

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 Commissioner Dan Atwill  
District I Commissioner Fred Parry  
District II Commissioner Janet Thompson  
Director Purchasing Melinda Bobbitt  
Interim Director Resource Management Bill Florea  
Senior Account Jason Gibson  
Joint Communications Pat Schreiner  
Resource Mgt. Code Enforcement Officer Ryland Rodes  
Deputy County Clerk Mike Yaquinto

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

**Resource Management**

**1. Public Hearing on Re-adoption of the Building Code**

Bill Florea said this is the third public hearing on the adoption of the Building Code. The first hearing was on February 28<sup>th</sup> and the second was on March 2<sup>nd</sup>. Following the conclusion of the hearings, we will consider testimony, if any. After that, we will draft an order, submit it to legal for review and then present to Commission for consideration.

Commissioner Atwill opened the public hearing and asked if there is anyone present that would like to speak on this issue. There were no speakers and Commissioner Atwill closed the public hearing.

**2. Second reading; Revision and Re-adoption of the Boone County Zoning Regulations and Boone County Stormwater Ordinance, Sections 1 – 28 (1<sup>st</sup> read 3-2-17)**

Commissioner Thompson moved on this day the County Commission of the County of Boone takes up the revision and re-adoption of the Boone County Zoning Regulations and the Boone County Stormwater Ordinance, Sections 1 through 28. This includes Section 22, the revised Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency and known as the “Floodplain Management Ordinance.” The revised FIRM will be effective on April 19, 2017.

WHEREAS, the Boone County Planning and Zoning Commission conducted three (3) public hearings, after due public notice, into the issue of re-adoption of the County's current zoning regulations, including FIRM, and the Boone County Stormwater Ordinance; and

WHEREAS, the Boone County Planning and Zoning Commission (P&Z) has recommended that the County Commission readopt those zoning regulations, including FIRM and the Stormwater Ordinance; and

WHEREAS, the County Commission conducted a public hearing on re-adoption of those regulations on December 27, 2016; and

WHEREAS, all required notices have been given and all required public hearings have been held;

NOW, THEREFORE, the County Commission of the County of Boone does hereby adopt the Boone County Zoning Regulations and the Stormwater Ordinance, Sections 1 through 28, which includes Section 22, the revised Flood Insurance Rate Maps as prepared by the Federal Emergency Management Agency, and known here as the “Floodplain Management Ordinance,” copies of which are attached and incorporated here by reference, along with the following attachments:

1. Notice of the 1st P&Z hearing, affidavit of newspaper publication, affidavit of posting in the Boone County Government Center, and the hearing minutes.
2. Notice of the 2nd P&Z hearing, affidavit of newspaper publication, affidavit of posting in the Boone County Government Center (southern district), and the hearing minutes.
3. Notice of 3rd P&Z hearing, affidavit of newspaper publication, affidavit of posting in the Boone County Government Center (northern district), and the hearing minutes.
4. Minutes from P&Z meeting with recommendation for adoption.
5. Notice of public hearing before the County Commission on December 27, 2016, affidavit of newspaper publication, affidavit of posting in Boone County Government Center, and the hearing minutes showing the public hearing was opened for the re-adoption of the zoning regulations and the Stormwater Ordinance.
6. Complete copy of Zoning Regulations and the Stormwater Ordinance, Sections 1 through 28 including the revised Flood Insurance Rate Maps.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #106-2017**

### **Purchasing**

#### **3. First reading; Contract Amendment Number One to 21-07MAY14, Road Construction Equipment Rental Term & Supply**

Melinda Bobbitt read the following memo:

*Contract 21-07MAY14 – Road Construction Equipment Rental – Term and Supply* was approved by commission for award to Hertz Equipment Rental Corporation of St. Louis, Missouri on July 22, 2014, commission order 356-2014. This amendment is for an Agreement and Consent to Assignment of Contract from Hertz Equipment Rental

Corporation to Herc Rentals Inc.

Invoices will continue to be paid from department 2040 – Public Works Maintenance Operations, account 71700 – Equipment Rentals. Budgeted \$27,000.00

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

**4. Second reading; Cooperative Contract 031715-KII, KI Office Furniture (1<sup>st</sup> read 3-2-17)**

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the utilization of the National Joint Powers Alliance Term & Supply Cooperative Contract 031715-KII with Inside the Lines of Columbia, MO for KI Office Furniture.

The terms of the 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 3 to 0. **Order #107-2017**

**5. Second reading; Cooperative Contract 3-150930RW to purchase two (2) Henderson 10 Foot Snowplows and dispose of two (2) Snowplows (1<sup>st</sup> read 3-2-17)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the utilization of the Missouri Department of Transportation General Services Cooperative Contract 3-150930RW to purchase two (2) Henderson 10 Foot Snowplows from Henderson Products, Inc. of Chicago, IL and dispose of the following:

- 1988 Henke 36R10 Snow Plow, asset tag 7892
- 1999 Henke 36R11 IS Snow Plow, asset tag 11804

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

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #108-2017**

**Joint Communications**

**6. First reading; Approval to exceed contract amount for Radio Consulting Services**

Pat Schreiner said this is due to the many projects pertaining to the ECC, the addition of the 609 E. Walnut re-model, the Rise Antenna and the need for radio consultant services. We are seeking approval to pay the December bill which exceeds the contact by \$7,735 for services and \$404 for reimbursement.

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

**Auditor**

**7. First reading; 2016 Budget Revision related to Public Administrator (vacation payout & worker's comp)**

Jason Gibson said this is moving funds to cover workers comp and the vacation payout for Sonja Boone when she became Public Administrator. She became exempt so the vacation accrual was paid out.

There were no comments or question.

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

**8. First reading; 2016 Budget Revision for increase in Recycling fees**

Jason Gibson said there are recycling containers in many communities outside of Columbia. The change in this was due to the increase in the frequency of the pickup by one. We were over by \$12,000 and we have increased the budget in 2017 to cover this.

Commissioner Atwill inquired as to the payment to Columbia.

Mr. Gibson said the containers are taken to Columbia from these communities for disposition.

There were no further 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

**9. First reading; 2016 Budget Amendment to cover cost of out of facility inmate housing**

Jason Gibson said this budget amendment is to increase the appropriations for the Law Enforcement Sales Tax Fund. We normally budget \$150,000 in the General Fund and \$180,000 in the Law Enforcement Sales Tax. We exceeded that by approximately \$118,000 in that class. We had \$8,000 in balance so we needed to adjust by \$110,000.

There were no comments or questions.

Commissioner Atwill said there will be a public hearing and second reading after the mandatory 10-day waiting period for budget amendments.

**Sheriff's Department**

**10. Second reading; Missouri Highways and Transportation Commission Blueprint for Safer Roadways Program Agreement (1<sup>st</sup> read 3-2-17)**

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the attached agreement between Boone County and the Missouri Highways and Transportation Commission for State Road Funds to be used to support regional Blueprint for Roadway Safety activities.

The terms of the Agreement are stipulated in the attached Agreement. It is further ordered the Boone County Commissioners are hereby authorized to sign said Blueprint for Safer Roadways Program Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #109-2017**

**11. Second reading; Budget Revision for garbage disposal replacement in Corrections  
(1<sup>st</sup> read 3-2-17)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for the Sheriff's Department for the replacement garbage disposal in Corrections.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1255	60200	Corrections	Equip. Repairs/Maintenance	1,130	
1255	92300	Corrections	Replaced Equipment		1,130
				1,130	1,130

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #110-2017**

**Commission**

**12. First reading; Authorization with the Mid-Mo Regional Planning Commission for professional grant application and grant administration services**

Commissioner Atwill noted this is regarding Battenfeld Technologies.

Ed Siegmund said that is correct and he is with the Mid-MO Regional Planning Commission. The Missouri Partnership and Department of Economic Development, during the recruitment of American Brands, offered an incentive called a Community Development Block Grant (CDBG) Infrastructure Grant. The initial amount the State indicated they would put into that recruitment package was \$1.6M. The catch with this \$1.6M, there is a \$20,000



per job credit and at least 51% of the hires need to be low and moderate income. That was part of the recruitment package when they were negotiating with the company to come here. Since that time, the State has indicated they will go up to \$2M in infrastructure improvements, but right now, we have a whole lot of moving parts going on.

The use of the funds are for public infrastructure improvements. So, everyone anticipated the improvements would be on Route Z. Right now, we do not know the specifics of a 3<sup>rd</sup> lane. The engineers are meeting this morning to discuss a traffic study and get this going so MoDOT can determine what improvements they are going to dictate on Route Z.

For the grant funds, there are several qualifications for the funds. First, there is an Environmental Report required and we have started on that report. Secondly, there is the preparation of the grant application submitted to CDBG. They already said we had the money so we are playing catch-up with this application process.

For the County, the grant comes with a 20% match or \$400,000. We have had conversations with Commissioner Atwill and C. J. Dykhouse regarding the match and I am at a comfort level of 95% that the State will recognize the tax abatement as that match. They will also recognize the sales tax relief, but the i's need to be dotted and I am fairly confident they will recognize those commitments as the County match.

Commissioner Parry asked who makes that ultimate decision.

Mr. Siegmund said it is the State, the Department of Economic Development. I don't foresee a problem with that, I just need to make you aware of this. The issue is not finalized, but we have something in writing that recognizes the Chapter 100 tax abatement, but not the other. We still need to pursue that which we will do tomorrow.

Commissioner Parry asked if the 5% chance that it does not happen, happens, what do we sacrifice with this project.

Mr. Siegmund said I don't think we have the cards on the table to make that determination. In a worst case scenario, we would look at improvements to be done with the \$2M pot, but I don't think that will be an issue.

Commissioner Parry said one of the problems we tend to have, in my short period here, is there is so much momentum that gets behind these projects, that when it comes down to the final vote, the County Commission looks like the bad guys if there is something that doesn't smell right. I don't want that in the event the state decides otherwise with the tax abatement match. I want to avoid stuff rolling down hill and ending up on the County Commission's desk, looking like we decided not to do it and it hurts the project.

Commissioner Thompson said that if the other shoe were to drop and we needed to come up with the money for the project to proceed, we would be robbing Peter to pay Paul.

Mr. Siegmund said that he works for the Commission and to advise on this match scenario. I still believe this will work out fine, but I need to advise on all possibilities. Our role, the Regional Planning Commission, is we would prepare the Environmental Report and work with the County with the application. This application would need to go through your process before submission. This is where we would have the detailed numbers for the infrastructure improvements because we need that preliminary engineering report and I will convey that to them later today. Those numbers should be to Commission sometime next month.

Should the project be awarded by the State, then we would do the administration of the federal funds. Also, you can do these tasks internally with staff or hire an outside consultant, but the Regional Planning Commission, as specified by DED, local governments can contract directly with us to do this because we work for you.

Commissioner Atwill said when the idea was first brought to his attention, it was coupled with a clear indication there would be a complete offset of the contributed amount from the County. There was then a back-up on that by DED and then after that, they sent a correspondence saying that the county would be entitled to the offset. I believe you have that communication.

Mr. Siegmund said he does have it.

Commissioner Atwill said it may not cover every element of the taxes that are out there and the thinking at the time was that the abatement would be enough to offset.

Mr. Siegmund said the statement from DED is as follows: The department has reviewed the conversations and concerns that the company and county have and determined that it will allow the tax abatement to serve as the local government match for this project. This is a one-time exception and will not be allowed on future projects.

Commissioner Thompson asked who specifically authored this statement.

Mr. Siegmund said it is from Brenda Horstman who is the manager of Business and Community Finance with DED.

Commissioner Atwill said that is really important and we should consider in the order that is issued, that we say we are approving this, at this point under the condition that DED ultimately authorizes this fact. This will allow us to be on the record concerning this. We should consult legal as to how to proceed.

Also, the prospect of have the Regional Planning Commission carry the ball is an easy decision for me. This is what they are uniquely qualified to do and there is no doubt the most useful to the County Commission in this role rather than doing this internally. This also gives us a level of independence and separation on interests.

Mr. Siegmund said the fee to the County from us is zero. We get our fee from the grant fund. The grant fund sets the parameters on how much we can charge and how much the engineers can charge. There are strict parameters concerning this and the fees are eligible in the grant, so we will not be coming back to Commission for any money.

Commissioner Thompson said that this Thursday, we should have a 1<sup>st</sup> & 2<sup>nd</sup> reading authorizing the Missouri Regional Planning Commission to facilitate this project.

Commissioner Parry asked what type of improvements MoDOT is considering for Route Z.

Mr. Siegmund believes it is an additional lane, but the traffic study will dictate that.

Commissioner Parry asked how many trucks per day this will add.

Mr. Siegmund said 150.

Commissioner Parry asked if that is round trips.

Mr. Siegmund said he did not know.

Commissioner Thompson said they did not discuss trucks or trips. Looking at the information from the meeting, I did not see anything about this.

Mr. Siegmund said it is 75-100 truck trips per day.

Commissioner Thompson asked if that is times two. Also, if you are going to the engineer's meeting, the one thing that needs to be highlighted is the notion of schools and their start and dismissal times in relation to the truck traffic and Route Z. I don't know if that means a flashing light or something else, but it needs to be considered.

Commissioner Parry inquired about the Northeast Transportation Plan and the impact of the county accessing an impact fee.

Commissioner Atwill said that is only a suggestion.

Commissioner Parry said it is a suggestion that county staff feels we should follow through with. For example, in a residential neighborhood, the formula comes out at \$6,975 per lot. I guarantee that at some point in the process, the Northeast Transportation Plan is going to come up and there is going to be a belief this manufacturer should be accessed this impact fee. So, I guess this needs to be on everyone's radar. We have to be prepared as to whether it be justified or exempted.

Mr. Siegmund said this is a good location for a distribution center and the good news is that someone anticipated there would be road improvements required on Route Z and put some money aside.

There were no further comments or questions.

Commissioner Atwill stated this will be included for consideration at a later meeting after consultation with County Counsel.

**13. 1<sup>st</sup> & 2<sup>nd</sup> reading; Board Re-appointments as follows:**

- **Gary German – Health Trust Committee**
- **Robbie Sapp – Health Trust Committee**
- **Carl Freiling – P & Z Commission**
- **Loyd Wilson – P & Z Commission**
- **Bob Bailey – Boone County Family Resources**

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby re-appoint the following:

<b>Name</b>	<b>Board</b>	<b>Period</b>
Gary German	Health Trust Committee	April 1, 2017 through March 31, 2020
Robbie Sapp	Health Trust Committee	April 1, 2017 through March 31, 2020
Carl Freiling	P & Z Commission	March 1, 2017 through February 28, 2021
Loyd Wilson	P & Z Commission	March 1, 2017 through February 28, 2021
Bob Bailey	Boone County Family Resources	April 1, 2017 through March 31, 2020

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #111-2017**

**14. Public Comment**

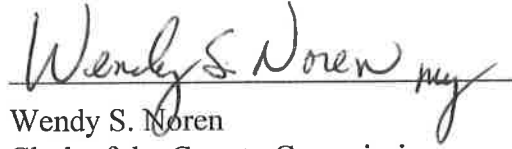
None

**15. Commissioner Reports**

None

The meeting adjourned at 10:03 a.m.

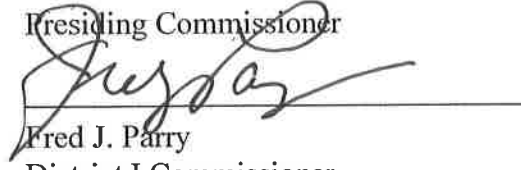
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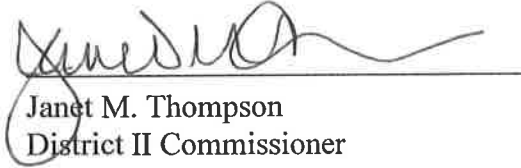
Wendy S. Noren  
Clerk of the County Commission



Daniel K. Atwill  
Presiding Commissioner



Fred J. Parry  
District I Commissioner



Janet M. Thompson  
District II Commissioner

