

TERM OF COMMISSION: January Session of the November Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper  
 District I Commissioner Karen M. Miller at 2:15 p.m.  
 District II Commissioner Linda Vogt  
 Deputy County Clerk Michelle Malaby  
 County Counselor John Patton

The regular meeting of the County Commission was called to order at 1:30 p.m.

**SUBJECT: Open Bid 4-11JAN96, Router Maintenance**

Responses to the request for quotation were opened as follows:

| <u>Company</u> | <u>Location</u> | <u>Bid Price</u> |
|----------------|-----------------|------------------|
| Bay Networks   | Billerica MA    | Bid              |
| Decision One   | Earth City, MO  | No Bid           |
| ComputerLand   | Columbia, MO    | Bid              |

**SUBJECT: Accept Country Squire Court as County Road and for Maintenance**

Public Works Department Registered Land Surveyor David Piest stated the road is located in what is to be called Country Squire Estates in Section 26, Township 49 North, Range 13 West. Country Squire Court is a Portland Cement Concrete street with integral curbs and gutters. It is 613 feet in length, including a cul-de-sac at its east end. Deeds have been provided for drainage and road easements. The road was built by owner/developer Gene Smith, in accordance with approved plans prepared by James W. Brush and Associates, dated August 31, 1995. Road construction permit No. 9510 was issued September 6, 1995. The road was inspected throughout the construction process by the Public Works Department.

In response to a question from Commissioner Vogt, Mr. Piest replied he understands the developer intends to subdivide the property in order to sell the three or four duplexes at the end of the road.

Commissioner Vogt moved that the County Commission of the County of Boone accept the GRANT OF EASEMENT FOR DRAINAGE PURPOSES and EASEMENT FOR PUBLIC ROADWAY PURPOSES from Eugene G. and Yoko Smith; adopt the ORDER OF ACCEPTANCE OF ROAD AS COUNTY ROAD for Country Squire Court; and authorize the Presiding Commissioner to sign the ROADWAY MAINTENANCE ACCEPTANCE CERTIFICATE.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 36-96.**

**SUBJECT: Annual Report on Planning and Building Inspection**

Director of Planning and Building Inspection Stan Shawver distributed and reviewed his annual report on planning and building inspection activity during the previous year.

**SUBJECT: Modify Previous Award 121-12DEC95, Computer Maintenance**

Purchasing Director Beckie Jackson stated they have been unable to reach contractual agreement with IBM on non-IBM equipment. Re-award of the items in question is recommended.

Commissioner Vogt moved that the County Commission of the County of Boone modify the award of bid 121-12DEC95, Computer Maintenance, (Order 648-95) for certain non-IBM manufactured equipment to the second low bidder, as follows, per the attached bid tabulation:

COLUMBIA LOCATION

Page 1 - Item b. - Award to ComputerLand  
Page 1 - Item c. - Award to ComputerLand  
Page 1 - Item d. - Award to ComputerLand

PRATHERSVILLE LOCATION

Page 1 - Item b. - Award to ComputerLand  
Page 1 - Item c. - Award to ComputerLand  
Page 1 - Item d. - Award to DecisionOne

COLUMBIA LOCATION

Page 2 - Item d. - Award to ComputerLand  
Page 2 - Item e. - Award to ComputerLand  
Page 4 - Item 1. - Award to DecisionOne  
Page 4 - Item 2. - Award to DecisionOne  
Page 4 - Item 4. - Award to DecisionOne

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 37-96.**

**SUBJECT: Modify Previous Award of 123-19DEC95, Printing Services**

Ms. Jackson stated on the day this bid was awarded, she learned Printmasters is ceasing operation. The cost of printing services is estimated to increase by \$979.05 due to this change. Legal counsel recommends the contract with Brake Printing approved by the Commission on January 9 be amended to reflect the changes. It should be ready for approval next week.

Per Ms. Jackson's recommendation, Commissioner Vogt moved that the County Commission of the County of Boone, modify the award of bid 123-19DEC95, Printing Services, (Order 22-96) as follows:

- Group A, Letterhead, to Brake Printing
- Group C to Brake Printing
- Group E to Brake Printing, excluding Item E7 (20,000 Collector Personal Property Tax Bills)
- Weight Questions Group to Brake Printing

Item E7 will not be re-awarded.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 38-96.**

**SUBJECT: Agenda to Increase African American Employment in County Government**

Commissioner Stamper thanked Darrell Foster of Concerned Men of Columbia for information he provided to the commission yesterday. Commissioner Stamper stated one of the issues the commission struggles with is the lack of African American applicants for boards, commissions and employment positions. How can the pool of minority applicants be increased?

Mr. Foster suggested the use of independent papers: Tim Hudspeth puts out a newspaper which advertisements could be placed in. It would help a small businessman and the community reads the paper.

In response to a question from Commissioner Vogt, Mr. Foster replied the name of the newspaper is the Community Voice.

Commissioner Stamper asked Mr. Foster for other ideas, commenting it is sometimes difficult to attract minority representatives to participate on boards and commissions which have primarily a rural emphasis, such as the Road and Bridge Advisory Committee. Are the boards not attractive to urbanites or is the commission not using the correct method to attract applicants?

Mr. Foster stated he knows a number of people who live in the county who would love to be involved on such a committee. He does not think the information is being placed where minority

representatives can see it. He does not have all the answers, but there are people in the community he can consult with. It is a good question.

Commissioner Stamper stated the fifth page lists suggested positions for African Americans. Some of the positions exist, and some do not. Is the recommendation that they be created?

Mr. Foster replied he hopes to discuss the positions. He hopes a County Commission district can be created which would ensure there is an African American on the commission. He realizes the courts are considering whether it is legal to create such districts. Paying taxes without such a representative amounts to paying taxes without representation. That is not to say this commission does not represent him. The Columbia City Council seat held by Colleen Coble could have been filled with an African American had people participated in the process.

Commissioner Stamper replied the courts seem to be declaring attempts to draw such districts to be ill-fated. They want districts to be drawn based on numbers, without regard to sex or race. Commissioner Stamper asked Human Resources Director Mark Stone for comment.

Mr. Stone stated the county is looking at all minority representation that reflects the work force available in the Boone County market. The county received input from Mary Ratliff of the NAACP on where to send employment announcements so that a diversified group of individuals can become aware of openings. He believes Mr. Hudspeth is on the list for mailings.

Mr. Foster replied sending an announcement to Mr. Hudspeth is one thing. Placing an advertisement in his publication is another.

Mr. Stone stated the county budgeted funds for the creation of an affirmative action plan. In terms of fighting discrimination, they try to document reasons for non-selection of candidates. He agrees with Commissioner Stamper's comment that more qualified people are needed as applicants. The pool of applicants is improving.

Commissioner Vogt stated the county is somewhat restricted on how much money can be spent on advertising. The Women's Network had concerns similar to those being discussed today. They have a representative call the County Commission office once a month to determine if there are vacancies on boards and commissions. They advertise openings in their newsletter. That may be an option. She believes she discussed with Louis Nunneley, Jr. the possibility of sending announcements to churches attended by African Americans. The problem is if an announcement is sent to one church, it has to be sent to all churches.

Commissioner Stamper stated the county is not where it should be in minority recruitment and retention efforts. However, having the Human Resources Department in place, with the ability to attract and funnel applicants to departments with vacancies instead of relying on the departments themselves, is working. Creating new departments or positions is difficult. It took five years to establish the Human Resources and Purchasing Departments. The budget must be able to support positions and departments into the future. Some of the positions and departments are not under the direction of the commission, although they are good suggestions.

Mr. Fosters stated the commission can hire him to disseminate information.

Mr. Nunneley stated Shirley Kidwell of Double K Construction asked him to help recruit girls and minorities from within the schools to participate into their apprentice programs. The next step may be to establish apprentice programs in the Public Works Department. If such programs were available, young people can learn a skill which they could use in future employment.

Mr. Foster stated the county should contract with companies who employ certain numbers of minorities in their businesses.

Commissioner Stamper asked what are the current unemployment figures for African Americans in Boone County?

Mr. Foster replied he does not know, but he would guess 18 to 27 percent.

Commissioner Stamper stated the commission will refer the information provided by Mr. Foster to Mr. Stone for his review and presentation at the next Personnel Advisory Committee for further review. He can return to the commission with any observations.

Mr. Foster asked if someone will you let him know when that might occur.

Commissioner Stamper replied Mr. Stone will.

**SUBJECT: Adopt Order Amending Small On-Site Wastewater System Regulations and Order of Publication**

Mr. Patton stated the state revised its regulations. Gerry Worley of the City/County Health Department was on the state committee. Mr. Patton stated he prepared revisions to the county's existing regulations. Class one systems will no longer be allowed unless the property was platted prior to January 1, 1996. County regulations contained a provision to waive training requirements for contractors and engineers. State statute changed a few years ago. It does not really define what contractors are, but says they have to be trained. Since it is ambiguous, he removed the waiver from county regulations to avoid conflict with the state law.

Commissioner Miller, having just arrived at the meeting, moved that the County Commission of the County of Boone adopt the attached ORDER AMENDING SMALL ON-SITE WASTEWATER SYSTEMS REGULATIONS and the ORDER FOR PUBLIC NOTICE.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 39-96.**

**SUBJECT: US Army Corps of Engineers Public Notice Regarding Issuance of General Permit for Sand and Gravel Excavation Activities**

Commissioner Stamper summarized the notice and indicated it will be posted.

**SUBJECT: Fiscal Year 1995 Report on Hazardous Waste Sites and Fund Statement**

Commissioner Stamper acknowledged receipt of the report and indicated it will be given to the Solid Waste Coordinator and will be available for review.

**SUBJECT: Wilton-Easley Levee District: Assurances Relating to Real Property Acquisition**

Mr. Patton noted the Natural Resources Conservation Service apparently waived the provision that the assurances be supported by an attorney's opinion that the real property instruments and files provide adequate title, right, permission and authority for the purposes for which the property is acquired.

Commissioner Stamper moved that the County Commission of the County of Boone approve the ASSURANCES RELATING TO REAL PROPERTY ACQUISITION associated with the Wilton-Easley Levee Repair.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 40-96.**

**SUBJECT: Appointments to Solid Waste Committee and On-Site Wastewater Board of Review**

Commissioner Stamper moved that the County Commission of the County of Boone appoint Ruby Louise Dunkin and Jerry Hensley to the Solid Waste Committee and David A. Bennett, P. E. and William Braun to the On-Site Wastewater Board of Review.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 41-96.**

**SUBJECT: Reports from Commissioners**

Commissioner Miller reported on her attendance at a meeting of the Missouri Commission on Intergovernmental Cooperation. They discussed devolution. Regional Planning Councils are trying to get the Governor to make them responsible for anything to do with devolution. She raised the issue that some areas, such as Boone County, do not have one. There was a great deal of discussion, but no action was taken.

Commissioner Vogt reported the 80 percent complete draft will be distributed to the Long Range Planning Steering Committee meeting tonight. They will review the document for two weeks, then meet to discuss any recommendations they want to make to the Planning and Zoning Commission, who will then recommend it to the County Commission. A hearing process will also be discussed.

Following discussion, the commission agreed to schedule a Mayors Meeting at the beginning of February to review the document.

**SUBJECT: Letter Agreement, Employment of Frank Abart As Director of Public Works**

Commissioner Stamper moved that the County Commission of the County of Boone approve the attached letter of agreement with Frank Abart regarding his employment as Director of Public Works.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 42-96.**

**SUBJECT: Formal Findings of Fact and Conclusions of Law, Petition to Vacate Lots 61 and 62 of Trails West Subdivision, Plat No. 6**

Mr. Patton delivered the document to the commission. Mr. Patton stated David Rogers has filed a lawsuit against the county on behalf of Rhodes-Payne Properties, Inc. based on the theory of inverse condemnation. It is appropriate for the commission to adopt the formal findings of fact and conclusions of law.

Commissioner Vogt stated she may not want to sign the document. She voted against denying the petition.

Commissioner Stamper stated the entire commission signs commission orders, even if they voted no.

Mr. Patton stated Commissioner Vogt can vote against adopting the formal findings of fact and conclusions of law or state that she does not agree with the decision, but realizes it is the majority decision of the County Commission and therefore, she is signing the order for that reason.

Commissioner Vogt stated she would prefer to delay the vote until Tuesday.

The meeting adjourned at 2:53 p.m.

Attest:

\_\_\_\_\_  
Don Stamper  
Presiding Commissioner

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

\_\_\_\_\_  
Karen M. Miller  
District I Commissioner

\_\_\_\_\_  
Linda Vogt  
District II Commissioner