

TERM OF COMMISSION: December Session of the November Adjourned Term

PLACE OF MEETING: Hearing Room One, Boone County Courthouse

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Auditor June Pitchford
Assistant Prosecuting Attorney John Patton

The budget work session was called to order at 1:35 p.m.

SUBJECT: Budget Work Session

Ms. Pitchford stated at the request of the Commission, she invited Director of Planning and Building Inspection Stan Shawver to discuss the fee structure used by his Department; the impact the solid waste recycling program has on his Department; and allocation of office space if additional employees are approved. Planner Gene Poveromo, spends one fourth of his time as Solid Waste Coordinator and three fourths of his time as a planner.

Director Shawver stated if the additional planner requested is approved, Mr. Poveromo will be able to spend one fourth of his time on solid waste. If not, it is unlikely the Department could function without all of Mr. Poveromo's time. Pending issues, such as the comprehensive plan and impact fees, will require even more planning time. Mr. Poveromo has been instrumental in implementing the solid waste recycling program and he enjoys the work. The program may need a full time coordinator, who could be employed at a lower salary range than a planner.

In response to a question from Commissioner Vogt, Director Shawver replied the additional planner is needed regardless of whether Mr. Poveromo is involved in the solid waste program.

Commissioner Miller stated by the end of 1995, the Department will need at least one additional planner to implement the long range plan--especially if impact fees are implemented.

Commissioner Vogt agreed. The Solid Waste Coordinator does not necessarily need to be in the Department of Planning and Building Inspection. The County has an obligation to have a solid waste program. The work will become more intense. She would like to have Mr. Poveromo serve as Solid Waste Coordinator for 1995.

In response to a question from Commissioner Stamper, Commissioner Vogt replied the plan adopted by the Solid Waste District requires each county to have a Coordinator. The Commission appointed Mr. Poveromo to the position. It does make sense to hire someone to--as Director Shawver suggested--coordinate solid waste activities and write grant applications for the County.

The Commission agreed to approve the additional planner.

In response to a question from Ms. Pitchford, Commissioner Stamper the fee structure needs to be discussed, but the discussion may be premature in light of the potential for imposition of impact fees.

Ms. Pitchford stated she understood that impact fees, if implemented, would be distributed to entities who are impacted, such as water and fire districts, and would not be used to recover the cost of operating the Department of Planning and Building Inspection.

Director Shawver stated he believes part of the fees would be used for administrative costs. Also, as Commissioner Stamper alluded to earlier, County building construction fees are far below those charged by the City of Columbia.

In response to a question from Commissioner Vogt, Director Shawver replied other cities, except the City of Sturgeon, contract with the County for building inspections. Permits have been issued for 383 single family dwellings and 61 double wide modular homes. The total of all residential

types is 466 units. The average fee is \$148. The current charge is five cents per square foot. He suggests the rate be increased to seven or eight cents per square foot. He suggests the remodeling fee structure be lowered. The current charge is \$10 for the first \$5,000 and \$2 for every additional \$1,000 of value. That is a little high. He recommends the charge on large pole structures be reduced, possibly to three cents per square foot. The charge to inspect gas and electric connections for units in mobile home parks is \$5 each. Time spent on the inspections warrants their increase to \$10 each. Director Shawver stated true agricultural structures do not require a permit. Electrical inspections are performed on the structures because electric companies will not provide meters without them. Only 34 such inspections have been done this year. Director Shawver stated he would like to prepare a proposed fee schedule for the Commission's review after he has an opportunity to review the City of Columbia's new fee structure.

In response to a comment from Commissioner Stamper that new fees could be enacted a few months into the new year, Ms. Pitchford stated she is comfortable including the additional revenue in the budget for 1995.

Director Shawver agreed to provide a projected revenue amount.

Commissioner Stamper stated office space in the new administrative building does not include room for growth. Options for expansion of the Department of Planning and Building Inspection are to convert half the conference space to be shared by the Auditor and the Department; request Director Shawver and the architect "crunch" another person into existing space; or develop the shell space down the hall.

In response to a question from Commissioner Miller, Commissioner Stamper replied there is a mechanical shoot between the Department and the shell space.

Director Shawver stated his supplemental request includes three additional employees: a building inspector, a planner and a clerk. The office configuration is configured for current staff. The architect recommended workspace be added to three walls of the conference room in order to place a building inspector at each end, with room for the third person, such as a planning technician, in between. He had not considered the shell space.

Commissioner Stamper stated it seems there are few times when all Planning and Building Inspection employees are in the office at once. Could they share workspace?

Director Shawver stated they looked at the option of having a planner share space with the Chief Building Inspector, who is gone most of the time. It can be done, but it would create an environment that is similar to the current environment.

Commissioner Stamper stated he believes the Assessor has the only office where growth was planned and he has already filled it.

In response to a question from Commissioner Vogt, Director Shawver stated neither he or the Auditor use a conference room continuously. The Auditor needs it primarily when the outside auditors are here.

Ms. Pitchford stated she has frequent need for a conference room, but on a sporadic basis.

Director Shawver stated his Department would use the conference room twice a month when they review concept drawings with developers. There are also occasions when they need to sit down with someone and spread something out. His office and those of the Planner and Chief Building Inspector are conducive to those situations.

Commissioner Stamper stated another option is to locate a portion of the Planning and Building Inspection Department at the Johnson Building.

Commissioner Vogt asked is the Commission considering placing purchasing in the shell space?

Commissioner Stamper stated purchasing could be placed there. He prefers conference rooms be left intact. They will be used. The shell space can accommodate two to three offices. Two offices with clerical space or three offices.

In response to a question from Commissioner Vogt, Director Shawver replied it would be easier to have employees down the hall than at the Johnson Building.

Commissioner Stamper suggested it would not be very expensive to convert the shell space for use if they only add a ceiling, paint the walls and lay carpeting--without building interior walls.

Director Shawver stated that would be adequate for building inspectors.

Commissioner Miller expressed surprise that growth was not planned for.

Director Shawver stated there was a strict directive not to plan growth in office design.

The Commission agreed to use the shell space for the Department. The space can be used incrementally as inspectors are hired. The Commission also agreed to fund the additional clerical position, upgrade the part-time building inspector to full time, and add a building inspector. The Commission approved all associated supplemental requests.

In response to a question from Commissioner Stamper, Director Shawver stated the figure included for furnishings is an estimate. A fourth vehicle with a radio and cellular phone will be needed for the additional building inspector.

In response to a question from Commissioner Vogt, Ms. Pitchford replied it might be easiest to address the issue of furnishings by including an amount necessary to equip the building for existing employees in the furnishings budget. Furnishings for additional staff can be budgeted in the annual operating budget.

The Commission agreed with that approach.

Mr. Patton briefed the Commission on the Circuit Court budget. Mr. Patton stated the Courts receive anything allowed by statute and anything the Commission approves. Once something is given, it cannot be taken away, with the exception of grant funded positions. There is a State Supreme Court decision which says a position funded by a federal grant for a program which is a dubious need, does not have to be funded indefinitely once grant funds are exhausted. The County must fund requests which are reasonably necessary. If factual need is shown rather than declared need, and the Judicial Finance Commission agrees, the County must fund it. Mr. Patton stated he and Ms. Pitchford spent at least two hours discussing the Circuit Court budget. The conclusion he draws is the core budget is within established parameters. The supplemental budget was reviewed item by item. His assessment is the Circuit Court is most vulnerable on some of the requested positions. Equipment requested does not seem out of line. The Judicial Finance Commission sent him a thick stack of cases decided over the past ten to fifteen years. Most cases dealt with juvenile, and most dealt with salary increases authorized for other County employees or creation of new positions. Normally, the new position was received if they could justify need and it did not place the county financially in the hole to have the position. The Circuit Court is requesting an attorney, a security aide, a full time receptionist for the information desk, and a three quarter time food service worker at the Juvenile Justice Center. The Court's budget requests seventeen percent of the \$450,000 set aside for increases to the core budget.

Ms. Pitchford stated that does not include the cost for requested equipment.

Mr. Patton stated he believes the Circuit Court would be receptive to lowering the amount requested for the attorney to that of an entry level position. The County Commission does not have authority to dictate what items are funded and what is not. If the County Commission disagrees with the budget, it can appeal to the Judicial Finance Commission. The Circuit Court will have to present justification that the disputed item is reasonably necessary for the function of the Court. If they do, they will probably receive the request. As a prerequisite for filing a petition for review, the Commission must set out in the petition efforts made to resolve the dispute. Mr.

Patton stated he would like to present a proposal for resolving the matter to Director of Court Services Bob Perry and request a response. If they do not respond, a petition for review can be filed next week. The petition is supposed to be filed thirty days before the budget is to take effect. There is probably more substantiation for the need for the attorney position than any other. The most vulnerable request is the receptionist. An option would be to authorize a full time, rather than three quarter time, security aide and not the receptionist. The receptionist is only needed one to two hours per day and probably not five days per week. There is some increase in the need for bailiff service because of the addition of Division 8.

Commissioner Stamper stated the Commission was told Division 8 would represent a redistribution of existing cases and would not create additional expense.

Mr. Patton stated when a judge is added, cases are processed faster, creating a need for lawyers to represent both sides, clerical support to process the cases and increased need for bailiff service. They are probably only short staffed when all courtrooms are running. The Court's intent is to accelerate the pace at which cases are processed. The juvenile court apparently has a backlog. The one attorney is not able to process the cases alone. A Deputy Juvenile Officer is assisting.

Commissioner Stamper stated he is not interested in underwriting Callaway County's operation by providing a part-time security aide.

Mr. Patton stated the Commission does not have an obligation to.

Commissioner Miller stated what bothered her most when she reviewed the Court's budget was that they are the only Department allowed to use their revenues to offset expenditures in arriving at the three percent increase.

Ms. Pitchford stated the percentage given to departments is a guideline for growth in classes two through eight--not on the net. Director Perry is not using a percentage benchmark which is defined as she defined it in the budget guidelines. Their core budget does not deviate from the guidelines. Director Perry tries to demonstrate that his net budget does not cost the County more than three percent over the previous year's cost. The growth in revenues is needed to help pay for growth occurring in other areas of the County government. They are general revenues.

Commissioner Miller stated she believes that issue needs to be heard by the Judicial Finance Commission.

Mr. Patton stated in the future, the Commission needs to require all offices and departments justify the need for new positions with statistics and facts.

Commissioner Stamper requested the Commission review the Circuit Court requests again. Commissioner Stamper suggested the Commission assume the position of declining the request to expand court security. If the Court feels they have to, he is willing to hold a public debate on a more efficient way to deliver the service--by structuring it under the Sheriff's Department where court security staff can be used for other tasks during down periods. If increased court security is needed in Callaway County, it should be funded by Callaway County.

Commissioner Miller and Commissioner Vogt agreed.

Ms. Pitchford stated if a bailiff is needed to work exclusively in Division 8, the Court can use the special revenue fund--fees collected to pay for family court.

In response to a question from Mr. Patton, Ms. Pitchford replied the fund contains seed money the County placed into it. Thirty dollar filing fees are added to the fund.

Commissioner Vogt and Commissioner Miller agreed the information desk should be removed if the receptionist is not approved.

Following discussion of the requested receptionist, Ms. Pitchford stated the Court did not request the receptionist. The Circuit Clerk made reference to staffing the information booth, but she does not believe the intention was to have a person there full time.

Ms. Pitchford stated at his budget hearing, Director Perry stated the contract for sex offender therapy at \$3,000 is a one time expense.

Following extensive review of the requests, the Commission agreed to provide requested equipment; the attorney at an entry level salary if the Courts will forfeit the .75 FTE food service worker and 208 part-time program aide hours at the Juvenile Justice Center; and a full time position for the Circuit Clerk. The Commission did not recognize the need for a full time receptionist. The Court can fund a twenty five hour a week security officer for Division 8 with their special fund. Callaway County can fund their own fifteen hour security officer.

Mr. Patton left the meeting.

Commissioner Stamper directed the discussion toward County Commission supplemental requests stating there are fundamental decisions to be made. The proposed structure of the County Commission office was promulgated with the anticipation that a current staff member would be placed in charge of purchasing.

Turning to the addition of the County Counselor position, Ms. Pitchford noted a clerical position is included in the \$84,832 sum for legal services.

The Commission discussed whether the number was correct. Commissioner Stamper stated clerical support for the County Counselor is included in the Information Assistant/Receptionist position requested by the Commission. The class 7 employee would be shared with the Commission. Commissioner Stamper stated in addition he believes the Commission agreed to a structure where it would pay \$52,800 for legal services, \$7,000 for reimbursable expenses, and provide a telephone line, office furnishings, and computer equipment.

Commissioner Stamper called Mr. Patton and requested he return to the meeting.

Ms. Pitchford stated a decision is needed on the Prosecuting Attorney's request to retain the position vacated by Mr. Patton.

Commissioner Stamper stated the Commission will leave half of Mr. Patton's salary. If the Prosecuting Attorney wants to use discretionary funds to hire a full time attorney, he can.

In response to a question from Ms. Pitchford, Mr. Patton stated in 1993 there were 242 mental health cases and 23 alcohol/drug commitment cases. A \$100 fee is paid to private counsel for each case unless they can justify substantial work in excess of an hour and one half to two hours. He proposes handling the cases for \$60 per case because he will not have to go to the mental health facility to interview the patient. He interviews witnesses in the Courthouse. Therefore, 250 cases multiplied by \$60 is \$15,000. In terms of revenue, there is a strong case to be made that the Hancock Amendment has been violated by the Department of Mental Health by imposing a higher level of service without funding it.

Ms. Pitchford asked what staff needs to be left in the Prosecuting Attorney budget?

Mr. Patton replied he will try to use County Commission Administrative Assistant Janice Perkins to prepare his work. Two thirds to a full time clerical employee will be needed to assist with work he is leaving. Tax collection work is almost a full time job.

Ms. Pitchford stated the \$84,832 figure cited earlier is correct. What is not reflected in the budget is the reduction, if any, which is to take place in the Prosecuting Attorney's office.

The Commission agreed half of Mr. Patton's salary should be removed from the Prosecuting Attorney's budget. The full time clerical position should remain.

Ms. Pitchford recommended one half of a full time entry level attorney be budgeted rather than one half of Mr. Patton's salary. If the Prosecuting Attorney wants to hire an attorney at a salary above the base of the range he can request authorization from the Commission as policy dictates.

Commissioner Stamper stated if \$20,000 is budgeted and Prosecuting Attorney can hire sixty percent of a full time attorney at the base salary, why should the Commission argue?

Commissioner Miller agreed.

Commissioner Vogt and Ms. Pitchford disagreed. Ms. Pitchford stated that is not the way personnel is budgeted.

Commissioner Stamper argued it is done all the time. The argument continued. Commissioner Vogt and Commissioner Stamper ultimately agreed to budget half an Attorney II position.

Commissioner Miller continued to disagree, stating Mr. Patton has stated the office does not function well with part-time positions because they cannot share in "on call" duties.

Ms. Pitchford stated the precedent set by budgeting a dollar amount rather than a percentage of a position is not a good one.

Commissioner Stamper stated they should determine the percentage of a position half of Mr. Patton's salary would fund and budget it accordingly.

Ms. Pitchford stated that can be done.

Commissioner Stamper stated the earlier decision to budget half an Attorney II will stand. The Prosecuting Attorney will come back and ask for more.

Ms. Pitchford stated if two Commissioners agree a full time position should be budgeted, that is what she wants to know. She would prefer not to discuss the issue again.

The meeting adjourned at 4:05 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner

June Pitchford
Auditor