

TERM OF COMMISSION: December 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
County Counsel John Patton
Deputy County Clerk Melanie Stapleton

The meeting was called to order by the Presiding Commissioner at 1:30pm.

Subject: Adoption of the 2000 Budget

County Auditor June Pitchford stated that she prepared the draft language for the adoption of the budget and a schedule of the Commission's changes to the Proposed 2000 Budget. She stated that the schedule included the re-budget of the maintenance work on the Juvenile Justice Center parking lot.

June Pitchford stated that the total changes to the General Fund budget amount to \$30,119. She stated that the Assessment Fund showed a slight decrease of \$1030. She stated that the re-budgeted amount from the Buildings & Grounds amount is \$34,300. She stated that she would incorporate all of those changes into the final budget, which would be available in January 2000.

June Pitchford stated that the General Fund total is \$17.6 million. She stated that the Public Works budget is slightly over \$12 million. She stated that all Governmental Funds (combined) is just over \$31 million.

Commissioner Stamper thanked June Pitchford for the budgetary process. He stated that the County Auditor delivered a (proposed) budget that required very few changes.

Commissioner Stamper also apologized for those who presented requests that the County could not fund. He stated that he believed that the budget was very fair and very balanced. He stated that the budget also demonstrates where the County's priorities are and establishes new programs that the County has been able to accommodate. He stated that this budget has given the County the opportunity to address some issues that have been longstanding in the County. He stated that he believed that this is a good budget and that he is very proud of the entire process.

Commissioner Vogt commented that the budgetary process has changed drastically in a very positive way over the years that she has been on the County Commission. She stated that June Pitchford works with the departments to produce a very fair budget. She thanked June Pitchford for all of her hard work.

Commissioner Stamper moved to adopt the Boone County operating budget for fiscal year 2000. The adopted budget shall consist of all appropriations included in the Proposed Budget submitted to the County Commission by the County Auditor, subject to the adjustments authorized by the County Commission which are specified in the attached schedule. Total appropriations for each fund are set forth in the Budget Summaries and Fund Balance Projections-FY 2000, which is published in the County's FY 2000 Budget. The Proposed Budget submitted by the County Auditor contains detail documentation for appropriation amounts for each account.

Appropriations described in general terms or as miscellaneous shall be expended only for the purposes which are within the intent of the account under which they are included; the County Commission reserves the right to review and disapprove of the expenditure of any such appropriations upon recommendation of the County Auditor and a finding by the Commission that the proposed expenditure is not within the intent of the appropriation for the account as approved under this Budget and any amendments or revisions to it.

In addition, the County Commission authorizes the computations for final salary and wage appropriations for 2000 to reflect the salaries and wages in effect on December 31, 1000 and directs the County Auditor to make such adjustments. Furthermore, the County Commission approves all employee positions included in the Proposed Budget, adjusted for Commission changes noted in the attached schedule, together with the specified range and benefit status for each position. All expenditures made under this budget, as originally adopted, revised or amended, related to personnel hiring, terminations, policies adopted by the County Commission, including the future policy amendments and revisions approved by the Commission.

The County Commission also approves appropriations for the specific fixed assets identified in each departmental appropriation and authorizes procurement of the same in accordance with County procurement policies adopted by the County Commission, including future policy amendments and revisions approved by the County Commission.

Revisions to this budget shall be made in accordance with all policies enacted by the County Commission, including policy amendments and revisions approved by the County Commission.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 512-99**

Subject: Establishment of the Hackberry Sanitary Sewer Neighborhood Improvement District

John Watkins, NID Coordinator, on behalf of the Petitioners who reside along Clearview Rd and Hackberry Blvd, requested that the County Commission accept the County Clerk's certification for the validity of the Petitions and approve the advisability and order establishment of the Hackberry Sanitary Sewer Neighborhood Improvement District. He stated that two of the seven properties involved in the NID are in the Clearview Subdivision. He stated that the remaining five property owners signed the petition. The petition received 82% by area and 71% by ownership.

John Watkins stated that the cost estimate for this NID is \$100,420 with a not to exceed amount of \$125,525. The Petition stated that a minimum of \$1,500 per property is to be paid by an outside funding source and the payback period will be 20 years. The total cost of construction per property minus the outside funding support is estimated at \$12,846.71 each.

John Watkins stated that if the NID is established, the County will submit a preliminary proposal and engineering report to the Missouri Water and Wastewater Review Committee for comment. The Review Committee will make a recommendation to any of the following three programs- USDA Rural Development, Missouri Department of Natural Resources, or the Community Development Block Grant for support funding.

John Watkins noted that there are no delinquent taxes for this area. He stated that the County has been working to establish this NID for almost two years.

Commissioner Stamper asked if there was anyone present that wished to comment on this matter.

There was no one present that requested recognition.

Commissioner Miller moved to adopt the attached order for the certification of petitions and establishment of the Hackberry Sanitary Sewer Neighborhood Improvement District.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Miller asked if there were some health concerns in this area that prompted this NID.

John Watkins stated that three of the properties in this area are in violation of standards. He stated that one of the properties is pending a Court decision.

Commissioner Stamper stated that due to the violations, this NID was moved to the top of the priority list.

John Watkins stated this is also the first NID that has been allowed to have a 20-year payback rather than a 10-year payback.

The motion passed 3-0. **Order 513-99**

Subject: Public Hearing for the Relinquishment of Easement on the AC/Grindstone Road Improvement Project

County Counsel stated that there was an order prepared for this matter. He stated that the State Highway Department is in the process of condemning the remaining tracts of land necessary for the AC/Grindstone Road Improvement Project. He stated that there was a deed drawn up a number of years ago by the Warren Trust (when Grindstone Rd was annexed into the city) granting to the "inhabitants of Boone County a private road easement with a 30 foot width." He stated that MoDOT was uncomfortable with that easement and therefore during the process of condemnation action of the other landowners, they appointed an attorney to represent the inhabitants of the County. He stated that the attorney requested that the County declare (through an official action) that the inhabitants of Boone County have no interest in that easement.

John Patton stated that he did not believe that there was any interest in that easement because under ordinary circumstances when a public thoroughfare is annexed into a city, the County's interest ceases and they are by operation of law transferred to the city. He stated that he informed MoDOT's attorney that he would request that the County establish an order relinquishing any interest in or compensation for the easement.

Commissioner Stamper asked if there was anyone that wished to comment on this matter.

There was no one that wished to comment on the matter present.

Commissioner Vogt moved to adopt the order as stated on the attached document for the Relinquishment of Easement on the AC/Grindstone Road Improvement Project.

(The order read as follows)

In order to facilitate the acquisition of the right of way and easements by the Missouri Highway and Transportation Commission in furtherance of the road improvement project known as the Route AC/Grindstone Road Improvement Project and condemnation proceedings in connection therewith, it is ordered that:

- 1. The county of Boone hereby relinquishes any and all right it may have in and to a permanent easement for ingress and egress granted to the inhabitants of Boone County Missouri by Quit Claim Deed recorded at Book 365, Page 96, Records of Boone County, Missouri, for and relating to said road improvement project excepting and reserving the right to claim any and all real estate taxes due to Boone County and its taxing authorities relating to any real property effected by this order, including but not limited to, parcel number 40 as referred to in **State of Missouri ex rel Missouri Highway and Transportation Commission v Albert Price et al**, Boone County Circuit Court case No.: 99CC083947, said parcel's owner of record being Ruth L. Warren Revocable Living Trust dated 4/22/91.*
- 2. It is further ordered that the county of Boone further relinquishes any right or claim to*

compensation from the State of Missouri, Missouri Highway and Transportation Commission, in connection with the above-mentioned case excepting past year real estate taxes above-mentioned, in order to facilitate the improvement and development of the road improvement project for the benefit of the citizens of Boone County, Missouri.

3. *It is further ordered that the Presiding Commissioner of Boone County, Missouri, is authorized to execute any and all documents necessary to effectuate the intent of this order.*

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 513A-99**

Subject: Change Order No. 1 for 04-24MAR99 Public Address System with Infrared Assistive Listening Hardware, Installation, and Maintenance

Beckie Jackson and Mary Mueller were present for this agenda item.

Beckie Jackson stated that the total change order request amount is \$5,474.01. She stated that there are funds within the budget for this project to cover the cost of this change order. She stated that there was an attachment to her memorandum, which provided an explanation of the change order as listed by Mary Mueller.

Commissioner Miller moved to approve Change Order No. 1 for 04-24MAR99 Public Address w/Infrared Assistive Listening System-Hardware, Installation and Maintenance with Tech Electronics. In the contract amount of \$5,474.01 and authorize the Presiding Commissioner to sign said change order.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 514-99**

Subject: GIS Fiber Optics Connection Report

Ross Short, GIS Manager stated that the report maintains that there was agreement among the entities of the consortium (City of Columbia, Boone County and Boone Electric Cooperative) that a high speed fiber optic network should to be put in place to transfer data between the three entities. He stated this planned network has been undertaken in the form of the agreements for shared data. He stated that many of the technical details have been worked out.

Ross Short stated that the total cost of the project should be about \$6000 (\$1500 from each entity and \$1500 from the GIS Department). He stated that the cost is dependent upon the hardware and software that is already in place for each entity. He noted that the cost would decrease if the entity had certain things in place.

Ross Short stated that his report to the consortium also included a proposed connection and illustration. He stated that the City of Columbia would be considered the "hub" because it is connected to both Boone County and Boone Electric. He noted that the report included a letter from County Counsel John Patton concerning the legality of the connection. He stated that John Patton's letter stated that there was no legal issue that would prevent the entities from moving forward with the connection.

Ross Short stated that the City of Columbia and Boone Electric Cooperative sent letters stating that they could not find any legal reason not to continue with the connection and stating their support of the connection.

Commissioner Miller stated that the County is coming to a point when it will have usable data. She stated that the GIS Department would probably be finished checking the maps by either April or May 2000. She stated that then the map layers could be put in place.

Ross Short stated that at present there is data that could be distributed in order to allow the other entities in the consortium and departments in the County to create their maps on top of the County's maps. He stated that the connection had to be put in place in order to transfer the data.

Commissioner Miller stated that at some point, the priority of the layers (for each entity/department) would have to be determined.

The County Commission thanked Ross Short for the report.

Subject: Roadway Maintenance Acceptance Certificate for Trobridge Neighborhood Improvement District (Trobridge Road)

Frank Abart stated that approval of this item will allow the paperwork associated with the Trobridge NID to be completed. He stated that Trobridge Rd was previously a gravel road (maintained by the County). He stated that the Trobridge NID was formed to improve the road to a paved condition. He stated that this certificate is to accept the road under County maintenance as a paved road.

Commissioner Vogt moved to authorize the Presiding Commissioner to sign the Roadway Maintenance Acceptance Certificate for the Trobridge Neighborhood Improvement District-Trobridge Road as presented on the attached December 28, 1999 memorandum from the Public Works Director.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 515-99**

Subject: Change Order No. 2 for the El Chaparral Subdivision Project

Frank Abart stated that this could very likely be the last change order for this project. He stated that the project is nearing completion. He stated that this change order contains about six or seven minor things related to the avoidance of water lines or sewer lines.

Commissioner Stamper moved to approve Change Order No. 2 for the El Chaparral Subdivision Project with Don Schneiders Excavating in the contract amount of \$10,918.18 and authorize the Presiding Commissioner to sign said change order.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 516-99**

Subject: Establish Weight Limit on Old Highway 63 North

Frank Abart stated that this section of Hwy 63 North is located between the intersection with Williams Rd and State Route NN (approximately 1.72 miles in length). He stated that the weight restriction is necessary due to the deterioration of the road due to heavy, truck traffic. He stated that a weight limit would also encourage the heavy trucks to take a different route.

Commissioner Vogt stated that the people of this neighborhood would be very pleased with this action.

County Counsel stated that in order to make the order effective and allow the Sheriff's Department to enforce it, there should be a signature block for Frank Abart, County Highway Administrator. He also noted that the weight limit should be posted conspicuously along the road.

Commissioner Vogt moved to authorize a regulatory restriction on the legal weight limit for that portion of Old Highway 63 North located between the intersection with Williams Rd and the intersection with State Route NN (approximately 1.72 miles in length). The weight limit shall be established as 12 tons.

Commissioner Miller seconded the motion.

Discussion: Commissioner Stamper directed the Deputy County Clerk to add a signature line for the County Highway Administrator.

Subject: Letter from Frank Abart regarding El Chaparral Projected Costs

Commissioner Stamper stated that he wanted to submit this letter from Frank Abart for the public record. He stated that the project is about \$102,000 higher than anticipated, which was not very much for a project of this scope.

Frank Abart stated that the project is about 90% complete.

Subject: Courthouse Grounds Use for Columbia Falun Dafa Group

Commissioner Stamper stated that he received a call from the Chinese Consulate (in Chicago) stating their vehement opposition to the practice of Falungong and the County's allowance of the practice the. He stated that the practice is considered treason in China.

Commissioner Stamper stated that he and the Chinese Consulate had a "colorful conversation about freedom of speech, what this country was founded on, and the difference in the two countries' (China and U. S.) perspective on religious rights." He stated that the Chinese Consulate would be forwarding more information on the Falun Dafa group to the County.

Commissioner Stamper stated that both the City of Columbia and the U. S. House of Representatives have recognized this group. He stated that the City of Columbia has proclaimed a Falun Dafa week. He stated that a similar proclamation would also be coming from the County.

Commissioner Stamper moved to authorize the use of the Courthouse Grounds by the Columbia Falun Dafa Group to practice Falungong on January 2, 2000 from 11am until 2pm.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 518-99**

Subject: Report on Boone County Regional Sewer District Activities

Commissioner Stamper stated that the Pin Oak Fairway Meadow project is entering phases with ABC Labs. He stated the CDBG Grant aspects are moving along nicely. He stated that the Clearview project is about 80% complete. He stated that Crestwood Hills plat 1 is proceeding well. He stated that Spencer Hills plat 1 and 2, a development that will connect to the Clearview treatment system, is progressing well.

Commissioner Stamper stated that the Bearfield Interconnect is involved in a bit of controversy concerning a gentleman that lives across the street from the project who wants to hook into the project. He stated that another property does not want to allow the gentleman access to hook into the project.

Commissioner Miller stated that Tom Stuart (the property owner who would have to allow access for the hookup) is concerned that if he grants one hookup, others will follow. She stated that he is not opposed to granting access for one hookup, however he does not want an entire subdivision to have access.

Commissioner Stamper stated that the South Rte K Facility Plan is moving along. He stated that there is a sort of consortium coming together for this project. He stated that NewTown is moving along. He stated that the Windy Point Development is waiting on a decision from the County Commission. He stated that the Shaw Facility Plan and Copper Creek Development plan has some very strong objections by some of the neighbors.

Commissioner Stamper stated that Breezewood Estates has resolved all of its issues. He stated that I-70 Industrial Park project is proposing to do something with the Ascot treatment facility.

Commissioner Stamper stated that Deerfield would hook into the expanded Arrowhead Estates treatment facility.

Commissioner Stamper stated that the budget for the Boone County Regional Sewer District was approved. He stated that two positions were elevated increasing their function as Administrative Director and Engineer. He stated that a discussion would be held (after the first of the year) concerning future structure of the organization.

Frank Abart stated that Tom Ratermann, Public Works Engineer assigned to the Boone County Regional Sewer District would be absent for a few weeks. He stated that Tom Ratermann's wife just had a baby (boy).

Commissioner Reports

Commissioner Miller

Commissioner Miller stated that two, Public Works employees are retiring. She stated that the County has a policy of recognizing those employees that have been vested for a certain number of years. She stated that the County does not currently have a Human Resources Director so therefore a decision should be made about how to handle their recognition.

Frank Abart stated that the Public Works Department was taking up a collection to purchase gifts for the two employees.

Commissioner Stamper also noted that a reception would be held for the employees. He stated that there were additional funds available to the Public Works Department for recognition of those employees.

Commissioner Stamper noted that this was the last, County Commission meeting of the millennium.

Commissioner Vogt and Commissioner Stamper did not give reports.

There was no public comment.

The meeting adjourned at 2:20pm.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner