

TERM OF COMMISSION: March Session of the January Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Joshua Norberg

The meeting was called to order at 1:30 p.m.

Purchasing

Tyson Boldan, Purchasing was present on behalf of these items.

1. Bid Opening: 11-19MAR09 – Asphalt Overlay & Roadway Drainage Improvements

The following bids were opened:

	Christenses Construction Co.	Frech Paving Co.	APAC Missouri, Inc.	C.L. Richardson Construction Co.
Bid Total	\$471,197.60	\$472,074.28	\$455,417.63	\$497,673.40

.The estimate on this project was \$564,932.50.

The budget is \$598,777.00.

2. 58-25NOV08 – Voice Logging Recorder (first read on 3/17/09)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 58-25NOV08 – Voice Logging Recorder to Warner Communications Corporation of St. Louis, Missouri, and authorizes the disposal of a digital recording system, fixed asset tag #14005. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract and disposal form.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 126-2009**

3. 07-03MAR09 – Newspaper Advertising Term and Supply (first read on 3/17/09)

Commissioner Elkin moved on this day the County Commission of the County of Boone does

hereby award bid 07-03MAR09 – Newspaper Advertising Term and Supply to the Columbia Daily Tribune and the Columbia Missourian. It is further ordered the Presiding Commissioner is hereby authorized to sign said contracts.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 127-2009**

4. 09-03MAR09 – Custodial Services Term & Supply (first read on 3/17/09)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby award bid 09-03MAR09 – Custodial Services Term and Supply to Tom Atkins Maintenance. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 128-2009**

Regional Economic Development Inc. (REDI)

Dave Griggs and Bernie Andrews, REDI, were present on behalf of this item.

5. Chapter 100 Policy Revisions (first reading)

Mr. Griggs stated he would like to propose some revisions to the Chapter 100 Policy. He stated he has spoken with all of the taxing entities impacted, and they are all aware and supportive of these revisions. He stated some of these changes are intended to improve the policy and give the Commission a little more latitude. He outlined the following language changes or additions:

“The Boone County Commission may designate an economic development project as a ‘critical or substantial benefit project’. Projects so designated may qualify for additional flexibility under this policy as determined by the Boone County Commission in consultation with REDI and the impacted taxing entities as defined in this policy.” Mr. Griggs stated that is probably the most significant change proposed. The impetus for this was a large utility provider wanted to potentially locate a facility in northern Boone County. It had 1 ½ employees and had very little impact on the school districts. That project did not come to fruition, but this policy change gives the Commission the flexibility to deal with that type of situation in the future.

Mr. Griggs stated the State of Missouri passed legislation about 18 months ago that allowed for the abatement of sales tax on machinery and equipment and materials used to expand or build

facilities. However the Department of Economic Development has some very stringent rules and regulations on how a project must qualify for that. He stated the policy revisions include language that says if the Department of Economic Development certifies the project to be exempt from sales taxes, then the Commission can also authorize that exemption.

Commissioner Miller asked if her understanding is correct that the company cannot get the State exemption if they don't have the local exemption.

Mr. Griggs stated that is correct. He stated he felt it was appropriate to let the State do the due diligence in determining whether the applicant meets all the criteria for the exemption. This policy change puts the onus on the State to do the homework, which is appropriate.

Mr. Griggs stated another change is lowering the minimum capital investment threshold for new projects from \$15 million to \$10 million, lowering the minimum for existing companies from \$7.5 million to \$5 million, and lowering the minimum for manufacturing reinvestment projects from \$5 million to \$3 million.

Mr. Griggs stated another change is as follows: "Annual grant payments may be set up on a variable payment schedule, but shall total at least 50% of the normal tax revenues during the incentive period." He stated this allows for potential front loading of the tax abatement if that suits the company.

Mr. Griggs stated another statement that will be added is, "The review panel shall consist of those taxing entities providing direct services to the impacted site." He stated if the site is located in the Centralia School District, then that is who is involved in the review panel, etc. It allows the review panel to consist of the entities that are impacted instead of getting every taxing entity together even if they are not impacted.

Mr. Griggs stated the current policy states, "The applicant must maintain a payroll account with a financial institution with a physical location in Boone County." The final proposed change would change the language to say the applicant is "strongly encouraged" to maintain an account in Boone County. He stated a past project that we did not get was with IBM, and they would not want to locate their payroll account in a local financial institution. This change would allow some flexibility.

Mr. Griggs stated those are all the changes and he is happy to answer any questions.

Mr. Andrews stated since this policy has been adopted by the Commission, we have seen some deals that we haven't been able to see in the past because we have an incentive policy.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

Commissioner Elkin stated it helps level the playing field for us. He asked if the Chapter 100

policy is on the REDI website.

Mr. Andrews stated the website indicates that we have a Chapter 100 policy, and to ask for the application and policy. He stated they don't want it sitting out there for any potential competition to see our incentive policy.

Collector

Pat Lensmeyer, County Collector, was present on behalf of this item.

6. Strike 2003 and Prior Years' Taxes From Tax Roll

Ms. Lensmeyer stated this is virtually the same as it has been the past several years. It identifies the 2003 and prior years' taxes that have aged to the point that they are not collectable, in that we cannot actually file court action to collect them. She stated the process is to remove them from the active tax file and put them in the archive file. If we receive payment, we collect it. We add it back into the active file, and bring it for the Commission the next year if there is still a balance remaining.

Commissioner Miller moved on this day the County Commission of the County of Boone, pursuant to Chapter 139 RSMo, does hereby authorize the Boone County Collector, Patricia S. Lensmeyer, for the 2003 tax bill year, to strike from the delinquent tax rolls property tax balances on real estate and personal property as follows:

State	\$	576.65
County	\$	4,793.09
School Districts	\$	93,392.18
Cities	\$	6,076.07
Fire Districts	\$	4,905.58
Library Districts	\$	8,398.48
Surtax	\$	74.98
Common Road	\$	941.99
Centralia Common Road	\$	20.85
Total	\$	119,179.87

These 2003 real estate and personal property taxes are stricken for the following reasons:

- After due diligence, the collector cannot locate the owners and said personal property taxes are beyond the 3 year statutory limitation to file civil action against the owners of record should the owners be located; or
- Bankruptcy proceedings have intervened making the balances due uncollectible; or,
- The real estate property was not subject to taxation after being acquired by a tax exempt owner after January 1 of the taxable year.

The above total of \$119,179.87 breaks out as follows:

- Personal property \$ 108,339.37
- Bankruptcy \$ 987.61 – all personal property
- Tax exempt acquisitions \$ 9,852.89 – all real estate

The following tax amounts represent 2002 and prior tax bills that were previously stricken from the delinquent tax rolls in Boone County. The tax amounts were added back to the delinquent tax rolls, and collected and distributed to the taxing entities during the period of March 1, 2008 through February 28, 2009.

State	\$	4.09
County	\$	33.92
School Districts	\$	644.34
Cities	\$	55.63
Fire Districts	\$	3.56
Library Districts	\$	55.21
Common Road	\$	<u>6.82</u>
Total	\$	803.57

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 129-2009**

Planning and Building

Stan Shawver, Director of Planning and Building, was present on behalf of this item.

7. Adopt Findings for Conditional Use Permit for Spencer Bed & Breakfast

Mr. Shawver stated the Commission approved a conditional use permit for a bed and breakfast at their March 3 meeting. These are the findings of fact and conclusions of law for that conditional use permit that needs to be adopted by the Commission.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby adopt the Findings of Fact and Conclusions of Law relative to a conditional use permit for Barbara Spencer for a permit for a Bed and Breakfast facility on 19.2 acres, located at 1850 E. Hwy 124, Hallsville.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 130-2009**

Public Works

Chip Estabrooks, Public Works, and Maria Mendenhall were present on behalf of this item.

8. Discussion of Gate on Fred S. Sapp Rd.

Commissioner Miller stated she received a letter in June 2008 about this item. Mr. Estabrooks has brought this up to her a few times, and Ms. Mendenhall is here today to discuss this with the Commission.

Ms. Mendenhall stated since she took over control of this property from her brother, she has had numerous problems with this road. She stated she has had to do major cleanups of trash such as refrigerators and stoves. Anything that people don't want anymore, they come and dump it on this property. She stated in the past, the Fourth of July has been horrible. People set off the large fireworks out there and it could easily cause a fire. She stated she put a gate on the road and it has prevented a lot of the problems. She stated she doesn't even lock it; she just wraps a chain around the pole and people stay out. She stated the County is welcome to open it up and get on the road if they need to.

Commissioner Miller stated we have a procedure within our Public Works regulations to allow us to close a road. By closing it, we don't give up the right of way.

Commissioner Elkin stated he assumes we are not maintaining this road.

Mr. Estabrooks stated we have on occasion since he has been with the County. He stated it appears to be a private driveway. He stated he received a letter saying that a gate was going to be put up and provide the County with a key so we could open it up and maintain the road. He stated that doesn't really work because it doesn't make sense to have a public road that is locked to the public but still maintained by the County. He has no objection to closing the road, but he thinks it should go through the proper procedure so the County is not maintaining it.

Commissioner Miller stated we can get the County Attorney to draw up the documents to close the road and then put it back on the agenda for final approval. The Commission asked Ms. Mendenhall to get a letter from her neighbor agreeing to this solution. She stated this item will be held until we review that letter.

Mr. Estabrooks stated there are several roads in the County that we have done this for.

Facilities Maintenance

9. Design Services for JJC Parking Lot (first read on 3/17/09)

Commissioner Elkin moved on this day the County Commission of the County of Boone does

hereby approve the Agreement for Consultant Services with Trabue, Hansen & Hinshaw, Inc. for Design Services for JJC Parking Lot. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 131-2009**

Miscellaneous

10. Authorize Closed Meeting 610.021(1)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Wednesday, March 25, 2009, at 1:30 p.m. The meeting will be held in Room 243 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by 610.021 (1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 132-2009**

11. Authorize Closed Meeting 610.021(3)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Wednesday, March 25, 2009, at 2:30 p.m. The meeting will be held in the Commission Chambers of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by 610.021 (3) RSMo. to discuss the hiring, firing, disciplining or promoting of particular employee by a public governmental body when personal information about the employee is discussed or recorded.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 133-2009**

12. Authorize Use of Commission Chambers

a. Columbia Area National Organization for Women

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the use of the Commission Chambers on March 28, 2009, from 5:30 p.m. until 9:00 p.m. for the Columbia Area National Organization for Women.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 134-2009**

b. USS Phoenix

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize the use of the Commission Chambers on April 11, 2009, from 5:30 p.m. until 9:00 p.m. for USS Phoenix.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 135-2009**

c. Hearthfires

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the use of the Commission Chambers on the second Wednesday of each month of April, May, and June 2009, from 6:15 p.m. until 9:00 p.m. for Hearthfires.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 136-2009**

d. Mid-Missouri Pagan Pride

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize the use of the Commission Chambers on the third Tuesday of each month of April, May, and June 2009, from 6:15 p.m. until 9:00 p.m. for Mid-Missouri Pagan Pride.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 137-2009**

13. Commissioner Reports

There were no commissioner reports.

14. Public Comment

There was no public comment.

The meeting adjourned at 2:24 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Kenneth M. Pearson
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner