

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

November Session of the October Adjourned Term. 20 08


In the County Commission of said county, on the 14th day of November 20 08

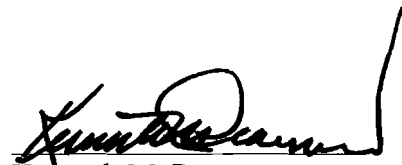
the following, among other proceedings, were had, viz:

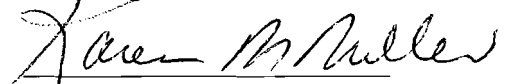
Now on this day the County Commission of the County of Boone does hereby accept and ratify the Voluntary Resignation Agreement and Release with David Mink, Director of Public Works.

Done this 14th day of November, 2008.

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

**EMPLOYEE VOLUNTARY SEPARATION AGREEMENT
AND RELEASE**

WHEREAS, Boone County, Missouri, by and through its County Commission, (hereinafter "County") is the administrative authority for the Director of Public Works; and

WHEREAS, David Mink is the Director of Public Works (hereinafter "Director") under an offer of employment dated September 22, 2000; and

WHEREAS, the employment contract provides that if the County determines that it wishes to replace the Director, the County will continue Director's employment in some other position at the Public Works Department, at the same salary and benefits, for the greater of four (4) months or until such time as the Director has obtained other employment elsewhere; and

WHEREAS, both the County and Director desire to enter into an agreement, supported by mutual consideration, to fully and finally resolve all issues between them associated with the Director's employment that is mutually beneficial and satisfactory to both parties.

NOW, THEREFORE, IT IS AGREED TO BY AND BETWEEN PARTIES AS FOLLOWS:

1. Director's employment with the County shall be terminated effective the 7th day of Nov, 2008.
2. In lieu of Director's continued employment rights under his employment contract, the County agrees to continue Director's salary and benefits, with all previously-authorized withholdings and deductions, for a period of four (4) months, or eight (8) pay periods, *without* Director being required to continue to work in another

position at the Public Works Department and *irrespective* of Director's reemployment status. In addition, Director shall be entitled to all earned vacation time.

3. In exchange for the valuable consideration set out above, receipt and sufficiency of which is hereby acknowledged by Director, Director does hereby fully release and forever discharge Boone County, Missouri, the Boone County Commission, the Boone County Public Works Department, and all agents, employees, heirs, executors, administrators, guardians, attorneys, representatives, insurers, successors and assigns thereof, in their official and individual capacities, and all other persons, firms and corporations, of and from any and every claim, demand and cause of action whatsoever which the Director now has, or may hereafter have, against them or any of them, including, but not restricted to, any claim, demand and cause of action for or on account of Director's employment with Boone County or any manner connected with or growing out of the Director's employment by Boone County which commenced on or about October 30, 2000, it being the intent of the Director to fully release, and forever discharge the above-named entities and individuals from any and all liability arising out of the aforementioned matters. The Director understands that Boone County, Missouri, shall have no obligation to rehire him at anytime and he expressly waives any right to re-employment.
4. Director agrees to return any and all keys, identification cards, credit cards and other equipment furnished to him by the County at the time of execution of this Agreement.

5. Neither party by these presents admits any liability for any cause of action and each party expressly denies any such liability.
6. This Agreement shall be interpreted under the laws of the State of Missouri.
7. No promise or agreement not herein expressed has been made, and this Agreement constitutes the entire agreement and supersedes all prior agreements and understandings, both written and oral, between the County and the Director with respect to the subject matter hereof.
8. Director states that he has read the foregoing Agreement and fully understands it and is entering into this Agreement knowingly and voluntarily.

IN WITNESS WHEREOF the parties have executed this agreement on the dates indicated below.

DIRECTOR

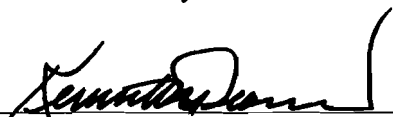


DAVID MINK

DATED: 11/6/08

BOONE COUNTY, MISSOURI

by: Boone County Commission



KENNETH M. PEARSON,
Presiding Commissioner

DATED: 11/7/08

ATTEST:

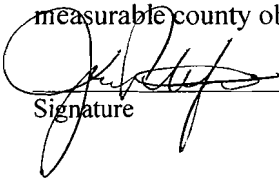


Wendy S. Noren, County Clerk

AUDITOR CERTIFICATION

In accordance with RSMo 50.660, I hereby certify that a sufficient unencumbered appropriation balance exists and is available to satisfy the obligation(s) arising from this contract. (Note:

Certification of this contract is not required if the terms of this contract do not create a measurable county obligation at this time.)

	11/18/08	2045 - 10000 2040 - 10000
Signature	Date	Appropriation Amount

TERM OF COMMISSION: November Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Room 243

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

The meeting was called to order at 3:08 p.m.

1. Acceptance and Ratification of Voluntary Resignation Agreement and Release

The Commission discussed the Employee Voluntary Resignation Agreement and Release for David Mink, Director of Public Works.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby accept and ratify the Voluntary Resignation Agreement and Release with David Mink, Director of Public Works.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

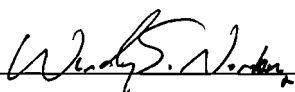
The following voted in favor of this motion: Commissioner Pearson, Commission Elkin, Commissioner Miller.

There were no votes in opposition.

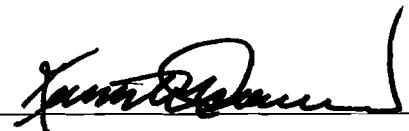
The motion passed 3-0 **Order 531-2008**

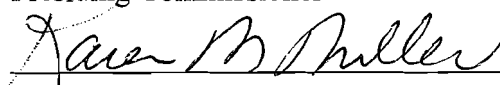
The meeting adjourned at 3:16 p.m.

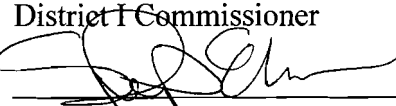
Attest:



Wendy S. Noren
Clerk of the County Commission



Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner