Gerald W. Jones
Presiding Commissioner

Paul E. Koeper
1st District Commissioner

Jay C. Purcell
2nd District Commissioner

COUNTY COMMISSION
Cape Girardeau County, Missouri
1 Barton Square
Jackson, Missouri 63755
Phone: (573) 243-1052 Fax: (573) 204-2493
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Kara Clark Summers
Clerk of Commission

Donna Oldham
Administrative Assistant

Robb McClary
Commission Assistant

ORDINANCE NO. 10-01 TO SET SPEED LIMITS

WHEREAS, Pursuant to Section 304.130 RSMo. 2000, the County Commission has the authority to adopt regulations to control vehicular traffic upon the public roads in unincorporated territory of Cape Girardeau County.

WHEREAS, In accordance with section 304.130 RSMo, notice was published in (2) newspapers of general circulation and public hearings were held regarding these speed limit regulations.

THEREFORE, The Cape Girardeau County Commission does hereby order as follows:
Speed limit be set a 35 mph on County Road 205.
Speed limit be set at 25 mph on Singing Hills Drive.

PASSED BY THE COUNTY COMMISSION OF CAPE GIRARDEAU COUNTY, MISSOURI, THIS 18th **DAY OF** March **. 2010.**

Gerald W. Jones — ATTEST: Kara Clark Summers by D. Oldham Dep. Clerk

Gerald W. Jones,
Presiding Commissioner

Kara Clark Summers,
Clerk of the Commission

Paul E. Koeper

Paul E. Koeper,
First District Commissioner

Jay C. Purcell

Jay C. Purcell,
Second District Commissioner

CAPE SPECIAL ROAD DISTRICT

Minutes of Board Meeting - 9:00 A.M., and Speed Limit Hearing – 10:00 A.M. March 16, 2010.

Commissioners Wilferth, Kasten, and Erlbacher, Engineer Phillips, and Consulting Engineer R. Phillips present. Cape County Commissioners Jones, Koeper, & Purcell attended Speed Limit Hearing as well as Cape County Treasurer, Roger Hudson. Visitors: See attached attendance sheet for Speed Limit Hearing.

The minutes of the previous meeting were approved.

The bills for the month of February were approved.

Engineer Phillips notified the Board of the $292.00 decrease in total cost from last year due to dividend for Worker's Compensation Insurance.

Engineer Phillips discussed bids for dump trucks. Board unanimously accepted the bid from Tim Pinkley for the 2000 Chevrolet truck (truck #7) at a price of $8,300.00. Board also voted unanimously to take bids until the April meeting for the 2001 Chevrolet dump truck (truck #10).

Engineer Phillips updated the Board on the latest design for CR 621 Bridge Replacement Project.

Board set next meeting date for April 13, 2010 at 10:00 am.

No other business appearing for the CSRD, the speed limit hearing began at 10:00 am.

Commissioner Wilferth introduced Presiding Commissioner Gerald Jones, whom took the floor and called the Public Hearing for Speed Limits on County Road 205 (35 mph) (Bloomfield Road) and Singing Hills Drive (25 mph) to order.

Presiding Commissioner Jones introduced the Hearing and Ordinance 10-01. He then introduced Commissioner Paul Koeper, whom gave the average daily traffic of 4000 cars on Bloomfield Road. Comm. Koeper also gave accident history of 75 accidents in a five year period (2004-2008) as given by the Missouri State Highway Patrol(MSHP). The City of Cape Girardeau did a traffic study on Bloomfield and determined that the average speed was 50.38 mph in one direction and 48.9 mph in the other. Commissioner Koeper also discussed the State Statutes that allow the County to establish speed limits.

Presiding Commissioner Jones then discussed Singing Hills Drive and stated that maintenance was taken over by CSRD in 1990. He discussed that that several residents of Singing Hills had requested assistance for speed enforcement from the MSHP, Sheriff, Cape County Commission and the CSRD. He further stated that the CSRD had requested a 25 mph speed limit. Both Commissions agree that the speed limit is needed for safety.

The vote will occur March 18, 2010 at 10:00 am in the Cape County Commission chambers in the County Administration building. Signs must be in place for the ordinance to go into immediate effect. There were no further reports on Singing Hills other than the requests for assistance from Sheriff and Highway Patrol. Comm. Jones then explained the format of giving visitors in favor of the speed limit 5 minutes to speak and then those opposed 5 minutes in rotation until complete.

Favor - Rock Wilferth (Chairman of CSRD) explained that the speed limit discussions had been ongoing and the need was there for the safety of the motorists.

Opposed – Bill Sneathen then discussed that he believed that 25 mph on Singing Hills was impractical because of the downhill grade.

Favor – Joe Hann expressed his desire for Singing Hills to remain at 25 mph because of variance given of a few miles per hour over that threshold by law enforcement.

Favor – Charles Brawley discussed that tickets won't be written unless over by 10 mph.

Favor – Jeff Timmerman wanted to know if there would be a 10 mph variance or cushion on Bloomfield Road.

Commissioner Jones then expressed that law enforcement might give the 10 mph over, but don't count on that.

Commissioner Wilferth then mentioned that the CSRD has been getting calls about establishing speed limits for other roads.

Favor - Roger Hudson spoke of the need for enforcement of speed limits and without the penalty or threat of penalty there would be no change.

Presiding Commissioner Jones assured the public that this is not being done as a fund raising for the County. Also, mentioned that the Sheriff's Office only has one radar gun and they would only be monitoring speeds as requested. He also discussed that the Missouri State Highway Patrol and Sheriff would do enforcement and response.

Jeff Timmerman then asked about CR 206 and if any other roads were involved at this time.

Commissioner Koeper responded that at this time it was only Bloomfield and Singing Hills. That especially Bloomfield had been a problem area and that is why we are establishing the speed limits first.

Favor – Jason Seyer then asked about the city project of widening Bloomfield Road and how that would affect the speed limits.

Engineer M. Phillips then explained that at that time the City would annex the road into the city and be responsible for the speed limit as they so choose.

Favor – Bernard Kluesner then spoke about CR 318 and other roads nearby (316&319) that are also experiencing an increase in traffic due to cut-through traffic for Notre Dame High School. One person had been killed in an accident near Bob Klaproth. He had talked to Comm. Koeper at a church picnic. He would be in favor of 35 mph on these roads as well, felt that it was an appropriate speed due to narrow pavement and other traffic.

With no other discussion Presiding Commissioner Jones then closed the public hearing and the meeting adjourned.

F. R. Wiefferich
Chairman

Jon M Koster
Clerk

Public Hearing
Speed Limits - Bloomfield Rd. & Singing Hills

Name	Address
Rock Wiefels	167 Red Fox Ln - Cape
Jon Kasten	Kent Dr. - Cape
Richard Kalbach	182 Red Fox Lane - Cape
Mark Shilling	120 Watson, Cape Girl.
Ralph Shilling	3860 Co. Rd. 645, Cape
Jerry	5824 rd rd 205
Brian Blackmon	104 S. Cape St Jackson, MO
Bernard Klueser	3590 Co Rd 318 Cape
Jeff Turner	5403 CR 205 Cape
Tom Hudson	1321 Kenneth Dr. Cape
Gerald Jones	1 Barton Sq Jackson
Bill Sindelar	2708 Oakshire Cape
Chris Watson	116 Stone Hill Cape
Joe Hann	2544 Singing Hills Dr Cape
Charles Brawley	2574 Singing Hills Cape

CAPE GIRARDEAU COUNTY COMMISSION, MINUTES OF MONDAY, MARCH 15, 2010, ELEVENTH DAY OF FEBRUARY TERM (EVENING MEETING)

Commission met pursuant to adjournment. Present were Presiding Commissioner Gerald Jones; First District Commissioner Paul Koeper; Second District Commissioner Jay Purcell; and Deputy Clerk of the Commission Donna Oldham.

Prior Minutes

Presiding Commissioner Gerald Jones asked if there were any corrections to the minutes. There being none, the minutes were approved as presented.

Local Emergency Planning Committee Appointment

A motion was made by Commissioner Koeper and seconded by Commissioner Purcell to approve appointment of Jamie Koehler, as a member of the community group, on the Local Emergency Planning Committee. Motion passed uanimously (Jones-Aye, Koeper-Aye, Purcell-Aye). Letters filed.

Public Hearing Regarding Setting of Speed Limits

Public Hearing held regarding proposed Ordinance 10-O1 to set speed limit of 35 mph on County Road 205 and 25 mph on Singing Hills Drive. Ordinance was available for review by the public. Several citizens spoke in favor of the ordinance (Rock Wilferth, Larry Frankum, Charles Brawley, Jeff Timmerman and Scott Bechtold). There were no citizens present that were not in favor of the ordinance. This was the first of three public hearings. Ordinance will be signed after pubic hearing is held on March 18th.

Purchase Orders Approved

A motion was made by Commissioner Koeper and seconded by Commissioner Purcell to approve purchase orders, as presented by the County Auditor's Office. Motion passed unanimously (Jones-Aye, Koeper-Aye, Purcell-Aye).

Agreement With Little River Drainage District

Sam Hunter, President, and Larry Dowdy, Executive Secretary, of The Little River Drainage District, appeared before the County Commission at which time Agreement was executed between The Little River Drainage District and Cape Girardeau County for clearing of banks on portion of Old Whitewater Channel, with this agreement contingent upon "Little River" obtaining the commitment of Federal Funding for the necessary channel work. The County then agrees to pay Little River for said work and services the sum of $144,000 to be paid in three equal installments of $48,000 each. Agreement filed.

Co. Commission Meeting

March 15, 2010

Name	Address
Rick Wiefferich	167 Red Fox Ln Cape Gir, MO
Mark Phillips	120 Watson Cape Gir., Mo.
Steve Gunter	957 Shady Ln Jackson, MO
Larry Frankum	141 White Oaks Cape. Girardeau, Mo.
Joe Hann	2541 Singing Hills Cape
Charles Brawley	2514 Singing Hills Cape
John Timm	5403 CR 205
L. Vines	296 Bluebird Ln. Cape
Stan Rider	2725 Lacey Cape
Rocca Hudson	Co Trans.
Brian Blanchard	Saxony Lutheran Hospital
David Sloan	Cash Book Journal
Scott Bechtold	Co Hwy Admin.
Bonnie Bradshaw	Mayor Kelso
Ernest Brown	Alderman Kelso
Larry D. Dowdy	EXE Vice President — Cape
Dustin Boatwright	THE L-HIC RIVER DR. DISTRICT — Assistant Chief Engineer
Sam Hunter	President, LRDD - Sikeston

KARA CLARK SUMMERS

MEMBERS COMMISSION:
Gerald W. Jones
Presiding Commissioner
Paul E. Koeper
1st District Commissioner
Jay C. Purcell
2nd District Commissioner
Donna Oldham
Administrative Assistant

CLERK OF THE COUNTY COMMISSION
CAPE GIRARDEAU COUNTY
1 Barton Square
Jackson, Missouri 63755

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Judy Beussink
Chief Deputy
Joey Keys
Election Supervisor
Sherri Lomedico
Voter Registration
Sharon Schuessler
Voter Registration

NOTICE OF PUBLIC HEARING

Public hearings scheduled as follows to set speed limit of 35 mph on County Road 205 and 25 mph on Singing Hills Drive. In conjunction with Cape Special Road District, Ordinance No. 10-O1 will be presented, and ready for consideration by the Cape Girardeau County Commission.

March 15, 2010, at 6:00 p.m., in the Cape Girardeau County Commission Chambers, Cape Girardeau County Administrative Building, #1 Barton Square, Jackson Missouri.

March 16, 2010 at 10:00 a.m. at the Cape Special Road District Office, 120 Warson St., Cape Girardeau, Missouri.

March 18, 2010, at 10:00 a.m., in the Cape Girardeau County Commission Chambers, Cape Girardeau County Administrative Building, #1 Barton Square, Jackson, Missouri.

Copy of proposed ordinance will be on file in the County Clerk's Office for review. The public hearings are to give interested citizens an opportunity to ask questions and present comments.

CAPE GIRARDEAU COUNTY COMMISSION

By: Kara Clark Summers, by D. Oldham, Dep. Clerk
Kara Clark Summers, Clerk of the County Commission

The Cash-Book Journal : February 24, 2010

Southeast Missourian: February 26, 2010

Missouri Revised Statutes

Chapter 304
Traffic Regulations
Section *304.130*

August 28, 2009

Regulation of vehicular traffic--notice, hearings--approval--publication of notice (first class counties).

304.130. 1. For the purpose of promoting the public safety, health and general welfare and to protect life and property, the county commission in all counties of the first class is empowered to adopt, by order or ordinance, regulations to control vehicular traffic upon the public roads and highways in the unincorporated territory of such counties and to establish reasonable speed regulations in congested areas upon such public roads and highways in the unincorporated territory of such counties. Such regulations shall not be inconsistent with the provisions of the general motor vehicle laws of this state.

2. Except as provided in subsection 3 of this section, before the adoption of such regulations, the county commission shall hold at least three public hearings thereon, fifteen days' notice of the time and place of which shall be published in at least two newspapers having a general circulation within the county, and notice of such hearing shall also be posted at least fifteen days in advance thereof in four conspicuous places in the county; provided, however, that any regulations respecting stop signs, signal lights and speed limits on state or federal highways shall be approved by the state highways and transportation commission before the same shall become effective.

3. Regulations relating solely to increasing speed limits shall be exempt from the procedural requirements of subsection 2 of this section and shall take effect immediately upon approval of the county commission.

4. The regulations adopted shall be codified, printed and distributed for public use; provided, however, that adequate signs displaying the speed limit must be posted along the highways at the points along such highways where such speed limits begin and end.

(L. 1947 V. I p. 451 § 1, A.L. 2008 S.B. 930 & 947)

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Missouri General Assembly

Missouri Revised Statutes

Chapter 304
Traffic Regulations
Section *304.010*

August 28, 2008

Definitions--maximum speed limits--cities, towns, villages, certain counties, may set speed limit, how set--slower speeds set, when--violations, penalty.

304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour;

(2) Upon the rural expressways of this state, sixty-five miles per hour;

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour;

(4) All other roads and highways in this state not located in an urbanized area and not provided for in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed as established by the department of transportation, except that no speed limit shall be set higher than sixty miles per hour;

2-28-09

Singing Hills Drive

Cape Special Road District adopted this road into their system in July 1990. The maintenance, safety and care for the populated Singing Hills Drive became the responsibility of the Cape Special Road District. The homeowners have requested assistance on numerous occasions from the Sheriff's Dept, Missouri State Highway Patrol, Cape Special Road District Commissioners and Cape Girardeau County Commission to slow the vehicular traffic on Singing Hills drive. Law enforcement agencies could not enforce a speed limit at a lesser speed than the Missouri State Statute 304.010 of 60mph. The Cape Special Road District request Singing Hill Drive speed limit be lowered and set @ 25mph.

Cape Girardeau County Commission and Cape Special Road District agree that as more roads receive a hard surface, vehicles will travel at a faster speed. Both Entities are committed to continue to provide hard surfaced roads, improve safety through setting speed limits, improving sight distance, extending culverts and increasing signage as needed.

County Road 205

County Road 205 (also known as Bloomfield Road) is included the Cape Special Road District's territory from hwy 74 to CR 206(Benton Hill Road). The remainder of Bloomfield Road is under the jurisdiction of the City of Cape Girardeau. This Road is the heaviest traveled road in the entire Cape Girardeau County Road system, with an Average Daily Traffic Count of nearly 4000.

The Missouri State Highway Patrol and the Cape Girardeau County Sheriff's Department have requested help from the County Commission to reduce the speed limits on this road. The attached accident data received from the City of Cape Girardeau and the Missouri State Highway Patrol reinforces the need to lower the current speed limit to 35mph.

City of Cape Girardeau
Development Services Department
Engineering Division
PO Box 617, Cape Girardeau, Missouri 63702-0617
Phone (573) 339-6327 Fax (573) 339-6303

December 28, 2009

Mr. Paul Koeper
County Commissioner
One Barton Square
Jackson, MO 63755

Dear Mr. Koeper,

The following is a narrative summary of traffic information for part of Bloomfield Road (County Road 205).

SPEED
This study was conducted October 9, 2009 through October 16, 2009, at Bloomfield Road east of County Road 206. In the west lane the 85th percentile speed was 50.38 MPH. In the east lane the 85th percentile speed was 48.90 MPH.

ACCIDENT
This accident data is for the period of January 1, 2004 through December 31, 2008, as reported by the Missouri Highway State Patrol. The subject area is Bloomfield Road between Benton Hill Road (County Road 206) and Highway 74 but excludes accidents in the intersection of Highway 74. Seventy-five total accidents. Conditions: Dark 28%, Day 72%, 29% Dry, and 71% Wet. Classifications: Out-of-Control 79%, Rear-End 8%, Head-On 5%, Sideswipe 3%, Deer 1%, Left Turn 1%, Backing 1%, and Other 1%.

I hope this is helpful. Please let me know if any additional information is needed.

Sincerely,

Kelly Green, P.E.
City Engineer

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