

TERM OF COMMISSION: October Session of the August 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 Melanie Stapleton

The regular meeting of the County Commission was called to order at 10:00a.m. by Commissioner Stamper.

**Subject: Appointments to Community Services Advisory Commission**

Commissioner Stamper moved to modify to the ending date of Kevin Collins' term of appointment on the Boone County Community Services Advisory Commission from January 31, 2000 to December 31, 1999.

Commissioner Stamper also included the appointment of Scott Cristal and Lisa Weaver Scribner to the Boone County Community Services Advisory Commission for a term beginning October 13, 1998 and ending December 31, 2000 in his motion.

Commissioner Vogt seconded the motion to approve all three orders.

There was no discussion.

The motion passed 3-0. **Orders 487-98 through 489-98**

Appointment to the Board of Adjustment

Commissioner Vogt stated that the Board met and interviewed people for this position.

Commissioner Vogt moved to authorize the appointment of Larry "Bo" Bosaller to the Boone County Board of Adjustment for a term beginning October 13, 1998 and ending June 30, 2002.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 490-98**

**Subject: REDI Contract and Award Bids-Beckie Jackson**

Beckie Jackson stated that the total cost for the grant administration was 8,000.

Commissioner Vogt moved to approve a contract with Regional Economic Development Incorporated for performing the Community Development Block Grant Administration for the Fairview Meadows ABC Labs Grant Project. It is further ordered that the Presiding Commissioner be authorized to sign said contract documents.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. Order 491-98

Beckie Jackson stated that the Purchasing department recommended awards to Bid Innovation, Gateway 2000 Major Accts. Inc., and Computerland as stated on the attached memorandum.

Beckie Jackson stated that there were exceptions taken to the bid documents presented by Gateway 2000. She stated that the department felt that they could purchase the equipment by accepting those exceptions.

Commissioner Stamper moved to award Bid Number 48-16SEP98 as follows:

<u>FOR</u>	<u>TO</u>
TOSHIBA 330 CCDT LAPTOP	BID INNOVATION
PORTABLE PRINTER-CANON BJC-80	GATEWAY 2000 MAJOR ACCTS. INC
INTEL PRO 100 NETWORK ADAPTER	COMPUTERLAND

Said bid is awarded per attached recommendation of the Purchasing Director. It is further ordered that the Presiding Commissioner be hereby authorized to sign contract documents for said purchase.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 492-98**

**Subject: Boone Retirement Center**

Commissioner Stamper submitted a letter received on behalf of Boone Retirement Center on October 7, 1998. He stated that the basis of the letter was that BRC was expressing its intent to reach a final, definitive agreement with Boone County (through the County Commission) for the transfer by sale of all the assets known as Boone Retirement Center, Inc. to the County of Boone.

Commissioner Stamper further noted that the letter stated that this was not a legally binding proposal, but rather an agreement by the parties involved to obtain an appraisal of the facility and to negotiate with one another in good faith on the acquisition of those assets.

Commissioner Stamper stated that the letter had been signed by Patti Brock, president of the Board of Directors and was being presented for County Commission ratification.

Commissioner Vogt wanted to know if the Commissioners were to agree to and sign the letter.

Commissioner Stamper stated that they were.

Commissioner Miller stated that she thought this was the most reasonable way to approach the value of the assets held by Boone Retirement Center in order for this corporation to go forward and serve the citizens of Boone County.

Commissioner Stamper addressed the third paragraph of the second page of the letter. He was concerned with a clause that stated that

“the existence of any other legally enforceable obligations with respect to the matters dealt with herein is conditioned upon the execution and delivery of mutually satisfactory defined agreements with respect to the matters described herein and the receipts of all necessary approvals including by not limited to approval of transfer of the certificate of need.”

Commissioner Stamper wanted to know how that clause fit in with the financial agreement.

Commissioner Miller stated that she did not know.

Commissioner Vogt wanted to know who had created the letter.

Commissioner Stamper stated that the letter was created by the attorney of the board.

Commissioner Vogt wanted to know if the County Commission was then agreeing to a portion of the cost of appraisal.

Commissioner Miller stated that the estimated cost of an appraisal would be around 4,000.

Commissioner Stamper stated that he would like to seek the advice of Legal Counsel, John Patton before the Commission ratified the letter.

Commissioner Miller stated that she had some other issues concerning Boone Retirement Center that she would like to discuss.

Commissioner Miller stated that there was no direct order identifying the contract of Mr. Sims as the administrator of BRC. She stated however, that the contract had been ratified and amended, but it had never gone on the public record as an amendment. She stated that the Auditor wanted actual Commission Orders that clarified these things.

Commissioner Miller moved that the Boone County Commission ratify the Agreement with Mr. Sims for the original contract in the amount of \$6,000 a month and also the Amendment to the Agreement for the last month of Mr. Sims' services in which he authorized the use of his license and gave support to Cindy Forbis while she was being acclimated to the job as Interim Administrator.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Stamper stated that this makes the action formal so that the County would be able to keep track of it.

The motion passed 3-0. **Order 492A-98**

**Subject        Closing of the Hartsburg Levee**

Commissioner Stamper welcomed Jan Betcher, Administrator of the Project.

Jan Betcher stated that there had been some delays in this project due to Department of Natural Resources permits. She stated that they were now in the process of contracting and completing the project.

Jan Betcher stated that she needed to have everyone present at the County Commission meeting sign a sheet (noting their presence for her records).

Jan Betcher gave an overview of the project. She stated that the Department of Economic Development in October of 1994 gave a Grant to the Boone County on behalf of the Hartsburg Levee District in the amount of 328,592. This grant was to be used to assist in making repairs and help the levee get back on its feet after the devastation of the flood. She stated that this grant paid for every repair that the Core of Engineers did not handle. She further stated that there was no work done outside of what the Core of Engineers would allow.

Jan Betcher stated that they realigned the areas that were washed out and increased the elevation to make the entire levee the same height. She stated that they paid for engineering design and land acquisition.

Jan Betcher stated that she was present to propose that the County give permission to Commissioner Stamper sign the close-out documents. She stated that there were numerous documents for the Presiding Commissioner to sign.

Jan Betcher stated that there was Grant Amendment Request Number 3 which justifies all the line items according to how the money was spent and approved by the State of Missouri. The second item was the close-out packet that outlined the amount of money spent per person and was distributed to the various groups within the County. She stated that this document provides a certification of completion that states that all the dollars assigned to the project were spent.

She further stated that there was a disclosure report that outlined all the funds (up to date) that were spent for professional services and construction. She stated that there were about 105,000 yards of dirt moved through this project. She further stated that the district was very pleased with the work that had been done and felt as though the town of Hartsburg had some protection now.

Commissioner Miller stated that she was sure the town and district were very thankful (the previous week) for the work that had been done.

Commissioner Stamper asked that all the documents be left with the Commissioners to sign.

Commissioner Stamper then asked if there was anyone present who wanted to comment on the closing out of the Hartsburg Levee District project.

Jan Betcher stated that this project was similar to a public facilities community development block grant project except that this project did not have the same criteria to meet as regular public facility grants did.

Jan Betcher stated that the main reason why they wanted to get the project closed out now was that there was some new proposed legislation in 1999. She stated that there was some talk to the effect that if there was already a grant older than 2 years, funding for a new project could not be applied for. She stated that they had wanted to make sure that this project did not impact the County's ability to assist other governmental entities.

Commissioner Miller moved to authorize the Presiding Commissioner to sign all the Close-out documents for the Hartsburg Levee District pending Legal Counsel Review.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 493-98**

Jan Betcher stated that the records for this project would be kept on file in the Auditor's office for a period of five years. She stated that once the State returned the Certification of Completion, the State would execute it upon acceptance.

**Subject: Change in the Amendment to the Boone County Roadway Regulations**

Commissioner Stamper stated that John Patton had made a reference to the wrong County Commission Order in his amendment that needed to be corrected in a new County Commission Order.

Commissioner Stamper moved to adopt the revision to Order 326-98, the Adopting of Boone County, Missouri Roadway Regulations Chapter II, Road, Bridge & Right Of Way Regulations as revised by John Patton and submitted for the Public Record.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 494-98**

**Subject: Boone Retirement Center**

Commissioner Stamper returned to the BRC issue concerning the letter of intent to find out what the Commissioners wanted to do with about it.

Commissioner Miller stated that if John Patton had reviewed the letter, then she was comfortable with accepting it.

Commissioner Stamper stated that the original draft of the letter had come with some items that were objectionable. However Commissioner Stamper and John Patton had discussed the items and John Patton had returned to the Board and made some revisions.

Commissioner Stamper stated that he did not expressly have an objection to the way the letter was worded.

Commissioner Vogt stated that she simply thought the letter stated that Boone County (Commission) would refrain from negotiating with a third party.

Commissioner Stamper stated that it would also be the intent that any results would be brought forward for the public record and public comment.

Commissioner Miller moved to approve and authorize the Presiding Commissioner to sign the Letter of Intent for Appraisal Services with Boone Retirement Center.

Commissioner Vogt seconded the motion.

Discussion: Commissioner Vogt asked if the Commissioners wanted to approve the appraisal or the intent to negotiate.

Commissioner Stamper stated that the motion was to approve the Letter of Intent.

The motion passed 3-0. **Order 495-98**

### **Commissioner Reports**

#### *Commissioner Stamper*

Commissioner Stamper stated that he attended the Pumpkin Festival over the weekend. He stated that the event was a success and was a great thing for the town of Hartsburg.

Commissioner Stamper also reported the Sturgeon Chamber of Commerce recognized their Citizens-of-the-Year. He stated that the Commission should send a congratulatory letter to the winners.

#### *Commissioner Miller*

Commissioner Miller stated that she had met on Friday with the Sheriff, Information Technology, and the Auditor concerning the mug shot imaging replacement that the Sheriff had requested be placed in the IS (Information Technology) budget. She stated that the equipment had been previously purchased with Special Forfeiture Funds in the middle of a year and did not go through the Commission process.

Commissioner Miller stated that the Auditor had asked the Sheriff is there was ever any discussion with the Commission.

Commissioner Miller stated that IS had stated that if the mug shot imaging was not upgraded, that the County would need to spend 5500 just to upgrade the DOS of the AS400.

Commissioner Miller stated that as a policy, she would like to ask the IS Advisory committee to work on preparing a policy on technology that is purchased with special funds and afterwards what happens with the ongoing maintenance and replacement.

Commissioner Miller asked the Commission if it would be alright to authorize the IS Advisory committee to work on some policy to bring forward for discussion.

Commissioner Stamper stated that he thought that this was a good idea.

*Commissioner Vogt*

Commissioner Vogt gave no report.

There was no Public Comment.

The meeting adjourned at 10:35a.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Don Stamper  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner