.m. to vote on the proposition contained in the following Sample Ballot:

**OFFICIAL BALLOT  
COUNTY OF BOONE, MISSOURI  
TUESDAY, AUGUST 6, 1996**

**PROPOSITION 1**

**Shall the County of Boone impose a local use tax at the same rate as the total county sales tax rate, currently 1 percent (1%), provided that if the county sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out of state vendors do not in total exceed two thousand dollars in any calendar year?**

YES

NO

**INSTRUCTIONS TO VOTERS: If you are in favor of the proposition, darken the oval opposite the word "YES". If you are opposed to the proposition, darken the oval opposite the word "NO".**

The County Clerk and Election Authority is hereby authorized to conduct said election under the provisions of Chapter 115 RSMo. and to certify the results of said election not later than the 15th day of August, 1996.

Commissioner Vogt seconded the motion.

Commissioner Stamper stated local vendors are at a disadvantage if out of state vendors do not have to support the local community. This is a way of engaging them. It is the people's choice.

Commissioner Vogt stated she believes Boone County received \$57,000 per month in use tax.

Ms. Noren replied the amount of use tax funds received was based on a formula which allocated the tax statewide. The county does not know the amount of revenue this tax would generate. The Department of Revenue has not given estimates. Several people have requested the Governor's Office persuade them to provide estimates.

Motion passed unanimously. **Order 339-96.**

**SUBJECT: Budget Amendment: Election Reimbursement and Purchase of Pagers**

Ms. Noren stated she leased pagers for use at polling places for the November, 1995 and March, April, and June, 1996 elections at a cost of \$2.50 per day. The County can purchase pagers at \$90 each. The price is less than the County's current contract for pagers, as is the air charge. They will only charge for days the pagers are on. She had hoped to purchase two way pagers. Unfortunately, that service will not be available in this area for several years.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the following budget amendment, waiving the ten day comment period:

<u>Organization</u>	<u>Account</u>	<u>Account Title</u>	<u>Decrease</u>	<u>Increase</u>
1132	03526	Reimbursement for Election		\$6,500
1132	91300	Elections & Registration Machinery & Equipment		\$8,550
1132	85900	Election Expense	\$8,550	

**Explanation:** To purchase pagers to use during elections. 90 pagers at \$95 each equals \$8,550.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 340-96.**

**SUBJECT: MKT Trail Change Order No. 2**

Public Works Department Manager of Design and Construction John Smith presented the change order which includes the addition of geotextile fabric to strengthen the subgrade and culvert pipe as necessary. The project should be under budget by \$20,000. If so, they will likely perform additional landscaping.

In response to a question from Commissioner Stamper, Greg Edington of the Public Works Department replied the grant from the State of Missouri includes a 20 percent local match.

Commissioner Miller moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached Boone County MKT Recreational Trail Change Order No. 2.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 341-96.**

In response to a question from Commissioner Stamper, Mr. Edington replied the trail should be complete the end of this week or the beginning of next week, barring additional rain.

**SUBJECT: Agreement for Material Testing Consulting Services**

Mr. Smith stated to assure the use of quality materials on road construction projects, the materials need to be tested. The testing will probably include gradation testing, compaction testing of subgrade, compaction testing of asphalt and miscellaneous testing.

In response to a question from Commissioner Stamper, Mr. Smith replied they believe they can cover the cost of the service within the existing budget.

Commissioner Vogt moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached agreement with Engineering Surveys and Services for materials testing consulting services.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 342-96.**

**SUBJECT: Authorize Presiding Commissioner to Sign Road Improvement Project Change Orders Which Do Not Exceed \$5,000**

Commissioner Miller stated the authorization is consistent with that given on other capital improvement projects.

Commissioner Miller moved that the County Commission of the County of Boone authorize the Presiding Commissioner to sign road construction project changes orders which do not exceed \$5,000.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 343-96.**

**SUBJECT: Discuss Right-of-Way Acquisition for Maintenance Projects**

Public Works Department Director Frank Abart stated they have reached the point on maintenance projects where they have acquired easements from all willing property owners. A decision needs to be made as to whether to condemn remaining right-of-way property owners are unwilling to give. Eminent domain is the last option they want to pursue.

Mr. Smith added the only other options are to pave the remainder of the road, leaving the sections in question unpaved or to build the road without easements.

Following discussion, the commission agreed after the Public Works Department has made every effort to obtain necessary easements or right-of-way, a County Commissioner should make one last attempt. If they are unsuccessful, the county should proceed with condemnation.

Mr. Patton noted it will be more cost effective and efficient to condemn as many properties at one time as possible.

**SUBJECT: Authorize Increase in Expenditure for Architectural Fees**

Commissioner Stamper moved that the County Commission of the County of Boone direct the Boone County Auditor to amend the Government Center Capital Project fund to increase the expenditure for architectural fees by \$20,000.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 344-96.**

**SUBJECT: Reports from Commissioners**

Commissioner Stamper stated the county has come to terms with developers of Arrowhead Lake Subdivision regarding acceptance of the streets for maintenance. Former Public Works Director Stan Elmore verbally committed to accept the streets. The company which constructed the streets was reluctant to perform further improvements because they felt they had accomplished all they had been asked to.

Commissioner Stamper left the chambers.

Commissioner Miller reported the Boone Retirement Center Board extended the bid opening date for their new center.

Commissioner Vogt reported she was not pleased with the most recent drawings of the Centralia clinic. She plans to discuss them with the architect.

Commissioner Miller stated the Health Department expressed interest in using the Centralia clinic for monthly health screenings.

Commissioner Vogt reported she attended a farewell party for Sheriff's Department Deputy Mark Wilson. He is going to be a Missouri State Highway Patrolman. His service to the county has been admirable. He will be missed.

The meeting adjourned at 10:05 a.m.

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