



**COMMISSION SESSION MINUTES
MONDAY, NOVEMBER 18, 2019, 10:00 AM**

1. CALL TO ORDER

Commissioner Nolte called the meeting to order at 9:59 AM.

2. INVOCATION

Brad Garrett

3. PLEDGE OF ALLEGIANCE

Recited

4. ROLL CALL

Commissioner Nolte requested the Clerk to call the roll.

A Quorum was established by the following roll call vote:

Commissioner Nolte – Here
Commissioner Ridgeway – Here
Commissioner Owen – Here

5. APPROVAL OF AGENDA

Commissioner Ridgeway made a motion to approve the agenda.

Commissioner Ridgeway made a motion to amend the agenda by removing Resolution 2019-376.

Commissioner Ridgeway called the question.

Commissioner Nolte – No
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The amendment Passed.

Commissioner Nolte made a motion to remove Resolution 2019-374.

Discussion took place.

Members of the audience spoke regarding the Amendment.

Commissioner Nolte - Yes
Commissioner Owen - No
Commissioner Ridgeway - No

The motion Failed.

The motion on the floor was to approve the agenda as amended.

Discussion took place.

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Commissioner Ridgeway renewed the motion and called the question.

Commissioner Nolte – No
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

Commissioner Nolte requested to include his objection to approval of the agenda because of Executive Sessions listed.

6. MEETINGS SCHEDULE

- Commission Session Monday, December 2, 2019, 10:00 AM

7. HONORARY RESOLUTIONS

None

8. PUBLIC HEARINGS

None

9. COMMISSION SESSION

- 2019-ORD-37 Approve Amendments to Land Development Code/Public Services

Commissioner Owen made a motion to approve Ordinance 2019-ORD-37.

Commissioner Nolte – No
Commissioner Owen – Yes
Commissioner Ridgeway – Yes

The motion Passed.

- 2019-392 Approve Vacation of Road Easement/Public Services

Commissioner Ridgeway made a motion to approve Resolution 2019-392.

Commissioner Nolte - Yes
Commissioner Ridgeway - Yes
Commissioner Owen - Yes

The motion Passed.

- 2019-393 Approve Subdivision Grider Planned Unit Development – Zoning Order/Public Services
- 2019-394 Approve Subdivision Grider Planned Unit Development – Final Plat/Public Services



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Commissioner Owen made a motion to approve Resolutions 2019-393 and 2019-394.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

- 2019-395 Approve Utility Easement Vacation/Public Services

Commissioner made a motion to approve Resolution 2019-395.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

- 2019-ORD-42 Approve Amendment to State Block Grant Agreement – Missouri Highways and Transportation Services/Public Services

Commissioner Owen made a motion to approve Ordinance 2019-ORD-42.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

- 2019-367 Approve Lease Agreement – KS StateBank/Public Services

Commissioner Owen made a motion to approve Resolution 2019-367.

Commissioner Nolte – No
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

- 2019-ORD-43 Reappropriate and Revise the Adopted Budget for Current Year/Collector

Commissioner Owen made a motion to approve Ordinance 2019-ORD-41.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes



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The motion Passed.

- 2019-ORD-41 Approve Amended Five-Year Fee Schedule – Parks/Finance & Administrative Services

Commissioner Owen made a motion to approve Ordinance 2019-ORD-41.

Commissioner Ridgeway made a motion to amend Page 3 of the attachment to remove the following under the heading "All Slips, Moorings, and Dry Storage": Late Fees – Late contract payments for previous slip holders will result in a 10% late fee with renewal of contract. Lack of contract will require payment of normal fee plus 20%, for first 30 days.

Members of the audience addressed the Commission regarding the amendment to Ordinance 2019-ORD-41.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The amendment Passed.

The motion on the floor is to approve Ordinance 2019-ORD-41 as amended.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

- 2019-374 Creation of Clay County Commission Constitutional Charter Committee/Commission

Commissioner Ridgeway made a motion to approve Resolution 2019-374.

Discussion took place.

Commissioner Nolte made a motion to amend by deleting the last four "Whereas" paragraphs on page 1 and delete Sections 2 through 5 on page 2.

Members of the audience addressed the Commission regarding the amendment to Resolution 2019-374. A citizen requested that Presiding Commissioner Nolte or County Clerk, Megan Thompson, read a prepared written statement aloud on the record.

Copies of the citizen's written statement were made and distributed to the individuals in attendance.

Commissioner Ridgeway raised a point of order that reading a statement into the record is a violation of County Ordinance and noted that portions of the information contained in the written statement



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were not pertinent to the issue before the Commission.

Commissioner Nolte ruled that the point of order was not well taken.

Commissioner Ridgeway appealed the ruling of the chair.

The question before the body is shall the ruling of the chair be sustained?

Commissioner Nolte – Yes

Commissioner Owen – No

Commissioner Ridgeway – No

The ruling of the chair shall not be sustained.

The point of order is well taken.

Commissioner Ridgeway made a motion to amend Resolution 2019-374 as distributed.

Commissioner Nolte – Yes

Commissioner Owen – Yes

Commissioner Ridgeway – Yes

The amendment Passed.

Commissioner Nolte made a made a motion to amend by deleting the last sentence of Page 2 and inserting "The Constitutional Charter Advisory Committee is not authorized to draft a proposed County Charter or Constitution, that power being reserved to a duly appointed County Constitution Commission under Revised Statutes of MO Section 66.711".

Commissioner Nolte – Yes

Commissioner Owen – No

Commissioner Ridgeway – No

The amendment Failed.

Commissioner Nolte made an amendment to insert at the end of Page 3. "The Term of the Constitutional Charter Advisory Committee will expire on April 7, 2020."

Community Nolte – Yes

Commissioner Owen – No

Commissioner Ridgeway – No

The amendment Failed.

Resolution 2019-374 stands as initially amended.

Members of the audience addressed the Commission regarding Resolution 2019-374 as amended.



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Commissioner Ridgeway obtained Commission consensus to publish names of appointed individuals to the Clay County website within 24 business hours.

Discussion took place.

Commissioner Ridgeway called the question.

Commissioner Nolte – No
Commissioner Ridgeway – Yes
Commissioner Ridgeway – Yes

The motion Passed.

10. DISCUSSION ITEMS

- Vaping and Tobacco Ordinances related to Potential County Regulation/Commissioner Nolte

Sarah Prem, American Red Cross - Greater KC Tobacco Action Team, spoke in regards to the discussion item of Vaping and Tobacco Ordinances related to potential county regulation.

- Smithville Road District / County Counselor

County Counselor, Loren Foy, reported on the discussions held with the City of Smithville to enact a Special Road District. The City of Smithville believes that they have met all statutory requirements. The County Counselor's position is that the signatures need to be verified by the Election Board. The legal description is not signed and it is undetermined as to the intent of it.

11. APPROVAL OF MINUTES OF PREVIOUS SESSIONS

- November 4, 2019 at 10:00 AM

Commissioner Owen made a motion to approve the minutes from November 4, 2019 as printed.

Commissioner Nolte – Yes
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

The motion Passed.

12. WRITTEN REPORTS

Chief Deputy Clerk, Sandy Baldwin, distributed the Mid-Continent Library Budget for 2019-2020.

13. EXECUTIVE SESSION(S)

Legal – RSMO 610.021(1)

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Contractual – RSMO 610.021(12)

Commissioner Ridgeway made a motion to enter into Executive Session(s) pursuant to Legal – RSMO 610.021(1) and Contractual – RSMO 610.021(12) and adjourn from there.

Commissioner Nolte – No
Commissioner Ridgeway – Yes
Commissioner Owen – Yes

14. RECESS/ADJOURNMENT

The Commission entered Executive Session at 2:53 PM and adjourned from there.