

TERM OF COMMISSION: August Session of the August Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
District II Commissioner Linda Vogt
County Counsel John Patton
Deputy County Clerk Melanie Stapleton

The meeting was called to order by the Presiding Commissioner at 1:30pm.

Subject: Acceptance of Willowbrook Plat 2, a replat of Lot 40

Thad Yonke stated that Willow Brook Plat 2 is a one-lot, minor replat. He stated that the replat was performed to change the building line, however it did not change the outside boundaries of the plat.

Commissioner Vogt moved to receive and accept Willowbrook Plat 2, a replat of lot 40 and authorize the Presiding Commissioner to sign the plat.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 337-2000**

Subject: Authorize the hiring of a School Crossing Guard at a rate of pay above the base of the range

Sheriff Boehm stated that the City of Columbia hires school crossing guards at the rate of pay of \$15/hr. He stated that the County has advertised their crossing guard position at the rate of pay of \$9.00. He stated that there has been no interest in the position at that rate of pay. He stated that he was present to request that the County Commission advertise the position at the rate of pay of \$15/hr.

Commissioner Stamper stated that the Auditor stated that she would be comfortable advertising the position at the rate of pay of \$12/hr. The County Commission agreed however that they understood the need to advertise the position at the rate of pay of 15/hr in order to make the position comparable to the City of Columbia. They also noted that it is difficult to find someone to work during those hours.

Commissioner Vogt moved to authorize the hiring of a School Crossing Guard at the rate of pay of \$15/hr, which is above the base of the range for Rockbridge Elementary School.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 338-2000**

Subject: Award bids 47-16AUG00 Network Printer and 45-16AUG00 Yr 2000 Crown Victoria Police Interceptor

Marlene Ridgway presented the following recommendation for the award of bid 47-16AAUG00 Network Printer:

The department and I have reviewed the bids submitted and recommend awarding to New Millennium Solutions for having the lowest and best bid meeting the minimum specifications.

The total cost of this award is \$4,522 and will be paid out of organization 1170 account 92301. The amount budgeted for this project was \$11,000.

Commissioner Vogt moved to award bid 47-16AUG00 as follows:

FOR	TO
Network Printer	New Millennium Solutions

Said bid is awarded per the attached recommendation of the Purchasing Department. It is further ordered that the Presiding Commissioner be hereby authorized to sign the agreement.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 339-2000**

Marlene Ridgway presented the following recommendation for the bid 425-16AUG00 Yr 2000 Crown Victoria Police Interceptor:

Per Section 3.5 of the bid specifications, our sole purpose in the evaluation process is to determine from among the responses received which one is best suited to meet the County's needs at the lowest possible cost. We received two responses for this request. The low bidder was able to supply us with a year 2001 vehicle but the delivery time was approximately 120 days. The second vendor, Pundmann Ford, is able to supply a vehicle meeting the specifications within 2 days. Since this vehicle is to replace one that is currently out of commission, delivery is an important issue to the department. The difference between the two responses is \$97.20.

With the time demand upon the department, I have reviewed the bids submitted and recommend awarding to Pundmann Ford for having the lowest and best bid meeting the minimum specifications.

The total cost of this award is \$20,297.00 and will be paid out of organization 1251 account 92400.

Commissioner Vogt noted that "no response" was listed in several places on the bid tabulation sheet.

Marlene Ridgway stated that the "no response" listing was related to the different kinds of vehicles that a dealer had available on the lot.

Commissioner Vogt moved to award bid 45-16AUG00 as follows:

FOR	TO
Yr 2000 Crown Victoria Police Interceptor	Pundmann Ford

Said bid is awarded per the attached recommendation of the Purchasing Department. It is further ordered that the Presiding Commissioner be hereby authorized to sign the agreement.

Commissioner Stamper seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 340-2000**

Subject: Public Hearing for Riggs Quarry Asphalt Plant extended hours

Don Mantle was present on behalf of the request for extended hours for the Riggs Quarry Asphalt Plant. He stated that the quarry hours needed to be extended for two additional Saturdays in order to expedite the Hwy 63 project. He stated that a representative of Mertens, LLC would have been present in support of this request, however they experienced a death in the family.

Don Mantle stated that the request is for five Saturdays in order to allow for inclement weather. He stated that the only dates really needed would be 8/26 and 9/9.

Commissioner Stamper opened a public hearing on the request.

Emily Brady, 455 Williams Rd stated that for the record her "concern that the County Commission did not question further whether Mertens (Quarry) was grandfathered in and if they were operating legally before they were granted the expansion rights and conditional use of a temporary use of an asphalt plant." She stated that the Riggs community is very concerned over the use of the temporary asphalt and whether it actually has to be at the Mertens Quarry location. She stated that the Riggs community was repeatedly told that the temporary asphalt plant would only be used if Mertens received the MoDOT bid for Hwy 63. She stated that APAC received the bid instead of Mertens, LLC, however APAC then subcontracted the work to Mertens. She stated that now there are trucks going in and out of the quarry from 4:30am until 8:30pm. She stated that the Riggs neighborhood is greatly disturbed by the use of the temporary asphalt plant.

Jan Bell, 1125 W Creed Rd stated that she also has major concerns about the running of the trucks. She stated that she has been in contact with the State Attorney General's office concerning the entire CUP process. She stated that according to the tapes from the public hearing, the temporary asphalt plant was contingent on Mertens, LLC receiving the bid from MoDOT. She stated that it now seems that "anyone that wants to put a plant in there can." She stated that she is against the extended hours.

Jan Bell stated that she has videotape of the trucks running the stop sign at Williams Rd. She stated that the trucks also are travelling north on Old Hwy 63, a road that has a weight limit on it. She also noted that according to the CUP, the temporary asphalt plant is not supposed to danger, bring detriment, or disturb the health, well-being and enjoyment of the neighborhood. She stated that the temporary asphalt plant is doing all of those things.

Jan Bell asked if the temporary asphalt plant is being used for other jobs. She stated that according to the CUP, the temporary asphalt plant is only supposed to be used for the Hwy 63 project.

Commissioner Stamper stated that he had a conversation with another resident of the neighborhood, Mrs. Nielsen, who also has concerns about the trucks.

There was no one else that wished to speak.

Commissioner Stamper closed the public hearing.

Don Mantle stated that trucks may be entering the quarry before 6am, however they are not being loaded with mix before 6am or after 6pm. He stated that he has a computer printout to prove that fact.

Don Mantle stated that APAC is not performing any other jobs using the Mertens LLC temporary asphalt plant.

Don Mantle stated that he would look into the trucks running the stop sign at Williams Rd. He stated that the truck drivers were warned about that, however he would reiterate his comments. He also stated that he was not aware of the weight limit on Old Hwy 63.

Jan Bell stated that the weight limit sign appears at the corner of Old Hwy 63 and Williams Rd.

Commissioner Stamper stated that the County Commission would evaluate the weight limit sign.

Don Mantle also stated that in the quarry business, “when you sell business to people, the business is theirs.” He stated that the supplier does not bid for a project. He stated that the general contractor bids and then subcontracts to the supplier.

Commissioner Vogt asked how many other people supply temporary asphalt plants.

Don Mantle stated that there are about nine contractors in the State of Missouri that operate temporary asphalt plants. He stated that his other temporary asphalt plant are located at Mount Grove, MO and Bethany, MO.

Don Mantle stated that this temporary asphalt plant is being used only for the Hwy 63 project. He stated that once the project is completed the asphalt plant will be moved to Williamsburg, MO for an I-70 project in Montgomery County.

Commissioner Stamper asked Stan Shawver, County Planning and Building Inspection Department Director to explain the Conditional Use Permit and the County’s intentions.

Stan Shawver stated that Commission’s understanding was that any asphalt plant placed in this location was that the asphalt plant would be owned, leased, or part of a contract by Mertens with another company.

Commissioner Stamper stated that whether the Mertens are the primary contractor or the subcontractor is not relevant. He stated that the Mertens’ rock is being used in the Hwy 63 project, which makes the use of the temporary asphalt plant legal.

Commissioner Stamper stated that there is very little in the CUP that address trucking. Commissioner Stamper informed Don Mantle that he is “very unsympathetic” to tucks coming in and out of the quarry at 4 or 4:30am.

Commissioner Stamper submitted the car counts performed on roads adjacent to the quarry by the Public Works prior to and since the arrival of the Mertens Quarry. The numbers are as follows:

<u>Adjacent Road</u>	<u>Previous Count</u>	<u>Current Count</u>
Old No. 7 South	115	113
Oak Grove School Rd	34	44
Voorheis (east)	not available	14

Commissioner Stamper stated that the car count on Williams Rd prior to the quarry was 417. He stated that the current count is not available.

Commissioner Vogt stated that Hwy 63 is being built for the good of the people of the State of Missouri. She stated that she understands the neighborhood’s feeling regarding the operation of the quarry. She stated however that “it is for the common good of all the people that Hwy 63 is completed.” She stated that this is only for two days and “we all have to be a little accepting of situations we are not comfortable with in order to complete these road projects, wherever they might be.”

Commissioner Vogt moved to approve the request by APAC-Missouri, Inc.-Central Missouri Division with Mertens, LLC and Mertens Construction Co., Inc. to extend the hours of operation for the asphalt plant located in Mertens’ Riggs Quarry in northern Boone County from 7am until 5pm on two (2) of the following five (5) Saturdays: 8/26/00, 9/9/00, 9/16/00, 9/23/00, 9/30/00 in order to expedite the completion of the paving on U. S. Highway 63.

Commissioner Stamper seconded the motion.

Discussion: Commissioner Stamper stated that he agreed with Commissioner Vogt’s comments. He stated that he is not excited about these changes, however he understands the contractors

needs.

Commissioner Stamper reiterated that he is not agreeable to trucks coming in and out of the quarry earlier than 6am.

The motion passed 2-0. **Order 344-2000**

Subject: Reappointment to the Building Code Commission

Commissioner Stamper moved to reappoint Richard Shanker to the Building Code Commission for a term to expire on August 31, 2002.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 343A-2000**

Subject: Authorize the Closing Gregory Drive on September 23, 2000 from 5:30-8:30pm (and September 30, 2000 from 5:30-8:30pm if needed)

Commissioner Stamper stated that this request was sent to the County Commission on behalf of the Gregory Drive Neighborhood Association.

Commissioner Stamper moved to authorize the closing of Gregory Drive on September 23, 2000 from 5:30-8:30pm for a picnic and neighborhood clean-up day. The Commission further authorizes the closing of Gregory Drive for the aforementioned purposes on September 30, 2000 from 5:30-8:30pm if necessary.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 341-2000**

Subject: First Reading of a Budget Amendment regarding the Juvenile Accountability Incentive Block Grant extension

Commissioner Stamper read a budget amendment into the public record as follows:

AMOUNT	(increasing) ACCOUNT
\$3756	1243-10100 Personnel-JAIBG Grant Contribution
\$341	1243-10200 FICA-JAIBG Grant Contribution
\$1844	1243-23050 Supplies-JAIBG Grant Contribution
\$5914	1242-03411 Federal Grant Reimbursement-JAIBG Grant

Said budget amendment is for the JAIBG grant extension to September 30, 2000

Commissioner Stamper stated that this budget amendment would reappear on the County Commission agenda for a public hearing following the required ten-day waiting period for public comment.

Subject: Authorization of (2) Budget Revisions regarding the JAIBG

Commissioner Stamper moved to authorize two budget revisions as follows:

(1)

AMOUNT	(increasing) ACCOUNT	(decreasing) ACCOUNT
\$504		1243-71101 Professional Services-County Commission JAIBG Grant
\$348	1243-10100 Salaries and Wages-County Commission JAIBG Grant	
\$156	1243-29\3050 Other Supplies-County Commission Contribution JAIBG Grant	

Said revision is for the County match for JAIBG grant extension to 9/30/00.

(2)

AMOUNT	(increasing) ACCOUNT	(decreasing) ACCOUNT
\$305		1243-71101 Professional Services-JAIBG Contribution
\$108		1243-71101 Professional Services-County Commission
\$413	1243-91300 Machinery and Equipment	
\$63		1243-91100 Furniture
\$63	1243-91300 Machinery and Equipment	

Said revision is for the reallocation of contractual and furniture money to purchase additional equipment from JAIBG grant.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 342-2000**

Subject: Budget Revision for Outside Services (County Commission Office)

Commissioner Stamper moved to authorize a budget revision as follows:

AMOUNT	(increasing) ACCOUNT	(decreasing) ACCOUNT
\$713	1121-71100 County Commission: Outside Services	1121-10100 County Commission: Salary & Wages

Said revision is to transfer funds to pay for outside services for the County Commission office.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 343-2000**

Subject: Community Services Advisory Commission Funding Recommendations and Office of Community Services Budget Request

Commissioner Stamper acknowledged for the public record that the County received the FY2001 Boone County social service funding recommendations from the Community Services Advisory Commission.

Subject: Report on 98-ed-06 (Boone County/ABC Labs) Fixed Asset Addition Listing

Commissioner Stamper stated that the County has been notified that ABC Laboratories submitted the Fixed Asset Additions Listing in satisfaction of a Missouri Department of Economic Development requirement to invest \$2 million in project 98-ED-06 (Boone County/ABC Laboratories).

Subject: Report on the MO House of Representatives Solid Waste Interim Committee on Solid Waste and Recycling

Commissioner Stamper submitted the report for the public record.

Subject: Letter regarding Verizon Communications

Commissioner Stamper stated that the County received a letter regarding the merger/name change of GTE and Bell Atlantic to Verizon.

Commissioner Reports

Commissioner Stamper

Commissioner Stamper reported that there was significant tree and stormwater damage from last night's storm in Mid-Missouri. He stated that the Boone County received between 6-10 inches of rain in a little over two hours. He stated that it would take some time to cleanup the area.

Commissioner Vogt

Commissioner Vogt stated that she drove in northern Boone County earlier this morning. She stated that most roadways appeared to be free of obstruction.

Commissioner Miller

Commissioner Miller was absent.

There was no public comment.

The meeting adjourned at 2:25pm.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner