

Christian County Commission

Notice is hereby given that the Christian County Commission met in regular session at:
The Historic Christian County Courthouse | 100 W. Church Street Room 100 | Ozark, Missouri,
65721

On the 6th day of December 2022, at 8:30 a.m.

Meeting Minutes

Attendees:

Presiding Commissioner Ralph Phillips	City of Ozark Mayor Brad Jackson
Eastern Commissioner Lynn Morris	County Auditor Amy Dent
Western Commissioner Hosea Bilyeu	Judge, Jessica Kruse
Commission Executive Assistant Tammy Nuckolls	Purchasing Agent Kim Hopkins-Will
Sheriff, Brad Cole	MU, Kyle Whittaker
IT Manager, Bill Rawlings	CCJO, Perry Barnes
Administrator, Cindy Childress	Planning & Dev. Administrator, Joan Doss
Resource Management Director, Todd Wiesehan	Highway Administrator Miranda Beadles
SMCOG, Aishwarya Shrestha	Judge, Laura Johnson
Assessor, Danny Gray	CCJO, Kane Northcutt
SMCOG, Jake Phillips	Justin Arnold
Darrell Crocker	Library, Renee Brumett
Larry Lipscomb	Nancy Adams
Torgerson Design Partners	Earl Dutton
Julie B.	N. Boyer
Rezoning, William Cook	L Hawkins Key
Brian & Teresa Shepley	Chad & Tiffanie Shook
Molly Brown	Chris Brown
Richard Ollis	Teresa Shepley
	Teresa Ollis

A quorum was established at 8:30 a.m.

Presiding Commissioner Phillips entertained a motion to approve the consent agenda, which includes approval of today's agenda, approval of Emergency Purchase – Equipment for Fax Machines.

Kim Hopkins-Will - Emergency Purchase – Equipment for Fax Machines. In processing the new phone systems, specific hardware needed to be purchased immediately for the fax machines to work. This was of immediate concern as many of our fax machines are used for security issues, HR, Prosecutors, etc. We had to go out and purchase 860.00 worth of equipment.

Presiding Commissioner Phillips entertained a motion to approve the consent agenda as stated. Eastern Commissioner Morris made the motion. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.
Motion passed

The Commissioners met to discuss the Mt. Grove Juvenile Facility (Regional Detention Center). We are at the end of a five-year contract that we signed in 2017. This original contract was five years with an option to renew for five years. A little background, this facility is operated by the Ozark regional detention center district. There are three circuits, the 44th, 46th, and then Christian County. The property is leased by a gentleman that lives in Wright County. Christian county bears about 45% of the cost of that detention center. The agreement entered in about 2017 allows for one more five-year renewal. Judge Johnson's recommendation is to renew the current contract. Perry Barnes said that this is by far a very good relationship. It's very safe, and it's very well run. Judge Kruse said that they have worked with us really well, and there are advantages that the kids are that far away. She feels confident that Mountain Grove is the best facility for the kids. They do a good job and educate them there. Our kids average about 14 days in detention before being in the program or disposition. The agreement is written as a 5-year renewal with one more 5-year renewal; then, it will be up for renegotiation. Let's put this on the agenda for next week, December 13th, at 8:30 am.

The Commissioners met with presenter Miranda Beadles regarding Q4 Sales Tax Distributions to the special road districts. We looked if we had enough available after the first two months of this quarter to ensure that they could get these checks cut and into the system on this year's budget, and they did. They had two hundred and eighty-three thousand available from October and November. They will distribute two hundred seven thousand nine hundred forty-two dollars to the five special road districts with which they have contracts. This closes out this program for this budget year.

Presiding Commissioner Phillips entertained a motion to distribute the sales tax as presented by Miranda Beadles. Eastern Commissioner Morris made the motion. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.
Motion passed

The Commissioners met with presenter Kyle Whittaker regarding the MU Extension Budget Proposal. We moved into a new facility and have been there for about three weeks. The rent on our building right now is one thousand three hundred dollars a month. Rent will go up to one thousand five hundred in October. Please see the spreadsheet for additional expenses. MU Extension is asking for a budget of \$88,273 for 2023. The Auditors recommendation is \$82,175.

Presiding Commissioner Phillips has a request and a proposal from our Auditor; I would entertain a motion; Eastern Commissioner Morris made the motion to accept the Auditor's recommendation of 1.5% based on sales tax. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.
Motion passed

The commissioners met with Todd Wiesehan and Miranda Beadles regarding the Review and approval of Architectural Design and Engineering Work Orders. We have provided you with copies of work orders; all three are related to the 2701 West Jackson property.

Presiding Commissioner Phillips entertained a motion to approve the architectural design and engineering work orders as presented. Eastern Commissioner Morris made the motion. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

The Commissioners met with presenter Kim Hopkins-Will regarding the Award: Renewal of Big Bear Shredding LLC. This is a renewal of the contract we had last year. Big Bear has a truck, and we can watch them shred the documents. This contract would allow anyone in the county to use their services. Kim's recommendation is to approve their renewal.

Presiding Commissioner Phillips entertained a motion to approve the contract renewal as presented by Kim. Eastern Commissioner Morris made the motion to renew the contract. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

The Commissioners met with presenter Kim Hopkins-Will regarding the Contact Renewal - Esri Incorporated. Christian county has been partners with Esri for 15 years. The recommendation is to approve the renewal.

Presiding Commissioner Phillips entertained a motion to approve the renewal as presented. Eastern Commissioner Morris made the motion. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

The Commissioners met with presenter Aishwarya Shrestha regarding the SMCOG -Recent Adoption of a New County Comprehensive Plan. The planning commission approved this plan in November. We are bringing it in front of you to get your support. Lots of hours were put in on this project. This is a great tool that our county is going to be able to use.

Presiding Commissioner Phillips entertained a motion to adopt the new county comprehensive plan as presented. Eastern Commissioner Morris made the motion to adopt. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

Went into recess at 9:42 am
Back from recess at 10:00 am

The Commissioners met with presenter Joan Doss regarding the Rezoning Hearings.

2022-0265 Lombardo Holdings 2 LLC

The location is 3830 State Highway 125 N. The applicant is proposing a Planned Unit Development known as the "Finley River Outpost" in order to allow for a mixed-use event venue. The property is approximately 95 acres located along Missouri State Highway 125 just east of Lindenlure Drive and is currently being used for agricultural and residential purposes. The proposed development is a mix of uses, including equestrian riding facilities and stables, a saloon/welcome center, a wedding/event center, pavilions, nightly rental cabins, and glamping facilities (upscale camping). The primary use will be a wedding venue. There are no known mapped sinkholes indicated on the subject property.

The final PUD approval shall be contingent upon approval by the Planning Department staff in consultation with the Christian County Engineer prior to the commencement of any work on the property or the issuance of any permits by Christian County. The level of detail must be sufficient to provide evidence that the development will meet all the County requirements and any specific requirements added by the County Commission.

Noel Boyer -Vice President of the homeowner's association- We have struggled with P&Z. You were unaware that are property touches the property that is being developed. It's been difficult to get any information from P&Z. I called yesterday to see what time the meeting was today, and someone that answered the phone at P&Z said the part of the meeting you are interested in is at 10:00, but you will not be allowed to talk. As a homeowner's association, there are some people that object to the entire thing, some think this could be a good thing, and some are worried and scared. We asked for some very simple additions to this PUD proposal. The PUD application is very vague. I would like to see some language that gives us some insurance on that. We would like to have the PUD protect us now and later down the road when someone else may take over. We would like to keep everything back off the river 50'. We don't want the river trashed.

Richard Ollis, I have had experience in P&Z cases, many of them. I do believe that the applicant can voluntarily pull the application and make the modifications should they so choose to do so. We are being bookended by a couple of things going on in our area; number one is public access by the dam. PUD runs with the land, and we would like in the PUD, and some of this language changed to protect not only us but future generations that get to enjoy the river. It is accurate that we have had difficulty obtaining information from the P&Z department. We also continue to be told that nothing can be done. I believe the applicant can voluntarily pull the plan and amend it should they choose to do so. We would like some reassurances in the PUD so that everyone can be comfortable moving forward.

Molly Brown, we are fearful; everything I hear about the developers is great. There are a lot of things to love about the project. The PUD reduces fear. Specific concerns are the nature aspect. allowing the horses in the water and noise in the corridor. It's hard to understand the scale of this. It seems unclear what the scale of this project is.

Earl Dutton, I own property almost directly across from the Shooks. My biggest concern is flooding on our side. We already have that issue. Anything they do across the river may worsen the flooding on this side. Earl thinks there is going to be a significant impact on his side. I would like to see something through a D&R.

Bill Cook, I live in the Lindenlure property; a lot of what the Shooks have told us they will do is not in the PUD. I object to the PUD being approved today. This needs to be tabled, to give us more time to work with the Shooks to incorporate some of these matters into the

PUD. The uses proposed in the PUD conflict with the existing uses in the surrounding area. The PUD application is too vague regarding environmental protections, and the timeframe for this approval is far too tight. I think this PUD is too vague. The wastewater management is way too vague. We don't want horses in the river. We think the timeframe is way too tight. There hasn't been enough time to work with the developers. We ask that this be tabled today, so we have time to work with the developers.

Julie Blackman, I am in full support of the amendment. My immediate instinct was to fight it. I have a few requirements that aren't met that make us feel comfortable about where this is headed. We are prepared to fight it in the press with our kids. It's really kind of a heartfelt issue that I think the narrative isn't, we can say it's protecting the river, its protecting people's property values, its protecting sense of community, and I'm a photographer. I have a big 60" printer, and I'm open to billboards or whatever, but I don't want to go down that path if I don't have to. I've done it before, it takes a lot, but we would probably be willing to fight this for years.

Todd Chandler, I am with Great River Engineering; some items that came across as concerns for the residents are unrelated to zoning. The current zoning state, which is Ag, especially access to the river. With Ag requirements, you can have animals with access to the river. Chad and Tiffany are not doing that. If that is a concern, know that they have permission without going in front of Christian County P&Z to already access the river. Some of the concerns on the wastewater treatment system. It is a septic system, and we will still have septic tanks. It's what sits inside the septic tank, it's called a biomembrane reactor, and it's very common in septic tanks.

John Torgerson - I am the architect director for this development. I have been working with them to explore their vision. Todd's group does a very thorough job of working with international building codes and restrictions. We are going to a higher level of restrictions. Anything in this zoning change that affects land use, we are taking it to a more restrictive level than it is today. There is a density map, dividing part of this land to leave in its natural beauty. It's hard to find a developer that takes almost 100 acres and develops it into part of its natural beauty as it stands today.

Mr. Shook - It sounds like many of the concerns are regarding the river. It's been years since someone has taken care of this property. It was leased for cattle. It's overgrown and eroding quite heavily. I have a conservation background; my Ph.D. is in farmland being developed and how that's affecting the growing population. My passion is conservation and agriculture. We are not asking for it to be rezoned residential, commercial, or industrial. We are asking to let other people enjoy it. I think this is going to be a special project and it is going to enhance the river and improve it.

Sheriff - From a public safety aspect, I can tell you. If the Shooks wanted to run 100 head of cattle to the river, they could do that now. There is nothing that restricts them from doing that. There are several landowners upriver for miles and miles that they water their cattle at the river. That's not something that the county or a PUD can regulate. The question raised about motorized vehicles in the water. Conservation statutes prohibit that. That is already prohibited by law that is enforceable by a conservation agent, a sheriff's deputy, or a state trooper; we enforce those already.

Presiding Commissioner Phillips entertained a motion to approve as presented with the stipulations outlined and presented by Joan Doss. Eastern Commissioner Morris made the

motion to approve the county PUD for this project. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

2022-0284 V & D Properties LLC

The location of this property is to the east of 1560 N. Clearwater Circle, Ozark, Mo. The applicant wishes to develop the property into a duplex to match the surrounding properties. There are no mapped floodplain or sinkhole areas on the subject property. Traffic impact would be limited to the added vehicles associated with an additional residence. No member of the public offered comments or concerns.

Presiding Commissioner Phillips entertained a motion to approve 2022-0284 V & D Properties LLC. Eastern Commissioner Morris made the motion. Presiding Commissioner Phillips seconded the motion.

Aye: Presiding Commissioner Phillips and Eastern Commissioner Morris.

Motion passed

The meeting adjourned at 11:18 a.m.



Western Commissioner
Hosea Bilyeu



Presiding Commissioner
Ralph Phillips



Eastern Commissioner
Lynn Morris