

TERM OF COMMISSION: January Session of the November 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 Ashley Williams

The regular meeting of the County Commission was called to order at 9:35 a.m.

SUBJECT: Public Hearing for the Fairway Meadows Sanitary Sewer Neighborhood Improvement District

Mr. Tom Ratermann spoke on behalf of the Boone County Regional Sewer District for the formation of the Fairway Meadows Sanitary Sewer NID. He asked that the Commission consider a 20-year pay back period as opposed to the County’s current policy of a ten year pay back. Twenty years, he said, is consistent with their current payment schedules for the state revolving fund.

Treasurer Kay Murray agreed that a 20 year pay back program would be appropriate for this NID only.

Commissioner Stamper convened a public hearing.

Jerry Carrington, 609 Nebraska, in the Fairway Meadows Subdivision said he was concerned with what exactly was scheduled to happen to the Fairway Meadows Subdivision.

Bob Alderson, from the Boone County Regional Sewer District, said the Fairway Meadows NID was in conjunction with the Pin Oak NID, adjacent to Fairway. He said the goal was to eliminate both lagoons in the subdivision. As improvements are made all over the County, he explained that costs to sewer district customers will rise 4% a year.

Mr. Carrington asked if the subdivision would be annexed into the city.

Commissioner Stamper said that would require a vote from the subdivision.

Commissioner Stamper closed the public hearing.

Commissioner Miller moved that the County Commission of the County of Boone adopt:

AN ORDER DETERMINING THE ADVISABILITY OF THE FAIRWAY MEADOWS SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT

WHEREAS, pursuant to the authority of Sections 67.453 to 67.475, inclusive, RSMo., titled the Neighborhood Improvement District Act (the “Act”), proceedings have been undertaken for certain improvements for a neighborhood improvement district in Boone County, Missouri;

WHEREAS, a petition signed by owners of property within the proposed neighborhood improvement district has been filed with the Boone County Clerk requesting improvements designated as the Fairway Meadows Sanitary Sewer Neighborhood Improvement District (the “Project”), said petition stating (a) the project name for the proposed improvement, (b) the nature of the improvements, (c) the estimated costs of the improvements, (d) the duration of the assessments for the improvements, (e) the boundaries of the improvement district to be assessed, and (f) the method of assessment;

WHEREAS, said petition has been examined by the Boone County Clerk and found to have been signed by the owners of more than two-thirds by area of all property within the proposed district; and

WHEREAS, the County Commission of Boone County, Missouri formed the Fairway Meadows Sanitary Sewer Neighborhood Improvement District and set a public hearing date at 9:30 a.m. on January 27, 1998 in the Boone County Commission Chambers by Commission Order 4 – 98 on January 6, 1998, a true copy of said order being maintained in the office of the Boone County Clerk; and

WHEREAS, plans and specifications have been prepared and are on file in the office of the Boone County Clerk.

NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County Commission of the Boone County, Missouri hereby finds and determines that the petition requesting the Project is complete and proper in all respects.

Section 2. The County Commission finds and determines that the Project is advisable.

A. The project name for the Project shall be:

Fairway Meadows Sanitary Sewer Neighborhood Improvement District

B. The nature of the improvements to be made shall be as follows:

Constructing and improvement of sanitary sewers, manholes, force mains, and pumps and appurtenances thereto for collection and treatment of sewage within and around the District.

C. The estimated costs of the proposed improvements is \$502,000.00, all of which will be assessed against the property within the District. The final cost of the Project assessed against the property within the District (and the amount of general obligation bonds of Boone County, Missouri issued therefor) shall not exceed the estimated costs by more than 25%.

D. Assessments against the property within the District will be in substantially equal annual installments over a period of not more than twenty (20) years.

E. The boundaries of the Neighborhood Improvement District to be assessed for the costs of the improvements are described in Exhibit A attached hereto. The District is located entirely within Boone County, Missouri, and is not located in whole or in part within the limits of an incorporated city.

F. The proposed method of assessment is: Final improvement costs shall be assessed against all lots/tracts as one assessment and shall be payable in not more than twenty (20) equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone.

Section 3. The improvements in the Project are hereby authorized.

Section 4. The proposed construction and improvement of sanitary sewers, manholes, force mains and pumps and appurtenances thereto for collection and treatment of sewage within and around the Fairway Meadows Sanitary Sewer Neighborhood Improvement District be approved and orders the project coordinator to proceed with the project as outlined in plans and specifications on file in the office of the Boone County Clerk. Said plans and specifications may be amended as needed by the County Commission.

Section 5. The County Commission does hereby authorize the Treasurer to finance the project through the issuance of temporary notes and general obligation bonds.

Section 6. The County Commission does hereby adopt the following resolution:

RESOLUTION OF THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, DETERMINING ITS INTENT TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES IN CONNECTION WITH THE FAIRWAY MEADOWS SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT,

Be it hereby resolved that Boone County, Missouri (the "County") expects to make capital expenditures (the "Expenditures") in connection with the Fairway Meadows Sanitary Sewer Neighborhood Improvement District Project, (the "Project") on and after the date hereof, and intends to reimburse itself for the expenditures with the proceeds of Neighborhood Improvement District bonds or other obligations to be issued by the County (the "Obligations").

Be it further resolved, that the maximum principal amount of obligations expected to be issued for the project is \$502,000.00.

Section 7. This Order shall be in full force and effect from and after its passage by the County Commission.

Passed by the County Commission of the County of Boone this 27 day of January, 1998.

Commissioner Vogt seconded. Motion passed unanimously. **Order 23-98.**

Commissioner Miller moved that the County Commission of the County of Boone adopt the following:

ORDER FOR NOTICE OF FORMATION OF FAIRWAY MEADOWS SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT AND ASSESSMENT OF PROPERTIES WITHIN DISTRICT FOR COST OF IMPROVEMENTS

WHEREAS, pursuant to the authority § 67.453 – 67.475 RSMo, titled "The Neighborhood Improvement District Act (the "Act"), The County Commission of Boone County, Missouri ordered the creation of the Fairway Meadows Sanitary Sewer Neighborhood Improvement District by Commission Order No. 4-98 on January 6, 1998, a true copy of said order being maintained in the office of the Boone County Clerk, and

WHEREAS, the Fairway Meadows Sanitary Sewer Neighborhood Improvement District is currently comprised of the real properties shown and described in the attached list of properties for said District, and

WHEREAS, the properties within said district which are benefited by the improvements within the district are subject to assessment for the cost of the improvement in accordance with the Act, and

WHEREAS, the County Commission deems it advisable to give public notice in the public land records of Boone County of the formation of the District and potential tax liens which may be asserted against properties within the district benefited by the improvements in the event

the improvements are constructed in accordance with and under authority of the Act.

NOW THEREFORE, the County Clerk of Boone County is hereby ordered to record a copy of this Order for Notice within the land records of Boone County, Missouri to notify any and all persons with an interest in the subject properties shown and described within the attached listing have been declared a part of the Fairway Meadows Sanitary Sewer Neighborhood Improvement District, that said properties benefited by the improvements are subject to assessment in accordance with the Act and that the properties subject to said assessments will be determined by the order of the County Commission subsequent to this notice establishing the final assessment roll for the cost of the improvements in accordance with the Act.

All interested persons are further notified that complete records of the proceedings with respect to the Fairway Meadows Sanitary Sewer Neighborhood Improvement District are maintained as public records in the files of the office of the County Clerk of Boone County, Missouri and may be inspected and copied during normal hours in accordance with the law and the policies of the County.

This Order for Notice is passed and effective on the 27 day of January, 1998.

Commissioner Vogt seconded. Motion passed unanimously. **Order 24-98.**

SUBJECT: Public Works Budget Revision for 1997

Commissioner Vogt moved that the County Commission of the County of Boone approve the following budget revision:

Dept.	Account	Account Title	Transfer From	Transfer To
2045	71100	Outside Services	\$258,000	
2040	26201	Vendor Hauled Rock		\$258,000

Explanation: To correct major problems on gravel roads north of I-70 and to close out 1997 budget.

Commissioner Miller seconded. Motion passed unanimously. **Order 25-98.**

SUBJECT: Boone County Equalization and Maintenance Plan January 1, 1998 through December 31, 1999

Assessor Tom Schauwecker submitted the Boone County Equalization and Maintenance Plan as required by state law.

Commissioner Stamper moved that the County Commission of the County of Boone approve the County Equalization and Maintenance Plan, January 1, 1998 through December 31, 1999.

Commissioner Miller seconded. Motion passed unanimously. **Order 26-98.**

SUBJECT: Major Thoroughfare Plan Revision

Commissioner Stamper said that the Major Thoroughfare Plan had been brought back for additional discussion.

Planning and Building Inspections Director Stan Shawver said the Commission had cited concerns about the potential obligation to improve roads to a certain level. He said they had been relieved of that concern as the revision is merely a reflection of the true designation.

Commissioner Stamper asked for public comment. There was none.

Commissioner Miller moved that the County Commission of the County of Boone approve the Major Thoroughfare Plan Revision as presented in the CATs hearings and authorize the Presiding Commissioner to sign the revised document.

Commissioner Vogt seconded. Motion passed unanimously. **Order 27-98.**

SUBJECT: Transfer of Conditional Use Permit for Rocky Fork LLC

Mr. Shawver explained the request to transfer the conditional use permit for Rocky Fork LLC to the new buyers of the rock quarry and asphalt plant at 6791 North Highway VV, Columbia, Missouri. Mr. Shawver said the conditional use permits automatically transferred with the land, but the new owners would be more comfortable knowing the permits had been transferred.

Commissioner Stamper moved that the County Commission of the County of Boone consent to and approve of the assignment and transfer of Conditional Use Permits dated July 1, 1997, as ordered and approved July 8, 1997, and bearing the Commission’s Order Number 310-97, and relating to a rocky quarry and asphalt plant at 6791 North Highway VV, Columbia, Missouri, by Richardson and Bass Construction Co., a Missouri corporation, Rocky Fork LLC, a Missouri limited liability company, and Delaware corporation. From and after the date of such assignment and transfer, APAC-Missouri, Inc., and its respective successors and assigns, shall be fully obligated in accordance with all the terms and conditions of said Conditional Use Permits and shall be entitled to the benefits thereof, subject the limitations contained therein.

Commissioner Miller seconded. Motion passed unanimously. **Order 28-98.**

SUBJECT: Budget Revision to Cover Out of County Housing for December 1997

Commissioner Vogt moved to approve the following budget revision:

<u>Dept.</u>	<u>Account</u>	<u>Account Title</u>	<u>Transfer From</u>	<u>Transfer To</u>
1123	86800	Emergency Funds	\$27,560	
1255	71100	Outside Services		\$27,560

Explanation: To cover out of county housing for December 1997.

Commissioner Miller seconded. Motion passed unanimously. **Order 29-98.**

SUBJECT: Evaluation of Boone County Animal Ordinance

Commissioner Miller said the draft language was currently with County Counselor John Patton and would be reviewed and discussed at a later date.

SUBJECT: Reports from Commissioners

Commissioner Stamper said there had been public opinion generated about the Topeka Shiner and asked Commissioner Vogt to draft a letter to submit during the public hearing and comment period.

Commissioner Stamper reported on a meeting with city manager Ray Beck, Columbia Mayor Darwin Hindman and Tribune publisher Hank Waters concerning the health department structure. He said they agreed to move to the next level and create a draft document for discussion.

Commissioner Stamper asked the Commission to consider proposing the County have a presence in the cable television franchise. The renewal, he said, will be up in a year.

The meeting adjourned at 10:33 a.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner