

TERM OF COMMISSION: February Session of the January Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill  
District I Commissioner Karen Miller  
District II Commissioner Janet Thompson  
Buyer Jacob Garrett  
Deputy County Clerk Mike Yaquinto

The meeting was called to order at 9:31 a.m.

### **Purchasing**

#### **1. First reading; Sole Source Approval 128-083016SS, Dell power Edge R630**

Jacob Garrett read the following memo:

Attached for signature and approval is a *Sole Source Request Form* from Information Technology for the purchase of Dell Power Edge R630 rack-mountable server and onsite professional services/installation from L3 Communications Mobile-Vision, Inc. of Rockaway, New Jersey.

The Sheriff Department purchased the L3 Flashback in-car digital video camera systems for patrol cars in 2007 and 2008. The Flashback DVR system is designed and manufactured exclusively by L-3 Communications and is not available from another source. The Digital Evidence Series of digital evidence management solutions is a series of software and workstation/server products designed specifically, and only, by L-3 Communications to support the Flashback digital in-car video system.

The software and portions of the hardware are proprietary to L-3 Communications, as such the support would be voided if other software or components were used. Attached is their sole source letter.

Total cost for this equipment/installation is \$13,835 and will be paid from department 2901 – Sheriff Operations – LE Sales Tax, account 91301 – Computer Hardware.

The intent to purchase as sole source was advertised in the *Missourian* and *Tribune* on February 5, 2016.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**2. First reading; Sole Source Approval 127-123116SS – Tasers and Equipment**

Jacob Garrett read the following memo:

Attached for signature and approval is a contract and *Sole Source Request Form* from the Sheriff Department for the purchase of tasers and equipment from Taser International, Inc. of Scottsdale, Arizona.

We received a proprietary letter from Taser International, the manufacturer that states they are now selling direct and not using any distributors. The Sheriff Department has standardized with Taser equipment and have been using Taser models for over 10 years. They have all of the accompanying equipment required for everyday and future use including an inventory of air cartridges, download software, download hardware, spare batteries, holsters and four instructors specifically trained in the Taser models.

This is a Term and Supply contract and invoices will be paid from 2901-92300 (\$9,000 budgeted), 2901-23201 (\$8,500 budgeted), and 1255-92300 (\$3,600 budgeted). The initial purchase is from 2901-23201 for \$5,378.56.

The intent to purchase as sole source was advertised in the *Missourian* and *Tribune* on January 26, 2016.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**3. First reading; Cooperative Contract 452/14 – Highway Safety and Traffic Control Products – purchase two (2) Mini Matrix Message Boards and dispose, by auction, two (2) Variable Message Boards**

Jacob Garrett read the following memo:

Public Works requests permission to utilize the Texas Association of School Boards, Inc., BuyBoard Department cooperative contract *452/14 – Highway Safety and Traffic Control Products* with Wanco, Inc. of Arvada, Colorado to purchase two (2) Mini Matrix Message Boards.

The contract amount for this purchase is \$33,277.48. The invoice will be paid from Department 2040 – PW-Maintenance Operations and Account 92300 – Replacement Machines and Equipment. The amount budgeted for this purchase is \$34,000.00.

The Purchasing Department requests permission to dispose of the following surplus by auction:

2007 Addco Variable Message Board, fixed asset tag number 16408

2007 Addco Variable Message Board, fixed asset tag number 16409

Attached is the Disposal Form for signature.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**4. First reading; Bid Award 26-15JUN15 – Purchase of Service and Pilot Program Contracts – Community Health Fund**

Jacob Garrett read the following memo:

*Request for Proposal 26-15JUN15 – Purchase of Services and Pilot Program Contracts – Community Health Fund* closed on June 15, 2015. 11 proposal responses were received.

The following is a partial recommendation of contract award. This is the last contract award from this bid. Previous contracts were awarded on commission order 536-2015 and 628-2015.

The Salvation Army

The Salvation Army Harbor House

Contract from date of award through December 31, 2016 with two, optional one-year renewals  
\$50,000.00

Invoices will be paid from department 2130 – Community Health/MED (Hospital Lease), account 71106 – Contracted Services. One million was budgeted in 2016.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

**5. Second reading; Cooperative Contract 042815-CEC, purchase one (1) Dynapac Roller and dispose, by auction, one (1) 1995 Roller (1<sup>st</sup> read 2-9-16)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the utilization of the National Joint Powers Alliance Cooperative Contract 042815-CEC to purchase one (1) Dynapac CC1000 Plus Double Drum Vibratory Roller – 39” from Gateway Bobcat of Missouri, Inc. d/b/a Bobcat of St. Louis of Valley Park, MO and to dispose, by auction, a 1995 Wacker RSS 800A Walk behind Roller, fixed asset #9610.

The terms of the Cooperative Contract are stipulated in the attached Purchase Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Purchase Agreement and Request for Disposal form.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #73-2016**

13<sup>th</sup> Judicial Circuit Court

6. Public Hearing and second reading; Budget Amendment Violence Against Women Grant (1<sup>st</sup> reading 2-2-16)

Commissioner Atwill opened the public hearing and asked if there is anyone present that would like to speak to this item. There were no speakers and Commissioner Atwill closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby acknowledge the following budget amendment from the 13<sup>th</sup> Judicial Circuit Court to establish a budget for the STOP VAWA Grant for revenue and expenses that include the Domestic Assault Court Coordinator Salary and Benefits and Contractual Services to the Family Counseling Center for the MEND Program for the period of 1/1/16 to 12/31/16.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1243	3411	Judicial Grants	Federal Grant Reimburse		105,612
1243	10100	Judicial Grants	Salary		30,551
1243	10200	Judicial Grants	FICA		2,337
1243	10300	Judicial Grants	Health Insurance		5,544
1243	10350	Judicial Grants	Life Insurance		48
1243	10375	Judicial Grants	Dental Insurance		398
1243	10325	Judicial Grants	Disability Insurance		116
1243	10400	Judicial Grants	Workers Comp		1,010
1243	10500	Judicial Grants	401A Match		180
1243	71100	Judicial Grants	Outside Services		65,428

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #74-2016**

**County Counsel**

**7. Second reading; Approve Riverside Farms Lease Transfer and Consent (1<sup>st</sup> read 2-9-16)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Lease Transfer and Consent Agreement between Boone County and Riverside Farms, Inc.

The terms of the Agreement are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Lease Transfer and Consent Agreement.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #75-2016**

**Commission**

**8. 1<sup>st</sup> & 2<sup>nd</sup> reading; Approve December 2015 OEM Expenses**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached invoice for the December 2015 Office of Emergency Management expenses in the amount of \$22,313.58.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #76-2016**

**9. 1<sup>st</sup> & 2<sup>nd</sup> reading; Organizational Use of the Government Center Chambers by Mid-Missouri Peaceworks for April 13, 2016**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Chambers by Mid-Missouri Peaceworks for April 13, 2016 from 6:00 p.m. to 9:00 p.m.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #77-2016**

**10. 1<sup>st</sup> & 2<sup>nd</sup> reading; Organizational Use of the Government Center Conference Room 301 by Toastmasters – Downtown Club for March 3, 2016**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Conference Room 301 by Toastmasters – Downtown Club for March 3, 2016 from 11:45 a.m. to 1:15 p.m.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #78-2016**

**11. Public Comment**

None

## **12. Commissioner Reports**

Commissioner Atwill said because of the recent activity and interest in the Central Missouri Events Center and the committee that he organized to provide assistance with that, it is important to advise the Commission and the public at large that the committee actually was used in meetings, that were not noticed, for brainstorming sessions. No votes were taken, no decisions were made and no recommendations came out of the committee which would be submitted to the Commission.

Notice was not requested because this is not a Commission directed group. This decision was made by myself and no one else made that decision. Future meetings, however, will be preceded by published notice. Our next meeting may be as early as this Friday at which time an explanation of the earlier meetings will be made. That is a tentative idea for Friday which is dependent upon the availability of members and the availability of space.

Now, at this time, I would like to address the real problem.

The County owns 129 acres of land that was purchased approximately 20 years ago. It was operated for most of that period under a contract with the Boone County Agriculture & Mechanical Society that essentially paid no rent and had little responsibility for property maintenance and no responsibility for improvement. An attempt was made to continue that form of use through an agreement with a local businessman who kept it open for another 3 years. His efforts, while extraordinary, were not sufficient to allow for maintenance and improvements. He proved once again that the model in use was not sustainable without County taxpayer support.

To be fully operational and safe several things are in need of maintenance, including but not limited to:

- The roof leaks and some say it needs total replacement
- The Outdoor electrical RV service is faulty, it may be hazardous and needs replacement or removal
- The bathrooms are in need of remodeling and appropriate updating
- The Heating and Air Conditioning Systems are beyond rated life capacity and while still functioning, are way beyond their life expectancy and are capable of failing at any time.
- The parking lot needs expansion and maintenance

One million dollars would be a good start on just these needs

My best estimate is that \$500,000 annually would allow operation as in the past. That would not be adequate to grow and improve the property with any type of new recreational fields or other recreational amenities.

Numerous groups have an interest in using the property for their individual and specific purposes. This includes sports, recreation, entertainment and in some cases privately owned businesses. To accommodate that would require a significant taxpayer investment and continuing taxpayer subsidy. This type of taxpayer subsidy is allowed in some jurisdictions, usually the result of a special dedicated tax. Kansas has a unique law that allows them to enter into agreements with hotels and require them to pay a fee to the Sports Authority when players use their facilities. We don't have access to that type of legal mechanism. The 80 million dollar Independence Event Center is supported by a 3/4 cent sales tax on most of the businesses located at one of the busiest I 70 intersections in the nation.

The city of Columbia has a parks tax that provides funding for the outstanding parks and recreational facilities they operate and maintain. Looking to other communities for guidance, every park and recreational venue I have examined has a dedicated stream of revenue. Boone County does not. We proposed the minimum allowable sales tax to the voters to support the CMEC property and it was defeated by a margin of 2 to 1. It cannot be ignored that the voters of this County declined to support this mechanism of event center operational funding. Current voter attitude toward additional taxation for this purpose does not appear promising.

What are the options?

**Option 1: Use County General Revenue:**

Most of the revenue generated by the county is dedicated to a specific purpose.

There is a special law enforcement tax, there is a county road tax, there is a Children's Services tax and there is a 911 emergency services tax. There are others, and none of the dedicated taxes can be used for the event center.

In order to use County General Revenue a cut back on something else would be necessary. Candidates for such cutbacks would be those who receive operating funds from general revenue which are now used by the Sheriff, Prosecuting Attorney, County Auditor, the Clerk, the Treasurer, the Collector, the Recorder and other essential county offices and departments. Other candidates would possibly include a cut back on road maintenance or law enforcement. Remember, it must come from somewhere and instead of supporting these core, governmental functions the funds would be going to support recreation, sports and private business. Using funds in that fashion would certainly be subject to criticism.

I would also like to point out that County government has several mandated core responsibilities. A few of those responsibilities include providing elections; providing

law enforcement; operating a jail; providing a court system; maintaining roads; providing a system of documentation of land ownership; assessing property for taxation; collecting and dispersing taxes for all schools in the county and all cities; regulating on-site sewer systems; managing stormwater; preventing public nuisances; and regulating land use in the unincorporated areas of the county.

Missing from the core responsibilities of a county is the maintenance of parks, recreational facilities and events centers. Those things are available only if the voters choose to provide them through some form of funding. It bears repeating that we know from 20 years of experience that the old business model for this property simply does not work. To be viable as an events center of any sort it needs some additional public revenue stream. It also bears repeating that our county's existing governmental services, many of which are mandated by law, are currently "right-sized" based upon workload and available revenues. The taxpayers expect and deserve nothing less.

In many ways, this is no different than sitting at your dinner table planning a great vacation or the purchase of a new vehicle only to face the cold reality that you simply can't afford it.

**Option 2:** Find a private operator who is willing to make some investment, provide maintenance and allow some public use.

Without a long term opportunity it will be hard to find any individual or organization willing to invest money in such a venture.

While local citizens have provided interesting suggestions about sponsorships from large corporate advertisers, none have offered to participate.

**Option 3:** Create a partnership with the City of Columbia

While this has been discussed for years, no money has been appropriated by the City for this purpose. In addition, the city has clearly stated it has no expertise in operating an

event center and has no interest in doing so.

**Option 4:** Create a partnership with the University of Missouri

While a detailed plan for such an arrangement has been prepared which could involve the College of Agriculture, the Veterinary School, the Food & Nutrition School, the Extension Service and others, no interest has been generated on their part. I personally explored this and learned that the University has numerous properties across the state and little interest in acquiring more responsibilities. This was before the current situation at the University that has not improved the possibility of their participation.

**Option 5:** Some have suggested that the County employ additional staff and operate the grounds and facilities as a service to the community.

That involves an expansion of Government that most don't want. The funding would have to be diverted from a core government responsibility.

It also involves the County being in business and competing with local private businesses which many find unacceptable. Like the City, the County has no experience in operating such a facility. It could and probably would be or become the black hole of county funding.

**Option 6:** Some have suggested that the property be sold.

This involves the weighing of the advantages of having a large tract of property available for future use against the short term benefit of some cash and being rid of an ongoing problem. As county commissioners we are expected to plan for the future and just as Boone Hospital recently found a use for property purchased many years ago, the time will eventually come for a good county use of this property. Based upon unofficial estimates the property, as is, probably has a sale value of less than 3 million dollars.

Regarding the issue of planning, some question the lack of a detailed plan. In fact there have been several plans and recommendations made by various groups and advisors over the years. While the desire for yet another plan is understandable, it is difficult to appreciate the complexity of creating a plan. No plan can be created or effectuated without a source of funds. Any planning effort inevitably becomes bound in the circular problem of no plan without money and no money without a plan. The county has a drawer full of plans that have been generated over the years but not implemented because of the lack of funds. That is the reason a 1/8 cent tax was proposed which would have, if passed, provided money for development of a plan, with public input, that could have been implemented.

When we proposed the 911 emergency communications center we had a plan. When the schools propose a tax they have a plan. The construction of those projects is narrow in scope. When a 911 center was proposed the funding had to go to a new 911 project. The end product was easily defined. Schools are the same. The end result is known at the start. This property could be any of a vast number of things; a water park; lacrosse fields; soccer fields; baseball fields; an equine center; an extension center; an exhibition hall and on and on. But a plan without money is only a repeat of past efforts that have failed. The core problem that needs to be solved is the funding problem. Every plan on possible uses without identifying new funding is just wishful thinking.

The CMEC review committee has these things to ponder. They are not easy issues and new ideas need to be discussed, no matter how unusual. It is easy to lose sight of the primary objective of funding while promoting a specific use. While the individual interests of those with specific recreational, entertainment and business needs are worthy of consideration, nothing is possible or sustainable without proper funding. It is unfortunate but that must be the main goal of this committee. Until money is found, not much can happen.

I appreciate the commitment of the members of the committee and I hope they will continue to pursue a solution to a very difficult 20 year old problem.

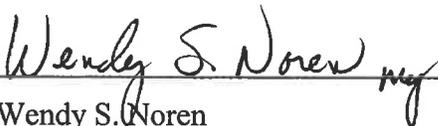
Commissioner Miller said this captures all the options that have been discussed over the many years.

Commissioner Thompson said that the model, as mentioned, is that across the country, for this type of thing to happen there has to be a dedicated revenue stream. We tried with the sales tax and it was rejected.

There were no further comments.

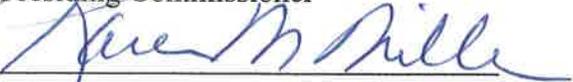
The meeting adjourned at 9:53 a.m.

Attest:

  
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Wendy S. Noren  
Clerk of the County Commission

  
\_\_\_\_\_

Daniel K. Atwill  
Presiding Commissioner

  
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Karen M. Miller  
District I Commissioner

  
\_\_\_\_\_

Janet M. Thompson  
District II Commissioner