

TERM OF COMMISSION: July Session of the July Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kip Kendrick
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Purchasing Melinda Bobbitt
Environmental Public Health Specialist Liz Olree
Director of Emergency Management Chris Kelley
Planner Uriah Mach
Buyer Amy Gerskin
Chief Engineer Jeff McCann
Boone County Deputy County Clerk Jodi Vanskike

Public: Stephen Diederich

Conference Call Information:

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

The meeting was called to order at 9:30am and roll call was taken.

Health Department

1. First Reading: Nuisance Abatement - Parcel #17-319-12-01-254.00 01

Environmental Public Health Specialist Liz Olree stated they received a complaint on April 14, 2023, for junk, trash, and unlicensed vehicles on the property. Ms. Olree stated she drove by and saw a pile of bicycles next to the house and junk between the cars and the house, but she could

not identify the items. Ms. Olree stated there are also two unlicensed vehicles in the driveway, one with a missing window. Ms. Olree stated she mailed the nuisance notice to the owner on May 8, 2023 and the owner signed for it on May 11, 2023. On June 21, 2023, she re-inspected the property, and the bicycles and junk were still there. Ms. Olree stated the broken window on the vehicle had been covered up, but the vehicles were still unlicensed. Ms. Olree stated she mailed the hearing notice to the property owner on July 3, 2023. Ms. Olree stated she has had no contact with the property owner. Commissioner Kendrick stated he spoke with Ms. Olree before this meeting and has some concerns about the towing of the vehicles. Commissioner Kendrick asked what the Health Department's take is on vehicles like this and where the line of delineation would be. Ms. Olree stated, when they investigate a nuisance, the primary interest is whether or not it poses a hazard to public health. Ms. Olree stated, if the vehicle were derelict, with broken windows and full of junk, they would call it a health risk. While these vehicles don't have visible licenses, they are otherwise okay and are not really deemed a health hazard and towing them wouldn't address any health risk to the public. Commissioner Thompson asked Ms. Olree, if the vehicles are taken out, what will be left on the nuisance. Ms. Olree stated the pile of bicycles and items piled in the driveway would be left. Commissioner Kendrick asked if there were anything around back of the house, would that become part of this when Voss shows up? Commissioner Kendrick stated there have been several estimates that have been exceeded when clean-up occurs. Ms. Olree stated she pulled the property up on Google Earth and it did look like there were items in the back, but she doesn't know if it would be visible from the neighboring property. Ms. Olree stated that would depend on if the privacy fence extends around the whole property, but it is not visible from the street. Ms. Olree stated, according to the Health Department's standards, if the items in the back yard are visible from the public road or from the neighboring properties, it would be part of the abatement. Ms. Olree stated previous calls about this property have not mentioned the back yard. Commissioner Kendrick stated, at this time, the plan is to remove the towing portion of the abatement from the order and asked Ms. Olree if she would be willing to try to contact the property owner again. Ms. Olree stated a notice was sent to the property owner for the trash, and a separate notice was sent for the vehicles. Ms. Olree stated she doesn't have a phone number for the property owner. Commissioner Aldred asked whether, aside from the vehicles, there is any issue other than the five or so bicycles in the front yard. Ms. Olree stated the lawn looks okay to her; there is a cart on the left side of the house and a pile of junk on the driveway itself. Commissioner Kendrick stated his hesitation is, if Voss is basing a roughly \$1,500.00 estimate on what they can visibly see in the front, which isn't a whole lot, and then they go in the back, it could turn into a \$10,000.00 project. Commissioner Kendrick stated they can't control that. The Commission has gotten some surprise bills from Voss in the past, which he understands. He would just like to be a bit more cautious because they might just be seeing the tip of the iceberg in these photos. Ms. Olree stated she could revise the scope of the order to include the front yard only. Commissioner Aldred stated he is reluctant to go forward with a nuisance abatement for five bicycles. Commissioner Aldred stated if they can get any contact with the owner and get it worked out without going through this process that would be preferable. Commissioner Kendrick stated he does not want to sound like a broken record, but his mind is racing on what is in the backyard, where this will go and how surprised everyone will be in this. Commissioner Thompson stated people put things in their backyard which isn't annoying anyone and what they have in their backyard, without a complaint about it, exceeds the scope of what the Health Department does.

Commissioner Thompson stated the Health Department does not go and investigate people's backyards to see what is in them. Commissioner Kendrick stated, at this time, the Commission plans to proceed with a revised order that states only items in the front yard in plain view will be taken if Voss needs to clean up.

Commissioner Kendrick 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.

Resource Management

2. First and Second Reading: Approve Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit between Boone County and Trade Winds Technology Development, LLC for Trade Winds Park Plat 4

Chief Engineer Jeff McCann stated this is a standard agreement for erosion control and security, making sure that gets done. Chief Engineer McCann stated this is a proposed five-lot industrial subdivision in Trade Winds Park. Chief Engineer McCann stated this is for \$102,332.48.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit between the County of Boone and Trade Winds Technology Development, LLC.

The terms of the agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #311-2023**

3. First and Second Reading: Approve Development Agreement and Irrevocable Letter of Credit between Boone County and Trade Winds Technology Development, LLC for Trade Winds Park Plat 4.

Chief Engineer Jeff McCann stated this is the same development as the last item. Chief Engineer McCann stated, if allowed, it will not be the typical path taken for a new development. Chief Engineer McCann stated this developer has decided to bond up from the cost of the public stormwater. Chief Engineer McCann stated the point of doing that is so they can get the final plat presented to the Commission for acceptance and get that plat recorded, which allows the sale of lots in that subdivision. Chief Engineer McCann stated the bond that is put up in this case is \$624,400.00 to cover the cost of the public street, public stormwater, and grading required for that to guarantee that work will be done.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached Development Agreement and Irrevocable Letter of

Credit between Boone County and Trade Winds Technology Development, LLC for Trade Winds Park Plat 4.

Terms of the agreement are stipulated in the attached Development Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Agreement.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #312-2023**

4. Plat Acceptance: Trade Winds Park Plat 4. S12-T48N-R12W. M-L. Trade Winds Technology Development, LLC, owner. Jay Gebhardt, surveyor.

Planner Uriah Mach stated this is a final plat on Trade Winds Parkway and Richland Road. Mr. Mach stated this plat establishes Progress Place, which is the right-of-way for which Commission just accepted the bond, creating four lots served off that right-of-way. Mr. Mach stated the fifth lot, to the north, serves as a holding lot, which Commission will see in the next three to four months as Plat 5 of Trade Winds Park.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby receive and accept the plat of Trade Winds Park Plat 4. S12-T48N-R12W. M-L. Trade Winds Technology Development, LLC, owner. Jay Gebhardt, surveyor.

It is further ordered the Presiding Commissioner is hereby authorized to sign said plat.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #313-2023**

Emergency Management

5. First Reading: Outdoor Warning Siren Placement Policy & Procedures

Director of Emergency Management Chris Kelley stated this is the edited document that he and the Commission have already discussed. Director Kelley stated the changes that were made were language communicating to constituents after hearings have been held and communicating to them about the outcome of those hearings. In addition, there was a change at the request of the Auditor's office to remove some language.

Commissioner Kendrick 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

6. First and Second Reading: Contracts and Amendments Signed by Purchasing Director in June 2023

Director of Purchasing Melinda Bobbitt read the following memo:

Attached is the list of contracts and amendments that were awarded in June 2023 and signed by the Purchasing Director.

The Notice of Awards that explains the justification for award is posted under the Purchasing Department on Boone County's web page at www.showmeboone.com. The Bid Tabulation listing the Bidders/Offerors with pricing is also posted there. These contract documents have been added to the Boone County Clerk bid file.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby acknowledge the attached report documenting the contracts approved by the Purchasing Director as the County's Purchasing Agent (as designated in Commission Order 114-2022) during the month of June 2023.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #314-2023**

7. Second Reading: Award of Contract C000645 from RFP 28-26JUN23 for On-the-Lot or In-Transit New Truck(s) or SUV for the Resource Management Department to Joe Machens Ford Lincoln – First Read 07.13.23

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve Award of Contract C000645 from RFP 28-26JUN23 for On-the-Lot or In-Transit New Truck(s) or SUV for the Resource Management Department to Joe Machens Ford Lincoln.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #315-2023**

8. Second Reading: Contract: C000651 (00318) - Public Safety Communications Products - Concrete Shelter for RNN – First Read 07.13.23

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve a Term and Supply Cooperative Agreement with Sabre Industries.

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #316-2023**

9. Second Reading: Award of Amendment #4 to Contract C000012 (02-25MAY16) for Detainee Commissary Goods & Services with Summit Foodservice LLC for the Boone County Sheriff's Office – First Read 07.13.23

Commissioner Aldred moved on this day, the County Commission of the County of Boone does hereby approve Award of Amendment #4 to Contract C000012 (02-25MAY16) for Detainee Commissary Goods & Services with Summit Foodservice LLC for the Boone County Sheriff's Office.

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #317-2023**

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10. Second Reading: Budget Revision - Dept 1172 - GASB-96 – First Read 07.13.23
Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Budget Revision for Department 1172 for the GASB-96 - Software Subscription for the Government Center VMWare Cluster Replacement.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #318-2023**

Commission

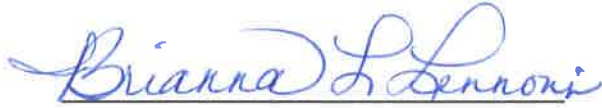
11. Public Comment

Property owner Stephen Diedrich submitted a public comment along with a printed email he had received. Both documents are included as attachments with these minutes.

12. Commissioner Reports

None

Attest:



Brianna L. Lennon
Clerk of the County Commission

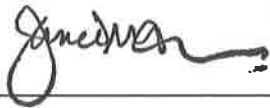


Kip Kendrick

Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner



Boone County Commission
Public Comment Form

Agenda Item:		DATE:	
COMMITTEE: Boone County Commission			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
NAME			
INDIVIDUAL			
NAME: <u>Stephen Diederich</u>		PHONE NUMBER: <u>(573) 864-1860</u>	
BUSINESS/ORGANIZATION NAME: <u>Wilton Levee District</u>		TITLE: <u>President</u>	
ADDRESS: <u>1301 W. Rt. m</u>			
CITY: <u>Hartsburg</u>		STATE: <u>mo</u>	ZIP: <u>65039</u>
EMAIL: <u>ruthdie@msn.com</u>	ATTENDANCE:	SUBMIT DATE:	

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

Questions about the authority in the formation of the Wilton Levee District

Fwd: Wilton Levee District - Meeting with Levee District Commissioners

Scott D. Buehler <buehler@stclegal.com>

Mon 7/17/2023 12:40 PM

To: Stephen Diederich <ruthdie@msn.com>

Cc: jbg6267@aol.com <jbg6267@aol.com>

Stephen:

See email below from the County Counselor. I would agree the County can abandon the maintenance of the road(s) if it chooses. Based on the email, I don't think the valuation approach for the roads in the District is the issue. The County wants a discount because it can stop funding the very roads that are being assessed. The Supervisors should take into consideration (imo).

Let me know if you would like to discuss. Thanks.

Scott

----- Forwarded Message -----

Subject: RE: Wilton Levee District - Meeting with Levee District Commissioners

Date: Fri, 14 Jul 2023 21:30:34 +0000

From: CJ Dykhouse <CDykhouse@boonecountymo.org>

To: Scott D. Buehler <buehler@stclegal.com>

Scott,

Good afternoon.

By way of alternate position: I think any total valuation that ends up with the County having more than 1-1.5% of the total value in the protected area is overkill for this section of gravel road. The County may well just close the road and that possibility deserves a significant discount factor. We believe the valuation metric that seems to have been mandated by the Board of Supervisors to the engineer for the ag land is problematic and the road values are using the wrong metric (decreased maintenance costs and increased utility is the measure provided for in the statutes).

If you think we can work something out then perhaps we can visit by telephone sometime after 7/24? I'm out of the office next week. I'll look to hear from you at your convenience. Thanks.

CJ