

TERM OF COMMISSION: October Session of the August 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 Melanie Stapleton

Presiding Commissioner Stamper called the meeting to order at 9:35am.

Subject: Report on the Booneslick Trail and Approval of Warranty Deed

Commissioner Stamper stated that Commissioner Vogt would begin by giving introductory comments.

Commissioner Vogt stated that this issue of the Booneslick Trail was brought before the County Commission two to three years ago. She stated that several people have worked to accomplish a couple of goals in order to preserve the Booneslick Trail for the public: (1) identify the Booneslick Trail throughout Boone County and (2) acquire portions of the Booneslick Trail that Boone County did not already have in their inventory.

Commissioner Vogt stated that portion of the Booneslick Trail are now being used as roadways. She stated that former-County Commissioner Don Sanders brought it to the County Commission's attention that a way needed to be found to access these portions of the Booneslick Trail.

Commissioner Vogt stated that former-County Commissioner Don Sanders and the Powell family actually owned the land near one of the portions of the Booneslick Trail. She stated that the need arose then to find an easement to the piece of property owned by these families.

Commissioner Vogt stated that Bill Powell recently found a solution to that problem.

Commissioner Vogt introduced Bill Powell. She stated that also present today were Sid and June Powell, David and Jo Sapp, and Dolores Sanders.

Bill Powell stated that he prepared written comments for the public record due to the historical significance of this occasion.

**Booneslick Trail Presentation
to Boone County Commission
October 24, 2000**

Today we honor the important role this County had in the settlement of the West.

We also honor four good people with a unique persona commitment to what is important and has been important about this piece of real estate which is now Boone County, Missouri, and which they and we are fortunate enough to call home.

Three of those four are still with us now, Dolores Sanders, June Powell, and Sid Powell, and they can still be thanked in person

The fourth, whose sense of history was perhaps even greater, perhaps because of his own pivotal role in the history of this nation, was Don Sanders, a former member of this Commission.

What we are presenting today is the culmination of an idea pursued by Don. This idea of preserving this stretch of undisturbed ruts of the original 1820 route of the Booneslick Trail was essentially Don's idea.

What we do today honors the pioneering spirit of the sons of Daniel Boone who first established this road and the salt works near Franklin where it led, back in 1814 or so.

What we do also honors the spirits of the many thousands of westward-bound pioneers who took this trail as the first leg of their journey, whether they were headed to homestead in the plains, going to the Santa Fe and the Southwest, to California, or to Oregon. All those trails branched from this one.

All of those pioneers are now gone. Every one of them. They left behind marks in the earth, these ruts in the ground.

Now even Don Sanders is gone; he died in September of last year. But what we do today also honors him and his own pioneering spirit, and his dedication to doing what is right in the eyes of history. This is not to say that he took a position about the rightness of any policy or action that created this trail, but he strongly believed that the right thing was to preserve this extremely important piece of the history of this nation.

By doing what is right in that sense, we again honor Don and allow his vision to succeed despite his passing.

For various legal reasons having to do with the details of administering his estate, we've been unable until now to make this transfer.

Now that we can make this transfer, I'm happy to say that we are in a position to give to the County more than was contemplated in the contract negotiated just before Don's death. Instead of an unsurveyed approximate tract, we are giving to Boone County a 200-foot wide strip centered on the old ruts, running for six-tenths of a mile; it's 14.44 acres, and there is already a recorded survey. Instead of a temporary three-year right of access from the south off of Graham Road and an obligation to find other permanent access, we are giving perpetual easement rights connecting the trail to Graham Road.

There are minor matters which will require your attention. They pertain to the location of crossing rights which will require your attention. They pertain to the location of crossing rights which exist in favor of Mr. Larry Nielson, who now owns the land immediately north and immediately south of the trail tract, and also the location of the last one-fourth mile or so of easement across Mr. Nielson's property leading to the trail. Those rights exist, but are not yet precisely located.

You will notice that this deed contains what lawyers call a possibility of reverter. Basically it says, as did the contract Don negotiated, that this land will belong to the County forever, so long as the County is preserving its historic character. If it isn't preserved, ownership is to revert to Dolores Sanders and the Powells or their heirs.

Part of the easement access from Graham Road is over a surveyed tract, and it varies in width. It is 250 feet wide at the north end, which is about one-quarter of a mile from the trail. As the County develops plans for the historic preservation of the trail, there may be some additional possibilities created by this tract, including fencing or whatever else is needed. If you have any questions, there's probably someone here who can answer them.

Bill Powell presented an illustration of the easement for the Booneslick Trail site to the County Commission.

David Sapp, chairman of the Booneslick Trail Commission stated that he was present to share with the County Commission the Boone County Historical Society's support for this transaction. He stated that the Booneslick Trail may date further back than 1820. He stated that there is credible evidence to show that the Boone brothers were manufacturing salt in this area since 1805. He stated that it was in 1805 that Lewis & Clark would have been out on their "famous trek" preparing to return.

David Sapp stated that the trail began to be used a great deal after 1815 when the War of 1812 had concluded and the altercations with the Native Americans slowed.. He stated that a lot of settlers begin to move in the area and the Boone County Historical Society has been able to determine a number of points along the trail.

David Sapp stated that Frank Peters who has been involved in many of the national trails organizations commented that this section is one of the finest examples of remaining indications of the old trails anywhere in the United States.

David Sapp stated that Boone County has an amazing opportunity now due to the generosity of Don Sanders (deceased), his wife Dolores, and the Powell family to have access to a very unusual and historic piece of the Booneslick Trail. He stated that the Boone County Historical Society would be happy to work with the Boone County Commission on future projects for the Booneslick Trail.

Commissioner Stamper stated that the first time he heard about the preservation of this portion of the Booneslick Trail was in 1991 while running for Presiding Commissioner of Boone County. He stated that Lance Henderson shared with him at that time the significance of the Booneslick Trail and the fact that this was one of the few trail sites that was untouched.

Commissioner Stamper stated that the first time that he had the opportunity to view this portion of the Booneslick trail was an awesome experience. He stated that one "really gets a feel for the history of the area, it is like you can just close your eyes and begin to hear what the sounds and activities must have been like for families moving across this country . . . at tremendous risk."

Commissioner Stamper thanked the families involved for helping to preserve the history of this area. He stated that this will add to the treasurers of Boone County. He also thanked Commissioner Vogt for working with everyone to see that this occurred.

Commissioner Miller stated that former-County Commissioner Don Sanders showed himself to be a visionary. She stated that he wanted to leave "all of us the experiences that he had." She stated that he worked hard to bring those things to life through his work at the BCHS.

Commissioner Miller stated that as a County Commissioner one really becomes involved in the history and concerned that the County develops in a way that will leave these values and improvements for the future.

Commissioner Miller thanked Dolores Sanders for continuing the effort after the death of her husband, Don Sanders.

Commissioner Vogt stated that this entire project has been very exciting. She thanked everyone involved for work and involvement on this project.

Dolores Sanders, 10550 Walnut Grove Ln stated that she was very appreciative of the County Commission for recognizing the historical significance of this land. She thanked the County Commission for the opportunity to preserve this land. She also thanked Bill Powell and David Sapp for their efforts to obtain the easement. She stated that if it had not been for the efforts of the Boone County Historical Society, none of this would have been possible. She stated that "it is a great day for Boone County."

Commissioner Vogt moved to gratefully receive and accept the Warranty Deed for 14.44 acres of property known as the Booneslick Trail and authorize the Presiding Commissioner to sign the related documentation. In addition, the County Commission will work on establishing policies for the maintenance of the Booneslick Trail in its entirety in Boone County in the future.

Commissioner Miller seconded the motion.

Discussion: Commissioner Miller stated that the Warranty Deed and attachments would be recorded.

Commissioner Stamper stated that this will effect everyone in Boone County. He stated that has a great deal of pleasure in doing this today.

The motion passed 3-0. **Order 417-2000**

Subject: Final Post Bond Assessments for Fairway Meadows, Trobridge and University Estates NIDs

John Watkins stated that the final post assessments were as follows: Fairway Meadows NID-\$128,348.01, University Estates NID-\$112,067.70, Trobridge-\$117,578.30.

Commissioner Vogt moved to **compute the final post bond assessment of the road improvement project for the Fairway Meadows Neighborhood Improvement District as certified by the Auditor to be \$ 128,348.01.**

The County Commission does hereby apportion the cost of said project equally by lot/tract of property within said district according to the provisions of 67.463.2 RSMO. (1993Supp.) and petition approved by said Commission.

The County Commission further orders the following:

1. Special assessments against the property described on the attached exhibit A and in the attached amounts.
2. The Clerk to proceed with the notification and collection of said assessments pursuant to the statutory provisions of 67.463 RSMo. The special assessments shall take effect October 24, 2000.
3. This order and attached exhibit A shall be maintained as an official public record with notice of this assessment to be given to all interested parties by recording this order in the land records of Boone County, Missouri.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 418-2000**

Commissioner Vogt moved to **compute the final post bond assessment of the road improvement project for the Trobridge Neighborhood Improvement District as certified by the Auditor to be \$117,578.30.**

The County Commission does hereby apportion the cost of said project equally by lot/tract of property within said district according to the provisions of 67.463.2 RSM). (1993Supp.) and petition approved by said Commission.

The County Commission further orders the following:

1. Special assessments against the property described on the attached exhibits A and in the attached amounts.
2. The Clerk to proceed with the notification and collection of said assessments pursuant to the statutory provisions of 67.463 RSMo. The special assessments shall take effect October 24, 2000.
3. This order and attached exhibit A shall be maintained as on official public record with notice of this assessment to be given to all interested parties by recording this order in the land records of Boone County, Missouri

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 419-2000**

Commissioner Miller moved to **compute the final post bond assessment of the road improvement project for the University Estates Neighborhood Improvement District as certified by the Auditor to be \$ 112,067.70.**

The County Commission does hereby apportion the cost of said project equally by lot/tract of property within said district according to the provisions of 67.463.2 RSMO. (1993Supp.) and petition approved by said Commission.

The County Commission further orders the following:

4. Special assessments against the property described on the attached exhibit A and in the attached amounts.
5. The Clerk to proceed with the notification and collection of said assessments pursuant to the statutory provisions of 67.463 RSMo. The special assessments shall take effect October 24, 2000.
6. This order and attached exhibit A shall be maintained as an official public record with notice of this assessment to be given to all interested parties by recording this order in the land records of Boone County, Missouri.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 420-2000**

Subject: Budget Revision for Guardian ad Litem expenditures

Mary Mueller stated that an additional \$20,000 was needed to be added to this account to cover the remainder of 2000.

Commissioner Miller stated that Court issues such as these are outside Commission control.

Mary Mueller stated that she did not have the exact figures, however Bob Perry, Court Administrator wanted it known that the filings have increased, however Boone County is still one

of the lowest in GLA fees per hour. He stated that the Court does not plan to raise that fee.

Commissioner Miller moved to approve the budget revision decreasing Department 1123, Account 86800 Emergency Fund and increasing Department 1241, Account 84600 by \$20,000 for Guardian ad Litem expenditures.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 421-2000**

Subject: Award bids 52-04OCT00 Sheriff's Department Parking Lot Project Repair/Maintenance, 53-04OCT00 Printers, and Sodium Chloride Term and Supply Contract

Marlene Ridgway, Interim Purchasing Director presented the following recommendations for the above awards:

52-04OCT00 Sheriff's Department Parking Lot Project Repair/Maintenance

The department and I have reviewed the bids received and are recommending award to Blacktop Paving Company as having presented the lowest and best bid meeting the minimum requirements. The total cost of this project is \$6,957.00

53-04OCT00 Printers

The department and I have reviewed the bids submitted and recommend rejecting the bid from Gateway as they took exception to the warranty specifications.

Accordingly, we recommend awarding the following items to Bid Innovations for having the lowest and best bid meeting the minimum specifications:

- 4.9.1 HP Laser Jet 2100 TN with add alternates 2 and 3*
- 4.9.2 HP Laser Jet 4050 TN with add alternates 2 and 3, and*
- 4.9.3 HP Laser Jet 4500 N with add alternate 2*

The total cost for this award is \$22,919.00

Sodium Chloride Term and Supply Contract

The Missouri Department of Transportation has recently awarded a contract for Sodium Chloride to Cargill, Inc. We have contacted this vendor to see if they would agree to enter into an agreement with Boone County under the same terms and conditions. They have agreed to this, so we are requesting approval to "piggyback" off the State's contract. The low bidder in our district is Cargill, Inc. The price per ton quoted is \$27.70 per ton delivered.

This is s Term and Supply contract, hence there is no need for Purchase Orders.

If the County Commission agrees with this purchase, a contract is provided for signatures.

Commissioner Vogt moved to award bid 53-04OCT00 Sheriff's Department Parking Lot Project Repair/Maintenance to Blacktop Paving Company as having presented the lowest and best bid meeting the minimum requirements and authorize the Presiding Commissioner to sign te documentation. Total cost of the project is \$6,957.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 422-2000**

Commissioner Miller moved to award bid 53-04OCT00 Printers to Bid Innovations as outlined on the attached recommendation from the Purchasing Department in the amount of \$22,919 and authorize the Presiding Commissioner to sign the documentation.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 423-2000**

Commissioner Vogt moved to approve a term and supply contract with Cargill, Inc. for Sodium Chloride at the price per ton of \$27.70 per ton delivered and authorize the Presiding Commissioner to sign the documentation.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 424-2000**

Subject: Request for Temporary Assistance in the Purchasing Department

This item was tabled.

Subject: Declaration of the Boone County Board of Park Commissioners Mission Statement

Commissioner Miller stated that the Mission Statement contained “very laudable goals.”

Commissioner Vogt stated that these goals were ones that the County Commission had discussed previously.

Commissioner Stamper moved to accept the declaration as developed and presented by the Boone County Board of Park Commissioners as a Mission Statement.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Vogt asked if the County should be included the Booneslick Trail under the Parks Commission.

Commissioner Stamper stated that the Booneslick Trail is a historic site, rather than a recreational area.

The motion passed 3-0. **Order 425-2000**

Subject: Resignation from the Energy & Environment Commission

Commissioner Stamper moved to accept the resignation of James Kilfoil from the Energy and Environment Commission.

Commissioner Miller seconded the motion.

Discussion: Commissioner Stamper requested that County Commission staff post the vacancy.

The motion passed 3-0. **Order 426-2000**

Subject: VOCA Annual Performance Report

Commissioner Stamper submitted the report for the public record.

Subject: Authorize a Closed Session pursuant to Section 610.021 (1,2) RSMo.

Commissioner Miller moved to authorize a closed session on Tuesday, October 24 2000 immediately following the regularly scheduled 9:30am meeting in the Government Center Commission Chambers at 801 E Walnut, Columbia, Missouri, as authorized by Section 610.021 (1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; and as authorized by Section 610.021 (2) RSMo. to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 427-2000**

Commissioner Reports

Commissioner Miller

Commissioner Miller stated that the groundbreaking for the new Boone Retirement Center facility was held yesterday. She stated that the residents of the facility clipped the ribbon.

Commissioner Vogt

Commissioner Vogt did not give reports.

Commissioner Stamper

Commissioner Stamper did not give reports.

There was no public comment.

The meeting adjourned at 10:15am.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner