

TERM OF COMMISSION: August Session of the July Adjourned Term

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

PRESENT WERE: Presiding Commissioner Daniel Atwill
District I Commissioner Fred Parry
District II Commissioner Janet Thompson
Director Resource Management Stan Shawver
Legal Counsel CJ Dykhouse
Planner Uriah Mach
Deputy County Clerk Michelle Thompson

The meeting was called to order at 7:01 p.m.

Resource Management

- 1. Public hearing for a request by Matthew Kaiser to rezone from R-M (Moderate Density Residential) to C-G (General Commercial) on .5 acres, more or less, located at 1585 E Prathersville Rd., Columbia.**

Stan Shawver read the following staff report:

The property is located 1585 E Prathersville Road. The zoning is R-M, which is the original zoning. Adjacent property is zoned as follows:

- North – M-LP
- South – R-M
- East – R-M and City of Columbia PD (Tower Industrial Park)
- West – R-M

A single-family residence that used to occupy the property was demolished leaving the property vacant. There have been no previous requests on behalf of this property.

The Master Plan designates this property as suitable for commercial and industrial land uses. The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a “gate-keeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources typically used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

Utilities:

There is no public sewer service connection to the property. There is a Boone County Regional Sewer District line approximately 200 feet east of the property that has capacity to treat additional wastewater. It is likely, however, that an annexation agreement would be required to secure sewer service.

Columbia Water and Light provides water. There is an existing fire hydrant approximately 160-feet east, in front of the fire station.

Boone Electric will provide power.

Transportation: The subject tract has frontage on Prathersville Road.

Public Safety Services: The property is adjacent to Boone County Fire Protection District Station 5 at 1675 E. Prathersville Road.

Stormwater: Development on the site will be required to comply with the Boone

County Stormwater Regulations.

Zoning Analysis:

The Master Plan designates this property as suitable for commercial and industrial land use. The area is characterized by industrial and commercial land uses, with some single family residential. The current zoning is Moderate Density Residential. Utilities and public safety services that are necessary to support the current R-M zoning are also sufficient to support the requested C-G.

The requested zoning, General Commercial (C-G) is an open zoning district. Under open zoning, the property must be able to support all Permitted Uses in the C-G district. Water sufficient to provide commercial fire flow is available at the property. Sewer can be made available by connection to the BCRSD system. Traffic generation could be an issue if the request was larger in area. The small size of the property limits the type and intensity of uses that could occur. Therefore, the impact of this rezoning, to the public road system, is minimal.

Staff notified 47 property owners about this request. The property scored 88 points on the rating system.

Staff recommended approval of the rezoning.

The Planning & Zoning Commission conducted a public hearing on this request during their August 16, 2018 regular meeting. There were eight members of the commission present during the meeting.

Following the public hearing, a motion was made to recommend approval of the rezoning request. That motion carried unanimously.

Commissioner Parry asked if access would be on Prathersville Road.

Stan Shawver said it would be.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Matt Kaiser was present to speak on this item.

Matt Kaiser explained that he had purchased the land and it was a residential lot. There is currently nothing on the lot as the house that was there has been demolished and cleaned up. It has been vacant for a time. The neighbors that he has spoken to were happy with his intentions for the lot since it has been sitting for so long. His intentions are to put blacktop down and have a 6-foot fence surrounding it. Right now, he does not have any intentions of putting a building on the lot, but that could change. He is in the repossession business, but he does not do any towing, or any impounds. So, the cars that he normally brings in are clean looking so there won't be any eye sores. The business hours he keeps shouldn't disturb the neighbors as he keeps daytime hours.

There were no comments or questions from the Commission.

There was no one else present from the public to address this matter.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the request by Matthew Kaiser to rezone from R-M (Moderate Density Residential) to C-G (General Commercial) on .5 acres, more or less, located at 1585 E

Prathersville Road, Columbia.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #396-2018**

2. **Creasy Bend Plat No. 1. S26-T49N-R13W. R-S. David and Karen Butcher, owners. David T. Butcher, surveyor.**

Stan Shawver said Creasy Bend Plat No. 1 is a 3-lot subdivision on Creasy Springs Road zoned R-S about ¼ mile north of the intersection of Brown School Road.

3. **Old Asbury Plat No. 1-A. S29-T49N-R13W. A-2. Greg and Michelle Asbury, owners. David Butcher, surveyor.**

Stan Shawver said Old Asbury Plat No. 1-A is located on State Highway E approximately 1-mile northwest of the Columbia municipal limits.

4. **Roemer Lake Plat 7. S26-T49N-R13W. R-S. Nathan and Heidi Crouch, owners. David T. Butcher, owner.**

Stan Shawver said Roemer Lake Plat 7 is located on Roemer Rd approximately one mile north of Columbia. This was previously platted as two lots. The Commission granted permission to vacate and re-plat into one lot last month.

5. **Thornhill. S3-T51N-R13W. A-2. Debbie R. Smith, Katrina L. Edwards and Christian E. Gehlkein, owners. Donald E. Bormann, surveyor.**

Stan Shawver said Thornhill is located on State Highway F 1.6 miles west of Highway 63. This is the property that the Commission granted a conditional use permit for a manufactured home in April.

6. **Ray Estates. S25-T48N-R12W. A-1P. Phoenix Property Development LC, owner. Kevin M. Schweikert, surveyor.**

Stan Shawver said Ray Estates is a 3-lot subdivision north of the intersection New Haven Road and Ben Williams Road, approximately 1 ½ miles to the east of the City of Columbia. This property was rezoned to A-1P in November 2017. The Planning and Zoning Commission approved this plat in February.

All plats done on one order

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorizes the presiding commissioner to sign them:

- Creasy Bend Plat No. 1. S26-T49N-R13W. R-S. David and Karen Butcher, owners. David T. Butcher, surveyor.
- Old Asbury Plat No. 1-A. S29-T49N-R13W. A-2. Greg and Michelle Asbury, owners. David Butcher, surveyor.
- Roemer Lake Plat 7. S26-T49N-R13W. R-S. Nathan and Heidi Crouch, owners. David T. Butcher, owner.
- Thornhill. S3-T51N-R13W. A-2. Debbie R. Smith, Katrina L. Edwards and Christian E. Gehlkein, owners. Donald E. Bormann, surveyor.
- Ray Estates. S25-T48N-R12W. A-1P. Phoenix Property Development LC, owner. Kevin M. Schweikert, surveyor.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #397-2018**

7. First Reading; Boone County Road & Bridge Improvement/Repair Cooperative Agreement: City of Rocheport

Stan Shawver explained this is the annual agreement they have with various application entities to receive their sales tax money. This one as indicated is with Rocheport. They are an application entity that is slated to receive \$12,452.94 and they will be paid early in the fourth quarter.

Commissioner Parry asked if they smaller cities could pool their money and then do a bigger road project and if that turned out to be an equitable arrangement for everybody.

Stan Shawver said it is. A place like Pierpont only generates about \$40 a year so this enables them to qualify for a larger amount.

Commissioner Thompson asked if Stan Shawver thought it would be a good time to visit with the municipalities about this since we are on year 6 of the agreement.

Stan Shawver explained that when they send out the notice they advise them on where they are at and this is what is going on and they provide them with applications to submit to apply for the money and so far, they have not heard anything back from any of them. So, that means to him that they understand it, but they don't feel like they have any qualifying projects for it and the money just keeps rolling over.

There were no more comments or questions from the Commission.

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; Greater Bonne Femme Watershed 319 Sub-grant award agreement

Stan Shawver explained that this is a proposal for authorization for us to create a watershed plan and contains the EPA nine critical planning elements and will be developed for the Greater Bonne Femme Watershed which will include Bonne Femme and Little Bonne Femme sub-watersheds. A plan will be developed to help protect and improve water quality in the watershed by identifying pollutant sources, land management practices to be implemented, setting reachable goals in a timeline for implantation projects, and establishing an evaluation program. The plan will also implement two demonstration projects to inform the public about practices that can be instilled to address the stream's bacteria impairment. There are five streams in the Greater Bonne Femme Watershed area which are on the Clean Water Act 303D List of Impaired Waters for excessive E Coli bacteria.

DNR has been prioritizing the streams in Missouri that are impaired by E Coli by total maximum daily load developer (TMDL). Boone County Stormwater prefers to be pro-active and develop our own nine-element plan which would have to be approved by EPA and DNR instead of having TMDLs issued where we are basically told how to do things. It will take two years to develop a nine-element plan. Calculations are largely the same as those used when a TMDL is developed. The goal is to reduce E Coli loading on the landscape. The sub-award proposal that is being presented will help the County to fund the tier process to develop the nine-element plan. Because the County is perusing the nine-element plan, DNR has pushed back TMDL development on three of the streams to the year 2022 or beyond. And, the two streams that flow partly through the City of Columbia, Gans and Little Bonne Femme, will not have TMDLs developed until the year 2024 or 2028.

Commissioner Atwill asked if we are contributing an equal amount.

Stan Shawver said yes. We are at 51 percent match, so just a little more. The good point of this is that it pushes having the TMDL off for a least four years. That is a good thing. It gives us time to figure out what is going on and it lets up locally develop rather than have someone direct development for us.

There were no more comments or questions from the Commission.

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.

County Counselor

9. First & Second Reading; Approving a Quit-Claim Deed from Boone County to the Boone County Regional Sewer District as part of the American Outdoor Brands project

CJ Dykhouse explained that this is an accommodation conveyance to assist the Boone County Regional Sewer District with it's sewer treatment facilities that are going to treat the American Outdoor Brands project facility.

There were no comments or questions from the Commission.

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the issuance of a Quit-Claim Deed from Boone County to Boone County Regional Sewer District to facilitate the American Outdoor Brands Chapter 100 project. The approved Quit-Claim Deed is attached hereto.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #398-2018**

Purchasing

10. **Second Reading; CC182584001, CC182584002, and CC182584003, Facilities MRO and Industrial Supplies (Co-operative contracts – State of Missouri) (1st read 8-23-18)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the utilization of the State of Missouri cooperative contracts CC182584001 with WW. Grainger, Inc., CC182584002 with MSC Industrial Supply, and CC182584003 with Fastenal Company for Maintenance, Repair, and Operating (MRO) and Industrial Supplies.

The terms of the cooperative contracts are stipulated in the attached Purchase Agreements. It is further ordered the Presiding Commissioner is hereby authorized to sign said Purchase Agreements.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #399-2018**

Commission

11. **Public Comment**

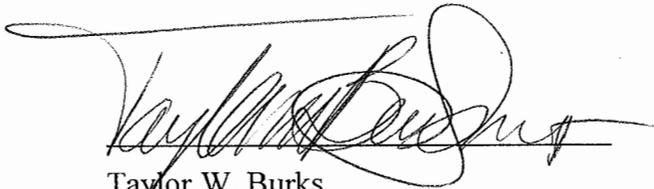
None

12. **Commission Reports**

None

The meeting adjourned at 7:23 p.m.

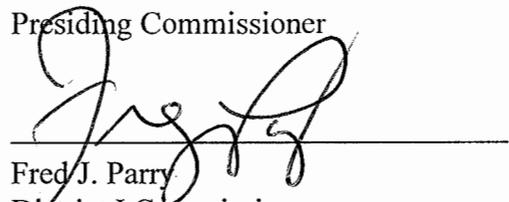
Attest:



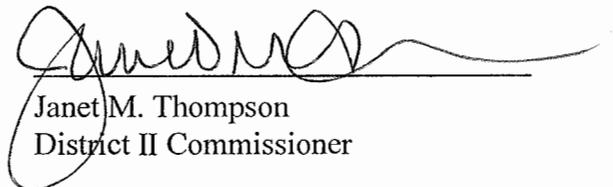
Taylor W. Burks
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner