

TERM OF COMMISSION: June Session of the May 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 Michelle Malaby

The regular meeting of the County Commission was called to order at 1:32 p.m.

SUBJECT: Open Bid Number 64-01JUN95, Asphalt Overlays

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Pace Construction	St. Louis, MO	Bid
Richardson and Bass	Columbia, MO	Bid

SUBJECT: Open Bid Number 65-01JUN95, Dust Suppressant

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Feed Energy Company	Des Moines, IA	Bid
Valley Products Company	Memphis, TN	Bid

SUBJECT: Award Bid 61-23MAY95, Truck/Grader Tire Chains and Void Order 118-95

Mr. Abart, referring to his May 24, 1995 memo, recommended award to GM Supply Co., Inc. as the lowest and best bidder. The low bidder did not meet hardness specifications. The Commission awarded bid 14-02MAR95, for the same item, to GM Supply Company on March 9, 1995 with Order 118-95. The vendor was not notified of the award. The specifications were re-written and distributed as bid 61-23MAY95 due to concerns with the specifications.

Commissioner Miller moved that the County Commission of the County of Boone void Order 118-95, rejecting bids submitted in response to bid 14-02MAR95, Truck/Grader Tire Chains, and award bid number 61-23MAY95, Truck/Grader Tire Chains to GM Supply Co., Inc.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 292-95.**

SUBJECT: Speed Limit on Forest View Drive

Mr. Abart, referring to his May 24, 1995 memo, stated he tried to contact all residents on the road. One responded. They were not supportive of the request, but indicated if it did not cost them anything, they did not care. The individual requesting the speed limit agreed to pay costs associated with the sign. Legal counsel advised if the Commission agrees to the request, it should state the action does not indicate acceptance of the road for maintenance.

Commissioner Vogt moved that the County Commission of the County of Boone approve the placement of a speed limit sign on Forest View Drive. The County does not maintain the road and the citizens living on the road are responsible for the costs associated with the signs.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 293-95.**

SUBJECT: Treasurer's Report on the Months of March and April

Treasurer Kay Murray presented and reviewed the reconciliation of the bank statements and cash and investments for the months of March and April, 1995.

SUBJECT: Comments from Louis Nunnely, Jr. on Affirmative Action

Louis Nunnely, Jr. introduced Rev. Ray Warren, a fellow member of the Frederick Douglas Coalition. Mr. Nunnely previously distributed written information to the Commission. Mr. Nunnely stated he has been in Columbia 25 months, assisting the African American community by gathering information. He completed his community needs assessment. Support of "Afro-centric" grant proposals is requested. He requests consideration for public funding assistance for initiatives, beginning with the Missouri Legislative Black Caucus Foundation golf tournament and conference the week of June 22, 1995. He has also requested support from the City of Columbia. Mr. Nunnely stated State Representative Ken Jacob is on his golf team. They will promote outstanding projects, programs and businesses in Boone County to the Missouri Legislative Black Caucus. This is a good time to work together to provide affirmative opportunities. Mr. Nunnely stated he works and communicates well with the Commission. Boone County promotes itself as having the lowest unemployment rate in the State. There are nearly 10,000 African Americans in Boone County. Thirty five percent are either unemployed or on government assistance. They will not hold the Commission responsible for laws made decades before they were here, but will hold the Commission responsible for how it interprets policies.

In response to a question from Commissioner Stamper, Mr. Nunnely replied he would like to have a work session with the Commission before June 21st. All, or one, of the Commissioners are requested to be on his golf team or just be there to educate legislative partners on investment opportunities in Boone County. Any type of sponsorship or funding of activities of the Missouri Legislative Black Caucus from the Commission would be appreciated.

Commissioner Stamper asked Mr. Nunnely how many minority firms are in Boone County?

Mr. Nunnely stated there are different interpretations of what minority firms are. He really does not know, because white women are included as minorities. He is aware of firms such as Turner Paving and Construction. Mr. Turner is someone who would say he bid 94 times before he got a contract. The requirement of surety and performance bonds deters small or minority businesses from competing with non-minority or well established firms. They are trying to gather that data. The Department of Economic Development has a list of minority construction vendors.

Commissioner Stamper stated one of the bids opened today was a paving bid. A minority vendor did not respond to the bid. He does not recall Turner Construction having bid previously.

Commissioner Miller replied they bid on one project that she is aware of.

Mr. Nunnely questioned whether the County advertises in the Community Voice or Black Watch, African American newspapers? The County needs to be progressive in its advertising and share that business.

Commissioner Stamper stated it is also important to know who minority firms are.

Mr. Nunnely replied he and others are doing the best they can. Why haven't local leaders worked with them to gather that information?

Commissioner Vogt stated in regard to businesses bidding on public projects, all they have to do is to put their name on the bidder list in the County Clerk's office.

Mr. Nunnely stated he placed his name on the list for surveying a month ago, but has received nothing.

Ms. Malaby stated the bid Mr. Nunnely requested, and was given, was for land surveying. No requests have been made for other types of surveying or research services.

Commissioner Vogt stated Mr. Nunnely mentioned Vol. 11 of the community needs survey. What is in it that he would like the Commission to be aware of.

Mr. Nunnelly replied it is the proposals they are writing grants for now in order to enhance multi-cultural communities.

Commissioner Miller stated Mr. Nunnelly has talked with her about the lack of African American elected officials, yet Mr. Nunnelly supported Kevin Goodwin instead of the only African American candidate in the recent Columbia Public School Board election.

Mr. Nunnelly stated he supported Mr. Goodwin because he is a friend. He attended school with Mr. Goodwin for twenty years. However, he voted for Rev. Ballenger.

Rev. Warren, 208 Sexton Road, stated he is new to Columbia. He is not trying to launch out in the County, but he is trying to do something in the City. He is listening to presentations from people who hold office in City government, from bankers and others, who say the door is wide open, but the door is not open when you knock. Perhaps the Commission feels the African American is always complaining, but history shows you have to complain sometimes to create change. In regard to the number of minority businesses, there are 40 to 50 in this area. The businesses have not been allowed to flourish in the City. Many firms have started, but failed. They need to find out why. Money is difficult for minorities to obtain.

Commissioner Stamper asked are we talking about financial support of new businesses or waiver of bid bond requirements for such businesses?

Rev. Warren stated he understands a certain criteria has to be met in order to submit a bid. Many small businesses do not have the ability to meet the criteria. Many times small businesses cannot bid because they have not been allowed to grow, because it takes money to do so. He would request that elected officials be aware of the fact that they have heard someone crying in the wilderness, from someone who has tested the waters and been turned down.

Commissioner Vogt stated the County is making strides. It developed a Human Resources department which is creating an affirmative action plan.

Commissioner Miller left the meeting for an appointment at 2:30 p.m.

Mr. Nunnelly requested the Commission clarify its position in a letter to him before June 21st.

In response to a question from Commissioner Stamper, Mr. Nunnelly replied he would like the Commission to clarify its position on Vol. 11 of the community needs assessment. Mr. Nunnelly stated he went to a bank downtown to get a million dollar loan to establish the business of his dreams. He went there three times and will not go back. They are looking at equal lending opportunities in the County and know which businesses are supportive of their concerns. That is information which will be shared with the Missouri Legislative Black Caucus this month.

Commissioner Stamper stated he wishes the Missouri Legislative Black Caucus the best. He is glad they are here. If they need funding, they need to go through the Community Service Advisory Commission and other agencies established for that purpose. If the call being made today is for the County Commission to pay more attention to its bidding practices, they can try. He does believe exempting some businesses from bid bond requirements is in the best interest of Boone County. More can probably be done in the area of notification and advertisement. However, such measures are useless if proposals are not made. Mr. Nunnelly and his associates need to encourage minority firms to respond.

SUBJECT: Request for Exemption from County Building Smoking Ordinance

Rosie James and Bobby Smith, two Public Works Department employees, stated a petition was submitted to the Commission, requesting a partial exemption from the County Building Smoking Ordinance. Displaying a map of their facility, Ms. James stated they request an exemption for the area where diesel powered equipment is parked. Four large overhead doors there are open most of the time. There is no ventilation system which would transfer smoke to the rest of the building. There are 58 employees working in the building, 45 signed the petition.

Mr. Smith stated nearly half of those signing the petition do not smoke. Employees take a break at 10:00 a.m. If 10 or 15 people are smoking outside during their break, it looks bad to taxpayers who may drive by. They do not see people taking a break but a bunch of people standing around.

Commissioner Stamper asked would a table and chairs be placed in the area?

Ms. James stated they have not requested a table and chairs. They would likely just stand. If the Commission would like to provide a table and chairs, they are agreeable.

Mr. Smith commented there is not an awning or overhang to stand under at the Public Works facility during inclement weather.

Commissioner Stamper asked how is the environment at the Public Works Facility different from that in other County buildings?

Ms. James replied in this building there are offices with closed doors and a ventilation system. The rear of the Public Works Facility is an open shed like structure with a constant breeze of air.

In response to a question from Commissioner Vogt, Ms. James stated she does not see a problem with flammable products in the room. Diesel fuel is not highly flammable.

Commissioner Vogt asked where in the building was smoking allowed in the past?

Mr. Smith replied everywhere except in administrative offices and the mechanics workshop.

Ms. James added they even smoked in the workshop during events such as Christmas parties.

Commissioner Stamper stated part of the Commission's struggle with this issue is consistency. They struggled with the question of whether there should be smoking zones, smoking in private offices or a ban across the board. If the Commission agrees to an exemption, the decision to ban smoking from County buildings is destabilized. Employees in every building would have the right to ask for an area in buildings where they can smoke.

Mr. Smith stated he believes their building is different than other County buildings.

Commissioner Stamper replied arguments could be made that smoking should be allowed in the loading dock of this building or in the sallyport at the jail.

Ms. James stated other employees have protected areas in which to smoke. There are awnings at the Sheriff's Department.

Commissioner Stamper stated doesn't smoking occur in County owned vehicles?

Ms. James replied yes.

Commissioner Stamper stated time at the facility represents a limited part of an employee's day.

Commissioner Vogt stated she understands the desire not to have smoking in buildings open to the public because everyone does not agree with smoking, but she does not believe the Commission should create a hardship for smokers simply on principle. Areas not open to the public, especially a huge garage, are different.

In light of the absence of Commissioner Miller, the item will be scheduled for action on Tuesday.

SUBJECT: Agreement with Central Missouri Area Agency on Aging

Commissioner Stamper moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached agreement with the Central Missouri Area Agency on Aging.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 294-95.**

SUBJECT: Agreement with Williams-Keepers for Audit Services

Commissioner Stamper moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached agreement with Williams-Keepers for audit services for the year ending December 31, 1994, pending approval by legal counsel.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 295-95.**

SUBJECT: Attendance at National Association of Counties (NACO) Conference

Commissioner Stamper stated seven officeholders want to attend the conference: Recorder of Deeds Bettie Johnson, Commissioner Stamper, Commissioner Vogt, Commissioner Miller, County Clerk Wendy S. Noren, Sheriff Ted Boehm and Treasurer Kay Murray. To be fair, attendance at the conference should be rotated. To send the same people year after year is not.

Commissioner Vogt stated she does not disagree, but she favors Commissioner Miller attending again because she has an opportunity to become an executive board member. She needs to interview with the President and Vice-President of the NACO board. She intends to attend whether she is financially supported by the County or not.

Commissioner Stamper stated the deadline for registration is eminent. The Commission could decide who should attend in its work session this afternoon and ratify its decision on Tuesday. The matter should have been addressed in the last Personnel Advisory Committee meeting. The Commission made a policy statement when it adopted the budget, planning for three people to attend, and in limiting attendance, to rotate attendance.

Commissioner Vogt questioned shouldn't consideration be given to someone who has an opportunity to serve on a national level?

Commissioner Stamper replied yes, but should that person go every year?

Commissioner Vogt stated it would place that person in a position to attend a lot. Commissioner Vogt suggested interested parties meet and discuss opportunities to stretch the funding budgeted.

SUBJECT: Fallen Tree in Union Cemetery

Commissioner Stamper stated Hungry Painter bid \$150 to remove a fallen tree from Union Cemetery.

Commissioner Vogt moved that the County Commission of the County of Boone allocate \$150 from the Union Cemetery fund to pay Hungry Painter to remove a fallen tree from the cemetery.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 296-95.**

SUBJECT: Letter from Earl Sites Regarding C.B. Lewis Road

In response to a question from Commissioner Stamper, Commissioner Vogt stated many things in the letter are true. There is a major ditch which is frightening. One property owner owns the two lakes. The repeated rains the County is experiencing is causing water to spill over the berm. The County tried to alleviate the problem last year by strengthening the berm on the easement and requiring the property owner to do so as well. The Soil and Water Conservation District might be able to help. The water is damaging the road. The County needs a stormwater ordinance. Commissioner Vogt agreed to contact the Soil and Water Conservation District.

SUBJECT: Notice from City of Columbia Annexation Requests

Commissioner Stamper summarized the notices. The subject properties are owned by Samuel E. and Velma I. Moore and G & W Enterprises, L.L.C. and J. Daniel and April Stariwat

SUBJECT: Thermostat in Recorder of Deeds Office

Commissioner Stamper reported the thermostat in the office is located in the vault. The cost to correct the problem is \$14,000. Commissioner Stamper stated he will advise the Recorder she can use her special funds to correct the problem. Building funds are not adequate to correct the problem.

The meeting adjourned at 2:58 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