

420-2014

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

In the County Commission of said county, on the 4th day of September 20 14

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the attached Finding of Public Nuisance and Order for Abatement of a public nuisance located at 4703 W. Knox Drive, parcel #16-420-20-03-094.00 01

Done this 4th day of September, 2014.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Daniel K. Atwill  
Daniel K. Atwill  
Presiding Commissioner

Karen M. Miller  
Karen M. Miller  
District I Commissioner

Janet M. Thompson  
Janet M. Thompson  
District II Commissioner



# CITY OF COLUMBIA/BOONE COUNTY, MISSOURI



HEALTH DEPARTMENT  
DIVISION OF ENVIRONMENTAL HEALTH

## NOTIFICATION OF DETERMINATION OF PUBLIC HEALTH HAZARD AND/OR NUISANCE AND ORDER FOR ABATEMENT

Bettin Naomi M  
4703 W. Knox Drive  
Columbia, MO 65203

An inspection of the property you own on located at 4703 W. Knox Drive (parcel's # 16-420-20-03-094.00 01) was conducted on July 22, 2014 and revealed growth of weeds in excess of twelve inches high on the premises in the backyard.

This condition is hereby declared to be a nuisance. You are herewith notified that you must begin correcting this condition within 7 days of receipt of this notice and order and that if the above nuisance condition has not been fully corrected within **15 days** after the receipt of this notice, an additional enforcement action will result for violation of Boone County Public Nuisance Ordinance Section 6.7. A reinspection will be conducted at the end of the 15-day period. If the weeds have not been cut by that time, a hearing before the Boone County Commission will be called to determine whether a violation exists. If the County Commission determines that a violation exists and the weeds are not cut and removed as ordered, the County Commission may have the weeds cut and removed with the cost of abatement, plus administrative fees, charged against the property in a tax bill. In addition, a complaint may be filed against you in Circuit Court. **If the weeds are cut within the 15-day period, no further action is necessary.**

The purpose of these ordinances is to create and maintain a cleaner, healthier community. If you have any questions, please do not hesitate to contact our office. If you are not the owner or the person responsible for the care of this property, please call our office at the number listed at the bottom of this letter. Your cooperation is greatly appreciated.

Sincerely,

Britni Dewrock  
Environmental Public Health Specialist

This notice deposited in the U.S. Mail certified, return receipt requested on the 23<sup>rd</sup> day of July 2014 by MD

1005 W. Worley • P.O. Box 6015 • Columbia, Missouri 65205-6015  
Phone: (573) 874-7346 • TTY: (573) 874-7356 • Fax: (573) 817-6407  
[www.GoColumbiaMo.com](http://www.GoColumbiaMo.com)

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7012 3460 0001 1278 6420

Postage \$  
 Certified Fee  
 Return Receipt Fee  
 (Endorsement Required)  
 Restricted Delivery Fee  
 (Endorsement Required)  
 Total Postage & Fees

*\*BD*  
 COLUMBIA MO USPS  
 JUL 23 2014  
 85201-9998

Sent To Naomi Bettin  
 Street, Apt. No., or PO Box No. 4703 W. Knox Dr.  
 City, State, ZIP+4 Columbia, MO 65203

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
  
 Naomi Bettin  
 4703 W. Knox Dr.  
 Columbia, MO 65203

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*X Tarryn Harmon*  Agent  Addressee

B. Received by (Printed Name) *Tarryn Harmon* C. Date of Delivery *6/1/14*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandis  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7012 3460 0001 1278 6420**

CRKCK: 16TH



Tom Schauwecker  
Boone County Assessor

Boone County Government Center  
801 E. Walnut, Rm 143  
Columbia, MO 65201-7733

Office (573) 886-4270  
Fax (573) 886-4254

Parcel 16-420-20-03-094.00 01

Property Location 4703 W KNOX DR

City Road COUNTY ROAD DISTRICT (CO) School COLUMBIA (C1)  
Library BOONE COUNTY (L1) Fire BOONE COUNTY (F1)

Owner BETTIN NAOMI M  
Address 4703 W KNOX DR  
City, State Zip COLUMBIA, MO 65203

Subdivision Plat Book/Page 0014 0069  
Section/Township/Range 20 48 13

Legal Description MEADOWBROOK WEST, 1  
LOT 86A  
Lot Size 41.25 x 125

Deed Book/Page 3898 0068 3518 0148 1641 0518

Current Appraised				Current Assessed			
Type	Land	Bldgs	Total	Type	Land	Bldgs	Total
RI	9,600	60,200	69,800	RI	1,824	11,438	13,262
Totals	9,600	60,200	69,800	Totals	1,824	11,438	13,262

# disconnected  
573-397-258  
Naomi  
- wants abated  
- goes on real estate taxes + 150.00 admin fee  
- hearing

No VM

Most Recent Tax Bill(s)

Residence Description

Year Built 1981  
Use 125

Basement NONE (1) Attic NONE (1)

Bedrooms 3 Main Area 1,372  
Full Bath 1 Finished Basement Area 0  
Half Bath 1  
Total Rooms 5 Total Square Feet 1,372

Scott ->  
Gillespie Bridge ->  
Kendal wood.  
5/18 - still present  
8/19 - Tried calling NO VM  
8/19 - Tried new #: line disconnected

www.ShowMeBoone.com, Boone County, Missouri. 801 East Walnut Columbia, MO 65201 USA.

Any questions? Feel free to contact us:

**Bettie Johnson**  
**Boone County , Missouri - Recorder of Deeds**

[Click Here To View Document](#)

**Boone County Recorder of Deeds**  
**801 East Walnut, Rm. 132**  
**Columbia, MO 65201-7728**

**(573) 886-4345 Office**  
**(573) 886-4359 Fax**

Document recording information

**Instrument** QTCL - QUIT CLAIM DEED  
**Document No.** 2011025729  
**Book** 3898  
**Page** 68  
**Recording Date** 12/29/2011 2:31:14 PM  
**Dated date** 12/28/2011

Referenced By This Document (0)

References To This Document (0)

Grantor(s) (1)

**BETTIN, ELIZABETH**

Grantee(s) (1)

**BETTIN, NAOMI M**

Grantee's Address

**4203 W KNOX DRIVE**  
**COLUMBIA, MO 65203**

Legal Description(s) (1)

**LT 86A MEADOWBROOK WEST SUB LT86**



CITY OF COLUMBIA/BOONE COUNTY, MISSOURI



HEALTH DEPARTMENT  
DIVISION OF ENVIRONMENTAL HEALTH

## HEARING NOTICE

Bettin Naomi M  
4703 W Knox Dr.  
Columbia, MO 65203

An inspection of the property you own located at 4703 W Knox Drive (parcel # 16-420-20-03-094.00 01) was conducted on July 22, 2014 and revealed growth of weeds in excess of twelve inches high on the premises in the backyard. This condition is declared to be a nuisance and a violation of Boone County Public Nuisance Ordinance Section 6.7.

**You are herewith notified that a hearing will be held before the County Commission on Thursday, September 4, 2014 at 1:30 PM in the County Commission Chambers at the Boone County Government Center, 801 E. Walnut Street, Columbia, Missouri.** The purpose of this hearing will be to determine whether a violation exists. If the County Commission determines that a violation exists, it will order the violation to be abated.

If the nuisance is not removed as ordered, the County Commission may have the nuisance removed. All costs of abatement, plus administrative fees, will be assessed against the property in a tax bill. **If the above nuisance condition has been corrected prior to the hearing, you do not have to appear for the hearing.**

The purpose of these ordinances is to create and maintain a cleaner, healthier community. If you have any questions, please do not hesitate to contact our office. If you are not the owner or the person responsible for the care of this property, please call our office at the number listed at the bottom of this letter.

Sincerely,

Britni Dewrock  
Environmental Public Health Specialist

This notice deposited in the U.S. Mail, first class postage paid on the 19<sup>th</sup> day of August 2014 by MM.

1005 W. Worley ♦ P.O. Box 6015 ♦ Columbia, Missouri 65205-6015  
Phone: (573) 874-7346 ♦ TTY: (573) 874-7356 ♦ Fax: (573) 817-6407  
[www.GoColumbiaMo.com](http://www.GoColumbiaMo.com)

**BEFORE THE COUNTY COMMISSION OF  
BOONE COUNTY, MISSOURI**

In Re: Nuisance Abatement	)	September Session
4703 W Knox Drive	)	July Adjourned
Columbia, MO 65203	)	Term 2014
	)	Commission Order No. <u>420-2014</u>

**FINDING OF PUBLIC NUISANCE AND ORDER FOR ABATEMENT**

**NOW** on this 4th day of September 2014, 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 in the backyard.
4. The location of the public nuisance is as follows: 4703 W Knox Drive Meadowbrook West, 1 Lot 86 A (a/k/a parcel #16-420-20-03-094.00 01) Section 20, Township 48, Range 13 as shown by deed book 3898 page 0068, Boone County
5. The specific violation of the Code is: weeds in excess of twelve inches on the premises in violation of sections 6.7 of the Code. 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 23rd day of July, 2014, to the property owner, occupant, and any other applicable interested persons.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner, occupant, and any other applicable interested persons were 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.

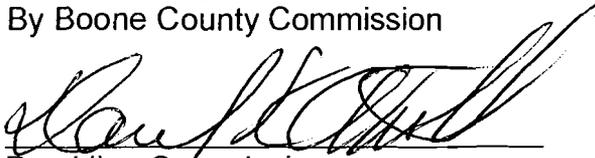
**Order For Abatement Chargeable As a Special Assessment To The Property**

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.

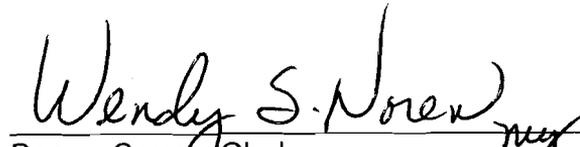
It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment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

**WITNESS** the signature of the presiding commissioner on behalf Boone County Commission on the day and year first above written.

Boone County, Missouri  
By Boone County Commission

  
\_\_\_\_\_  
Presiding Commissioner

ATTEST:

  
\_\_\_\_\_  
Boone County Clerk

4703 W Knox Drive

ACTIVITY LOG

6/22/14 citizen complaint received

6/22/14 complaint investigated – trash and junk on the premises

6/23/14 notice of violation sent via Certified Mail

8/1/14 Certified letter signed for by Tarryn Harmon

8/6/14 Ms. Bettin called and explained she couldn't take care of the weeds, because it contains Poison Ivy and she is highly allergic-stated at that time she would like us to abate the Property as she also does not have the finances to hire someone to take care of

8/13/14 Ms. Bettin called again to give me her new cell number and ask how the abatement Process was going, told her that EPHS had to wait the Fifteen days and then will start process

8/18/14 reinspection conducted – violation still present

8/18/14 pictures taken

8/18/14 Tried to call Ms. Bettin and her new number is no longer in service and old number has No voicemail set up

8/19/14 hearing notice sent via First Class Mail

Boone County, Missouri  
Unofficial Document



Recorded in Boone County, Missouri  
Date and Time 12/29/2011 at 02:31:14 PM  
Instrument # 2011025729 Book 3898 Page 68

Grantor BETTIN, ELIZABETH  
Grantee BETTIN, NAOMI M

Instrument Type QTCL  
Recording Fee \$27.00 S  
No of Pages 2

*Bettie Johnson*  
Bettie Johnson, Recorder of Deeds



**QUIT-CLAIM DEED**

(INFORMATION PROVIDED ON THIS DOCUMENT MUST BE TYPED OR PRINTED)

THIS INDENTURE, Made and entered into this 29 day of December A.D. Two Thousand and 11 by and between Elizabeth BETTIN (Grantor), of the County of BOONE, in the State of MISSOURI, party or parties of the First Part, and NAOMI M. BETTIN (Grantee),

(Grantee's mailings address) 4203 W. KNUX DRIVE, COLUMBIA, MO 65203

of BOONE County, State of MISSOURI party or parties of the Second Part:

WITNESSETH, That the said party or parties of the First Part in consideration of the sum of ten dollars and other valuable considerations paid by the said party or parties of Second Part, the receipt of which is hereby acknowledged, does or do by these presents, Remise, Release and forever Quit Claim, unto the said party or parties of the Second Part, the following described real estate, lying, being and situate in the County of Boone and State of Missouri, to-wit:

LOT EIGHTY-SIX A (86A) OF A REPLAT OF LOT EIGHTY-SIX (86) OF MEADOWBROOK WEST PLANNED RESIDENTIAL DEVELOPMENT BLOCK A AS SHOWN BY THE PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGE 69 (69) RECORDS OF BOONE COUNTY, MISSOURI.

TO HAVE AND TO HOLD the same with all the rights and immunities, privileges and appurtenances thereto belonging, unto the said party or parties of the Second Part, and their heirs and assigns, FOREVER; so that neither the said party or parties of the First Part, nor their heirs, nor any other person or persons for them or in their name--or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, The said party or parties of the First Part has or have hereunto set their hand or hands the day and year first above written.

Witness Elizabeth Bettin  
ELIZABETH BETTIN

NA

(ALL SIGNATURES MUST HAVE THE NAME TYPED OR PRINTED UNDERNEATH)

Boone County, Missouri  
Unofficial Document

BOONE COUNTY MO DEC 29 2011

STATE OF MISSOURI )  
COUNTY OF Boone ) ss.

On this 29 day of December, 2011 before me personally appeared Elizabeth  
Bettin to me known to be the person or persons described in and who executed  
the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

NANCY M. RAY  
Notary Public - Notary Seal  
State of Missouri  
County of Boone  
My Commission Expires March 15, 2013  
Commission # 09406072  
(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my  
official seal at my office in Columbia, MO, the day and year first  
above written.

My term expires March 15, 2013  
Nancy M. Ray  
Notary Public  
NANCY M. RAY

4703 W Knox Drive

Columbia MO 65203

Photo taken 8/18/2014 by Britni Dewrock



# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

In the County Commission of said county, on the 4th day of September 20 14

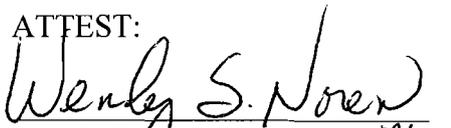
the following, among other proceedings, were had, viz:

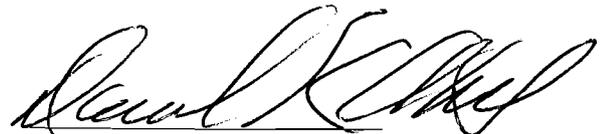
Now on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorize the Presiding Commissioner to sign it:

- Wicks Bend. S3-T49N-R12W. A-2. Thomas and Linda Wicks, owners. David T. Butcher, surveyor.

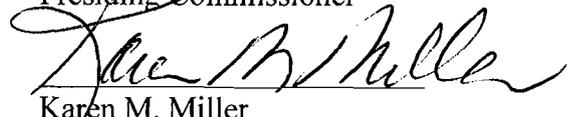
Done this 4th day of September, 2014.

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission



Daniel K. Atwill  
Presiding Commissioner



Karen M. Miller  
District I Commissioner



Janet M. Thompson  
District II Commissioner

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

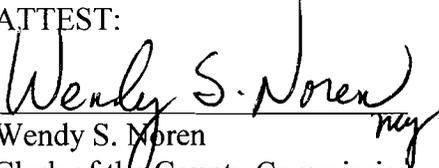
In the County Commission of said county, on the 4th day of September 20 14

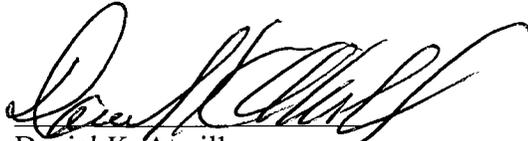
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the attached Consultant Services Agreement with Shafer, Kline & Warren, Inc for preliminary engineering design services. It is further ordered the Presiding Commissioner is hereby authorized to sign said Consultant Services Agreement.

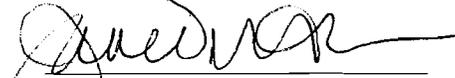
Done this 4th day of September, 2014.

ATTEST:

  
Wendy S. Moren  
Clerk of the County Commission

  
Daniel K. Atwill  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Janet M. Thompson  
District II Commissioner

APPROVAL OF PROPOSAL FOR CONSULTANT SERVICES

Effective the 4th day of September, 2014, Boone County, Missouri, a political subdivision of the State of Missouri through its County Commission (herein "Owner") hereby approves and authorizes professional services by the Consultant referred to below for the services specified herein.

Consultant Name: SHAFER, KLINE & WARREN, INC.; 3200 Penn Terrace, Suite 100, Columbia, MO 65202

Project/Work Description: SEE ATTACHMENT A

Proposal Description: Preliminary Engineering Design Services for the replacement of 4 Structures located at:

- BR 3380002 Rangeline Road
- LWC20440 Vemer's Ford Road
- 2076 Marshall Lane
- BR 2650011 Remie Road

Modifications to Proposal: Fees and expenses for Design Services shall not exceed **\$12,880.00, (Twelve Thousand, Eight Hundred and Eighty Dollars) Lump Sum** without written approval of Owner. Invoices will be a reflection of the percent of work completed.

This form agreement and any attachments to it shall be considered the approved proposal; signature by all parties below constitutes a contract for services in accordance with the above described proposal and any approved modifications to the proposal, both of which shall be in accordance with the terms and conditions of the General Consultant Services Agreement signed by the Consultant and Owner for the current calendar year on file with the Boone County Resource Management Department, which is hereby incorporated by reference. Performance of Consultant's services and compensation for services shall be in accordance with the approved proposal and any approved modifications to it and shall be subject to and consistent with the General Consultant Services Agreement for the current calendar year. In the event of any conflict in interpretation between the proposal approved herein and the General Consultant Services Agreement, or the inclusion of additional terms in the Consultant's proposal not found in the General Consultant Services Agreement, the terms and conditions of the General Consultant Services Agreement shall control unless the proposal approved herein specifically identifies a term or condition of the General Consultant Services Agreement that shall not be applicable or this Approval of Proposal indicates agreement with a specific term or terms of Consultant's proposal not found in the General Consultant Services Agreement.

SHAFER, KLINE & WARREN, INC

By *Aurel Johnson*  
Principal

Dated: 08-20-14

BOONE COUNTY, MISSOURI

By *David [Signature]*  
Presiding Commissioner

Dated: 9-4-14

APPROVED AS TO FORM:

*[Signature]*  
County Attorney

ATTEST:

*Wendy S. Noren*  
County Clerk *my*

APPROVED:

*[Signature]*  
Resource Management Director

Certification:

I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriations sufficient to pay the costs arising from this contract.

*Jane E. Pitchford* 8/26/14 2048-71102  
Auditor *by [Signature]* Date



ATTACHMENT A  
(08-19-14)

Scope of Work for Preliminary Engineering Design Services  
2014 Boone County Structure Replacement @ 4 Sites

**Work includes:**

1. Preliminary Engineering Design Services only for the replacement of 4 Structures located at:
  - a. BR 3380002 Rangeline Road
  - b. LWC20440 Verner's Ford Road
  - c. 2076 Marshall Lane
  - d. BR 2650011 Remie Road
2. Hydraulic Analysis completed for each structure using HEC-RAS.
3. Client will provide DEM data & aerial imagery for preliminary design to be used for HEC-RAS Study.
4. Provide 1 to 3 recommended alternatives for each site with benefit/risk of each alternative.
5. 3 client meetings.
6. 1 site visit for each site after One-Call utility locate.
7. Summary report including all 4 locations.

**Work does not include:**

1. Cost Estimate.
2. Use and Associated Requirements of LPA / MoDOT funds.
3. Final design which will be part of a separate contract.
4. Field Surveying (Final Design).
5. Easement Negotiation.
6. Easement Acquisition (Final Design).
7. Landowner Meetings.
8. Utility Coordination.
9. Permit Acquisition (Final Design).
10. Final Plans & Specifications.



# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

In the County Commission of said county, on the 4th day of September 20 14

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby adopt the Findings of Fact and Conclusions of Law relative to a petition by Mathew Whitworth for a creek gravel recovery operation on 270 acres, located at 7401 E. Gilpin Road, Ashland, MO.

Done this 4th day of September, 2014.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Daniel K. Atwill  
Daniel K. Atwill  
Presiding Commissioner

Karen M. Miller  
Karen M. Miller  
District I Commissioner

Janet M. Thompson  
Janet M. Thompson  
District II Commissioner

**CONDITIONAL USE PERMIT  
BOONE COUNTY, MISSOURI**

**PROPERTY OWNER:** Matthew Whitworth

**ADDRESS:** 7401 E Gilpin Rd., Ashland, MO 65010

**LEGAL DESCRIPTION:** NW1/4 & SW1/4 Sec25-Twp.46 N., Rge. 12 W.

**TAX PARCEL:** 24-900-25-00-007.00

**ZONING:** A-2 (Agriculture)

**DATE APPROVED:** September 2, 2014

**CONDITIONAL USE:** Creek Gravel Recovery Operation

**CONDITIONS OF APPROVAL:**

- The recovery operation will operate Monday through Friday only.
- Hours of operation are limited to daylight hours of operation as defined by the Boone County Zoning Regulations of April through October 6:00 AM to 9:00 PM Central Daylight Time and November through March 6:00 AM to 7:00 PM.
- Applicant is required to be in compliance with the permits issued by Missouri Department of Natural Resources for their activities on the property.
- Resource Management Dept. is to review this operation for compliance and report to the County Commission 1 year from date that MoDNR issues the required state permit.

**VOID DATE:** Void if not used for 12 month period.

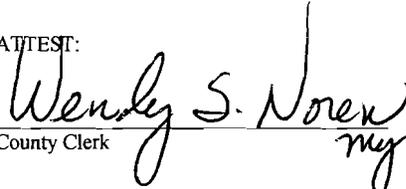
**EXPIRATION DATE:** N/A

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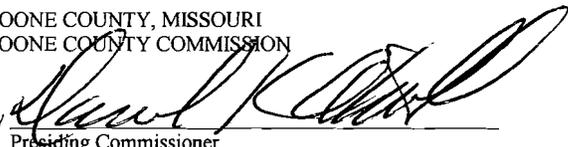
**ORDER OF APPROVAL**

The Boone County Commission through its presiding officer hereby approves issuance of the above conditional use permit as prescribed above, subject to the conditions of approval specified above. Subject to the conditions for issuance and use of this permit, the Commission finds in issuance of this permit that all requirements for issuance are satisfied and that the Commission further makes its findings of fact and conclusions of law in accordance with the provisions shown on the reverse side hereof, validating issuance of this permit. This permit shall not be valid unless countersigned by the Director of the Boone County Department of Planning and Building Inspection and shall expire unless the use authorized hereunder is exercised within one year after the approval date shown above. This permit shall also be revocable for violation of any term or condition contained in this permit upon the complaint of the director and a showing of good cause upon order of the Boone County Commission in accordance with the regulations applicable hereto.

ATTEST:

  
County Clerk

BOONE COUNTY, MISSOURI  
BOONE COUNTY COMMISSION

by   
Presiding Commissioner

APPROVED:

  
Director, Boone County Resource Management Department

Dated: 9-4-14

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Subject to the conditions of approval, the Boone County Commission finds and concludes in issuance of this permit that:

1. The establishment, maintenance, operation and use of the conditional use permit issued hereunder will not be detrimental to or endanger the public health, safety, comfort or general welfare, and
2. The conditional use permit issued hereunder will not be injurious to the use and enjoyment of other property in the immediate vicinity of the property which is the subject matter of this permit with respect to the purposes already permitted by these regulations, and
3. The conditional use permit and authorized uses thereunder will not substantially diminish or impair property values of existing properties in the neighborhood surrounding the property which is the subject matter of this permit, and
4. All necessary public facilities for use of the land subject to this permit are or will be available if the conditions for issuance are satisfied, and
5. The conditional use permit issued hereunder and the authorized uses under such permit will not impede the normal or orderly development or improvement of surrounding property for the uses permitted within the zoning district, and
6. The grant of this conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public roads and that adequate access points to the subject property from public streets are available, and
7. The uses authorized by this conditional use permit are otherwise in conformity with the regulations pertaining to the zoning districts in which the uses are located and that there is a public necessity for the issuance of the conditional use permit hereunder.

The Commission, by authorizing issuance of the conditional use permit hereunder, further concludes as a matter of law that issuance of the permit is proper under the zoning regulations of Boone County in effect at the time of issuance and the general statutes and laws of this state.

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**Additional Findings:**

The County Commission further finds as fact in support of issuance of this conditional use permit the following to be true:

Removing exposed creek gravel from above the regular waterline can have a positive impact by reducing erosion when removed following MO Dept. of Natural Resources standards.

The limited number of projected daily trips will have similar impact on county roads as traffic generated by an agricultural operation.

A creek gravel recovery operation at a scale of three loads per day will generate similar noise and activity as an agricultural operation.

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

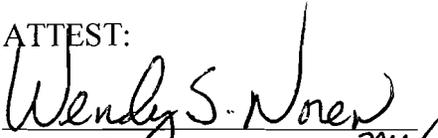
In the County Commission of said county, on the 4th day of September 20 14

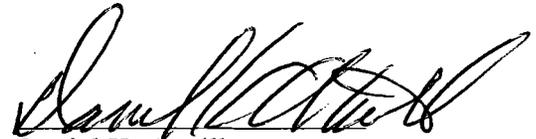
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby adopt the Findings of Fact and Conclusions of Law relative to a petition by The Heartland Trust A and The Heartland Trust B to vacate Lots 4 and 5 of Leatherwood Hills Block 2 Subdivision as shown in Plat Book 11, page 20 of Boone County Records.

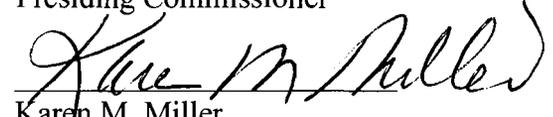
Done this 4th day of September, 2014.

ATTEST:

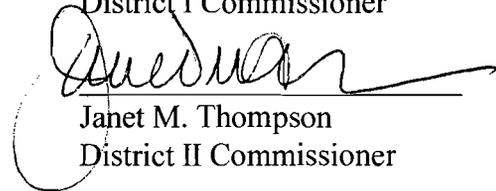
  
Wendy S. Noren  
Clerk of the County Commission



Daniel K. Atwill  
Presiding Commissioner



Karen M. Miller  
District I Commissioner



Janet M. Thompson  
District II Commissioner

## **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

### **Findings of Fact:**

1. Leatherwood Hills Block 2 Subdivision is located in the NE ¼ of Section 10, Township 47 North, and Range 13 West of Boone County Missouri.
2. Leatherwood Hills Block 2 Subdivision is zoned R-S (Single-Family Residential).
3. Leatherwood Hills Block 2 Subdivision was recorded in July 1976 in Plat Book 11, Page 207 of Boone County Records and consisted of five lots.
4. Heartland Trusts A and B is the owner of Leatherwood Hills Block 2 Subdivision, lots 4 and 5.
5. A petition to vacate and re-plat lots 4 and 5 of Leatherwood Hills Block 2 was submitted to the Boone County Commission.
6. All property owners within 500 feet of Leatherwood Hills Block 2 lots 4 and 5 were notified of the request in accordance with Boone County policy.
7. On September 2, 2014, the Boone County Commission held a public hearing to consider the request to vacate and re-plat lots 4 and 5 of Leatherwood Hills Block 2 Subdivision.
8. Heartland Trusts A and B was represented by Jay Gebhardt, professional engineer and surveyor, during the September 2, 2014 public hearing.
9. Testimony by the petitioner during the September 2, 2014 hearing indicated that the reason for requesting that lots 4 and 5 be vacated was so that the lots could be attached to a larger adjoining tract also owned by the petitioner.
10. Testimony by the petitioner during the September 2, 2014 hearing indicated that the new configuration of lots would result in lots substantially larger than the minimum lots size of the R-S zoning district.
11. Testimony by the petitioner during the September 2, 2014 hearing indicated that the larger lots will enhance the property values of the area.

### **Conclusions of Law:**

1. Boone County, Missouri is a First Class County within the State of Missouri.
2. Boone County adopted a program of Planning and Zoning under Section 64.800 of the Revised Statutes of the State of Missouri (RSMo) when it was a Second Class County.
3. Section 64.905 RSMo authorizes first class counties that adopted ordinances under 64.800 to continue under those statutes even after said county becomes a first class county.

4. Section 64.825 RSMo authorizes counties to adopt regulations governing the subdivision of land.

5. Boone County adopted regulations governing the subdivision of land in December 1973. These regulations were revised in June 1995.

6. Section 1.8 of the Boone County Subdivision Regulations authorizes the Boone County Commission to vacate land previously platted providing good cause is shown during a public hearing that indicates the land can be vacated and subsequently re-platted without “adversely affecting 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 to be vacated or surrounding real estate.”

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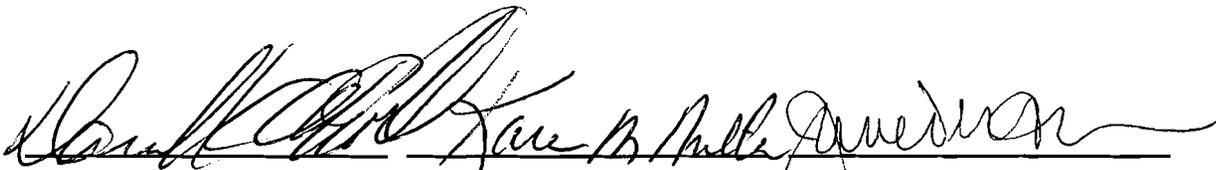
**Decision:**

1. The Boone County Commission determines that there is good cause to vacate Lots 4 and 5 of Leatherwood Hills Block 2 Subdivision.

2. The Boone County Commission determines that vacating Lots 4 and 5 of Leatherwood Hills Block 2 Subdivision will have a positive impact on the character of existing properties and homes in the neighborhood and will enhance the property values when the land is re-platted.

Therefore, the Boone County Commission hereby APPROVES the petition to vacate Lots 4 and 5 of Leatherwood Hills Block 2 Subdivision.

Entered on the 4<sup>th</sup> day of September, 2014.



**Dan Atwill**  
Presiding

**Karen M. Miller**  
District I

**Janet M. Thompson**  
District II

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

In the County Commission of said county, on the 4th day of September 20 14

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Chambers by Central Missouri Citizens Council on September 9, 2014 from 7:00 p.m. to 9:00 p.m.

Done this 4th day of September, 2014.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Daniel K. Atwill  
Daniel K. Atwill

Presiding Commissioner

Karen M. Miller  
Karen M. Miller

District I Commissioner

Janet M. Thompson  
Janet M. Thompson

District II Commissioner

Daniel K. Atwill, Presiding Commissioner  
Karen M. Miller, District I Commissioner  
Janet M. Thompson, District II Commissioner



Roger B. Wilson  
Boone County Government Center  
801 East Walnut, Room 333  
Columbia, MO 65201-7732  
573-886-4305 • FAX 573-886-4311

## Boone County Commission

### APPLICATION FOR ORGANIZATIONAL USE OF BOONE COUNTY CONFERENCE ROOMS

The undersigned organization hereby applies for a use permit to use Boone County Government conference rooms as follows:

Organization: Central Missouri Citizens Council (CMCC), a Missouri 501 c 3 corporation

Address: P O Box 30866

City: Columbia State: MO ZIP Code MO 65205-3

Phone: 573-256-6841 Website: none

Individual Requesting Use: Pat Fowler Position in Organization: events coordinator

Facility requested:  Chambers  Room 301  Room 311  Room 332  Centralia Clinic

Event: gathering of neighborhood association boards to review unified development code in advance of

Description of Use (ex. Speaker, meeting, reception): tables and chairs

Date(s) of Use: September 9, 2014

Start Time of Setup: none required AM/PM Start Time of Event: 7:00 p.m. AM/PM

End Time of Event: 9:00 p.m. AM/PM End Time of Cleanup: none required AM/PM

The undersigned organization agrees to abide by the following terms and conditions in the event this application is approved:

1. To abide by all applicable laws, ordinances and county policies in using Boone County Government conference rooms.
2. To remove all trash or other debris that may be deposited (by participants) in rooms by the organizational use.
3. To repair, replace, or pay for the repair or replacement of damaged property including carpet and furnishings in rooms.
4. To conduct its use in such a manner as to not unreasonably interfere with Boone County Government building functions.
5. To indemnify and hold the County of Boone, its officers, agents and employees, harmless from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature including costs, litigation expenses, attorney fees, judgments, settlements on account of bodily injury or property damage incurred by anyone participating in or attending the organizational use of rooms as specified in this application.

Organization Representative/Title: Pat Fowler, Events Coordinator

Phone Number: 573-256-6841 Date of Application: August 27, 2014

Email Address: fowlerpatj@gmail.com

Applications may be submitted in person or by mail to the Boone County Commission, 801 E. Walnut, Room 333, Columbia, MO 65201 or by email to [commission@boonecountymo.org](mailto:commission@boonecountymo.org).

### PERMIT FOR ORGANIZATIONAL USE OF BOONE COUNTY GOVERNMENT CONFERENCE ROOMS

The County of Boone hereby grants the above application for permit in accordance with the terms and conditions above written. The above permit is subject to termination for any reason by duly entered order of the Boone County Commission.

ATTEST:

County Clerk

DATE:

BOONE COUNTY, MISSOURI

County Commissioner

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

September Session of the July Adjourned

Term. 20 14

In the County Commission of said county, on the 4th day of September 20 14

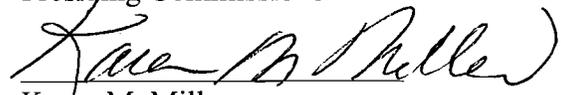
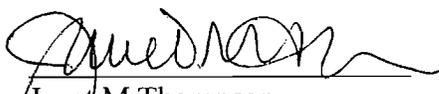
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Monday, September 8, 2014, at 10:30 a.m. The meeting will be held in 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 and 610.021 (12) RSMo. - Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.

Done this 4th of September, 2014.

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

  
Daniel K. Atwill  
Presiding Commissioner  
  
Karen M. Miller  
District I Commissioner  
  
Janet M. Thompson  
District II Commissioner