

TERM OF COMMISSION: December Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Director of Planning and Building Stan Shawver
County Counselor CJ Dykhouse
Deputy County Clerk Joshua Norberg

The meeting was called to order at 7:00 p.m.

Miscellaneous

1. Proclamation for Rachel Patrick

Commissioner Miller stated several years ago when she was president of the National Association of Counties, there was a gentleman that gave a \$10,000 scholarship to a student within the county for her service away from the county when she was president. She stated a process was put in place and Rachel Patrick was the student who was selected. She stated Ms. Patrick was off the charts in comparison to all of the other applications. She stated Ms. Patrick just graduated magna cum laude from Central Missouri State University and is now working with the Corps of Engineers. Commissioner Miller stated she wanted to do a proclamation honoring Rachel and have it on the public record. She stated what this woman has done under all of the adverse conditions that she had is something special.

Commissioner Miller read the following proclamation into the record:

WHEREAS, born and raised in Boone County, Missouri, Rachel Renee Patrick was one of six children. Her mother a homemaker and her father disabled, Rachel was committed in helping the family make ends meet; and,

WHEREAS, at age twelve, Rachel began spending her summers helping roof houses. A few years after that, she added auto detailing to her resume. Rachel worked hard having her sights focused on a higher education; and,

WHEREAS, finding construction to be a strong career interest, Rachel offset her summer roofing job with an education in the field. She supplemented her High School studies with construction related programs offered through the Career Center and University of Missouri. Doing this while juggling extra curricular activities such as FFA and Church; and,

WHEREAS, some of her merits include 1st Place in District and 3rd Place in State Skills

USA VICA contests in Carpentry Technical Information and Outstanding Student Award in Construction Technology. She also achieved 2nd place by nailing 3, 16 penny nails in a 4x4 in 1.07 seconds in the NHBA Stanley Nail Drilling Competition; and,

WHEREAS, when it was time to finance her college education, Rachel was awarded the National Association of Counties (NACO) \$10,000 Scholarship offered by David Davenport to honor Commissioner Karen Miller, current President of NACO; and,

WHEREAS, having a 3.75 GPA, Rachel graduated fourth in her High School class. She went on to attend State Fair Community College, where she obtained her Associates Degree with highest honors and then to Central Missouri State University for her Bachelors in Construction Management. Rachel has her vision to be an entrepreneur and volunteer for those in need; and,

NOW, THEREFORE, in honor of Rachel's hard work, determination, and success, we hereby recognize her outstanding efforts and accomplishments along with well wishes for an advantageous and rewarding future.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby adopt the attached proclamation honoring Rachel Patrick.

Commissioner Elkin seconded the motion.

Ms. Patrick stated she would like to thank the Commission and the community for all of the support she has received over the last four years.

The motion passed 3-0 **Order 596-2008**

Planning and Zoning

2. Request by David L. Sallee to rezone from A-2 (Agriculture) to R-S (Single Family Residential) on 5.0 acres, more or less, located at 11251 N. Hecht Rd., Hallsville (Appeal).

Mr. Shawver stated this property is located on the west side of Hecht Road approximately 3000 ft north of the intersection of Mount Zion Church Road and Hecht Road. The site is approximately 2 miles south of the nearest municipal limits of the City of Hallsville. The subject property contains 5 acres. The current zoning of this is A-2 (agriculture) as is all the surrounding property. This is the original 1973 zoning. The closest R-S zoning district is 1.77 miles away. The subject property contains one single-wide mobile home and a wastewater lagoon. The applicant has expressed his intentions to submit a Conditional Use Permit to create a Mobile Home Park on this property should the rezoning be granted. However, while the ability to apply for a MHP CUP is dependant upon a successful rezoning of the property, only the issue of the appropriateness of the requested rezoning is the subject of this hearing.

Under R-S zoning, the theoretical maximum number of dwelling units allowable would be 31

units; under the A-2 zoning, the theoretical maximum number of dwelling units is 2. As a single 5.0 acre parcel the actual number of allowable dwelling units is 1.

The property is located in Public Water District #4. There is a 2½ inch water main serving the site. The current standard for fire protection starts at a minimum of 500 gpm. The closest large water main is 3 miles away. The water district 5 year plan includes running a larger line down Low Crossing Road, which is approximately 1 mile from the site. In order to use the requested zoning, fire hydrants will be required.

The large sewage lagoon on the site is functioning as an on-site wastewater system, since the lagoon only serves the single dwelling unit located on the property. To utilize the R-S zoning, a collector wastewater system would be required. The current lagoon has a DNR No-Discharge permit; however, this permit is not adequate for the lagoon to serve as a collector system under county regulations. To use the existing lagoon as a collector wastewater system would require a CUP for a collector wastewater system not approved under the county subdivision regulations. An alternative would be to have the system brought up to current BCRSD standards and be turned over to the BCRSD.

The site is in the Boone Electric service area and Boone County Fire Protection District.

The portion of Hecht Road most likely to serve the site is a chip-seal roadway with no shoulders and several blind turns. The potential impact of the rezoning on the road network would potentially increase the Average Daily Traffic by 300.

The site is within the Hallsville School District.

The proposal rates 36 points on the point rating scale. The master plan designates this area as being suitable for agriculture and rural residential land uses. The request is not consistent with the master plan, is not in keeping with the existing character of the area, and would constitute a spot zoning. There have not been any significant changes to the area within which this request falls to justify a change of zoning from the existing A-2 zoning set in 1973. Staff notified 19 property owners concerning this request.

The Master Plan calls for the use of a “Sufficiency of Resources Test” when considering the rezoning of land. The purpose of the test is to determine whether there are sufficient resources available to support the proposed zoning, or whether services could be made available in an efficient manner. The resources necessary to serve the proposed development can be broken down into 3 general categories, utilities, transportation and public safety services.

Utilities: This site is served by Boone Electric Cooperative and Public Water District 4. There is not sufficient water or fire-flow from the existing waterline nor will there sufficient service to support the request in the foreseeable future. The wastewater lagoon does not meet county standards for a collector wastewater system.

Transportation: Access to the site is from Hecht Road. The most recent traffic count showed 203

ADT for the section of road most directly used. The proposed rezoning could increase the ADT by 300 for a total of 503. This represents a significant increase but is less than the 750 ADT threshold for a collector roadway.

Public Safety: The nearest fire station is in Hallsville and is over 3 road miles from the site. Current inability to provide fire hydrants makes the potential density of the request questionable. The Sheriff's Department has indicated that while increased density often corresponds to increased calls that the Department has the ability to handle the increase.

The request fails the sufficiency of resources test under two of three categories. Staff recommends denial of the request.

Mr. Shawver stated the Planning and Zoning Commission held a public hearing on this application on December 18. There were nine members of the Planning and Zoning Commission present. A motion was made to recommend denial of the request. The applicant filed a timely appeal and it now comes forward to the County Commission.

Mr. Shawver stated he would like to indicate the Boone County Zoning and Subdivision Regulations are considered to be a part of the public record.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

David Sallee, Mt. Zion Church Rd., Hallsville

Mr. Sallee stated he cannot argue that there is not sufficient water flow out there. He stated that place has been out there 40 years and has survived quite well with what is out there, and by changing regulations does not make it any more dangerous than it was for the last 40 years. It is still out there and it is still operable with the infrastructure already in place. He stated the staff report is inaccurate regarding the traffic increase because he has made arrangements with the Department of Disabled American Veterans to provide a van for transportation back and forth to the hospital for any appointments. He stated he is also working with OATS to provide transportation on a semi-daily basis for shopping trips and other similar trips to Columbia. He stated that would be in the increase in traffic, not the increase in the staff report. Mr. Sallee stated the only thing he can say about the fire hazard is that he has taken every possible precaution to protect anybody in the sanctuary area. He has installed a fire alarm protection system with Tiger Security. It has been tested and it works fine. He stated there is water out there sufficient enough to put out any fire that would occur. He stated there has never been any report of fatalities or injuries due to fire in that area. He is looking to have fire hydrants and a larger water line installed from Low Crossing Road over to the sanctuary. This will affect all the houses between Low Crossing Road and the sanctuary. Everyone will have an opportunity to connect into the larger line with more volume and pressure. He stated he has a cost analysis from Public Water Supply District No. 4 that says it would cost approximately \$27,867.32. This can be done much earlier than the forecasted 4 or 5 years.

Mr. Sallee stated there is a need for the mobile homes out there and there is a complete infrastructure in place now that is ready to be used. He stated it has been in use and is still eligible for use to house handicapped veterans. He stated it is all up to code except for the water, which he stated he hopes to have fixed within a few years.

Commissioner Pearson asked how many mobile homes were on the property when Mr. Sallee acquired it.

Mr. Sallee stated there were seven.

Commissioner Pearson asked if the veterans he anticipates being out there will have driver's licenses or vehicles.

Mr. Sallee stated he assumes most of them probably will. He stated the handicapped ones obviously won't. He stated any that do will be encouraged to give rides to others.

Commissioner Pearson asked if Mr. Sallee is prepared to install a fire alarm system in all of the mobile homes.

Mr. Sallee stated every mobile home that is out there will have an up-to-date, cutting edge alert system.

Commissioner Pearson asked about the condition of the lagoon when Mr. Sallee acquired the land.

Mr. Sallee stated it was in pretty bad shape. It was falling in on one side. He stated he rebuilt the lagoon and brought it up to code. He stated the Department of Natural Resources (DNR) has looked at it and they are satisfied with it.

Commissioner Miller stated this is A-2 and in the staff report, it says the theoretical maximum number of dwellings is two. It also says that as a single 5 acre parcel, the actual number of actual dwellings is one. She asked Mr. Shawver why that is.

Mr. Shawver stated the tract is long and narrow and cannot be split under the subdivision regulations because it would require a road. He stated you cannot have a lot smaller than 5 acres unless it has direct frontage on a public road.

Commissioner Miller asked why you can't just split it down the middle even if they are long and skinny.

Mr. Shawver stated it would not comply with the subdivision regulations' length and width requirements.

Commissioner Miller stated it would take a variance.

Mr. Shawver stated that is correct. He stated the minimum lot width in the A-2 district is 150 feet. The lot in question is 169 feet wide.

Commissioner Elkin stated he brought photos of the area before Mr. Sallee bought the land and cleaned it up. Commissioner Elkin showed the photos to Commissioners Pearson and Miller.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition.

Mr. Shawver stated he would like to clarify a couple of things. He stated the estimate from Public Water District No. 4 is for one 6" water line from Low Crossing Road to the site. It is also contingent on the extension of a 10" water line from Route B to Hecht Road along Low Crossing Road, which is not included in the estimate. He stated Mr. Sallee also stated that there are seven mobile homes on the property. The aerial photos taken in 2007 show there are three mobile homes on the property.

Commissioner Pearson stated he asked about the amount of homes on the property when he acquired it.

Commissioner Pearson closed the public hearing.

Commissioner Elkin stated he has received several written correspondence from neighbors, and the vast majority of the comments have nothing to do with the zoning request. It had to do with the applicant and some comments he had made in the press. He stated he thinks this is a test for him personally in the fact that we have to look at things at face value. We cannot inject personalities into our decision. Our decision is simply based on whether we think this is an appropriate use for this tract of land. It has nothing to do with Mr. Sallee or Joe Smith or anyone else. He stated the personalities have to be tossed aside. If we start making decisions based on personalities, that is a dangerous road to go down.

Commissioner Elkin stated he has been up front from the beginning with staff and with the other Commissioners regarding the fact that Mr. Sallee could have pulled a home out one at a time and put one back in and been grandfathered in and would not have had to go through this. He stated if you look at what was out there before compared to what is out there now, it is like night and day. He stated he received lots of calls about how it was before; it was one of the worst areas in Boone County as far as mobile home areas. Mr. Sallee has spent several years cleaning it up, and he has done an outstanding job doing it. He stated if there hadn't been mobile homes there for 30

years, he wouldn't feel the same way he does now. He stated this is only the first step in what Mr. Sallee is requesting. The next step, if this is approved, would be a conditional use permit. At that level, that is where you can limit the number of mobile homes, you can put all the control mechanisms in place. He has to get a license for a mobile home community. There are a lot of control mechanisms that we have. We can revoke a mobile home license if there are problems in the future. Given the fact that this has been a mobile home community for 30-plus years, and the fact that Mr. Sallee has turned this from an armpit into a pretty clean area, Commissioner Elkin stated he supports what he is doing.

Commissioner Miller stated the first thing she wrote down was that we have to take personalities out of it, but she stated she is looking at it from a different perspective. She stated she honors and believes what Mr. Sallee is trying to do is an honorable thing. But she stated she has to look at land use only. She can't look at who owns it or who may own it. The only issue is whether R-S is the proper land use for that 5 acre tract in the middle of A-2 zoning. She stated some of the toughest decisions are when you have to take the personalities out of it because you want to help him do what he is trying to do. She stated if he doesn't get a conditional use permit, then we have R-S zoning that is in place. Then you can put up to 31 homes in there.

Commissioner Miller asked Mr. Shawver if that is correct.

Mr. Shawver stated that is correct.

Commissioner Miller asked if the regulations would be the same.

Mr. Shawver stated they would.

Commissioner Miller stated they would have to improve the infrastructure before they get the building permits.

Mr. Shawver stated that is correct. He stated they could have one building permit, but you would have to go through the planning process, and the planning process would require infrastructure. At that density, you are talking about sewer lines, there would have to be a wastewater system.

Commissioner Miller stated if the minimum water flow couldn't be met now, then you couldn't get a building permit.

Mr. Shawver stated that is correct. He stated you could have one house and that would be it.

Commissioner Pearson stated he has a lot of respect for the Planning and Zoning Commission and the role they play, and for staff and the job they do. He stated he understands that Planning and Zoning is looking at it purely from a zoning perspective and what the property used to be as far as zoning is concerned. He stated his perspective on this is similar to Commissioner Elkin's in that it was a mobile home park before Planning and Zoning was adopted. Unfortunately the circumstances were that as Mr. Sallee took out the old mobile homes he was prevented from

replacing them. Now he is faced with this zoning issue. He stated he has seen what it looks like out there now, and he has read all the materials about what he has done to try to improve things out there. He stated he supports the rezoning.

Commissioner Miller stated if it had been a nice mobile home park for 30 years and someone wanted to buy a new mobile home to put it in there and take out the old one, could they have done that?

Mr. Shawver stated they could if it was a licensed mobile home park.

Commissioner Miller stated it wouldn't have been allowed in this circumstance because it wasn't a licensed mobile home park.

Mr. Shawver stated that is correct.

Commissioner Miller stated she is not going to support this. She stated it is not because she doesn't support what Mr. Sallee is trying to do. She stated she just has to look at it the way she would look at it if it was anywhere and if Mr. Sallee wasn't involved. She stated she has sympathy for what Mr. Sallee is trying to do, which makes her want to do this, but it she doesn't think it is the right thing to do for what her job is as a Commissioner in a land use situation. He is going to have a lot more hurdles to overcome and she hopes that that is understood. Even with this rezoning, there are many more hurdles to overcome to be able to get this done. She stated she just doesn't know if he will ever be able to get there, and she doesn't want to string him out and cost him more and more money and never reach the goal.

Commissioner Pearson stated from his perspective, he sees Mr. Sallee is pretty persistent. He stated he doesn't see his job as trying to be his dad. He stated Mr. Sallee can make his own decisions and he hopes he is successful.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby **approve** the request of David L. Sallee to rezone from A-2 (Agriculture) to R-S (Single Family Residential) on 5.0 acres, more or less, located at 11251 N. Hecht Rd., Hallsville.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

Commissioners Elkin and Pearson voted in favor.

Commissioner Miller voted in opposition.

The motion passed 2-1 **Order 597-2008**

3. Request by Special Olympics Missouri, Inc. to rezone from A-1 (Agriculture) to C-G (General Commercial) on Tract 1 - .33 acres, Tract 2 – 2.54 acres, and Tract 3 - .86 acres, more or less, located at 5455 E. Bonne Femme Church Rd., Columbia.

Mr. Shawver stated the subject property is located near Bonne Femme Church Road, where it goes south from Ponderosa Street, west of Highway 63. The applicant is seeking to rezone three small tracts of .33 acres, 2.54 acres, and .86 acres from A-1(Agriculture) to C-G(General Commercial). The property included in this rezoning will be reconfigured under an approved administrative survey. The majority of the approved administrative survey lot has been zoned C-G since the adoption of planning & zoning by the county. The subject tracts of this rezoning are on the periphery of the existing C-G. The property has A-1 zoning to the south and west, with C-G zoning to the north and east, all of which is original 1973 zoning. Staff notified 19 property owners about this request.

The purpose of this rezoning is to create a single, uniformly zoned tract for use by the Special Olympics of Missouri as a training facility.

The Master Plan designates this property as suitable for residential land uses. As mentioned above, the existing C-G zoning has been present since the beginning of zoning in 1973. The Master Plan also identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal.

The resources necessary to serve the proposed development can be broken down into 3 general categories; utilities, transportation, and public safety services.

Utilities: This property is served by Consolidated Public Water Service District #1, Boone County Fire Protection District, Boone County Regional Sewer District, & Boone Electric Cooperative. This rezoning will not noticeably increase demand on available public utilities.

Transportation: Access to this property is via Ponderosa Street and by a shared easement along the southern boundary of this tract coming off of Bonne Femme Church Road. The rezoning will not increase traffic to this site.

Public Safety: This property is 600 feet from the nearest fire station, located to the northwest on Ponderosa Street. This rezoning will not significantly increase risk or require additional service beyond that which is already provided for the current use of the property.

Zoning Analysis: This request is reasonable and consistent with the use of the property as proposed by the Special Olympics. The requirements of the sufficiency of resources test have been met, leading staff to believe that this rezoning is consistent with the policies created by the Boone County Master Plan.

Staff recommends approval of the request.

Mr. Shawver stated the Planning and Zoning Commission considered this request at its December 18th meeting. A motion was made to recommend approval. That motion received unanimous support and it comes forward with a recommendation for approval.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

James Jeffries, 3312 Lemone Industrial Blvd., Columbia

Mr. Jeffries stated he is with Allstate Consultants and he is here on behalf of Special Olympics Missouri. He stated this site was the site of the Tome Hare landscaping business. That tract was 7.5 acres zoned C-G. In 1994, he bought the .86 acres as part of his usage designated not for development until it was subdivided. Earlier this year, the Special Olympics purchased the land from Mr. Hare, and has since purchased the other two tracts to make it a little bit bigger. This request for rezoning is to make all of the property that they own C-G. They plan to build a training facility there. They are on a 5 year program; the first step is to acquire the land. They will continue to fundraise and plan.

Commissioner Miller stated this is a great use for commercial.

Commissioner Elkin stated it is a nice welcome mat into Columbia.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition.

Commissioner Pearson closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request of Special Olympics Missouri, Inc. to rezone from A-1 (Agriculture) to C-G (General Commercial) on Tract 1 - .33 acres, Tract 2 - 2.54 acres and Tract 3 - .86 acres, more or less, located at 5455 E. Bonne Femme Church Rd., Columbia.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 598-2008**

4. Request by Larry W. Potterfield Revocable Trust to revise an approved Review Plan for Boone West Planned Industrial Development on 14.83 acres, located at 5875 W. Van Horn Tavern Rd., Columbia.

Mr. Shawver stated this property is located on the north side of Van Horn Tavern Road and is bounded on the north by I-70, approximately 1000 feet west of the intersection with U.S. 40. The site is about 1 mile west of the Columbia municipal limits. The area proposed for revision is comprised of two parcels containing 14.28-acres total. The current zoning of the entire property is M-LP (planned industrial) which was rezoned from C-GP (planned commercial). Property to the north across I-70 is zoned part A-2 and part A-R. Property to the east and south is zoned A-R and property to the west is zoned C-GP. All of the zonings with the exception of the C-GP are original 1973 zonings. The site is currently the location of two large commercial/industrial buildings. The property is located within the Boone Electric service area, the Columbia School District, and the Boone County Fire Protection District. Water service is provided by Consolidated Public Water District No.1. Hydrants are required for commercial structures such as that shown on the plan and any upgrade to waterlines to meet required fire flow will be at the developers cost. Sewer is provided by an on-site commercial wastewater under DNR or the Health Dept. The PID Plan proposes possible expansion areas of both buildings. The only change between the currently approved plan and this revision is that the expansion areas have been made larger than was proposed on the previous version. The list of Allowed Uses is the same and the property already has been granted a CUP for the manufacture or assembly of metal or fiberglass products: such as firearms. The Master Plan designates this area as suitable for commercial land use. The Master Plan promotes the use of Planned Districts as a means to establish new commercial and industrial areas. The property scored 80 points on the rating system. Staff notified 18 property owners concerning this request. Since this proposal is virtually identical to the approved version except for somewhat larger areas for the building additions.

Staff recommends approval of the rezoning subject to the following condition (same as last version):

01. The fire lanes and fire protection requirements must satisfy the BCFPD on any building expansion and any waterline relocation must be made in conjunction with the water district at the developer's expense.

Mr. Shawver stated the Planning and Zoning Commission considered the revised review plan at their December 18th meeting. A motion was made to approve the revised review plan as submitted. They did not put the staff's suggested condition in the motion, which was a carryover from the previous plan. He stated he thinks it was just an oversight on their part. He stated in order to not cause binding problems for the applicant, it would prudent if the County Commission would not include that condition. The way the zoning regulations are set up on a planned development review plan, if the Planning and Zoning Commission approves a review plan, and the County Commission changes any of the conditions, the applicant has to go back to the Planning and Zoning Commission with a revised final plan. If the Commission approves the review plan the same as the Planning and Zoning Commission approved it, they do not have to

do that. They can just submit the final development plan and Planning and Zoning secures the signatures. In order for them to proceed rather than waiting until February to approve it, the Commission can just approve it as the Planning and Zoning Commission did without any conditions.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

Matthew Kriete, 1113 Fay Street, Columbia

Mr. Kriete stated he is with Engineering Surveys and Services. He stated they have been working with the Fire District as well as the Water District and they are going to meet all of their requirements and continue communication. If there are any other issues that need to be resolved they will be taken care of prior to any final plans being completed.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition.

Commissioner Pearson closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** a request by Larry W. Potterfield Revocable Trust to revise an approved Review Plan for Boone West Planned Industrial Development on 14.83 acres, located at 5875 W. Van Horn Tavern Rd., Columbia.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 599-2008**

5. Shady Brook Estates Plat 4. S34-T50N-R12W. A-2. George E. James, owner. James V. Patchett, surveyor.

Mr. Shawver stated this is a 3 lot subdivision. The zoning is A-2. There were 3 previous plats for this property. It is located on Mt. Zion Church Road near where the COLT Railroad intersects. The Planning and Zoning Commission approved it and it is ready to be received and accepted by the County Commission with an authorization for the Presiding Commissioner to sign it.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorize the presiding commissioner to sign it:

Shady Brook Estates Plat 4. S34-T50N-T12W. A-2. George E. James, owner. James V. Patchett, surveyor.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 600-2008**

6. Stream Buffer Ordinance

Mr. Shawver stated at their December 18th meeting, the Planning and Zoning Commission completed their work of the review and the required public hearings and made a recommendation that the County Commission adopt the Stream Buffer Regulations. Following the public hearings, they recommended some changes be made to it. It was not a unanimous decision; it was a 7-2 vote.

Commissioner Pearson asked why there were two “No” votes.

Mr. Shawver stated one of them was concerned about adding additional regulations on property owners. He was concerned that even though this involves streams, he was concerned about where it will stop. He stated he cannot really speak as to why the other person voted no. He just said he wanted more discussion.

Court Administrator

7. IV-D Supplemental Agreement

Commissioner Miller stated this is an agreement we got back from the State on our IV-D contract to get us a little bit more money to operate with.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the IV-D Supplemental Agreement with the State of Missouri Family Support Division. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 601-2008**

8. Budget Amendment for Salary Expense (first read on 12/18/08)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve following budget amendment for Commissioner Sara Miller’s salary:

Department	Account	Department Name	Account Name	Decrease	Increase
2820	71101	Family Services & Justice Fund	Professional Services		\$10,000.00

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 602-2008**

Public Works

9. Consultant Agreement (first reading)

Commissioner Pearson stated these are pre-qualified consultant agreements. These are the ones who have returned the contract:

- A Civil Group
- Bartlett & West, Inc.
- Bucher, Willis, Ratliff Corp.
- Butler, Rosenbury & Assoc.
- Cole and Associates
- Engineering Surveys & Services LLC
- Gredell Engineering Resources, Inc.
- Horner & Shifrin, Inc.
- Malicoat-Winslow Engineers, P.C.
- Poepping, Stone, Bach & Associates
- Scroggs Architecture, P.C.
- Shafer, Kline & Warren
- Terracon
- Trabue, Hansen & Hinshaw
- Transystems Corp.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

Miscellaneous

10. Appointments

a. Boone County Regional Sewer District

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby appoint David A. Shorr to the Boone County Regional Sewer District for a term beginning January 2, 2009, and ending January 1, 2014.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 603-2008**

b. Boone County Family Resources

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby appoint Roland Meinert, Russell Williams, and Max Lewis to the Boone County Family Resources Board of Directors for terms beginning January 1, 2009, and ending December 31, 2012.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 604-2008**

c. Community Services Advisory Commission

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby appoint Reginald Kinsey to the Community Services Advisory Commission for a term beginning January 1, 2009, and ending December 31, 2012.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 605-2008**

11. Commissioner Reports

There were no commissioner reports.

12. Public Comment

There was no public comment.

The meeting adjourned at 8:15 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Kenneth M. Pearson
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner