

TERM OF COMMISSION: May Session of the April Adjourned Term

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

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

The meeting was called to order at 7:00 p.m.

**Resource Management**

- 1. Public hearing on a request by RRJK LLC to rezone from A-1P (Planned Agriculture) to A-1 (Agriculture) on 90 acres, more or less, located at 7601 N Rte Z, Columbia.**

Stan Shawver read the following staff report:

This request was considered by the Planning & Zoning Commission during its May 16, 2019 meeting.

The minutes for the Planning & Zoning Commission meeting of May 16, 2019, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The Planning & Zoning Commission conducted a public hearing on this request during its May 16, 2019 regular meeting. There were eight members of the

commission present during the meeting.

The subject property is located on Route Z, south of State Route HH, near Murray. This site is approximately 4 ½ miles to the east of the city limits of Columbia. The subject property is approximately 200 acres and is zoned A-1P (Planned Agriculture). The property is undeveloped. There is A-1 zoning to the north, south, east, and west, with C-G (General Commercial) zoning to the northeast. The rezone and review plan of this property were initially approved by the County Commission on August 1, 2017, with the final plan approved on August 29, 2017 and the plat approved on March 19, 2019. A request to vacate the previously approved plat was approved on April 30, 2019.

This rezoning request is to return the property to its original A-1 zoning.

The Boone County Master Plan identifies this area as being suitable for agriculture and rural residential land uses. The Boone County Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. The sufficiency of resources test provides a gatekeeping function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The subject property is located in Public Water Service District #9, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

Transportation: The property has direct access onto State Highway HH and State Route Z, both publicly dedicated, publicly maintained rights-of-way.

Public Safety: The property is located in the Boone County Fire Protection District, with the station in Hallsville being closest for service.

Zoning Analysis: As the original zoning of this property was A-1 (Agriculture), returning it to that zoning classification is within the expectations of the Boone County Master Plan and the existing resources present.

The property scored 36 points on the rating system.

Staff recommended approval of the rezoning.

The Planning & Zoning Commission conducted a public hearing on this request during its May 16, 2019 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 was approved unanimously.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Kevin Schweikert was present to speak on behalf of the applicant.

Schweikert explained that the Staff report pretty much said everything. The owners are simply wanting to change the property back to the original zoning.

There were no comments or questions from the Commission.

There was no one else present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by RRJK LLC to rezone from A1P (Planned Agriculture) to A-1 (Agriculture) on 90 acres, more or less, located at N Route Z, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #222-2019**

2. **Public hearing on a request by Steve and Julie Koirtyohann to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 10.0 acres, more or less, located at 9901 E Hwy OO, Hallsville.**

**-Rezone**

**-Review Plan**

Stan Shawver read the following staff report:

The subject property is located on the north side of State Route OO, approximately 2 miles to southeast of the City of Hallsville, ¼ miles west of Doris Boulevard. The property is 10 acres in size with a house and accessory structures present. The property is zoned A-1 (Agriculture), and has A-1 zoning to the north, east, and west, with A-2 (Agriculture) zoning to the south, which is all original 1973 zoning.

This proposal is to rezone the property to A-2P(Planned Agriculture) for

purposes of dividing the property via family transfer.

The Boone County Master Plan identifies this area as being suitable for agriculture and rural residential land uses. The Boone County Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. The sufficiency of resources test provides a gatekeeping function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The subject property is located Public Water Service District #4, the Boone Electric Cooperative area, and the Boone County Fire Protection District.

Transportation: The subject property has direct access onto State Highway OO, a publicly dedicated, publicly maintained right-of-way.

Public Safety: The property is located in the Boone County Fire Protection District, with the station in Hallsville being closest for service.

Zoning Analysis: This proposal is reasonable, using the A-2 density to create a new lot via family transfer. The proposal can meet the sufficiency of resources test. The expansion of A-2 zoning to the south might be better served by creation of a more compact area rather than what might be considered a spot rezoning. The proposed lot 2 would be impossible to divide further due to design decisions made in its shape, creating along stem currently impossible to approve under the subdivision regulations design standards. A family transfer is the only mechanism to create lot 2 as shown. Any reconfiguration of this property will require a revised review plan and final plan.

The property scored 46 points on the rating system.

Staff recommended approval of the rezoning and review plan.

The Planning & Zoning Commission conducted a public hearing on this request during their May 16, 2019 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 was approved unanimously.

A motion was then made to recommend approval of the review plan. That motion was approved unanimously.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Kevin Schweikert was present to speak on behalf of the applicant.

Schweikert explained the applicant decided to request A-2P zoning as they want to build a new house. It is currently 10 acres and will be divided into 2 pieces. It fits the area pretty well. The other properties around this one are less than 10 acres and do not meet the A-1 standard. This area seems more inclined to be an A-2 area. The reason for the stem lot is to supply in an economical way water service.

There were no comments or questions from the Commission.

There was no one else present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Steve and Julie Koirtyohann to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) on 10 acres, more or less, located at 9901 E Hwy OO, Hallsville, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #223-2019**

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by Steve and Julie Koirtyohann to approve a Review Plan for Koirtyohann A1-A2P Planned Development on 10 acres, more or less, located at 9901 E Hwy OO, Hallsville, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #224-2019**

3. **Public hearing on a request by Gary and Rhonda Wilson to rezone from A-RP (Planned Agriculture Residential) to A-2 (Agriculture) on 19.21 acres, more or less, located at 5450 E. Hwy 124, Hallsville.**

Stan Shawver read the following staff report:

The property is located on the south side of State Highway 124, approximately 1,400 feet west of Hallsville. The original zoning was A-2 (Agriculture). In 2011, a rezoning to AR-P (Planned Agriculture-Residential), with a preliminary plat and

development plan was approved. The approved plan enabled the creation of 8 lots, ranging in size from 2 to 3 acres. The current request is to revert to the original A-2 zoning. If successful, the developer intends to subdivide this property and some additional acreage into 7 lots ranging in size from 5 to 9 acres.

The Boone County Master Plan designates this property as suitable for residential land use. The Boone County Master Plan identifies a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the changing in zoning. The sufficiency of resources test provides a gatekeeping 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: The property is in the service area of Public Water Supply District #4. There is a 10-inch waterline along the frontage of this property. Fire hydrants will be required to be installed at intervals not to exceed 500-feet prior to recording the final plat. Sewage will be conveyed by Boone County Regional Sewer District to the City of Hallsville for treatment. The conveyance system will be installed and accepted by BCRSD at completion of the platting process.

Transportation: The property has frontage on State Highway 124.

Public Safety: The property is approximately 1.7 miles from the Boone County Fire District Station on Route B in Hallsville.



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

Zoning Analysis: Services are available to support the level of development contemplated by this rezoning.

Staff notified 27 property owners about this request. The property scored 70 points on the rating system.

Staff recommended approval of the rezoning.

The Planning & Zoning Commission conducted a public hearing on this request during its May 16, 2019 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 was approved unanimously.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

David Butcher was present to speak on behalf of the applicant.

Butcher explained the plan was to rezone this to a Planned District so that it would all be uniform and match what had already been rezoned. However, there is a barn that is too close

to the side property line to meet the 25-foot perimeter setback. After being denied relief on that from the Board of Adjustment, the only option to get the zoning to be uniform is to go with A-2 zoning.

There were no comments or questions from the Commission.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Gary and Rhonda Wilson to rezone from A-RP (Planned Agriculture Residential) to A-2 (Agriculture) on 19.21 acres, more or less, located at 5450 E Hwy 124, Hallsville, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #225-2019**

4. **Public hearing on a petition submitted by Eldon Smith, Jr and Amy J Domonkos and Ramona E Domonkos to vacate and re-plat lots 1 and 2 of Apple Grove Subdivision as recorded in Plat Book 11, Page 321 of Boone County Records and located at 6001 N Creasy Springs Rd., Columbia.**

Stan Shawver read the following staff report:

Apple Grove subdivision is a 2-lot subdivision located on Creasy Springs Road, located approximately 1 ¾ miles northwest of Columbia. The subdivision was platted in 1977. This is an area that is zoned A-R (Agriculture-Residential). The applicants wish to vacate the two lots and re-plat them as a single lot.

In accordance with the Boone County Government Subdivision Regulations Section 1.8, the County Commission is required to conduct a public hearing prior to granting permission to vacate and re-plat a lot in a subdivision. Before granting permission, the Commission must find that the action will not adversely affect 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.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Ramona and Amy Domonkos were present to speak on this item.

Amy Domonkos explained they would like to vacate and re-plat to be able to put the two plats to one plat and put a single-family dwelling on it.

Dreana Grosvenor was also present to speak on this item.

Grosvenor explained she lives two plots up from this and wanted clarification on what exactly they would be doing and asked if they would be taking out the trailers and the barn.

Amy Domonkos said the trailers were already gone and they would be putting the single-family dwelling on the property.

There were no more comments or questions from the public.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve a petition submitted by Eldon Smith Jr, Amy J Domonkos, and Ramona E Domonkos to vacate and re-plat lots 1 and 2 of Apple Grove Subdivision as recorded in Plat Book 11, Page 321 of Boone County Records, located at 6001 N Creasy Springs Road, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #226-2019**

5. **Wilhelm. S2-T49N-R12W. A-2. Robert L. Wilhelm, owner. Jonathan A. Cole, surveyor.**

Stan Shawver said Wilhelm subdivision is located on the south side of Spiva Crossing Road, approximately 2 miles north of the City of Columbia. Subject property is 15.47 acres in size and currently vacant. This proposal creates a 5.06-acre lot and has an accompanying administrative survey that consolidates the remainder with an adjacent property. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning.

6. **Trial. S7-T48N-R13W. A-2. Michael G Trial, owner. Kevin M Schweikert, surveyor.**

Stan Shawver said Trial subdivision is located on Denninghoff Road, approximately 1 mile from the city limits of Columbia. This proposal creates a 5-acre lot from a 109-acre parent tract. The lot has a house, accessory structure, and a lagoon present. The property is zone A-2 (Agriculture) and is surrounded by A-2 zoning.

- 7. Miltons Place. S15-T50N-R13W. A-2. Diana S Hartsock, Charlotte F. Davidson and Michael Winn, owners. Steven R. Proctor, surveyor.**

Stan Shawver said Miltons Place subdivision has a parent parcel that is approximately 17 acres in size and is located approximately 5 miles to the east of Harrisburg on Willis Road. This proposal creates a 2.97-acre tract from a 17-acre parent parcel. The property has a house and several outbuildings present. This property is zone A-2 (Agriculture) and is surrounded by A-2 zoning.

- 8. Reeves Plat 2. S8-T49N-R11W. A-1. RRJK LLC, owner. Kevin M. Schweikert, surveyor.**

Stan Shawver said Reeves Plat 2 is located on Route Z, south of State Route HH, near Murray. This site is approximately 4 ½ miles to the east of the city limits of Columbia. The subject property consists of approximately 200 acres and is zone A-1 (Agriculture). The A-1P rezoning and review plan were initially approved by the County Commission on August 1, 2017, with the final plan approved on August 29, 2017 and the plat approve on March 19, 2019. A request to vacate the plat was approved on April 30, 2019. This re-plat reconfigures the previously platted 5-acre lots into 10-acres lots.

- 9. Heavenly Valley Plat 2. S18-T48N-R13W. A-2. Pat and Kristen Hanson, owners. Kevin M. Schweikert, surveyor.**

Stan Shawver said Heavenly Valley Plat 2 is located on the south side of State Route UU, approximately eight tenths of a mile south of I-70. The property is zone A-2 and is occupied by a single-family residence, a garage, and two sheds.

- 10. Evergreen Ridge Plat 2. S26-T50N-R13W. Jeremy and Rachael Nichols, owners. Ronald G. Lueck, surveyor.**

Stan Shawver said Evergreen Ridge Plat 2 is located on the east side of Old Number 7, approximately 1,000 feet north of the intersection of Old Number 7 and Dripping Springs Road, and about 5 miles north of the City of Columbia. The subject property is 5 acres in size and is zoned A-2 (Agriculture). The proposal combines Lots 1 and 2 of Evergreen Ridge into a single lot. The County Commission has approved the vacation of the original 2 lots that will go into effect with the recording of the new re-plat.

**\*All Plats Done On One Order\***

Commissioner Thompson moved now 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:

- Wilhelm. S2-T49N-R12W. A-2. Robert L. Wilhelm, owner. Jonathan A. Cole, surveyor.
- Trial. S7-T48N-R13W. A-2. Michael G Trial, owner. Kevin M. Schweikert, surveyor.
- Miltons Place. S15-T50N-R13W. A-2. Diana S. Hartsock, Charlotte F. Davidson and Michael Winn, owners. Steven R. Proctor, surveyor.
- Reeves Plat 2. S8-T49N-R11W. A-1. RRJK LLC, owner. Kevin M. Schweikert, surveyor.
- Heavenly Valley Plat 2. S18-T48N-R13W. A-2. Pat and Kristen Hanson, owners. Kevin M. Schweikert, surveyor.
- Evergreen Ridge Plat 2. S26-T50N-R13W. Jeremy and Rachael Nichols, owners. Ronald G. Lueck, surveyor.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #227-2019**

**Emergency Management Operations**

**11. Second Reading; Memorandum of Agreement: Hazard Mitigation Plan (1<sup>st</sup> read 5-21-19)**

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the attached Memorandum of Agreement for the Boone County Multi-Jurisdiction Hazard Mitigation Plan.

It is further ordered the Presiding Commissioner is hereby authorized to sign said Memorandum of Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #228-2019**

**Sheriff's Department**

**12. Public Hearing & Second Reading; Budget Amendment: Budget for FY19 MOICAC Sub-Award (1<sup>st</sup> read 5-16-19)**

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby acknowledge the following budget amendment from the Sheriff's Department to budget for the MOICAC sub-award for October 2018 – September 2019.

| Department | Account | Department Name            | Account Name            | Decrease \$ | Increase \$ |
|------------|---------|----------------------------|-------------------------|-------------|-------------|
| 1253       | 3411    | Internet Crimes Task Force | Federal Grant Reimburse |             | 10,000      |
| 1253       | 37200   | Internet Crimes Task Force | Seminars/Conf/Meeting   |             | 2,000       |
| 1253       | 37210   | Internet Crimes Task Force | Training Schools        |             | 2,000       |
| 1253       | 37220   | Internet Crimes Task Force | Travel                  |             | 2,000       |
| 1253       | 37230   | Internet Crimes Task Force | Meals & Lodging         |             | 3,000       |
| 1253       | 23850   | Internet Crimes Task Force | Minor Equipment         |             | 1,000       |
|            |         |                            |                         |             |             |
|            |         |                            |                         |             |             |
|            |         |                            |                         |             | 20,000      |

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #229-2019**

### Proclamation

#### 13. Proclamation Recognizing May as the Stepping Up Month of Action 2019

Commissioner Thompson read the following proclamation:

*WHEREAS*, counties routinely provide treatment services to the



estimated 2 million people with serious mental illnesses booked into jail each year; and

*WHEREAS*, Boone County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of their residents in efficient and cost-effective ways; and

*WHEREAS*, the National Association of Counties, The Council of State Governments Justice Center and the American Psychiatric Association Foundation started *Stepping Up* to encourage public, private and nonprofit partners to reduce the number of people with mental illnesses in jails; and

*WHEREAS*, Boone County joined *Stepping Up* on May 21, 2015 to show its commitment to working on this issue locally; and

*WHEREAS*, since committing to *Stepping Up* in 2015, partners within Boone County have made great strides in addressing the prevalence of mental illness in jails by focusing on early interventions to avoid initial contact with the criminal justice system; assessments and case management to ensure effective treatment of mental illness while involved with the criminal justice system; and supervision and follow-up services following criminal justice involvement in order to avoid recidivism; and

*WHEREAS*, Stepping Up is hosting a Month of Action for May 2019, to encourage counties to hold an event, participate in local activities and engage with traditional and social media to share with constituents the progress they have made in addressing the prevalence of people with mental illnesses in their jails, raise public awareness and understanding of this important issue and emphasize their commitment to having an impact.

*THEREFORE*, the Boone County Commission does hereby proclaim May 2019 as the Boone County *Stepping Up* Month of Action and encourages all county officials, employees and residents to participate in or show support of those organizations and programs striving to reduce the number of people with mental illnesses in county jails in Boone County and around the nation.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby recognize May 2019 as the Boone County Stepping Up Month of Action.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #230-2019**

**Commission**

**14. Public Comment**

None

**15. Commission Reports**

None

The meeting adjourned at 7:31 p.m.

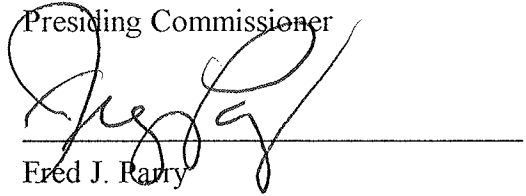
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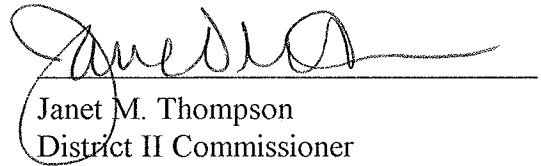
Brianna L. Lennon  
Clerk of the County Commission



Daniel K. Atwill  
Presiding Commissioner



Fred J. Rary  
District I Commissioner



Janet M. Thompson  
District II Commissioner