

TERM OF COMMISSION: December Session of the November 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 Presiding Commissioner called the meeting to order at 5:30pm.

Commissioner Stamper stated that the regular 1:30pm meeting was cancelled due to the fact that there were only two agenda items scheduled. He stated that rather than holding two separate meetings, the County Commission decided to combine the regular meeting and the public hearing.

Subject: Discussion of Associate Commissioners' and Assessors Salaries

Commissioner Vogt stated that the Salary Commission held a meeting on November 21, 1997 to conduct its regular business of adopting salaries for the County's elected officials. She stated that these meetings consist of all the elected officials and are called to order by the Circuit Clerk. She noted that the Salary Commission is only allowed to meet during the month of November in odd numbered years. She stated that all decisions made by the Salary Commission are legal and binding.

Commissioner Vogt stated that State Statute 50.333, subsection 13 reads as follows:

At the salary commission meeting in 1997 which establishes the salaries for those offices to be elected at the general election in 1998, the salary commission of each noncharter county may provide salary increases for associate county commissioners elected in 1996. This one-time increase is necessitated by the change from two- to four-year terms for associate commissioners pursuant to house bill 256, passed by the first regular session of the eighty-eighth general assembly in 1995.*

Commissioner Vogt stated however that a very conservative approach was agreed upon by the Salary Commission on November 21, 1997, in that they decided to wait until there were court cases that made a determination on the legality of the issue to increase the Associate Commissioners salaries.

Commissioner Vogt submitted for the public record the Salary Commission Minutes of November 21, 1997. She read the bottom paragraph of the 1st page of the minutes into the public record as follows:

The auditor, collector, clerk, associate county commissioners and recorder shall receive compensation equal of the 1988 salary of county clerk increased by the same percentage the starting salary of a range 9 position in Boone County has been increased between January 1, 1988 and December 31, 1988. Pursuant to the provisions of 50.343.2, this compensation shall be adjusted annually on January 1, 1999 and thereafter by the average percentage increase granted to benefited county employees not covered under a memorandum of understanding. The average percentage increase shall be computed by dividing the amount of budgeted salary increases for those positions by the salaries paid for those positions as of December 31st of the prior year. Vacant positions as of December 31st shall be computed as being paid at the abase of the salary range. The presiding commissioner shall received \$2,000 more than the associate county commissioners.

Commissioner Vogt also read the last paragraph into the public record of the second page of the minutes as follows:

Ted Boehm moved that any official whose salary changed by county or attorney general rulings would receive the benefit of the increase in salary that resulted from the favorable ruling. Connie Hendren seconded the motion. Motion passed unanimously.

Commissioner Vogt submitted for the public record the State statutes pertaining to the County finances, budget and retirement system. She read 50.333, subsection 13 Revised Statutes of Missouri 1999 into the public record (see previous page).

Commissioner Vogt submitted for the public record the Laclede Circuit Court ruling on Case No. CV399-635CC Findings of Fact and Conclusions of Law and Judgment. She also submitted for the public record. the Jasper Circuit Court ruling on Case No. CV198-1870CC (including the Court memorandum, Plaintiff's Suggestion in support of Motion for summary judgment and the Defendants Suggestions in support of Motion for Judgment on the pleadings).

Commissioner Miller stated that the National Association of Counties also sent out a survey to Counties to find out what was occurring on this issue. She stated that of the 111 Counties that received surveys, 94 responded. She stated that 73 of the 94 Counties had already instituted the increase, while 21 Counties had not. She stated that of the eight, 1st class counties had instituted the increase and four had not. Commissioner Miller submitted the survey information and question for the public record.

Commissioner Vogt asked if this issue should be tabled until the budget revisions were prepared by the Auditor.

Commissioner Stamper stated that a motion of intent could be made. He stated that the budget revision could come forward for approval at a later date. He stated that the County Clerk's opinion was that a motion could be made by the County Commission directing that the funds be taken from the Emergency Fund with a directive on payment. He stated that typically the budget revision is certified first. He noted however that salaries are not typically certified.

Commissioner Vogt stated that this issue is a little different, which is why the item was brought forward on the public record.

Commissioner Stamper asked if anyone had questions or comments.

A member of the media asked about the impact this decision. He asked if Commissioner Vogt and Commissioner Miller would receive pay increases prior to the beginning of the new term.

Commissioner Stamper stated that the proper perspective on this issue would be that the Associate Commissioners were underpaid. He stated that the increases could be paid now that there are court cases in place.

Commissioner Vogt stated that there was agreement in the Salary Commission meeting that the conservative position would be taken until there was a court ruling.

Commissioner Vogt moved to approve adjustments for the Associate Commissioners and Assessor pursuant to 50.333, subsection 13 of the Revised Statutes of Missouri and the action of the Salary Commission on Friday, November 21, 1997.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 506-2000**

Subject: Change Order for Asphalt Paving

Commissioner Stamper stated that this is a change order that was initiated in his previous role as Interim Public Works Director.

Commissioner Stamper moved to approve Change Order No. 1 of 25-09MAY00 Asphalt Paving with APAC-Missouri, Inc. Richardson Bass Division in the contract amount of \$8,735.79 and authorize the Presiding Commissioner to sign said change order.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 505-2000**

Commissioner Stamper invited John Darden forward for comments.

John Darden stated that he was present on behalf of Hallsville in reference to the amount of revenue sharing and grants to cities shown in the proposed 2001 Budget. He asked if those figures would be changing.

Commissioner Stamper stated that the intent of the County Commission was to adopt those figures unless an issue came forward before the adoption of the budget that would necessitate a change. He stated that he did not foresee anything coming forward that would change the amounts presented.

Subject: Public Hearing on the Proposed 2001 Boone County Budget

Commissioner Stamper invited County Auditor June Pitchford forward for the discussion.

Commissioner Stamper stated for the public record that the Auditor delivered the proposed budget to the County Commission on November 15th. He stated that the budget has gone through a series of discussion and evolutions. He stated that the County Commission addressed a number of unresolved issues earlier in the week.

Commissioner Stamper stated that the County was looking for a way to do some additional staffing at the Sheriff's Department in the enforcement area. He stated that the County Commission asked the Sheriff about converting one of the new vacant corrections positions to an enforcement position. He stated that the Sheriff verbally agreed that this strategy could work. He stated however that the Sheriff wanted it understood that the corrections position may have to be replaced at some point in the future. He stated that this arrangement would be somewhat of a shifting of priorities.

Commissioner Stamper stated that the issue of whether to bring the County Counselor under County employment was raised late in the budget discussion. He stated that the County Commission has agreed to acknowledge the request of John Patton and agree to a tentative outline of how to approach the issue. He stated that Legal Services would continue as it has in the past, with the County contracting for those services with John Patton in the amount of \$92,000.

Commissioner Stamper stated that the County Commission has agreed not to establish additional staffing in the Human Resources or Information Technology Department. He stated that the County Commission would follow the proposed 2001 Budget on these issues.

Commissioner Miller stated that she was supposed to follow-up with the County Clerk on a couple of issues. She stated that she would like to take the opportunity to talk with the County Clerk during the next quarter about the employees who handle benefits moving to the Human Resources office. She stated that the transition should be orderly. She stated that it would be best to take some time to work through all of the issues.

Commissioner Miller stated that she felt pretty comfortable removing the pool and the part-time positions from the County Clerk's budget, and instead giving the County Clerk the full-time position that was not included in the proposed 2001 Budget. She stated that when she spoke with Wendy S. Noren a couple of weeks ago, she was not opposed to this option. She stated that she expressed to Wendy S. Noren at that time that if there were a big issue that required additional staff, she could come to the County Commission to request additional staff through the Emergency Fund.

Commissioner Vogt asked Commissioner Miller if she would work with the County Clerk and share the County Commission's discussions about moving the benefits position to Human Resources.

Commissioner Miller stated that she would.

June Pitchford agreed with Commissioner Miller's comments that it would be good for the County to examine all of the attending issues and plan for an orderly transition.

June Pitchford stated that the budgetary impact of the changes made to the proposed 2001 Budget would be of minimal impact. She stated that the Court en banc made voluntary reductions to their budget in the amount of \$74,000. She noted that there were increases in the following budgets: Postage, Insurance Premiums, Gasoline Services. She stated those increased amounts equaled total appropriations of \$134,000. She stated that there would be another minor change resulting from the full-time employee in the County Clerk's.

June Pitchford stated that these changes would result in the unreserved, undesignated fund balance decreasing from about 17% to 16%. She noted that it would be important that the Fund balance not be further depleted.

Commissioner Miller stated that although the Information Technology salary adjustments were not made in the 2001 budget, budget revisions could come forward after the first of the year to accommodate the hiring of individuals into those vacant positions.

Commissioner Stamper convened a public hearing on the 2001 Proposed Boone County Budget.

No one present wished to comment.

Commissioner Stamper closed the public hearing.

Commissioner Stamper stated for the public record that there has been a lot of public comment on this budget. He stated that the process of review has been focused and deliberate. He stated that the Auditor has presented a well thought out document. He noted that this has been one of the more frustrating budget years in his 10 years. He stated that the General Fund and the Discretionary Fund, which could have been used for additional staffing and other issues were taken up in large quantities by challenges in law enforcement and corrections. He stated that this cycle is not sustainable. He stated that the County has continued discussions on a plan to solve the corrections, court, and law enforcement issues. He stated that it is the expectation of the County Commission to come forward, out of necessity, with a request for additional dollars.

Commissioner Stamper stated that this year there were departments that had creative ideas, which could not be accomplished due to the lack of funds. He stated that this was the source of his frustration. He noted however that he did not want to cast a light of gloom and doom on the budget. He stated that the 2001 budget is a good budget that has growth and responsiveness to the priorities of the County. He stated that the budget also has a demonstrated capacity for adaptation and other adjustments that are outside of the County's control.

Commissioner Vogt thanked County Auditor June Pitchford for interacting with all of the County departments to create a budget that works well for the people of Boone County. She noted that the budget is a huge effort. She stated that it has been a pleasure working with June Pitchford. She stated that she did not think that people really understood how good June Pitchford is in her job as County Auditor. She stated that she hoped that more people would become knowledgeable about how well June Pitchford does her job for the people of Boone County.

Commissioner Miller stated that the majority of the requests that were not approved were for additional FTEs. She noted that the County is very cautious about adding FTEs that it is not able to sustain. She stated that all County offices should work together and be cautious about the address of Information Technology issues in their departments. She stated that if the entire county worked together, they could find ways of aiding those offices that are seeking additional FTEs in being more streamlined and able to handle the workload they are presented.

Commissioner Stamper moved to approve the proposed 2001 Boone County Budget and requested that the Auditor prepare final documentation on any changes and adjustments which were made, in time for the departments and public to know that the budget has been approved today and would be effective January 1, 2001.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 507-2000**

There were no Commissioner Reports given.

There was no public comment.

The meeting adjourned at 6:15pm.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner