

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
 Deputy County Clerk Melanie Stapleton

The meeting was called to order by the Presiding Commissioner at 9:30am.

Commissioner Vogt was absent due to health reasons.

Subject: Public hearing on Budget Amendment for Grounds Improvement

Commissioner Stamper stated that this budget amendment was read into the public record in a prior meeting. He stated that the ten-day waiting period for receiving public comment was met.

Commissioner Miller moved to approve a budget amendment as follows:

AMOUNT	(increasing) ACCOUNT
\$1,000	4030-91700

Said amendment is to cover the cost of correcting the Major Contributor plaque.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 476-99**

Subject: Report on Early Warning Sirens and the Local Emergency Planning Committee

Boone County Fire Protection District Chief Ken Hines stated that discussions were continuing on the last three, warning siren locations. He stated that there has been progress in obtaining the easements for these sites however. He stated that one of the locations (still in progress) is located on Sorrels Overpass. He stated that discussions were being held with the property owner on the best site for that warning siren. He stated that this site should be ready for warning siren installation by the end of next week.

Ken Hines stated that Water District No. 1 has drawn up an easement for the second location. He stated that the final site involves the MO Department of Natural Resources location at Pierpoint. He stated that there have been discussions with DNR for the last month or so. He stated that they are waiting for the Jefferson City office to give approval on the project.

Ken Hines stated that the City of Columbia is in the process of connecting electricity to the warning sirens that are inside the city limits.

Ken Hines also reported that the County met the requirement to receive LEPC funding for grant year 1999. He stated that the County would receive \$6,022.28 to be managed by County Treasurer Kay Murray. He stated that per Commissioner Stamper's recommendation, the committee was working to offer more services to the individuals that pay money into those funds (in the form of a fee for maintaining certain hazardous chemicals or a certain amount of hazardous chemicals at their business locations).

Ken Hines stated that the EPA has also required that those who maintain a certain amount of hazardous chemicals, register a risk management plan at a public hearing. He stated that the LEPC would hold a forum for the risk management plans next Tuesday. He stated that Columbia Water & Light would make their presentation next Tuesday in the County Commission Chambers.

Commissioner Miller asked Ken Hines to elaborate on the process by which the County receives LEPC funding.

Ken Hines stated that individuals that harbor hazardous materials or a certain amount of hazardous materials have to pay a fee (under EPA laws). He stated that the fee is collected at the County level but is actually paid to the State. He stated that the State manages a hazardous material response, training, and recordkeeping program. He stated that if the County meets certain requirements, then it is allowed to submit an application each September for LEPC funding for the upcoming year.

The County Commission thanked Ken Hines for the report.

Subject: Budget Revision for out of County Housing for October

Major Warren Brewer stated that the average number of inmates housed out of County for October was 35. He stated that the average increased to 46 in November. He stated that the number usually decreases in December.

Major Warren Brewer stated that the new building should be in use by the end of the week. He stated that the Corsair Co. is making the final improvements.

Commissioner Miller recommended that the Sheriff's Department staff the facility as quickly as possible.

Commissioner Miller moved to authorize a budget revision as follows:

AMOUNT	(increasing) ACCOUNT	(decreasing) ACCOUNT
\$37,520	1255-71100 Outside Services	1123-86800 Emergency Funds

Said revision is to cover the cost of out of County housing for October.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 477-99**

Subject: Restated Lease Agreement between Boone County and Reality House, Inc., Restated Program Services Subcontract Boone County Community Shock Program and Restated Reality House Cooperative Agreement

County Counsel John Patton stated that these agreements with Reality House were updated to reflect the current arrangement. He stated that the changes were minor in nature.

Commissioner Miller also stated that the trailers outside of the Reality House were being moved.

Commissioner Miller moved to approve the following agreements between Boone County and Reality House, Inc.: the Restated Lease Agreement, Restated Program Services Subcontract Boone County Community Shock Program Agreement, and the Restated Reality House

Cooperative Agreement, with terms and conditions as outlined in each agreement. It is further ordered that the Presiding Commissioner be hereby authorized to sign said agreements.

Commissioner Stamper seconded the motion.

Discussion: Commissioner Stamper stated that the services offered by the Reality House have a huge, positive impact in the community.

Commissioner Miller noted that Boone County is a community leader in this area.

The motion passed 2-0. **Order 478-99**

Subject: Letter from the MO Department of Natural Resources regarding Surveying work in the town of Wilton

Commissioner Miller stated that Norman Brown, State Land Surveyor's Office has completed his survey work in the town of Wilton. She noted however that he was still unwilling to record the survey work. She stated that she was bringing the information forward today to establish it as a part of the public record. She also noted that this information would probably not end the disputes over property lines in Wilton.

David Piest, Public Works Department stated that Norman Brown's hesitance to record his information was probably related to the fact that the State Land Surveyor's Office is not in the practice of performing private survey work. He stated that there could be individuals that would complain that public funds are being used to perform private work, if this information were to be recorded. He also noted that most surveyors use the MO Department of Natural Resources public records for their survey work. He noted that Norman Brown's documents have already been placed in the DNR public records. He stated however that he would like to have the information recorded as an attachment from the County Commission.

Commissioner Miller asked David Piest if he would call Norman Brown to see if he would allow the information to be recorded as an attachment to a County Commission affidavit.

David Piest agreed to call Norman Brown. He also noted that Norman Brown's information is only one interpretation of the boundary lines for the town of Wilton.

Subject: Greene County Salary & Wage Benefit Survey

Commissioner Stamper submitted the report for the public record. He stated that a copy of it would be available in the County Commission office and also as a part of the public record. He stated that he would let the elected officials know that the information is available for viewing.

Subject: Boone County Regional Sewer District Report

Commissioner Stamper stated that he attended the Boone County Regional Sewer District meeting on November 16th. He stated that the Clearview issue is moving along and the paint issue has been resolved. He noted that some of the BCRSD projects for the 2000 Budget included Fairway Meadows (ABC Labs), Bearfield Rd, and Gregory Heights. He stated that the projects included in the 2000 Budget reflect a 1.5 million capital expenditure. He stated that the BCRSD would also be replacing some capital equipment in the year 2000.

Commissioner Stamper stated that the BCRSD received the new sewer jet and put it into place in October. He stated that the city of Ashland declined at the last moment to buy the old sewer jet. He stated that construction is beginning on the Copper Creek sewer treatment facility. He stated there was discussion at the BCRSD meeting on the McBaine issue. He stated that he would

circulate the packet of information on BCRSD projects from the meeting to the other Commissioners.

Subject: Diamond Council Termination of existing Lease and Approval of Memorandum of Agreement

County Counsel John Patton stated that the Diamond Council signed an agreement to terminate the existing lease. He stated that this action would release the property to the Boone County Fire District for their training facilities. He stated that in the original terms of the agreement, the County agreed that it would reimburse the Diamond Council for any out of pocket expenses for development and also attempt to find the Diamond Council a new location.

Commissioner Stamper moved to approve a Lease Termination Memorandum of Agreement (with the Columbia Diamond Council) and authorize the Presiding Commissioner to sign it.

Commissioner Stamper read the Lease Termination Memorandum of Agreement into the public record as follows:

This Memorandum of Agreement is made on December 2, 1999 between the Columbia Diamond Council, Inc. Missouri not-for-profit corporation and Boone County, MO through its County Commission. The parties acknowledge that on December 19, 1995 the parties entered into the property described as tract A of survey recorded in Book 1196, p466 of the Survey Records of Boone County, MO. The parties agreed to terminate that lease effective of the above written. Boone County agrees to reimburse the Diamond Council for all documented expenditures that presents with respect to the development of the tract of land referred to in the lease up to the first date of the above written. Reimbursement shall occur within thirty days of invoice, as a condition of reimbursement shall include a copy of the checks, statements, and other evidence of payments for which reimbursement is sought satisfactory to the Auditor of Boone County. Boone County shall endeavor to identify and locate an area sufficient for a 4-field baseball park on the Boone County Fairgrounds or other property owned by Boone County subject to requirements of the land use master plan developed for that property. The parties agree that once that location is identified for a 4-field baseball park, the parties will negotiate a new lease containing milestones for development and such other terms and conditions that are mutually agreeable to both parties.

Agreed to on this day and year as above written.

Commissioner Miller seconded the motion.

Discussion: Commissioner Stamper stated that this releases the previous lease on the County property located on the west side of Hwy 63 adjacent to the Armory, the Juvenile Justice Center, and the Jail. He stated that the Memorandum of Agreement states that the County will work with the Diamond Council to identify (during the master planning process) a location for a 4-field ballpark.

Commissioner Stamper stated that the County has been working on this intermittently for months. He noted that the County and the Diamond Council were finally able to agree on the terms.

The motion passed 2-0. **Order 478A-99**

Commissioner Reports

Commissioner Miller

Commissioner Miller requested that the information for First Night 2000 be included as a payroll

stuffer for the County employees.

Commissioner Vogt

Commissioner Vogt was absent.

Commissioner Stamper

Commissioner Stamper did not report.

There was no public comment.

The meeting adjourned at 10:10am.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner