

TERM OF COMMISSION: March Session of the January Adjourned Term

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

PRESENT WERE: Presiding Commission Daniel Atwill
District II Commissioner Janet Thompson
Director Resource Management Stan Shawver
Senior Buyer Amy Robbins
Deputy County Clerk Mike Yaquinto

The meeting was called to order at 1:36 p.m.

Purchasing

1. First reading; Bid Award 09-07FEB14 – Concrete Repair Term & Supply

Amy Robbins read the following memo:

09-07FEB14 – Concrete Repair Term & Supply opened on February 11, 2013. Seven bids were received and Resource Management recommends a multi-vendor award by low bid to Straight Edge Concrete as Primary, Watson Concrete, Inc. as Secondary and Emery Sapp & Sons as Tertiary.

\$200,000.00 was budgeted for this contract and invoices will be paid from department 2041 – Infrastructure Preservation/Rehabilitation, account 71100 – Outside Services.

There were no comments or questions.

Commissioner Atwill 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

appropriate order for approval.

2. First reading; Computer and Peripheral Surplus Disposal

Amy Robbins said that the next two items are for Computer and Peripheral Surplus Disposal and have the same memo attached. By reading the memo for this item will carryover to the next item as well. Ms. Robbins read the following memo:

The Purchasing Departments requests permission to dispose of the following list of surplus PC & Peripheral equipment through MRC Recycling Center. MRC Recycling will pick up our surplus at no charge. They are a State of Missouri, DNR Level Four recycling center. No computer items are land-filled. Purchasing will obtain a Certificate of Destruction, and we will let them know that we want everything recycled, not reused so nothing ends up in the landfill.

Prior to Computer surplus coming to Purchasing for disposal, Information Technology has removed the hard-drives for destruction by their department. Their procedure for PC disposal is:

Once all the data is copied or recovered for the user, IT removes the hard drive and memory from the PC. The memory is held to be used for upgrading other PCs at the county that can benefit. IT sometimes removes parts that can be used as spare if the model is current enough. (ie Power Supplies, Video Cards, etc.) The hard drive is held for a minimum of 30 days in case a user identifies something is missing. After 30 days IT may reuse the hard drive in other county PCs if there are failures. If a hard drive goes unused or fails and IT needs to physically dispose of it, they drill a 5/8" hole through the drive and the data platters. Once IT has collection of "drilled" drives, they deliver them to PC recycling vendor, MRC Recycling Center.

MRC Recycling Center certifies that they have picked up the following items and that all

items will be recycled, not reused, so nothing ends up in the landfill.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

3. First reading; Computer and Peripheral Surplus Disposal

Refer to item #2.

4. Second reading; State of Missouri Cooperative Contract C112239001 – Small Hand and Power Tools & Accessories (1st read 3-11-14)

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve the utilization of the State of Missouri Cooperative Contract C112239001 for Small Hand and Power Tools & Accessories.

The terms of this Cooperative Contract are stipulated in the attached Purchase Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Purchase Agreement.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #102-2014**

5. Second reading; Contract Amendment Number Two to 22-24JUN11 – Urban Retrofit Monitoring of Stormwater Practices in Hinkson Creek Watershed (1st read 3-

11-14)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve Contract Amendment Number Two to 22-24JUN11 for Urban Retrofit Monitoring of Stormwater Practices in Hinkson Creek Watershed modifying the scope of services to reflect the reduced number of stormwater Best Management Practices that will be monitored, adjusts the contractor's role from primary to secondary assistance with respect to quality assurance plan revisions and removes sample collections at the residential site.

The terms of this amendment are stipulated in the attached Contract Amendment Number Two. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number Two.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #103-2014**

Resource Management

6. Second reading; Contract for Cost-Share between Boone County and Michael and Janna Watson (1st read 3-11-14)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Cost-Share Agreement between the County of Boone and Michael and Janna Watson located at 7420 E. Sunny Vale Drive for installation of a Vegetated Drainage Swale, Seeded Berms and Native Plants.

The terms of this Cost-Share Agreement are stipulated in the attached contract. It is further

ordered the Presiding Commissioner is hereby authorized to sign said Contract.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #104-2014**

7. Second reading; Contract for Cost-Share between Boone County and Douglas and Deanna Phillips (1st read 3-11-14)

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve the Cost-Share Agreement between the County of Boone and Douglas and Deanna Phillips located at 7440 E. Sunny Vale Drive for installation of a Vegetated Drainage Swale, Seeded Berms and Native Plants.

The terms of this Cost-Share Agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #105-2014**

8. Second reading; General Consultant Services Agreement with Malicoat-Winslow Engineers, P.C. (1st read 3-11-14)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Consultant Services Agreement with Malicoat-Winslow Engineers, P.C.

It is further ordered the Presiding Commissioner is hereby authorized to sign the attached

Consultant Services Agreement.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #106-2014**

9. Second reading; Contract Amendment Number One for Reallocation –Based Project, Town of Harrisburg (1st read 3-11-14)

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve Contract Amendment Number One relating to the agreement for Approved Reallocation-Based Project between the County of Boone and the Town of Harrisburg.

The terms of this amendment are stipulated in the attached Contract Amendment Number One. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number One.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #107-2014**

10. 1st & 2nd reading; Findings of Fact, Conclusions of Law and Decision on County Downes Block I Subdivision

Stan Shawver said that this is to confirm the action the Commission took on March 6th at the night meeting where a vacation request was considered for Lot 1 of County Downes, Subdivision Block I. The following is the Findings of Fact, Conclusions of Law and Decision from that meeting:

Findings of Fact:

1. County Downes Block I Subdivision is located in SW 1/4 of Section 11, Township 49 North, and Range 13 West of Boone County Missouri.
2. County Downes Block I is zoned R-S (Single Family Residential).
3. County Downes Block I was recorded in May 1978 in Plat Book 12, Page 42 of Boone County Records and consisted of sixteen lots having a lot size that ranges from 1.3 acres to 1.7 acres.
4. Basnett Properties LLC is the owner of County Downes Block I, Lot 1.
5. A petition to vacate and re-plat Lot 1, a 1.5 acre lot within County Downes Block I, was submitted to the Boone County Commission.
6. All property owners within 500 feet of Lot 1, County Downes Block I were notified of the request in accordance with Boone County policy.
7. On March 6, 2014, the Boone County Commission held a public hearing to consider the request to vacate and re-plat Lot 1, County Downes Block I.
8. Basnett Properties LLC was represented by Arthur Basnett, principal and David Butcher, surveyor, during the March 6, 2014 public hearing.
9. Testimony by the petitioner during the March 6, 2014 hearing indicated that the reason for requesting that Lot 1 be vacated was so that the lot could be re-platted to create an additional lot that could contain a home.

10. Testimony by the petitioner during the March 6, 2014 hearing indicated that one lot would include approximately .86 acres of land, and the other lot would include .49 acres of land.

11. Testimony by the petitioner during the March 6, 2014 hearing indicated that there is sufficient water and sanitary sewer capacity available to serve an additional house.

12. Adjoining property owners testified to their concern that future development of the subject tract could have a negative impact on the character of their neighborhood.

13. Adjoining property owners testified that vacating and then re-platting the 1.5 acre tract into two smaller lots will create two lots that are substantially smaller than the majority of those in the neighborhood.

14. The average lot size within 500 feet of County Downes Block I Lot 1 is 1.49 acres.

15. Adjoining property owners testified that creating smaller lots than those in the neighborhood would have a negative impact on property values.

16. Adjoining property owners testified that there is currently a drainage problem on County Downes Block I Lot 1 in that water often stands on the south end of the lot and frequently overflows the main road.

Conclusions of Law:

1. Boone County, Missouri is a First Class County within the State of Missouri.
2. Boone County adopted a program of Planning and Zoning under Section 64.800 of the Revised Statutes of the State of Missouri (RSMo) when it was a Second Class County.

3. Section 64.905 RSMo authorizes first class counties that adopted ordinances under 64.800 to continue under those statutes even after said county becomes a first class county.
4. Section 64.825 RSMo authorizes counties to adopt regulations governing the subdivision of land.
5. Boone County adopted regulations governing the subdivision of land in December 1973. These regulations were revised in June 1995.
6. Section 1.8 of the Boone County Subdivision Regulations authorizes the Boone County Commission to vacate land previously platted providing good cause is shown during a public hearing, that indicates the land can be vacated and subsequently re-platted without “adversely affecting the character of the neighborhood, traffic conditions, circulation, the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision, property values within the subdivision, public utility facilities and services, and will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate.”

Decision:

1. The Boone County Commission determines that there is not good cause to vacate Lot 1 of County Downes Block I...
2. The Boone County Commission determines that vacating Lot 1 of County Downes Block I will have a negative impact on the character of existing properties and homes in the neighborhood.

Therefore, the Boone County Commission hereby DENIES the petition to vacate Lot 1 of County Downes Block I.

Commissioner Thompson moved on this day the County Commission of the County of Boone, based on the attached Findings of Fact, Conclusions of Law and Decision, does hereby deny the petition to vacate Lot 1 of County Downes Block I.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #108-2014**

Collector

11. Second reading; Consultant Services for 2014 Delinquent Tax Sale (1st read 3-11-14)

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve the Consultant Services Agreement with A Civil Group to provide legal descriptions research and drafting for 2014 Delinquent Tax Sale for the Collector's Office.

It is further ordered the Presiding Commissioner is hereby authorized to sign the attached Consultant Services Agreement.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #109-2014**

Sheriff's Department

12. Second reading; Above Transfer Salary for Raymond Scheeler (1st read 3-11-14)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Request to Transfer Above ATS for Raymond Scheeler,

Position Title: Corrections Corporal, Position No.: 659 at 106% above mid-point.

It is further ordered the Commissioners sign the attached ATS form.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #110-2014**

Commission

13. 1st & 2nd reading; Approve Closed Session authorized per RSMo Sec 610.021 (1) at 3:00PM on March 13, 2014

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Thursday, March 13, 2014, at 3:00 p.m. The meeting will be held in Room 338 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by RSMo 610.021(1), 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.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #111-2014**

14. 1st & 2nd reading; Organizational Use of the Government Center Chambers by Missouri NOW for June 1, 2014

Commissioner Thompson moved on this day the County Commission of the County of Boone

does hereby approve the Organizational Use of the Government Center Chambers by Missouri NOW for June 1, 2014 from 11:00 a.m. to 4:00 p.m.

Commissioner Atwill seconded the motion.

The motion carried 2 to 0. **Order #112-2014**

15. Public Comment

None

16. Commissioner Reports

None

The meeting adjourned at 1:56 p.m.

Attest:

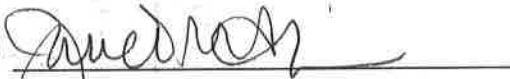

Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner