

TERM OF COMMISSION: September Session of the July Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Conference Room 301 / Conference Call

PRESENT WERE: District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Purchasing Melinda Bobbitt
Captain Brian Leer Boone County Sheriff's Office
Office Administrator Angela Loftin Prosecuting Attorney Office
Senior Buyer Liz Palazzolo
Domestic Assault Court Coordinator Lori Zuroweste
13th Judicial Circuit Court Administrator Cindy Garrett
Director or Resource Management Bill Florea
Budget Administrator Kelle Westcott
Urban Hydrologist Lynne Hooper
Deputy County Clerk Jodi Vanskike

Public: Garth Baker – Boone County Health Department, Dale Asher, Leeloy Menendez, Anthony Palmer, Ryan Patrick Waters – Attorney for property owners, Kim Small, Faye Pugh, Ronda Thiessen – Sandy Creek Farm

Conference Call Information:

Number: 425-585-6224 Access Code: 802-162-168

The meeting was called to order at 1:30pm.

Health Department

- 1. First and Second Reading: Public Nuisance Parcel #12-313-11-01-042.00 01**

Garth Baker from the Health Department stated they received a complaint in May on this property and have had no contact with the owner. Mr. Baker stated the weeds have grown up, there are two inoperable vehicles and there are a few junk items out there. Mr. Baker stated he drove by the property a few days ago and the items are all still there.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, broken furniture, growth of weeds in excess of twelve inches high, and derelict/unlicensed/junk-filled/dismantled/inoperable black Volkswagen Beetle and a black two-door vehicle on the premises.
4. The location of the public nuisance is as follows 6003 E Robin Ln, Columbia, MO, a/k/a parcel# 12-313-11-01-042.00 01, Hillview Acres, Block 2, Lot 47, Section 11, Township 49, Range 12 as shown by deed book 4371 page 0089, Boone County.
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code, growth of weeds in excess of twelve inches high in violation of section 6.7 of the Code, and derelict/unlicensed/junk-filled/dismantled/inoperable black Volkswagen Beetle and a black two-door vehicle in violation of section 6.9 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 30th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties

responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #375-2021**

2. First and Second Reading: Public Nuisance Parcel # 17-510-16-02-026.00 01

Garth Baker from the Boone County Health Department stated a complaint was received on this property in late May, he hasn't had any conversations with the property owner and at this time there are only a few trash bags out back of the property. Mr. Baker stated he was last by the property a few days ago.

Ryan Patrick Waters, attorney for the homeowner, stated he is in constant contact with his client on this issue and the owners are currently starting an eviction process. Counselor Waters stated his client has had his work crew at the property recently cleaning it up and that he will advise his client to remove the two bags of trash that the Health Department states are currently at the property. Commissioner Thompson stated it is typically the Commission's policy to enter the order once it gets to them and have the party work with the Health Department to be sure the nuisance is abated. Counselor Waters stated that would be fine, he doesn't see any action from the City needing to occur.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition,

- any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, and broken furniture on the premises.
 4. The location of the public nuisance is as follows 4485-4487 Santa Anna Dr , Columbia, MO, a/k/a parcel# 17-510-16-02-026.00 01, Section 16, Township 48, Range 12 as shown by deed book 4848 page 0107, Boone County.
 5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code.
 6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 7th day of July 2021, to the property owner.
 7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
 8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #376-2021**

3. First and Second Reading: Public Nuisance Parcel # 12-401-18-03-003.00 01

Garth Baker from the Boone County Health Department stated this property and has been an ongoing issue for quite some time. Mr. Baker stated as you will see in the photos, there are couches, bedframes, appliances and other junk. Mr. Baker stated neighbors on either side are trying to sell their home, which is why there has been a complaint. Mr. Baker stated the first complaint was received on May 21, 2021 and no contact has been made with the property owners. Mr. Baker stated he drove by a couple weeks ago and it's still in violation.

Commissioner Thompson moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, and broken furniture on the premises.
4. The location of the public nuisance is as follows 1365 E Wagon Trail Heights, Columbia, MO, a/k/a parcel# 12-401-18-03-003.00 01, Wagon Trail Heights lot 3, Section 18, Township 49, Range 12 as shown by deed book 4737 page 0068, Boone County.
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 7th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #377-2021**

4. First and Second Reading: Public Nuisance Parcel # 17-513-21-01-093.00 01

Garth Baker from the Boone County Health Department stated this property has received a lot of complaints. Mr. Baker stated it is a newly remodeled house where the grass hasn't been cut, which is probably two foot tall. Mr. Baker stated they received the first complaint on June 4, 2021, photos were taken the end of August and the property remains the same today. Mr. Baker stated he hasn't had any contact with the owner.

Commissioner Thompson moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: growth of weeds in excess of twelve inches high on the premises.
4. The location of the public nuisance is as follows 2078 S El Dorado Dr, Columbia, MO, a/k/a parcel# 17-513-21-01-093.00 01, El Chaparral plat 5, lot 234, Section 21, Township 48, Range 12 as shown by deed book 2567 page 0022, Boone County.
5. The specific violation of the Code is: growth of weeds in excess of twelve inches high in violation of section 6.7 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 30th day of July 2021, to the property owner.

7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #378-2021**

5. First and Second Reading: Public Nuisance Parcel # 12-200-03-00-030.00 01

Garth Baker from the Boone County Health Department stated his office received their first complaint on the property on April 19, 2021 and he has spoken with the property owner a few times. Mr. Baker stated the property owner asked him for a two-week extension, when that time elapsed, the property owner called again and asked for an extension until June 4, 2021. Mr. Baker stated when that date passed and the property hadn't been cleaned up, he wrote the owner a violation for the vehicles. Mr. Baker stated all the vehicles other than a tan Toyota pickup were fixed well enough that they weren't missing any vital parts. Mr. Baker stated there are also appliances in the back of the house, there are appliances all over the front of the house, a radiator and junk spread out on the property. Mr. Baker stated the pictures presented were taken on the September 7th and he drove by the property a few days ago and it's still in violation.

Owner Kim Small stated they have had a lot of hardship and she had explained to the Health Department that she was physically injured and unable to keep the yard up. Ms. Small stated her husband's business has been short staffed and his work trucks were broken down. Ms. Small stated the yard has now been cleaned up except for the removal of one truck. Commissioner Thompson stated it is the Commission's process that if the property comes to this point, they go

ahead and enter the order of abatement and then ask that she work with the Health Department on the issue.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, broken furniture and a derelict/unlicensed/junk-filled/dismantled/inoperable white Chevrolet pick-up, grey Chevrolet pick-up, tan four-door Toyota pick-up, blue four-door car, red two-door car, and a Chrysler van on the premises.
4. The location of the public nuisance is as follows 5350 E Spiva Crossing RD, Columbia, MO, a/k/a parcel# 12-200-03-00-030.00 01, Section 3, Township 49, Range 12 as shown by deed book 4003 page 0057, Boone County.
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code and derelict/unlicensed/junk-filled/dismantled/inoperable white Chevrolet pick-up, grey Chevrolet pick-up, tan four-door Toyota pick-up, blue four-door car, red two-door car, and a Chrysler van in violation of section 6.9 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 26th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #379-2021**

6. First and Second Reading: Public Nuisance Parcel # 11-504-22-02-019.00 01

Garth Baker from the Boone County Health Department stated this property has previously been abated within the last year and as the photos show, there are pallets everywhere, tires, trash throughout the back yard and appliances in the back. Mr. Baker stated the pictures were taken at the end of August. Mr. Baker stated he has not been back to the property since taking the photos.

Owner Leeloy Menendez stated she has been slowly working on the mess, she has gotten the front porch area done but is working on it herself. Ms. Menendez stated the machines and tires are Dale Asher's and he is here to talk about those things. Dale Asher stated he does a lot of junking and there might be some tires there, but he will work with anyone on the issue, but he needs someone to talk to him about what they want done. Mr. Asher stated he can't guess on everything. Mr. Asher and Mr. Baker from the Health Department exchanged contact information and Commissioner Thompson advised Mr. Asher that he would need to work with Mr. Baker on the issue.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, broken furniture on the premises.

4. The location of the public nuisance is as follows 2141 W Sycamore Hills, Sycamore Hills Part 2, Lot 26, Columbia, MO, a/k/a parcel# 11-504-22-02-019.00 01, Section 22 Township 49, Range 13 as shown by deed book 1245 page 0686, Boone County.
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 26th day of December 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #380-2021**

7. First and Second Reading: Public Nuisance Parcel # 11-504-22-02-020.00 01

Garth Baker from the Boone County Health Department stated there are tires all around, burned trash and broken furniture. Mr. Baker stated he wrote a violation for the property but hasn't had any contact with the property owner. Mr. Baker stated the pictures were from August 25, 2021 and that it was the same the last time he was at the property.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: trash, rubbish, garbage, and broken furniture on the premises.
4. The location of the public nuisance is as follows 2155 W Fenton Rd, Columbia, MO, a/k/a parcel# 11-504-22-02-020.00 01, Section 22, Township 49, Range 13 as shown by deed book 1256 page 0511, Boone County.
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 9th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector

for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #381-2021**

8. First and Second Reading: Public Nuisance Parcel # 20-216-10-01-033.00 01

Garth Baker from the Boone County Health Department stated they received their first complaint on this property on May 12, 2021. Mr. Baker stated the weeds kept getting taller and are around four foot tall now. Mr. Baker stated they received a bid that it would be around \$300.00, which is about average for all the grass cuttings. Mr. Baker stated he hasn't been in touch with the property owners, the photos were taken August 23, 2021 and that when he was out there last week, the property was still the same.

Commissioner Thompson moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: growth of weeds in excess of twelve inches high on the premises.
4. The location of the public nuisance is as follows 6560 S Gateview Dr, Columbia, MO, a/k/a parcel# 20-216-10-01-033.00 01, Gateway South plat 1, Lot 15, Section 10, Township 47, Range 13 as shown by deed book 2969 page 0100, Boone County
5. The specific violation of the Code is: growth of weeds in excess of twelve inches high in violation of section 6.7 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 2nd day of June 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.

8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #382-2021**

9. First and Second Reading: Public Nuisance Parcel # 12-204-10-01-011.00 01

Garth Baker from the Boone County Health Department stated his office has received multiple complaints on this property. Mr. Baker stated the first complaint was received in the middle of June 2021. Mr. Baker stated there is trash all throughout the yard, couches, a grandfather clock, burned trash and an inoperable Chevy pickup. Mr. Baker stated the photos were taken August 25, 2021 and when he drove by last week the property was the same. Mr. Baker stated he would like to add to the record that this property has been abated within the last year.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.

3. A public nuisance exists described as follows: trash, rubbish, garbage, broken furniture and a derelict/unlicensed/junk-filled/dismantled/inoperable black Chevrolet pick-up on the premises.
4. The location of the public nuisance is as follows 7631 Zack Rd, Columbia, MO, a/k/a parcel# 12-204-10-01-011.00 01, Valley Park Subdivision, Lot 1, Section 10, Township 49, Range 12 as shown by deed book 2694 page 0104, Boone County
5. The specific violation of the Code is: trash, rubbish, garbage and broken furniture in violation of section 6.5 of the Code and derelict/unlicensed/junk-filled/dismantled/inoperable black Chevrolet pick-up in violation of section 6.9 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 30th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #383-2021**

10. First and Second Reading: Public Nuisance Parcel # 11-908-25-00-009.00 01

Garth Baker from the Boone County Health Department stated this property last year and received another complaint on June 23, 2021. Mr. Baker stated they have had no contact with the property owner. Mr. Baker stated he has spoken with a contractor who gave a bid of \$600.00 to clean this property up. Mr. Baker stated the pictures were taken August 20, 2021 and when he drove by a few days ago, it was still in violation.

Owner Faye Pugh stated she is aware that she needs to get the property mowed but she is disabled and with the heat this summer she hasn't been able to get to it. Ms. Pugh stated she plans to start it this afternoon and it should be cleaned up by the next week or two. Commissioner Thompson stated that as Ms. Pugh may have already heard today, the typical policy is to enter the order for abatement and ask that the property owner work with the Health Department.

Commissioner Aldred moved now on this 9th day of September 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: growth of weeds in excess of twelve inches high on the premises.
4. The location of the public nuisance is as follows 907 E Nance Dr, Columbia, MO, a/k/a parcel# 11-908-25-00-009.00 01, Section 25, Township 49, Range 13 as shown by deed book 1783 page 0428, Boone County.
5. The specific violation of the Code is: growth of weeds in excess of twelve inches high in violation of section 6.7 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 30th day of July 2021, to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.

8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

Commissioner Thompson seconded the motion.

The motion carried 2 to 0. **Order #384-2021**

Sheriff's Office

11. First Reading: BCSD School Resource Officer Agreements – Harrisburg R-VIII

Captain Brian Leer from the Boone County Sheriff's Office stated this contract is a continuation of what they have done for several years by providing a fulltime school resource officer. Captain Leer stated for the school resource officer, it's roughly a 25% calculation for a Deputy Sheriff salary and benefits which would be the cost for the school district as part of the contract. The amount the school district would owe is \$15,104.25 and would be due on or before May 1, 2022.

Commissioner Thompson stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

12. First Reading: BCSD School Resource Officer Agreements – Sturgeon R-V

Captain Brian Leer from the Boone County Sheriff's Office stated the amount is the same as it is for Harrisburg R-VIII, \$15,104.25, and would be due to the County on or before May 1, 2022 for supplying a fulltime resource officer to their school district.

Commissioner Thompson stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

Purchasing

13. Bids Received Acknowledgement: 44-09SEP21 – Boone County Government Center First Floor Physical Security Improvement Project

Director of Purchasing Melinda Bobbitt stated they received two bid responses, from Glovecon and Professional Contractors and Engineers Incorporated, which are attached.

Commissioner Thompson stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

14. First Reading: Contract Amendment #2 for Signature for Boone County EC07-18 - 911 Equipment & Emergency Notification

Director of Purchasing Melinda Bobbitt read the following memo: Contract EC07-18 - 9-1-1 Equipment and Emergency Notification was approved by commission for award to Intrado Life & Safety Solutions Corporation on December 18, 2018 commission order 552-2018.

Amendment #2 adds additional services to convert CCI CAD TXT to TXT 2 9-1-1 Integrated on Power911 at no cost to Boone County. This is an annual term & supply service contract for Information Technology.

Commissioner Thompson stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

15. First Reading: Amendment #1 to Co-Op Contract NCPA-01-97 Synnex Advanced Technology Solutions Aggregator – Westwind Computer Products, Inc. for Leica Total Station for the Boone County Sheriff

Senior Buyer Liz Palazzolo read the following memo: Amendment #1 to contract NCPA-01-97 Synnex Advanced Technology Solutions Aggregator – Westwind Computer Products, Inc. for a Leica TS13 Total Station for the Boone County Sheriff that was awarded August 12, 2021 (Commission Order 325-2021) is being amended to clarify that the County is trading the current Sokkia 30R3 Total Station for a \$1,000.00 credit or discount off the acquisition price of the new Leica TS13 Total Station. The originally awarded amount of \$37,044.02 reflected this \$1,000.00 trade-in discount, but the original award and Commission memo failed to reflect clearly that a trade was being transacted with the existing Total Station. NCPA-01-97 is a cooperative contract established by the National Cooperative Purchasing Alliance (NCPA).

All other terms and conditions of the original agreement remain unchanged.

The total purchase price is \$37,044.02 and it will be paid from Department 2901, Sheriff Operations LE Sales Tax- Account 92300, Replacement Machinery and Equipment.

Commissioner Thompson stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

16. Second Reading: Request for Bid Award Recommendation: 30-12JUL21 - Civil Construction for New Radio Tower Project (First Read 09.07.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request for bid 30-12JUL21 - Civil Construction for New Radio Tower Project which closed on July 22, 2021.

Recommendation for award is to C.L. Richardson Construction Company of Ashland, Missouri for offering the lowest and best bid.

Total cost of contract is \$235,950 and will be paid from Department 2706 - BOCO Joint Communications Radio Improvement, Account 91300 - Machinery & Equipment. \$292,300.00 is budgeted.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #385-2021**

17. Second Reading: Computer and Peripheral Surplus Disposal (First Read 09.07.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the disposal of the attached list of surplus through MRC Recycling Center. MRC Recycling will pick the surplus items up for fifty dollars per load.

MRC Recycling Center certifies that they have picked up the attached list of items and that all items will be recycled, not reused, so nothing ends up in the landfill.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #386-2021**

Resource Management

18. First and Second Reading: Request for additional funds and extension of time on Section 319 Subgrant from Missouri Department of Natural Resources / Bonne Femme Watershed Project

Urban Hydrologist Lynne Hooper stated they originally had a subgrant on this item and one amendment. Ms. Hooper stated they submitted the second draft to the Environmental Protection Agency, which came back and wanted some changes. Ms. Hooper stated they will need additional time and funds to complete the changes requested. Ms. Hooper stated they have been in contact with the Department of Natural Resources and have talked about extending it for another year, so the project would be completed at the end of 2022, and they have submitted an itemized list of what they believe the cost will be, subject to change.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request by the Resource Management Department to apply for additional funding and time expansion of the original grant application for a Chapter 319 Subgrant for the Bonne Femme Watershed Project that was approved in Commission Order 364-2018 and extended by amendment with Commission Order 130-2020.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #387-2021**

13th Judicial Court

19. First and Second Reading: VAWA Grant Funding for Batterers' Intervention Program

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached Grant Application for the 2022-2023 Stop Violence Against Women Act Grant (VAWA) submitted by the 13th Judicial Circuit Court.

It is further ordered the Presiding Commissioner is hereby authorized to sign the attached Acknowledgement of Notice to Comply with the Confidentiality and Privacy Provisions form.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #388-2021**

Prosecuting Attorney

20. First and Second Reading: 2022-2023 STOP Violence Against Women Act (VAWA) Grant Application – Notice of Funding Opportunity

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Violence Against Women (VAWA) Grant application from the Prosecuting Attorney's Office.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #389-2021**

Commission

21. First and Second Reading: Board Reappointment: Board of Health – Harry Feirman

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the following Board Reappointment.

Harry Feirman	Board of Health	Re-appointment	3 Year Term	October 1, 2021 thru September 30, 2024
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Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #390-2021**

22. Public Comment

Ronda Thiessen from Sandy Creek Farm stated she and her husband have been a part of the Farmers Market since 1993. Ms. Thiessen stated she urged the Commission to support the Columbia Agriculture Park with unrestricted or ARPA funds and to help leverage similar funds from the City of Columbia. Ms. Thiessen stated so far, 75% of the funding has come from private donations. Ms. Thiessen stated they would like to see the Agriculture Park completed, and hopefully with some extra funding that will happen. Commissioner Thompson stated it is certainly a program that has been a blessing to the community in many ways. Commissioner Thompson stated last year, Dustin Stanton and Adam Saunders came to the Commission and said they would like to create some way of getting food to people in the community that need assistance. Ms. Thiessen stated she has been part of trying to get funds for the Farmers Market again and again. Commissioner Thompson stated David Horner, who was one of the originators of the idea, went out there about a month ago and met with Billy. Commissioner Thompson stated this was right after his 100th birthday on the hottest day of the year. Commissioner Thompson thanked Ms. Thiessen for her time today.

23. Commissioner Reports

None

Attest:



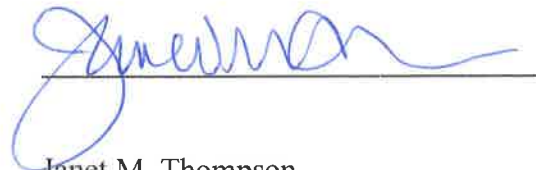
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner

BID TABULATION: 25-09SEP21 - Boone County Government Center First Floor Physical Improvement Project

<u>Description</u>	Architect's Construction Estimate	Glovecon	Professional Contractors & Engineers Incorporated
To construct work indicated for the Collector's Office - Base Bid	\$19,129.61	\$13,641.00	\$23,000.00
To construct work indicated for the Assessor's Office - Base Bid	\$146,564.70	\$82,434.00	\$128,200.00
To construct work indicated for the Recorder's Office - Base Bid	\$142,290.62	\$75,232.00	\$135,700.00
TOTAL FOR (3) Base Bids	\$307,984.93	\$171,307.00	\$286,900.00
Total number of working days to complete base bid projects		70	150
List Subcontractors to be used on project		Painting and Dry Wall: Brick City; Seville Woodworks; Meyer Electric	Drywall: PCE; Paint: Brick City; Glass: Central MO Glass; Electrical: Kaiser; Floor: Wilbers
Addendums #1 & #2 Returned		Yes	Yes
List Project Manager and Field Superintendent		Project Manager: Jake Long Superintendent: Daren Hufstetler	Project Manager: Lisa Johnson; Superintendent - TBD
List work to be self performed		Demolition, Framing, Finish Carpentry, Cleaning	Demo and carpentry
Work Authorization Returned		Yes	Yes
Debarment Certification Returned		Yes	Yes
Statement of Bidder's Qualifications Returned		Yes	Yes
Anti-Collusion Statement Returned		Yes	Yes
Signature and Identity of Bidder Returned		Yes	Yes
Bidder's Acknowledgment Returned		Yes	Yes
Bid Bond or Certified Check		Yes	Yes

No Bids

Edward J. Rice Co., Inc.