

TERM OF COMMISSION: July 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  
County Counselor John Patton  
Deputy County Clerk Ashley Williams

The regular meeting of the County Commission was called to order at 1:33 p.m.

**SUBJECT: Presentation of FY 1996 Audit**

Auditor June Pitchford and Steve C. Smith of Williams-Keepers LLP presented the Comprehensive Annual Financial report for Boone County, Missouri, year ending December 31, 1996. Mr. Smith commended Ms. Pitchford and her staff for their fine work.

**SUBJECT: Vawter School Road Agreements**

Public Works Director Frank Abart and Right of Way Agent Gloria Gesteszy presented two Vawter School Road Improvement project agreements and final offers for the Baurichter and Stephenson, McClatchey and Mitchell tracts.

County Counselor John Patton explained that the original agreement with Stephenson had changed due to the movement of fill dirt.

Mr. Abart said the department recommended that the acquisition agreement with Stephenson be delayed or denied by the Commission. The original agreement, he said, included the placement of two sewer sleeves under the new roadway and two entrances at the expense of the County in consideration of the County's desire to retain the fill for their own use. It appears, he said that they have taken the fill material. Mr. Abart estimated that action would cost the Public Works Department an additional \$10,000 in engineering fees and approximately another \$10,000 in fill material costs.

Ms. Gesteszy said that in her discussion with the McClatchey's, they originally asked the County to fill in a ravine as part of their counter offer, which the County declined to do.

Mr. Patton said it was his impression that it was either a simple miscommunication about their intent, or they knew the County wanted the fill dirt, but it wasn't in the contract and they assumed they could do what they wanted with it.

Commissioner Stamper said he had negotiated with the principal contact and said that the County would designate accesses on the plan, but would not install them.

Commissioner Miller moved that the County Commission of the County of Boone proceed with the condemnation process for the Stephenson, McClatchey, Mitchell tract.

Commissioner Vogt seconded.

Commissioner Miller said she felt the County had negotiated the deal too far.

Commissioner Stamper asked how to resolve the issue with the two parties in the agreement with whom the County had reached an understanding.

Commissioner Vogt said it was her opinion, since the dirt had been moved, that the issue be moved to go to condemnation so that all parties end up with a reasonable settlement. She said the area in question was not in her district, though, and she had not been involved in any of the negotiation process.

Commissioner Stamper said it was a major slap in the face to the two parties who had reached an agreement with the County to now have to face condemnation proceedings. He said he would vote his conscience.

Commissioner Vogt withdrew her second.

Commissioner Miller withdrew her motion.

Ms. Gesteszy explained that the fill dirt could have been sold by the owners for about \$10,000 when the County was working on a nearby bridge project. They didn't sell the dirt because they had wanted to use it to fill the ravine.

Commissioner Miller said, so when the owner decided the County was going to end up with the dirt anyway, they decided to use it.

The Commissioners asked Ms. Gesteszy to approach the property owners again to resolve the contractual questions regarding access and fill dirt.

Commissioner Stamper moved that the County Commission of the County of Boone approve the easement acquisition agreement for the Vawter School Road project between the County and the Baurichter Trust for \$49,500 and authorize the Presiding Commissioner to sign the agreement.

Commissioner Miller seconded. Motion passed unanimously. **Order 287-97.**

**SUBJECT: City of Hallsville Agreement**

Mr. Abart explained that they have relocated a motor grader at the city of Hallsville. The city has requested an agreement for release of liability. There were no provisions for compensation included in the discussion and the agreement is irrevocable at any time.

Commissioner Vogt moved that the County Commission of the County of Boone approve the agreement with the City of Hallsville for the storage of a motor grader and authorize the Presiding Commissioner to sign it.

Commissioner Miller seconded. Motion passed unanimously. **Order 288-97.**

**SUBJECT: Request to hire at above the base pay**

Public Administrator Connie Hendren requested to hire a Court Clerk II at \$9 an hour instead of at the base of range 12 at \$8.71 an hour.

Commissioner Vogt said that in order to agree to hire above the base range of pay, the skill level or experience of the prospective employee should exceed the base of range pay scale.

Ms. Hendren said that was the case.

Commissioner Vogt asked if the range was adequate for the job when it was re-evaluated by the Job Classification Committee.

Commissioner Miller asked if Ms. Hendren had the concurrence from the Human Resources Department.

Ms. Hendren said she had spoken with Donna Baldwin in Human Resources and asked her to approach the Commission.

Commissioner Miller said there was a lot of responsibility for the employees in the Public Administrator's office.

Commissioner Vogt responded that all range 12's have the same level of responsibility.

Commissioner Stamper said that Ms. Hendren wanted to hire a better employee at range 12.

Commissioner Stamper moved that the County Commission of the County of Boone approve a request by the Public Administrator Connie Hendren to hire a range 12 employee at \$9.00, above the base range of pay of \$8.71.

Commissioner Miller seconded. Commissioners Miller and Stamper voted in favor, Commissioner Vogt in opposition. **Order 289-97.**

**SUBJECT: Community Block Grant**

Captain O.J. Stone said that the 1997 Community Block Grant would give the Sheriff's Department \$18,706 for program expenditures. Ninety percent of that money, or \$16,833 would come from the Federal grant and the County would be required to match that with ten percent, or \$1,873. Those matching funds, he explained, will affect next year's budget.

Commissioner Vogt moved that the County Commission of the County of Boone approve an application by the Sheriff's Department for the Community Block Grant and authorize the Presiding Commissioner to sign the application.

Commissioner Miller seconded. Motion passed unanimously. **Order 290-97.**

**SUBJECT: Amendments to On-Site Wastewater System**

Commissioner Miller moved that the County Commission of the County of Boone approve the Amendments to the Onsite Wastewater Ordinance; to become effective August 1, 1997.

Commissioner Vogt seconded. Motion passed unanimously. **Order 291-97.**

Commissioner Miller moved that the County Commission of the County of Boone approve the order to public notice for the Amendments to the Onsite Wastewater Ordinance and direct Deputy County Clerk Ashley Williams to publish the notice.

Commissioner Vogt seconded. Motion passed unanimously. **Order 292-97.**

**SUBJECT: Boone County Fire Protection District request for training site**

Commissioner Stamper moved that the County Commission of the County of Boone express its intent to enter into a long term lease agreement on currently owned Boone County land for the Boone County Fire Protection District Urban Search and Rescue Task Force 1 training operations. The training site will be located on the Old County Farm and the lease will encompass approximately 13.5 acres and be negotiable as to its final form.

Commissioner Vogt seconded. Motion passed unanimously. **Order 293-97.**

**SUBJECT: Boone County Liberty bell**

Commissioner Stamper read the proclamation dedicating the Boone County liberty bell, dated July 2, 1976.

**SUBJECT: Voluntary Annexation of 156-acres owned by Joseph A. Tosini**

Commissioner Miller agreed to draft a letter in response to Joseph A. Tosini's requested annexation of 156-acres.

**SUBJECT: Reports from Commissioners**

Commissioner Stamper moved that the County Commission of the County of Boone approve the contract between the County and Weathercraft, Inc. in an amount of \$118,922 to replace the Boone Retirement Center Roof.

Commissioner Miller seconded. Motion passed unanimously. **Order 294-97.**

Commissioner Stamper did a first reading of the following request for a budget amendment:

Dept.	Account	Account title	Decrease	Increase
6200	60110	Major Bld Repairs/Repl.		\$95,000

Explanation: to amend budget to repair roof on Boone Retirement Center (\$25,000 budgeted, bid awarded \$118,922).

Commissioner Stamper moved that the County Commission of the County of Boone attend the NACO 1997 Conference in Maryland, naming Presiding Commissioner Don Stamper as designated delegate, Associate Commissioner Karen Miller as first alternate and County Clerk Wendy Noren as second alternate and authorize the Presiding Commissioner to complete the paperwork.

Commissioner Miller seconded. Motion passed unanimously. **Order 295-97.**

Commissioner Miller reported that she had talked to Facilities Maintenance regarding the emergency phones on the MKT trail. Mr. Nichols said that he had not heard back from GTE and they were fast approaching the July 12 deadline.

Commissioner Stamper reported on a meeting with Bob Alderson and said that he is ready to pull together a group to study the airport area and is working on a meeting date for next week.

Commissioner Stamper submitted a letter from D.M. Christisen, 11 E. Phyllis, citing his opposition to the Public Nuisance Ordinance.

The meeting adjourned at 3:30 p.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