

TERM OF COMMISSION: March Session of the February Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
 District I Commissioner Karen M. Miller
 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 1:33 p.m.

SUBJECT: Open Bid 35-28MAR96, Landscaper Box Blades

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Crown Power and Equipment	Columbia, MO	No Bid
Farm Power Lawn and Leisure	Columbia, MO	Bid
Henderson Implement Co.	Columbia, MO	Bid

SUBJECT: Open Bid 36-28MAR96, Cemetery Maintenance

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Ed Bettenhausen	Centralia, MO	No Bid
Custom Cut Lawn Care	Columbia, MO	Bid
Krystal Kleen	Columbia, MO	Bid
Rave Distributing	Columbia, MO	No Bid
The Hungry Painter	Hallsville, MO	Bid

SUBJECT: Open Bid 39-28MAR96, Single Axle Dump Trucks

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Al Scheppers Motor Co.	Jefferson City, MO	Bid
Mike Kehoe Ford	Jefferson City, MO	Bid
Midway Ford Truck Center	Springfield, MO	Bid
Quality Ford, Inc.	Lebanon, MO	No Bid

SUBJECT: Call Election: Centralia Special Road District, Levy Additional Tax

Commissioner Vogt moved that the County Commission of the County of Boone accept a petition which reads to wit:

We, the undersigned, qualified voters and taxpayers residing in the Centralia Special Road District of Boone County, Missouri, do hereby petition your honorable Commission, asking that the County Commission of Boone County, Missouri call an election on June 4, 1996 to be held in said District for the purpose of voting for or against the levy of an additional tax in said District for road and bridge purposes of Twenty-six (\$.26) Cents on the One Hundred Dollars assessed valuation of all taxable real and tangible personal property in said District for the year 1996, as provided for in Section 12, Article X of the Constitution of Missouri and Section 137.565, V.A.M.S. Dated March 11, 1996.

Said Commission also accepts from the County Clerk and Election Authority of Boone County the following certification:

I, Wendy S. Noren, County Clerk and Election Authority within and for the County of Boone, State of Missouri, hereby certify that the attached petition contains the names of at least 10 registered voters who are qualified to vote in the Centralia Special Road district.

/s/ Wendy S. Noren
County Clerk and Election Authority
within and for the County of Boone,
State of Missouri

In that said petition meets the requirements set forth in Chapter 137.565 RSMo., the County Commission hereby orders an election to be held in the Centralia Special Road District and conducted by the County Clerk on Tuesday, the 4th day of June, 1996 in accordance with the provision of Chapter 115 RSMo.

Be it further ordered that the Commission adopts the Notice of Election and Sample Ballot to be printed in substantially the following form:

NOTICE OF ELECTION

Notice is hereby given to the qualified voters of the Centralia Special Road District that the County Commission of the County of Boone has called an election to be held in said District on Tuesday, the Fourth day of June, 1996, between the hours of six o'clock a.m. and seven o'clock p.m. on said day for the purpose of voting on the levy of an additional twenty-six cent (\$.26) tax on the \$100.00 assessed valuation as finally equalized for the year 1996.

The ballots to be used at said election shall be in substantially the form as set forth in the following sample ballot:

OFFICIAL BALLOT
CENTRALIA SPECIAL ROAD DISTRICT
OF BOONE COUNTY, MISSOURI
Tuesday, June 4, 1996

PROPOSITION

Shall the Centralia Special Road District of Boone County, Missouri, levy an additional tax rate of 26 Cents (\$.26) on the hundred dollar valuation for the year 1996?

YES

NO

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 186-96.**

SUBJECT: Award Bid 22-05MAR96, Radio Equipment, Authorize Budget Revision

Purchasing Department Director Beckie Jackson summarized her memorandum dated March 25, 1996.

In response to a question from Commissioner Vogt, Ms. Jackson replied the Sheriff's Department plans to purchase thirteen radios. The Facilities Maintenance Department plans to purchase two. The Public Works Department plans to purchase four.

Commissioner Miller moved that the County Commission of the County of Boone award bid 22-05MAR96, Radio Equipment, as follows: Radio #1 and #4 to Mo-Comm Electronics and Radio #2 and #3 to Motorola, Inc. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreements with Mo-Comm Electronics and Motorola, Inc. The County Commission does hereby authorize the following budget revision:

Organization Account Account Title Transfer From Transfer To.

1251	23850	Minor Equipment	\$607	
1251	92300	Replacement Equipment		\$607

Explanation: The siren/public address/switch box options on the radio bid are in excess of amount budgeted. We reduced the compact speaker order to \$1,093.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 187-96.**

SUBJECT: Award Bid 29-12MAR96, Grader and Brush Cutter Blades

Ms. Jackson summarized her memorandum to the commission dated March 25, 1996.

Commissioner Miller moved that the County Commission of the County of Boone award bid 29-12MAR96, Grader and Brush Cutter Blades, to GM Supply Co., Inc., for grader blades and Tiger mower blades, and to Lactal Equipment Co., Inc. for Alamo mower blades, as the lowest and best bidders. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreements with GM Supply Co., Inc., and Lactal Equipment Co., Inc.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 188-96.**

SUBJECT: Award Bid 30-12MAR96, Traffic Radar Unit, Approve Purchase Agreement

Ms. Jackson summarized her memorandum to the commission dated March 26, 1996. The unit will be used by both the Public Works Department and Sheriff's Department.

Commissioner Miller moved that the County Commission of the County of Boone award bid 30-12MAR96, Mobile Speed Monitoring and Display Unit, to Kustom Signals, Inc. at a cost of \$12,200. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 189-96.**

SUBJECT: Award Bid 34-21MAR96, Vehicle (JJC), Approve Purchase Agreement

Ms. Jackson summarized her memorandum to the commission dated March 26, 1996.

Commissioner Vogt moved that the County Commission of the County of Boone award bid 34-21MAR96, Vehicle for Juvenile Justice Center, to Mike Kehoe Ford, Inc. for a 1995 Ford Escort Station Wagon in the amount of \$11,012. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement. The County Commission authorizes disposal of the replaced vehicle, a 1987 Chevrolet Celebrity Station Wagon.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 190-96.**

SUBJECT: Formation of Tracy Court Neighborhood Improvement District

Neighborhood Improvement District Coordinator Andy Lister stated the application for a petition to form this district was submitted to Boone County in August, 1994. A neighborhood meeting was held on Sunday, February 11, 1996. Petitions have been signed by owners of more than two thirds of the property within the proposed district. The County Clerk certified the petitions. Mr. Lister recommended its formation on behalf of the residents.

In response to a question from Commissioner Vogt, Mr. Lister replied he heard from one property owner in the proposed district who was hesitant and somewhat concerned about being able to afford the project. He has not heard from either of the other two property owners who did not sign the petition.

Commissioner Vogt moved that the County Commission of the County of Boone adopt the following order:

AN ORDER DETERMINING THE ADVISABILITY OF THE TRACY COURT NEIGHBORHOOD IMPROVEMENT DISTRICT AND ORDERING THE CREATION OF A NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE PROJECT IN BOONE COUNTY, MISSOURI.

WHEREAS, pursuant to the authority of Sections 67.453 to 67.475, inclusive, RSMo., titled the Neighborhood Improvement District Act (the "Act"), proceedings have been undertaken for certain improvements for a neighborhood improvement district in Boone County, Missouri; and

WHEREAS, a petition signed by the owners of property within the proposed neighborhood improvement district has been filed with the Boone County Clerk requesting improvements designated as the Tracy Court Neighborhood Improvement District (the "Project"), said petition stating (a) the project name for the proposed improvement, (b) the nature of the improvements, (c) the estimated cost of the improvements, (d) the duration of the assessments for the improvements, (e) the boundaries of the improvement district to be assessed, and (f) the method of assessment; and

WHEREAS, said petition has been examined by the Boone County Clerk and found to have been signed by the owners of more than two-thirds by area of all property within the proposed district:

NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County Commission of Boone County, Missouri hereby finds and determines that the petition requesting the Project is complete and proper in all respects.

Section 2. The County Commission finds and determines that the Project is advisable and orders a neighborhood improvement district to be established for the Project.

A. The project name for the Project shall be:

Tracy Court Neighborhood Improvement District

B. The nature of the improvements to be made shall be as follows:

Repairing and paving of Tracy Court in order to bring it up to acceptable standards for paved county roads for county maintenance.

C. The estimated cost of the proposed improvements is \$63,220, all of which will be assessed against the property within the District. The final cost of the Project assessed against the property within the District (and the amount of general obligation bonds of Boone County, Missouri issued therefor) shall not exceed the estimated cost by more than 25%.

D. Assessments against the property within the District will be in substantially equal annual installments over a period of not more than ten years.

E. The boundaries of the Neighborhood Improvement District to be assessed for the costs of the improvements are described on Exhibit A attached hereto. A map of the District is also included in Exhibit A. The District is located entirely within Boone County, Missouri, and is not located in whole or in part within the limits of an incorporated city.

F. The proposed method of assessment is: Final improvement costs shall be assessed equally on a per lot/tract assessment and shall be payable in not more than ten (10) substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone.

Section 3. The improvements included in the Project are hereby authorized and the County Commission is ordered to cause plans and specifications for the Project to be prepared.

Section 4. Boone County expects to make expenditures on and after the date of passage of this Order in connection with the Project, and Boone County intends to reimburse itself for such expenditures with the proceeds of notes or bonds of Boone County. The maximum principal amount of notes or bonds expected to be issued for the Project is \$79,025.

Section 5. This Order shall be in full force and effect from and after its passage by the County Commission.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 191-96.**

Commissioner Stamper noted item number five on the agenda states, "Employment Hearing: Additional Testimony and Decision." The commission will not render a decision today. The commission decided to postpone the decision until next Thursday.

SUBJECT: Authorize Participation in Local Records Grant

Ms. Malaby noted the originally intention was to apply for funding to repair a leak in the Records Retention Center, but that application will be delayed until next year. An application will be submitted for half the amount of shelving needed in the Records Retention Center. The application stipulates a county commitment of \$2,250. The amount can be included in the 1997 budget.

Commissioner Stamper noted there is funding for shelving remaining in the owners cost portion of the capital improvement budget.

Commissioner Miller moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, an application for a grant from the Local Records Preservation Program through the Missouri Secretary of State's office. The Presiding Commissioner is authorized to sign the letter of commitment.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 192-96.**

SUBJECT: Authorize Signature of U.S. Department of Housing and Urban Development Forms

Commissioner Stamper stated for a long time these forms were presented for his signature in the Commission office. Lately, the forms have been scheduled for signature on a commission meeting agenda. Commissioner Stamper requested a blanket authorization to sign the forms when presented. Commissioner Stamper moved that the County Commission of the County of Boone authorize the Presiding Commission to sign all routine forms (52520, 52663, 52673) related to the U.S. Department of Housing and Urban Development Section 8 Housing program.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 193-96.**

SUBJECT: Amendment to Real Estate Contract, B & E Investments, Inc.

Commissioner Miller stated it was brought to Mr. Patton's attention that section 13-A of Article VI of the Declaration of the Covenants, Conditions, Reservations, Easements and Restrictions of Bluff Creek Office Park exempts governmental agencies from assessments for maintenance or other purposes. This addendum would make the buyer responsible for said assessments.

Commissioner Miller moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached ADDENDUM TO REAL ESTATE PURCHASE OPTION AND CONTRACT FOR SALE OF REAL ESTATE.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 194-96.**

SUBJECT: Emergency Purchase of Facsimile Machine, Facilities Maintenance Department

Commissioner Miller stated the North Facility was vandalized this week. A facsimile machine and photocopier were stolen. Commissioner Miller moved that the County Commission of the County of Boone authorize the emergency purchase of a facsimile machine by the Facilities Maintenance Department.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 195-96.**

SUBJECT: Extend Term of Employment of Prosecuting Attorney Temporary Employee

Commissioner Stamper stated the Prosecuting Attorney's office has a staff member on maternity leave who needs an additional two weeks of leave. They request an extension in the term of employment of the temporary replacement employee.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the Prosecuting Attorney to extend the term of employment of temporary employee Heather Taft until April 19, 1996.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 196-96.**

SUBJECT: Employment Hearing: Additional Testimony

COMMISSIONER STAMPER: Miss James, if you would have a seat at the table please. If you would, please state for the record your name, address, and affiliation with the County of Boone.

MS. JAMES: My name is Rosie James. I reside at 7038 Demaret, and what else did you ask me?

COMMISSIONER STAMPER: Your affiliation with the County of Boone.

MS. JAMES: Oh. I work at the Public Works Department.

COMMISSIONER STAMPER: And your union affiliation?

MS. JAMES: I am a union steward, yes, for Local 45.

COMMISSIONER STAMPER: Okay. Great. In the previous hearing we had on this matter, Rosie offered testimony, and was not sure about the presence, or availability of notes she made concerning that testimony or her recollection of the events. As we began to, to evaluate, the notes when they became available there appeared to be, a potential for some, differences between the testimony that was offered that day and the notes and so, Rosie, we wanted to invite you back today, and I appreciate you making yourself available for the purpose of clarifying the testimony previously given to this body and for any additional thoughts you'd have after seeing your notes, as a part of the public record on this matter.

MS. JAMES: Okay. So you want me to, read my notes?

COMMISSIONER STAMPER: Yea.

MS. JAMES: Thursday, 7/8/95, Frank asked myself and Derrick into his office. Frank told Derrick that it had been told to him that Bill told him to rake asphalt and he told Bill that he was going to flag instead. Frank asked Derrick if this was true. Derrick replied yes. He said that in his opinion that's what he needed to do. Derrick stated that he only flagged for two or three minutes and then came back to rake. Frank then called Bill into his office and asked him how long did Derrick flag? Bill said he thought it was around twenty to thirty minutes. Frank then made a three-way call to Larry George at home. He was aware that I was listening in. Frank asked Larry how long Derrick flagged. Larry said he thought it was around twenty to thirty minutes, but couldn't be for sure. Bobby Craig was asked the same question, and said he didn't know, he was too busy operating the paver. And that's my notes.

COMMISSIONER STAMPER: Okay. Now--Rosie, would it be your recollection that this is an accurate reflection of, the activities of that day--more accurate than your previous testimony in this matter?

MS. JAMES: Absolutely. Yes.

COMMISSIONER STAMPER: Okay. Mr. Patton do you have any questions of Rosie?

MR. PATTON: No, you were previously sworn and your testimony today is that those notes were taken, I guess, the same day?

MS. JAMES: The day of the incident, yes.

MR. PATTON: Okay.

COMMISSIONER VOGT: Are they dated? I'm sorry.

MS. JAMES: Yea, its dated.

MR. PATTON: Okay. I think that is all--

COMMISSIONER STAMPER: Mr. Muehl or Mr. Morton, do you have any questions of this witness?

MR. ROBERT MUEHL (Local No. 45 Business Manager): No.

COMMISSIONER STAMPER: Okay. Any other questions of the witness?

MR. PATTON: You keep those--is this a--I think this is a photocopy of what was, what you have there. Is that a copy?

MS. JAMES: Yes, it is.

MR. PATTON: An accurate reflection?

MS. JAMES: Yes, it is.

MR. PATTON: Okay. So. Let me. (inaudible) If it is, just make it a part of the record (inaudible) And Michelle is a notary, and we don't have a court reporter here today, but she is going to transcribe this, the testimony that has been given, from the tape. She can do that, and she'll make that as a part of the transcript, if that is all right. I don't have anything else for her.

COMMISSIONER MILLER: The other thing we had asked for that day was the oil distributor vehicle, maintenance data.

MR. PATTON: Frank Abart has all that. Oh, do you have it?

MR. MARK STONE (Human Resources Department Director): They just have copies.

COMMISSIONER MILLER: Yea.

MR. PATTON. Copies, but bring Frank in. I think he has got the original records.

MS. JAMES: I don't know anything about that.

COMMISSIONER STAMPER: Nothing else Bob?

MR. MUEHL: No.

COMMISSIONER STAMPER: Thank you Rosie. Please bring Mr. Abart in if you would.

Mr. Abart, if you would have a seat please. As a statement of the record, please state for the record your name, address, and affiliation with the County of Boone.

MR. ABART: Name is Frank Abart. I'm the Boone County Public Works Director. Would you like work address, home address, does it matter?

COMMISSIONER STAMPER: Home, please.

MR. ABART: 4317 S. Pinebrook Lane, Columbia.

COMMISSIONER STAMPER: Okay. And were you previously sworn, in, testimony before a court reporter in a hearing on this, on the matter at hand today.

MR. ABART: Yes.

COMMISSIONER STAMPER: Okay. Mr. Abart, we requested of you additional information on the maintenance, history, and the availability of, the oil distributor and asphalt machine on that, on the day in question. Do you have additional information to provide to the Commission today as we consider this testimony?

MR. ABART: The two things, that I, that I had written down that I was asked to retrieve were information on the oil distributor, and also information concerning the materials itself, the asphalt. As far as the oil distributor, I had sent a memo to Shop Superintendent Sam Amick, requesting any repair data specifically related to, not only the twelfth, but the eleventh, twelfth and thirteenth of 1995, July. And, he responded, in memo form back to me, and I'll just go ahead and quote it here. It says, I have reviewed the fleet maintenance historical file and other supporting records for vehicle 1738--which is the oil distributor--as requested. The attached documents do not show that any repairs were made on July 11, 12 or 13, of 1995 to vehicle 1738. And he also attached his monthly daily scheduling calendar, and, some other information, which did not demonstrate that there were any repairs to that vehicle.

As follow up also, I visited with the, people, or the person in charge, which would have been Mr. Darren Kimbrel, of that particular piece of equipment on that day for this operation. He'd indicated that they were indeed on the project, they did indeed shoot the area with asphalt, using the oil distributor, and that it was there that morning.

COMMISSIONER STAMPER: Okay. Can you comment on the delivery tickets of the asphalt Mr. Abart?

MR. ABART: On the asphalt tickets we collected, data which would indicate that the first load of asphalt mix was sent from the plant at 7:35 a.m., that's the document on the ticket itself, which, of course, is a matter of public record.

COMMISSIONER STAMPER: Where is the plant Mr. Abart?

MR. ABART: That would be over in Millersburg, I guess its called, its the Pace plant. Just on the other side of the county line to the east.

COMMISSIONER STAMPER: Specific location? Is it just off, the Millersburg exit, or is it tucked back in there, further?

MR. ABART: It's further on south.

COMMISSIONER STAMPER: There's a quarry. It's not in that quarry is it? It's right--

MR. ABART: It's right in that same area. Right in the same area as the quarry. Very close.

COMMISSIONER STAMPER: Okay. And the rest of the information on the asphalt.

MR. ABART: Based upon the tickets from private haulers, there was one ticket, that was hauled by somebody named Lloyd. He had at least two or three loads, for this particular project that morning, and he wrote the start times and stop times, and indicated, so that we have an indication of how long the haul was, which indicated it was about twenty five to thirty minutes. This data would indicate that the first load actually arrived on the project approximately 8:00 o'clock or 8:05 that morning.

COMMISSIONER STAMPER: Okay.

MR. ABART: So that's pretty much what I've been able to determine, based upon the asphalt tickets, and the location, and status of the oil distributor.

COMMISSIONER STAMPER: Questions of Mr. Abart?

COMMISSIONER MILLER: Well the only question I have is, it looks to me like one of 'em arrived at 7:35:34 a.m.

MR. DERRICK MORTON: That's when it leaves the quarry. That's when, when they're confident like that, that's when (inaudible) from the quarry.

MR. ABART: Yea. See the--you must be referring to the stamped time that's actually on there, that's when it leaves the quarry, that's when its punched out, and the guy gives the ticket to the truck driver and he hits the road.

COMMISSIONER VOGT: So it takes thirty to thirty five minutes from when they leave the quarry to our project--

MR. ABART: Right, right.

COMMISSIONER MILLER: Oh, I see where the--I see, yea, where it says--the driver unloaded. Yea.

MR. ABART: Yea, you must have, you must have the same stuff I have here. You'll note, there is one driver who, put, at plant, loaded, he put on the job, so you knew when he was at the plant, you knew when he was on the job. So there's at least, I think, two or three tickets where he had documented that, the driver.

COMMISSIONER VOGT: Oh.

MR. ABART: That is how I am determining, based on that information, how long it took everybody to get there.

COMMISSIONER MILLER: Okay. I didn't know that.

MR. MORTON: (inaudible) leave the shed at 7:00 o'clock, so we was on the job site at 7:30.

COMMISSIONER STAMPER: Just a second Mr. Morton. I'll get to you in just a second, okay, and you can offer something when we're ready.

COMMISSIONER MILLER: Okay.

COMMISSIONER STAMPER: Any questions of Mr. Abart?

COMMISSIONER VOGT: The, the calendar that I have here?

MR. ABART: Um-hum.

COMMISSIONER VOGT: Whose calendar is this?

MR. ABART: This would be from the Shop Superintendent Sam Amick. And he is just offering that up as his personal documentation that there was no repairs or anything that he had scheduled on his personal calendar for this particular piece of equipment for that day.

COMMISSIONER VOGT: Okay.

COMMISSIONER STAMPER: Okay. Any other questions of Mr. Abart?

COMMISSIONER MILLER: No, he's answered mine.

COMMISSIONER STAMPER: Mr. Muehl or Mr. Morton, do you have a question of Mr. Abart?

MR. MORTON: Frank, is it true, that on certain occasions (inaudible)

MS. MALABY: (inaudible) come up before a mic.

COMMISSIONER STAMPER: You are going to have to come up, Derrick. The microphone won't (inaudible)

MR. MORTON: Is it true on certain occasions that people stop to, get refreshments, before leaving the shop--or long after leaving the shop?

MR. ABART: You mean, they leave the shop and go and pick up like ice or--

MR. MORTON: They leave the shop, and they could stop, or they could stop and get them refreshments, or certain occasions--

MR. ABART: On occasions, yes. That's allowed.

MR. MORTON: That's allowed. So. I mean. That's lag time. Whenever a vehicle leaves from the shed and stuff and stops to--at a (inaudible)--that's down time again, is that true or true not, is it?

MR. ABART: That's true that we allow that to happen, so that people can pick up something, to drink, or something like that, on the route, on the way to the way to the job, so that they may, or may not have-- If they know they are going to have a busy day that day, then they'll stop and they'll pick something up.

MR. MORTON: How long does it take to put oil in the oiler in the morning? If you don't have oil that's already on the oiler truck, how long does it take oil to get pumped onto the truck, with the truck being--

MR. ABART: I couldn't give you an exact time, but I--

MR. MORTON: But it takes?

MR. ABART: But it takes probably at least thirty minutes, maybe more, and sometimes we have those guys come in early, so that they're ready, to do that, and I don't know whether this day they came in early. I'd have to check the records to see if the guys who were taking care of the oil distributor did in fact, come in before 7:00 o'clock to be ready that morning. Okay?

MR. MORTON: But, I mean, there is time, like I said, there's lag time, a lot of times they stop for, like I said, refreshments, and they could--

COMMISSIONER STAMPER: I believe that point has been made. Do you have other questions?

MR. MORTON. No. No, that's it.

COMMISSIONER VOGT: I don't think so.

MR. PATTON: No, other than, those documents. Would you give those to Michelle, for inclusion in the public record.

MR. ABART: Okay.

COMMISSIONER STAMPER: Mr. Morton or Mr. Muehl, do you have anything you want to offer, as we wrap up this portion of testimony?

MR. MUEHL: I'd, I'd like to make a statement, before, if you're finished.

COMMISSIONER STAMPER: I believe we are finished with testimony at this point.

MR. MUEHL: We believe that, there was nothing offered here today that changes the fact that Derrick did return and perform the work as the arbitrator ruled, in the, in his decision. We believe that Mr. Morton has had three hearings now, and would request a decision as soon as possible.

COMMISSIONER STAMPER: Thank you. Mr. Morton, any comment? The County Commission will, this will be the action that will follow from this point forward. The County Commission will now take the testimony that's been given today and compare it with the court reporter's testimony, as offered. Following that comparison, we will then come back to these chambers on the date that's been specified, discuss the issue, and render a decision on behalf of the County of Boone. That is tentatively set for one week from today in County Commission.

MR. MUEHL: 3:00 o'clock?

COMMISSIONER MILLER: No.

COMMISSIONER VOGT: No.

COMMISSIONER STAMPER: Bob, I think we can do it earlier than that. I think we can do it about--1:45 or so.

MS. MALABY: I've got scheduled items through 1:55 and three non-timed.

COMMISSIONER STAMPER: 2:00 o'clock Bob. 2:00 o'clock.

MR. MUEHL: Okay. Go ahead.

MR. MORTON: On that day that I was in the office, there was not any notes took by anybody. I was there, Frank was there, Rosie was. And there wasn't any notes taken, and nobody had was writing down anything that day.

COMMISSIONER STAMPER: Okay. 2:00 o'clock on that day, ladies and gentleman. Okay.

COMMISSIONER VOGT: That's April the?

COMMISSIONER MILLER: Second?

MS. MALABY: April 4th.

COMMISSIONER STAMPER: Any other comments concerning this matter? This matter is hereby closed. We go back to reports from Commissioners.

SUBJECT: Reports from Commissioners

Commissioner Stamper reported a petition has been submitted by the Columbia Board of Landlords citing concern over the Section 8 rental assistance program. They will be addressing the issue to the Central Missouri Human Development Corporation Board of Directors. They are concerned with the level of payments being made.

Commissioner Miller reported Keith and Sandy Schnarre were designated Agriculturists of the Year by the Chamber of Commerce. Gary and Joyce Sapp's son received an agricultural scholarship from the Chamber of Commerce.

The meeting adjourned at 3:23 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