

TERM OF COMMISSION: February Session of the January 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  
Deputy County Clerk Kristina Johnson

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

**Sewer District**

**1. Formation of the Brown Station Neighborhood Improvement District**

Tom Ratermann stated the Brown Station Neighborhood Improvement District was formed several years ago. The original cost estimate was too low, after bids were opened the low bid on the construction was about \$119,000.00. With the known amounts of engineering and the anticipated administration costs the new petition was rewritten with the amount of \$173,000.00 in it. All six property owners signed the new petition and the hopes of this meeting today is that there would be a public hearing today.

Commissioner Pearson opened the hearing on the amended NID.

There was no public comment either for or against.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby acknowledge and accept the Second Amended Petition for the creation of the Brown Station Sanitary Sewer Neighborhood Improvement District;

**AND ORDER THE PROJECT, BROWN STATION SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT IMPROVEMENTS TO BE MADE AND AUTHORIZING THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, TO OBTAIN FINANCING, REIMBURSE ITSELF AND RECORD WITH RECORDER OF DEEDS.**

**WHEREAS**, pursuant to Sections 67.453 to 67.475, inclusive, RSMo, named the Neighborhood Improvement District Act (the "Act"), the County Commission of Boone County, Missouri has heretofore determined that Brown Station Sanitary Sewer Neighborhood Improvement District Project to be advisable and ordered plans and specifications for the Project to be prepared by Commission Order 46-2010; and

**WHEREAS**, plans and specifications for said Project, including the estimated cost, were submitted to the County Commission, an assessment roll was prepared and, pursuant to notice

duly given, a hearing was held on the proposed improvements and assessments:

**NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI:**

**Section 1.** The plans and specifications for the Brown Station Sanitary Sewer Neighborhood Improvement District Project, providing for an estimate cost of \$173,971.37 will be assessed against property benefited by the improvements, are hereby determined to be final and complete and the improvements described therein are ordered to be made.

**Section 2.** The County of Boone expects to make expenditures on and after the date of passage of this Order in connection with the Project, and the County of Boone intends to reimburse itself for such expenditures with the proceeds of notes or bonds of the County of Boone. The maximum principal amount of notes or bonds expected to be issued for the Project is \$217,464.21.

**Section 3.** The County of Boone hereby authorizes the Treasurer to issue temporary notes pursuant to the Act to finance the costs of the Project until the Project is completed and final costs are determined for the purpose of making assessments against the owners of property within the district.

**Section 4.** This Order and the proposed assessment roll for the Project, a copy of which is attached hereto as **Exhibit A**, is ordered and directed to be filed by the Clerk of Boone County, in the real estate records of the Recorder of Deeds of Boone County, Missouri.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 46-2010**

**2. Construction contract for Brown Station Sanitary Sewer Neighborhood Improvement District (second reading, first read on 1/7/2010)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve contract 77-29Dec09 – Brown Station Sanitary Sewer Neighborhood Improvement District to Travis Hodge Hauling, LLC. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 47-2010**

**Purchasing**

Tyson Boldan from Purchasing was present on behalf of this item.

**3. 143/2009 Scott Brand Air Pak 75 (first reading)**

Tyson Boldan stated Purchasing and the Sheriff Department request permission to utilize the City of Columbia contract 143/2009 to purchase a Scott Brand Air Pak 75 from Municipal Emergency Services, Inc. of Fremont, Nebraska.

Self-contained breathing apparatus for the Boone County Jail as follows:

SCOTT SCBA CUSTOM, #AP2140207200201, AP75 CBRN 4500 PSI, SCBA with Dual EBSS, and Pax Alert SE	
o 4 each @ \$3,830.00	\$15,320.00.00
AV3K, MEDIUM KEVLAR HH: Item # 805773-02	
o 4 each @ \$0.00	\$0.00
CYL&VLV, ASSY, CARB, 30 MIN, 4500: Item # 804721-01	
o 8 each @ \$669.50	\$5356.00
For a total contract price of	<b>\$20,676.00</b>

Contract will be paid from department 2981 – JAG – Recovery Act / Stimulus, account 92300 – Replacement Machinery and Equipment. \$20,676.00 was budgeted for 2009. \$20,340.33 remains in the account and savings in other parts of Class 9 will cover the remaining \$400.

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.

**Public Works**

Georganne Bowman from Public Works and Bill Florea from Planning and Zoning were present on behalf of this item.

**4. Stormwater Ordinance (second reading, first read on 1/12/2010)**

Georganne Bowman stated this is the second reading of the Stormwater Ordinance. This is a requirement under the County’s State MS4 permit that the County has an ordinance that covers construction site controls, post construction on stormwater management, and illicit discharge. This ordinance covers all of those and also covers questions from the first reading, the abeyance issue and performance bonding. Ms. Bowman stated she had done research with Greene County and the City of Springfield. When Springfield was audited they were required to put performance bonding in the ordinance, so the County is a little ahead of the game on that issue.

Commissioner Pearson asked for clarification, if Springfield did not have a bonding requirement

in their ordinance?

Ms. Bowman stated originally, yes that is correct. Ms. Bowman stated that it is important to remember that Springfield is a Phase I community, so they have been at Phase I requirements for about ten years, a little longer than us. When they were audited three years ago, this was a hole that EPA found and required that the performance bond issue be added. Green County, because they are associated with Springfield has gone ahead and put that in there, so they do not have that hold. The performance bonding is to prevent the County from having to pay if a contractor walks from the site. Basically there are four open sites in the County right now that we do not have the means to go in and stabilize the soil on the site. The County is responsible for these sites. Ms. Bowman stated the question was “how does the County bond these sites when bonding is such a difficult thing to do.” Ms. Bowman stated she researched this in Springfield and Green County, they both accept a cashier’s check paid to the County or the Treasurer, or they can do a letter of credit, or they can make that part of the escrow in a subdivision.

Commissioner Pearson stated so there are several ways of bonding the project. One of the concerns that were expressed about the bonding was that it might be difficult to obtain a bond? Did anyone in Springfield or Greene County address that?

Ms. Bowman stated they do not actually obtain a bond they either do a letter of credit or a cash bond.

Commissioner Pearson stated so they are not doing a surety type bond.

Ms. Bowman stated correct.

Commissioner Miller stated she would like to comment that even though the abeyance is still in the ordinance, it is the plan of this Commission and this order, that there is a delay of the implementation of this until such time that the City of Columbia would adopt similar language. The reason for this is because this is ineffective if the County places this in our ordinance and the City would annex in and not hold the person to it. Also this has not had the same public comment that the rest of the stormwater and land disturbance ordinance has had. This was in and the County worked on trying to get legal language that the County Counselor was comfortable with. In the interest of everyone involved the Commission feels like this requires more public discussion with various aspects in our community. So the recommendation is going to be that there is further public discussion over the abeyance issue.

Commissioner Miller stated she had a letter from Larry Oetting which was sent to Commission and was going to read.

Commissioner Pearson read Larry Oetting’s letter. I was surprised to read in the February 1<sup>st</sup> edition of the Columbia Daily Tribune (on the back page) that the portion of the stormwater ordinance dealing with the abeyance provision was set for a final reading at tomorrow’s Boone County Commission meeting.

It was my understanding prior to the November Planning and Zoning meeting that the stormwater ordinance would be addressed and possibility approved before the abeyance provision would be addressed, with time for discussion and public input on the provision being given prior to the attempt to adopt the provision.

I was the lone vote against adopting the stormwater ordinance, mainly because of the late addition of the abeyance provision. As County Commissioners, you have the responsibility to allow public input on this late addition provision with more notice and time being given before approving the ordinance with the provision intact.

Thanks,

Larry Oetting

Commissioner Pearson inquired if anyone else would like to speak for or against this issue.

Greg Buckman stated he would like to speak against the stormwater ordinance. Mr. Buckman stated he was from the Hallsville area 14601 N Rt U. Mr. Buckman stated he is present as a landowner and as a resident of Boone County. Mr. Buckman stated “we” are adamantly against anything in this ordinance that is directed towards agriculture and agricultural use of land. This is a direct infringement on our property rights. Mr. Buckman stated this is allowing the County and government to overstep their boundaries. As agricultural producers and landowners, we already take good care of our land by the abundance of the conservation practices that we lost over to many of organizations such as the NSRC and the USDA and FSA and other groups that already involved that helps us manage our land to the proper means. Normally when farmers are given the opportunity to make a choice they make the right choice. We live on the land and it is in our best interest to protect our resources and make sure that the clear or clean or construction terraces or ponds. They are built in the right way and in the right places. Mr. Buckman stated there is no intent to cause any damage to the neighbors or the County. This situation where our agricultural owners are not able to sell our land for six years is an overreach of government and an infringement on our property rights. This is also a time that the tight margins should be kept in mind. An ordinance that costs anything is too much, and also causes other revelations that we have not even thought of that might go along with this permit that we would have to have. Also as necessary cost that would be passed on to the home buyers which then slows down and puts a damper on our County’s economy. Mr. Buckman stated we do not believe the County has the statutory rights to regulate agricultural land use at this time.

Commissioner Pearson inquired if there was anyone else who wishes to provide comment.

John Sam Williamson stated he lives at 49035 Coat Ln. Mr. Williamson stated he is a sixth generation Williamson to own the same farm down by the river bottoms. Mr. Williamson stated he would echo a lot of what Greg Buckman just said. Mr. Williamson stated he believes that we have a lot of state and federal regulations that cover most of this and maybe there is some mandate that the County has to do something. It seems like the USDA, EPA, DNR; all the letter agencies already regulate agriculture quite a bit. Mr. Williamson stated anything he does on his

farm he has to get approval from FSA, for instance to plant crops on how he plows the land so there is no erosion. Mr. Williamson stated he has to build terraces or use no till planting practices. Mr. Williamson stated he is president of their levee district board, and they are dealing with a whole new set of regulations from the Core of Engineers. These are about our levies and setbacks of brush and trees, and even crops of at least fifteen feet away from the levees. Mr. Williamson stated he believes that some of this is excessive and not needed. Farmers do not want to pollute the streams and they do not want to pollute the water, these are natural resources and we want to take care of them. Certainly, Mr. Williamson stated, is not advocating allowing erosion which he thinks that this ordinance would mostly apply to. Mr. Williamson stated on his farm they have done some development and had to put up the silt fences and sometimes they are not good enough and we have to do other things and we are willing to do those things but he thinks any addition is probably more than we need. Mr. Williamson stated he does believe that what Commissioner Miller said about the abeyance is good, he has been wondering about that. He thinks it is time that the County studies this a little more and understands what it is. Mr. Williamson stated he appreciates the Commission giving us that time. Mr. Williamson stated he understands that the Commission is trying to move this all along because it is part of this, but it seems to him that since the abeyance has not been apart of it that to wait for the legal language is a good idea.

Commissioner Miller stated they have the legal language but the County does need time for public comment.

Mr. Williamson stated right, right; he thinks that the County does. This is really the first that he had heard officially of this. Larry Oetting called last night and made him aware of this issue. And that is all for today.

Commissioner Miller asked Georganne Bowman and Bill Florea to come forward again. Commissioner Miller asked for both Ms. Bowman and Mr. Florea to address the agricultural requirements in the ordinance and the comment that property owners cannot sell for six years.

Mr. Florea stated there is no prohibition on selling land. If abeyance was applied to a piece of property it would restrict the County from issuing the development permits on that piece of property but it still qualifies any other non-regulated use such as agricultural and it is able to be sold on the open market as any other piece of land. That abeyance would transfer over to the new owner.

Commissioner Miller stated this is not the whole property either.

Mr. Florea stated not necessarily. It depends on the size of the property. The abeyance is a 1000ft band including the area that would have been subject to a permit requirement. As to the agricultural issue, the ordinance does not regulate agricultural activity. The ordinance restricts development permits which are not by definition agricultural activity. There is a provision in the regulations that enables an owner of agricultural land to voluntarily go through a County permitting process before they do any kind of an activity that would require a permit if it were not agricultural. Mr. Florea stated if they follow that process and go through that permit process,

then the abeyance does not apply. For example, if he owned land that was distant from Columbia and probably not suitable for development, he probably would not choose to come in and get his permit before he did some sort of agricultural clearing. Conversely if he was inside the service area and knew that there was a City sewer close by or some particular characteristic that made that property suitable and valuable for development, then he would choose to come in and go through the County's permit process so he was not subjecting his land to the abeyance. So, this is not a regulation of agricultural activity, which is not to say that it does not affect the agricultural community because it does, but it does not restrict or regulate agricultural land. It is the conversion of the agricultural land to a non-agricultural use that is the target of that regulation.

Commissioner Pearson stated so, if he was a farmer and they cleared some land with the intent of putting in a new fence row, as long as we are improving the topographical characteristic of the land, as long as it is being done for farming purposes and there is no intent of selling for development there will not be any problem, you do not have to do anything right?

Mr. Florea stated correct.

Commissioner Pearson stated so this is not directed at farming per say this abeyance. It is only if the land is cleared and then sold for development.

Mr. Florea stated cleared and then converted to a different use.

Commissioner Miller stated since the abeyance is not going to be implemented does the rest of the ordinance in any way impact agriculture.

Mr. Florea stated no. In fact there are clear exemptions for agriculture in the ordinance.

Commissioner Miller stated she just wanted to clarify that.

Mr. Florea stated there is also that clarification echoed in state and federal law also.

Commissioner Elkin stated the abeyance takes place when the City adopts it, correct?

Mr. Florea stated the abeyance comes back to the County Commission for approval.

Commissioner Miller stated after this has had public discussion and it may need to be changed.

Commissioner Pearson stated one of the concerns he had heard with the abeyance was that a farmer clears some land with the intent of staying on the land and then through some event dies, and the family for whatever reason decides that they want to sell that property and it is sold to someone who wants to develop it. The original intent was to stay on the farm and farm it and the subsequent owners would like to sell it, what is the alternative for the subsequent owner?

Mr. Florea stated the way it is currently written that allows going through the Board of

Adjustment and asking for a waiver from the abeyance. That was put in there specifically for that type of unforeseen occurrence.

Commissioner Pearson asked who would appear before the Board of Adjustment?

Mr. Florea stated it would have to be a representative of the current land because the abeyance applies to the land and unless they ask someone to come in on their behalf the buyer would have no standing to ask for any kind of activity.

Commissioner Pearson stated he thinks that it is good to flush this out a little bit. So if the person dies and now the family has the property and they want to sell it, if they want to sell it to someone who is going to develop it there is an issue maybe with the abeyance.

Mr. Florea stated correct.

Commissioner Pearson stated if they sell it to another farmer who is going to farm it, there is no problem.

Mr. Florea stated correct.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby adopt the following ordinance:

WHEREAS, the Boone County Stormwater Ordinance was the subject of no less than three (3) public hearings taking place in County seat of Boone County on 8/20/2009, the Northern District on 9/14/2009, and the Southern District on 9/21/2009, after due notice of the same was posted in accordance with law and published more than fifteen (15) days in advance of the aforementioned hearings in the Columbia Daily Tribune, Fireside Guard and/or Boone County Journal in accordance with law; and

WHEREAS, the Boone County Planning and Zoning Commission recommended to the County Commission that the County Commission adopt said regulations on 11/19/2009; and

WHEREAS, the Boone County Commission desires to adopt the same with a delayed effective date as to Section 9.3 of the ordinance which addresses temporary abeyances; and

WHEREAS, the Boone County Commission desires to delay implementation of Section 9.3 until such time as the City of Columbia passes a similar provision in its land use regulations.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

Section I: The Boone County Stormwater Ordinance attached hereto is hereby enacted.

Section II: The ordinance shall become effective on the 15th day of April, 2010, with the exception of Section 9.3. Section 9.3 (Temporary Abeyance of Development Approvals and Permits) shall become effective upon adoption of similar ordinance in the City of Columbia and subsequent resolution by the County Commission.



Section III: A review of this ordinance will occur after one year of implementation.

Commissioner Pearson seconded the motion.

Commissioner Elkin stated he wanted to make some comments. He wanted to thank Bill Florea, Georganne Bowman, Commissioner Miller, and staff for the time and energy that has gone into this. Commissioner Elkin stated he knows that they all got sick of hearing him be the devil's advocate at every one of those meetings. There is some good stuff in here but there is some stuff in here that he is philosophically opposed to. The abeyance kind of scares the heck out of him. Commissioner Elkin stated he knows it is delayed but he has every thought that eventually it will be in the ordinance. Commissioner Elkin stated it is all or nothing as far as our vote here and there are some things present that really concern him. The cost to the ultimate home owner on development he just does not have a good feel and talking to some developers this is going to drive home prices quite a bit. Commissioner Elkin stated he is not suggesting that the County does not need stormwater protection and water quality issues, because the County does. Commissioner Elkin stated he would again like to thank everyone for their hard work.

Commissioner Pearson stated this is one of those things that it is almost the quintessential unfunded mandate. Coming from the federal government through the state with an expectation that the County will regulate stormwater and land disturbance. To just say no, is not acceptable. The County must do something. The Stormwater Task Force met for five or six years and worked on a variety of issue associated with this. The staff here has worked long and hard on this and the Commission has worked long and hard on it and we have had a good devil's advocate, and he appreciates that. One of the things that he thinks should be noted is any time a regulation is written it has been his experience that no matter how much effort is put into a regulation there will be things that occur that is found out after the implementation has begun that need to be tweaked. One of the most important sections of this is the review of this. An ordinance should be as good as it can be made, but it should be recognized that some tweaking will need to be done. Commissioner Pearson stated he thanks staff, the engineers, and the community, even those who are adamantly opposed, this is part of the process. This is one of those things that must be done and he believes that the County has tried to be as reasonable as possible. Commissioner Pearson stated he has no problem at all supporting this.

There was no discussion or public comment.

The motion carried 2 to 1. **Order 48-2010**

**For:** Commissioner Miller and Commissioner Pearson

**Against:** Commissioner Elkin

**Sheriff's Department**

**5. Budget Amendment for Drug related overtime (second reading, first read on**

1/21/2010)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment for drug related overtime:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
2500	10110	Forfeiture Funds	Overtime		6,496.00

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 49-2010**

#### 6. Budget Revision for Corrections (second reading, first read on 1/28/2010)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget revision to cover budget shortages in corrections Class 2 Account:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1255	48100	Corrections	Natural Gas	14,500.00	
1255	59000	Corrections	Gasoline	10,000.00	
1255	60050	Corrections	Equip serv cont	3,000.00	
1255	60200	Corrections	Equip Repair	3,000.00	
1255	60250	Corrections	Equip Install	1,000.00	
1255	92300	Corrections	Emerg Equip Repl	5,000.00	
1255	10100	Corrections	Salary & Wages	3,500.00	
1255	23400	Corrections	Food		14,500.00
1255	23501	Corrections	Prec Drugs		25,500.00

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 50-2010**

#### Circuit Court

#### 7. Budget Revision for Jury Service Costs (second reading, first read on 1/28/2010)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the following budget revision to cover budget shortages in Dept. 71100 Jury Services:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1230	60050	Jury Services	Service Contracts	11,000.00	
1230	84600	Jury Services	Court Costs	8,000.00	
1241	71100	Juvenile	Outside Services	5,000.00	
1230	71100	Jury Services	Outside Services		24,000.00

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 51-2010**

**Commission Office**

**8. Contract with MU for a Medical Examiner (first read)**

Commissioner Elkin stated this is the County’s annual agreement with the University of Missouri for a Medical Examiner’s services and also supporting services for death investigations and lab testing and so forth.

Commissioner Miller inquired if this includes part of the building reimbursement costs? When does that end?

Commissioner Elkin stated yes it does and he believed it was for five years and the County is in year four. The three percent increase is not on top of the County’s annual increase but rather the principal amount.

Commissioner Pearson stated so there are three components to this the medical examiner professional services, facility improvements, and the medical examiner testing service. This is about \$17,525.67 per month which is actually a deal for the kinds of services the County gets. The County is required by law as a first class County to have a medical examiner or to contract for one.

Commissioner Miller stated yes an unfunded mandate.

Commissioner Elkin stated if the County had to go out and build the morgue, hire an ME, death investigation services and everything that goes with it, the County would pay at minimum \$17,000.00.

Commissioner Pearson stated by having this contract with the University they are able to provide this service to us but they also are able to use that facility and provide services to other County's. It is a win for us, it is a win for the University, and it is a win for other County's that would not otherwise be able to do this.

Commissioner Elkin stated one good thing that is never really thought about when it comes to medical examiner services is the professional testimony they provide in the court.

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.

**9. Organizational Use of Boone County Facilities by Community Recreation (first and second reading)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the organizational use of the Boone County Commission Chambers by Bill Thompson, Recreation Specialist, for a public discussion over President Obama, on February 10<sup>th</sup>, 2010 from 6:00 pm to 9:00 pm.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 52-2010**

**10. Appointment of Paul Prevo to the Planning and Zoning Commission (first and second read)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the appointment of Paul Prevo to the Planning and Zoning Commission effective 2/2/2010 and expiring on 1/31/2014.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 53-2010**

**11. Appointment of John Karle to the Senior Citizens Service Corp (first and second read)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the appointment of John Karle to the Senior Citizens Service Corp. effective 2/2/2010 and expiring on 1/31/2013.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 54-2010**

**12. Missouri Water and Wastewater Project Proposal (first and second read)**

Commissioner Miller stated this is the Manchester Heights CDBG. After the Commission work session in staff she signed this yesterday so they could meet a deadline to get this on the February 6<sup>th</sup> agenda. She stated she did tell them that they may not have a very good opportunity based on the fact that the Commission is holding the CDBG for Prathersville for one last push by the department to get that NID in place. If they were under a deadline they should as for an extension of the deadline. Commissioner Miller stated her signature just needs to be approved.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Missouri Water and Wastewater Project Proposal. It is further ordered the Commissioner Miller is hereby authorized to sign said proposal.

Commissioner Pearson seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 55-2010**

**13. Economic Development for 2010 Show Me Games (first reading)**

Commissioner Miller stated this is just the County's annual contribution. This is one that really pays off.

Commissioner Pearson stated this has been reduced this year. This has an \$18,000,000.00 a year economic impact on the community. There is always the specter of outside competition for this, somewhere southwest. The County wants to do what it can to keep it here.

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.

**14. Extension of the MOU (first and second reading)**

Commissioner Pearson stated the County extended the MOU last month. This is an extension that has been signed by the business agent Rex Taggard this is effective on March 1. CJ Dykhouse the County Counselor drafted this.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the agreement between Boone County, Missouri and the Laborer's Local Union to extend the MOU through March 1, 2010. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

Commissioner Pearson stated the reason for doing the extension is that currently there are negotiations for a new MOU and because of a court decision last year MOU's are considered binding contracts. Both the County and the Union have been going through the existing MOU with an eye to make this, the best document that can be made.

There was no further discussion or public comment.

The motion carried 3 to 0. **Order 56-2010**

**15. Budget Amendment for the Government Center Capital Project (second reading, first read on 1/21/2010)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment to establish appropriation for additional A/E services (Simon Oswald) for extending stairs to the 3<sup>rd</sup> floor:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
4010	71211	Gov Center Cap Project	A/E Fees		8,375.00
4010	71212	Gov Center Cap Project	A/E Reimbursables		500.00

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 57-2010**

**16. Contract for the Government Center Capital Project (second reading, first read on 1/21/2010)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Agreement for Consultant Services with Simon Oswald Architecture for the Boone County Government Center extension of stairs to the 3<sup>rd</sup> floor - Phase II. The terms of this contract are stipulated in the attached agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 58-2010**

**17. Economic Development Agreement (second reading, first read on 1/28/2010)**

Commissioner Pearson stated this is with the Centralia Area Chamber of Commerce and this is for \$2,000.00 which is a reduction from previous years.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Economic Development Agreement with Centralia Area Chamber of Commerce. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 59-2010**

**Miscellaneous**

**18. Public Comment**

**19. Commissioner Reports**

Commissioner Pearson reported he went to Grant Elementary School yesterday and spoke with 5<sup>th</sup> graders. Commissioner Pearson stated they tended to be precocious. He stated he was asked some really good questions and it was fun.

**20. Motion to move into Closed Session \*\*\***

The meeting adjourned at 10:33 a.m.

Attest:

\_\_\_\_\_  
Kenneth M. Pearson  
Presiding Commissioner

\_\_\_\_\_  
Wendy S. Noren  
Clerk of the County Commission

\_\_\_\_\_  
Karen M. Miller  
District I Commissioner

\_\_\_\_\_  
Skip Elkin  
District II Commissioner