

TERM OF COMMISSION: May Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Ken Pearson
District I Commissioner Karen Miller
District II Commissioner Skip Elkin
Deputy County Clerk Kerry Patton

The meeting was called to order at 9:30 a.m.

Commissioner Elkin welcomed the following students from Sturgeon's Government Class: Aaron Rutherford, Ian Current, Melisa Crawford, Tiffany Sharon, Joseph Lorentzen, Travis Sharp, Aron Carpenter, Amber Burton, Samantha Lake, Richard McKenzie, Jeremy Justice, Shelby Shives, Carissa Painter, Brooke Willits, Beth Colley, Erin Pollard, Michaela Lipe, Meagan Coconis, Heather Jennings, Sam Pollock, Lane Arends, Kyle Edwards, Richi Barnes, Katelyn Swartz, Jessica Puga, Taylor Rouse, Brady Sandker, Jordan Crammer, Krissy Arends, Chelsea Jennings, Dylan Colley, Alex Dennis, Kalia Heywood, Bruse Mason, Kim Westhoses, Sara Donaldson and Sherry Whitehead.

1. Finding of Public Nuisance and order for Abatement (5654 N Maple Court Columbia)

Gerry Worley and Kala Gunier, Health Department were present on behalf of this item.

Mr. Worley stated the attached is submitted for a manager's recommendation to abate due to the existence of a blue Astro van, a white 4 door Mercedes, a white 4 door antique/model car, a black 4 door Nissan, a blue 2 door Nissan, a gray 4 door car, a blue 4 door BMW, and a silver 4 door Lexus on the property constituting a public health nuisance. The property is located at 5654 N Maple Court in Columbia, Missouri (parcel #11-619-24-01-240.00 01) owned by Byron Holmes. An initial inspection conducted on March 29, 2007 revealed a violation of county ordinance section 6.9. A violation notice was sent on March 29, 2007 to Byron Holmes 5654 N Maple Court Columbia, MO 65202. Mr. Holmes signed for the certified letter April 18, 2007. Mr. Holmes contacted the Health Department on April 19, 2007 and May 3, 2007. Mr. Holmes says he can not afford to fix the automobiles to license them and he has no other place to store the automobiles. The home is located in a subdivision. There is a wooden privacy fence around the front of the home but the fence does not block the view from neighboring properties from a ground location. A re-inspection conducted on May 3, 2007 revealed the violation had not been abated. I recommend that we abate and tax bill if the nuisance still exists. Please note, this home has been the subject of numerous complaints by the neighbors.

Commissioner Pearson asked if anyone was in favor of this abatement, to please come forward.

Terri Ramirez, 5657 N. Maple Ct. Columbia

Ms. Ramirez, who lives across the street, said she had been asked by several neighbors to come forward and explain the impact these unlicensed cars have had on their neighborhood.

Although they appreciate Mr. Holmes putting up a fence around his property, it does not hide the cars. There is a neighbor who is selling his home and feels he has had to drastically reduce his price because of Mr. Holmes property. She provided pictures for the Commissioners to see.

Commissioner Pearson asked if there was anyone in opposition to please come forward.

Mr. Byron Holmes 5654 Maple Ct. Columbia

Mr. Holmes stated the cars are a hobby to him. He is in the process of fixing them up and cannot afford to have them licensed. He put up a fence in hopes it would take care of the problem. He has also put tarps over the vehicles. He feels he should be able to do whatever he wants on his own property.

Mr. Holmes provided several pictures of his vehicles to show they are not 'junk' cars.

Commissioner Elkin explained having unlicensed cars are a violation of our ordinances. You cannot accumulate cars in a subdivision. He can get them licensed or have them removed.

Commissioner Miller said the Commission is willing to allow additional time for Mr. Holmes to move his vehicles.

After additional discussion it was determined Mr. Holmes would remove all of the vehicles except the ones which are licensed and an additional vehicle which should remain in the carport covered.

Commissioner Miller asked Mr. Worley the process for abatement. Mr. Worley stated by signing the Order for Abatement, the Department of Health will work with Mr. Holmes on removing the cars.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the attached Finding of Public Nuisance and Order for Abatement of a public nuisance located at 5654 North Maple Court Columbia, Missouri.

Commissioner Elkin seconded the motion

There was no additional discussion.

The motion passed 3-0 **Order 198-2007**

2. Sheriff’s Department – Authorization to use Class 9 funds

Gary German, Sheriff’s Department was present on behalf of this item.

Mr. German read the following memo from Sgt. Chad Martin.

The Sheriff’s Department is requesting to use some remaining funds in 2901/92300.

While switching out radios in the patrol cars as part of the Interoperability Radio Grant program the department was able to add an accessory using existing equipment they didn’t initially realize would work. There are some push button control boxes from the old sirens that will work with the new radios and allow the officers direct push button channel access; however there are not enough old boxes for the entire fleet of new radios.

This feature allows the officers the simple push of a button to go to a pre-determined channel. The old method would have been to “dial” or push a button a certain number of times to find the channel they were looking for, in hopes the conversation would still be going on when they got there. Quick access to channels is even more important now that we have added all the State Interoperability Frequencies and almost tripled the number of frequencies in our radios.

The following will be required to outfit the rest of the new grant radios:

18 - Motorola Switch box H1615A = \$127.50 each =	\$2,295.00
10 – Motorola mounting bracket kit = \$12.75 each =	\$127.50
20 – Motorola cable = \$ 17.64 each =	<u>\$352.80</u>
Total =	\$2,775.30

In addition to the above, another unforeseen equipment need has occurred during all these radio switch outs.

There were a lot more of the old radio/siren combinations in service than originally anticipated. I am in need of two additional sirens to complete some more installations. These sirens are in addition to the four already purchased in this year’s budget. These sirens are the Code 3 Remote Lighted Siren purchased from Ed Roehr Safety products under the MoDOT contract. They are \$410 each plus shipping.

If possible, we are requesting to use the \$1,000 remaining in replacement mobile radios, \$1,288.36 remaining in portable radios, and the remaining needed \$1,306.94 out of unforeseen officer equipment. While considering this request please be aware of the following: due to the savings we were able to obtain in purchasing the sirens and light bars on existing bids/contracts there will be approximately \$3,200 not used in that category.

3. Variance Requests

A. Lot 9 Paradise Hills

Commissioner Miller stated the Road and Bridge Advisory Commission met on May 3, 2007 with the following two requests.

Mr. Kolillis put in his driveway according to ADA standards. It had passed inspection however, when he used his driveway he found the vehicles would bottom out and were pulling things off. His contractor suggested he lower his driveway to make a smoother transition between the street and the driveway. There are no other sidewalks other than what is front of Mr. Kolillis' home in the subdivision.

Boone County Public Works would like him to put the driveway back the way it was. Mr. Kolillis is seeking a variance so he can keep his driveway usable.

The concern from staff is water running down his driveway, filling up his garage. Mr. Kolillis is willing to accept the liability and any ADA claims that may come forward when and if sidewalks are connected throughout the subdivision

There was a motion to support his request for a variance to our standards. The staff will look into changing out standards identifying when a driveway is short with a deep slope of more than 10% grade.

Commissioner Miller moved now on this day the County Commission of the County of Boone does hereby accept the following Road and Bridge Advisory Committee Recommendation of Variance Request:

For driveway permit #6005 at Lot 9, Paradise Hills Subdivision to allow an existing residential driveway to remain under the following conditions:

1. County has no liability for any water issues at said property
2. County is not liable for any ADA claims.

Commissioner Miller recommended this order should be recorded for any future homeowner of this property.

Commissioner Elkin seconded the motion

There was no public comment.

The motion passed 3-0 **Order 199-2007**

B. 421 N Rangeline Road

A request by Kevin Brown from the Missouri Auto Auction located at the intersection of Route Z and Trade Center Drive. Due to business growth, he was asking for a variance to cut a curb on Trade Center Drive. The property has one (1) exit and entrance for large trucks. They would like to cut a curb on Trade Center Drive which would allow the north entrance on Route Z to be the entrance and the new cut to be the exit. He is requesting that they be allowed to start at 61' rather

than the 150' which the county requires from intersection. Mr. Brown stated this would relieve some of the bottle neck on Route Z and allow large trucks to be completely straight before exiting.

Staff advised Mr. Brown that you are not suppose to be granted a variance if 1) you can meet the regulations by doing it in compliance and 2) if you are acquiring the variance for economic gain, which seems to be the case. A motion to deny the variance was made and supported by the Road and Bridge Advisory Committe.

Commissioner Miller moved now on this day the County Commission of the County of Boone does herby accept the following recommendation from the Road and Bridge Advisory Committee to **deny** the request of Missouri Auto Auction to allow a curb cut at Trade Center Drive at 61' rather than 150' to create a new entrance.

Commissioner Elkin seconded the motion

There was no discussion and no public comment.

The motion passed 3-0 **Order 200-2007.**

4. Purchasing

Heather Turner, Purchasing Department was present on behalf of these items.

A. Meadowlake Subdivision Asphalt Overlay & Roadway Drainage Improvements 28-03MAY07

Ms. Turner stated the bid for the Meadowlake Subdivision Asphalt Overlay & Roadway Drainage Improvements closed on May 3, 2007. Six bids were received. Purchasing and the Public Work's department recommend award to Christensen Construction Co. for submitting the low bid.

Total cost of contract is \$192,464.00 with a 10% contingency of \$19,246.40 for a total Purchase Order amount of \$211,710.40. This contract will be paid out of department 2045 – Public Works Design and Construction, account number 71100 – Outside Services. The original budget was \$203,635.00.

There was no discussion and no public comment.

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 meeting with an appropriate order for approval.

B. Pavement Marking 07-12APR07

Commissioner Elkin moved now on this day the County Commission of the County of Boone does hereby award Bid 07-12APR07 – Pavement Marking to America's Parking Remarkng, Inc. It is further ordered the Presiding Commissioner be authorized to sign said contract.

Commissioner Miller seconded the motion

There was no discussion and no public comment.

The motion passed 3-0 **Order 201-2007.**

5. Economic Development Agreement – Centralia Chambers of Commerce

Commissioner Miller moved now on this day the County Commission of the County of Boone does hereby approve the Economic Development Agreement between the Commissioners of Boone County, Missouri and the Centralia Area Chamber of Commerce. It is further ordered that the Presiding Commissioner be 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 202-2007.**

6. Board of Trustees Appointment

Commissioner Elkin moved now on this day the County Commission of the County of Boone does hereby appoint Brian Nuener to the Boone Hospital Board of Trustees to fulfill the interim term expiring on 4/30/2009. The appointee shall hold the office until the next following municipal election, April 2008, when such vacancy shall be filled by election of a trustee to serve during the remainder of the term of his predecessor.

Commissioner Miller seconded the motion

There was no discussion and no public comment.

The motion passed 3-0 **Order 203-2007.**

7. Commissioner Reports

Commissioner Pearson reported on the following.

Boone County Council on Aging, Inc. – The Board met on May 9, 2007. Lois Shelton reported that Kitchens in Bloom earned over \$5,000. The executive director asked that board members sign-up for various committees. Staff is submitting a community development block grant for next year in the amount of \$35,000. Staff is trying to fill the Senior Services Specialist position. One of the problems filling the position is that it has no benefits. The Mature Living Festival, scheduled for August 11, needs additional support from the board. Board members have been asked to contact past participants about purchasing booths for the event.

8. Public Comment.

Commissioner Pearson welcomed the Government class of Sturgeon Middle School. He asked each of them to stand and introduce themselves for the public record. After which time the

Commissioners fielded questions regarding County Government.

The meeting adjourned at 10:30 a.m.

Attest:

Ken Pearson
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner