

TERM OF COMMISSION: October Session of the October 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
Deputy County Clerk Michelle Thompson

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

New Adjourned Term

Resource Management

1. **Public hearing for a request by Charles V. Melloway to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 31.81 acres, more or less, located at 9611 E Hwy OO, Hallsville.**
 - **Rezone**
 - **Review Plan**

Stan Shawver read the following staff report:

This request was considered by the Planning & Zoning Commission during its September 19, 2019 meeting.

The minutes for the Planning & Zoning Commission meeting of September 19, 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 September 19, 2019 regular meeting. There were seven members of the commission present during the meeting.

The subject property is located on the north side of State Route OO, approximately 2 miles to the southeast of the City of Hallsville, ¼ mile west of Doris Boulevard. The property is 31.81 acres in size, with two houses, single-wide, and several accessory structures present. The property is zone A-1 (Agriculture) and has A-1 zoning to the north with A-2 (Agriculture) zoning to the west and south. There is an A-2P (Planned Agriculture) zoning to the east. The A-2P was rezoned from A-1 in June of this year. The other zonings are all original 1973 zoning.

This proposal is to rezone the property to A-2P (Planned Agriculture) for purposes of dividing the property into 5 lots via family transfer, plat, and administrative survey.

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 gate-keeping function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis. The resources typically used for this analysis can generally be broken down into three categories; Utilities, Transportation, and Public Safety Services.

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

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

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

The property scored 46 points on the rating system.

Zoning Analysis: This proposal can meet the requirement of the sufficiency of resources test. The desired density, while a departure from the prior zoning, is not extraordinary when compared to the adjacent original 1973 A-2 zoning to the west and south.

Staff recommends approval of the rezoning and review plan.

The Planning & Zoning Commission conducted a public hearing on this request during its September 19, 2019 regular 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 as well.

There were no comments or questions from the Commission.

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 Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by Charles V. Melloway to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) on 31.81 acres, more or less, located at 9611 E Hwy OO, Hallsville, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #419-2019**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Charles V. Melloway to approve a Review Plan for Melloway A1-A2P on 31.81 acres, located at 9611 E Hwy OO, Hallsville, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #420-2019**

2. **Public hearing for a request by Miller's Inc. to rezone from C-G (General Commercial) to M-L (Light Industrial) on 5.01 acres, more or less, located at 5925 S Tom Bass Rd., Columbia.**

Stan Shawver read the following staff report:

The property is located at 5925 S Tom Bass Road, generally about one mile

south of the main area of the City of Columbia, however, the nearest portion of the municipal limits is directly across Highway 63. The zoning is C-G (General Commercial), which is the original zoning. Adjacent property is zoned as follows:

North – M-LP and C-G

South – C-G & A-1

East – C-G

West – M-GP

This request is to rezone approximately 5.01 acres from C-G to M-L to allow the owner to conduct the warehousing use that is currently done as a Conditional Use as a Permitted Use and to allow for some photographic processing and printing as well as manufacturing that would not currently be allowed. The area sought to be rezoned has a 10,000 square foot building that has a CUP for warehousing issued in 2011 which is the current use of the property.

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: The area proposed for rezoning is currently served by an on-site wastewater system. Central sewer from the BCRSD exists in the area, but there is no available capacity. Consolidated Public Water District #1 provides water to the existing lot. Boone Electric currently serves the area.

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

Transportation: The property has frontage on and access to Tom Bass Road. There are close connections of Tom Bass Road that allows traffic to get on US Highway 63.

Public Safety Services: The site is adjacent to Boone County Fire Protection District station 15.

Zoning Analysis: The Master Plan designates this property for residential use. However, the property is already and has always been zoned commercial.

The request can be argued to meet the sufficiency of resources test in that the change in the zoning does not significantly alter the commercial nature of the activities already occurring on site. The current level of infrastructure does support the existing use. Any additional increase in the building size or intensity of use will be limited to existing services or upgrades will need to be paid for.

Staff notified 12 property owners about this request. The property scored 55 points on the rating system.

Staff recommends approval of the rezoning.

The Planning & Zoning Commission conducted a public hearing on this request during its September 19, 2019 regular meeting. There were seven 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.

There was no one 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 Miller's Inc. to rezone from C-G (General Commercial) to M-L (Light Industrial) on 5.01 acres, more or less, located at 5925 S Tom Bass Road, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #421-2019**

3. **Hartman. S24-T45N-R12W. A-2. Debra Sankpill, Dennis Hartman and Karl Hartman, owners. J. Brian Rockwell, surveyor.**

Stan Shawver said Hartman is located on S Old Highway 63 at the intersection of Highway 63 and Claysville Road, approximately 6 miles to the south of Ashland. The subject property is 6.56 acres in total with 2.51 acres being platted and the remaining property being created by Family Transfer. The property is zoned A-2 (Agriculture).

4. **Westcott. S35-T50N-R14W. A-2. Wayne and Joan Westcott, owners. Jonathon A. Cole, surveyor.**

Stan Shawver said Westcott is located on the north side of Sweringen Road west of the Trimble Road and Everett School Road intersection 3 ½ miles south of Harrisburg. This is a

one-lot minor plat.

5. **Barry Estates Plat 1. S19-T47N-R12W. A-2. Peggy Noordster and Roxann Durham, owners. Jay Alan Gebhardt, surveyor.**

Stan Shawver said Barry Estates Plat 1 is at the northeastern corner of the intersection of Barry Road and Bluebird Lane, approximately 1 mile south of Pierpont. This proposal is to divide the 10 acres into three lots of 2.67, 3.04, and 3.15 acres.

6. **Jack's Ridge. S23-T49N-R14W. A-2. Meghan and Todd Hayes and Eric and Lori Kurzejeski, owners. Kevin M. Schweikert, surveyor.**

Stan Shawver said Jack's Ridge is located at the end of Graham Road, approximately 4 miles to the northeast of Rocheport.

7. **Bellaridge Plat 2 Preliminary Plat. S34-T46N-R12W. A-R. RJSAGE LLC, owner. Anthony Derboven, surveyor. (report only)**

Stan Shawver said Bellaridge Plat 2 is located at the intersection of State Route A and Old 63, approximately 1.5 miles south of Ashland City limits. The zoning is A-R. The phase is for 4 lots. Plat 1 consisted of 11 lots.

There were no comments or questions from the Commission.

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:

- Hartman. S24-T45N-R12W. A-2. Debra Sankpill, Dennis Hartman and Karl Hartman, owners. J. Brian Rockwell, surveyor.
- Westcott. S35-T50N-R14W. A-2. Wayne and Joan Westcott, owners. Jonathon A. Cole, surveyor.
- Barry Estates Plat 1. S19-T47N-R12W. A-2. Peggy Noordster and Roxann Durham, owners. Jay Alan Gebhardt, surveyor.
- Jack's Ridge. S23-T49N-R14W. A-2. Meghan and Todd Hayes and Eric and Lori Kurzejeski, owners. Kevin M. Schweikert, surveyor.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #422-2019**

8. First & Second Reading; Approval of a Special Use Road Permit: Spectrum Studios

Stan Shawver said Spectrum Studios is requesting to close part of Rock Quarry Road on October 6 from 11:00 pm through October 7 until 5:45 am to do some filming. This request was given to Resource Management on short notice and Shawver apologized for the short notice to the Commission. The party was informed to give more notice in the future. A press release will be done, and Road & Bridge will place signs and remove them when the project is complete. There will be a press release for this but there are no neighbors in the area that it would affect.

There were no comments or questions from the Commission.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the attached Special Use Road Permit Agreement with Spectrum Studios permitting Spectrum Studios to use S. Rock Quarry Road from Highway

163 to the private driveway at 6150 S. Rock Quarry Road on October 6, 2019 from 11:00 pm through October 7, 2019 at 5:45 am.

Pursuant to the provision of RSMo 304.130 to 304.140 and 49.266, the Commission has the authority to approve the closure for special use of any county-maintained road upon such terms and conditions as it deems appropriate.

Terms of the agreement are stipulated in the attached Agreement. It is further ordered the Director of Boone County Resource Management is hereby authorized to sign said Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #423-2019**

Purchasing

9. Second Reading; Contract Amendment Two: 30-20JUL17 – Therapeutic Mentoring and Family Support (1st read 9-24-19)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached Contract Amendment Number Two to Contract 30-20JUL17 – Therapeutic Mentoring and Family Support.

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

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #424-2019**

Sheriff's Department

10. Second Reading; Grant Acceptance: 2019-2020 MoDOT Highway Safety Traffic Grants (1st read 9-24-19)

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the following 2019-2020 Missouri Department of Transportation Highway Safety & Traffic Division grant awards for the Sheriff's Department:

DWI Saturation Enforcement
DWI Traffic Unit – Impaired Driving
DWI Traffic Unit – Police Traffic Services
Hazardous Moving Vehicle Enforcement
Youth Alcohol Enforcement

It is furthered ordered the Presiding Commissioner is hereby authorized to sign the attached grant awards.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #425-2019**

Commission

11. First & Second Reading; Approve Closed Session authorized per RSMo Sec 610.021 (1) at 9:30 am on October 4, 2019

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby authorize a closed meeting on Friday, October 4, 2019 at 9:30 am. The meeting will be held in Conference 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 Parry seconded the motion.

The motion carried 3 to 0. **Order #426-2019**

12. First & Second Reading; Application for Organizational Use of Boone County Conference Rooms: Military Order of the Purple Heart

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the Organizational Use of the Boone County Government Center Chambers by the Military Order of the Purple Heart on October 12, 2019 from 10:45 am to 12:15 pm.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #427-2019**

13. First & Second Reading; Board Appointment: Brian Whorley, Heath Trust Committee

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby appoint the following:

Name	Board	Period
Brian Whorley	Health Trust Committee	October 1, 2019 thru September 30, 2022

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #248-2019**

14. Public Comment

None

15. Commission Reports

Commissioner Thompson said she just left a meeting of the Youth Community Coalition's legislative review and many issues were being covered dealing with health issues relating to kids, including Medicaid coverage, medical marijuana and youth, as well as a presentation about vaping with youth. The vaping products are worse than cigarettes. They can carry 7 times more nicotine than a regular cigarette and they are clearly designed to hook kids. The data that they were talking about tonight shows that 70 percent of kids that start with vaping end up either staying with e-cigarettes, utilizing regular cigarettes, or using a combination of both.

Commissioner Atwill said he saw a report on television that showed the percentage of kids in high school that use e-cigarettes is over 20 percent. That is unbelievable.

Commissioner Thompson said there were 3 high school kids there: one from Rock Bridge, one from Centralia, and one from Hallsville. The young woman from Centralia has made this her cause. She is working to get vaping products banned in Centralia.

The meeting adjourned at 7:19 p.m.

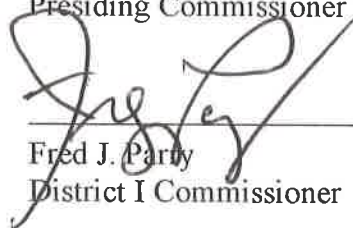
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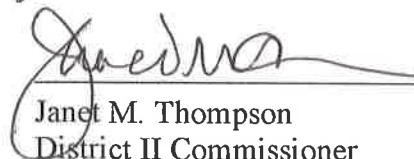
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner