

TERM OF COMMISSION: August 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 Michelle Malaby

The regular meeting of the County Commission was called to order at 1:34 p.m.

SUBJECT: Open Bid 80-01AUG96, Courthouse Square Improvements

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid/No Bid</u>
Reinhardt Construction Company	Centralia, Missouri	Bid
Epple Construction Company	Columbia, Missouri	Bid
Columbia Curb and Gutter	Columbia, Missouri	Bid
Kidwell Construction	Kingdom City, Missouri	Bid

SUBJECT: Application for Permit for Use of Courthouse Grounds:

- **Drop Out Committee for Back To School Drive**
- **Alzheimer's Foundation of Columbia for Nighttime Vigil to Promote Alzheimer's Memory Walk**

Ms. Malaby noted a question has arisen of whether the plaza construction will interfere with use of the grounds.

Commissioner Stamper stated use will be limited to accessible areas.

Commissioner Miller moved that the County Commission of the County of Boone approve an application for a permit for use of the Boone County Courthouse Grounds by the Drop Out Committee on Friday, August 23, 1996 from 11:00 a.m. to 6:00 p.m. for a Back To School Drive and approve an application for a permit for use of the Boone County Courthouse Grounds by the Alzheimer's Foundation of Columbia, Missouri on Sunday, September 22, 1996 from 7:00 p.m. through 10:00 p.m. for a Nighttime Vigil to promote the Alzheimer's Memory Walk.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 442-96.**

Commissioner Vogt noted the Caring Communities Community Partnership Drop Out Committee will host the Back To School Drive to provide teenagers an opportunity to discuss their needs, ideas they might have about staying in school, and other concerns.

SUBJECT: Award Bid 77-17JUL96, Lease Floor Mats and Runners

Purchasing Director Beckie Jackson read her memorandum to the County Commission dated August 2, 1996.

Commissioner Miller moved that the County Commission of the County of Boone award bid 77-17JUL96, Lease of Floor Mats and Runners, to Aramark of Fulton, Missouri in the amount of \$4,086.42. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the agreement.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 443-96.**

SUBJECT: Award Bid 73-03JUL96, Janitorial Services

Ms. Jackson read her memorandum to the County Commission dated August 7, 1996.

Commissioner Miller moved that the County Commission of the County of Boone award bid 73-03JUL96, Janitorial Services, to Mid-MO Building Maintenance as the lowest and best bidder with their bid of \$1,290 per month. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 444-96.**

SUBJECT: Vacate Award and Re-Award Bid 74-10JUL96, Personal Computers

Ms. Jackson stated the County Commission awarded this bid on July 23rd. The vendor notified her they are unwilling to provide the equipment specified for the price bid. Ms. Jackson stated she reviewed the original bid responses with the departments involved. They recommend the County Commission void Commission Order 417-96, authorize the Purchasing Department to remove Computer Discount Warehouse (CDW) from the vendor list per section 3.3.1 of the bid request, and award the bid to Computer Resources of Columbia, Inc., DBA Computerland. The award should be contingent upon approval of necessary budget modifications.

Commissioner Miller asked why couldn't the original vendor deliver as promised?

Ms. Jackson replied CDW is a catalog order company. Their bid price was for a base machine which did not contain the required amount of RAM memory, a fifteen inch monitor or the specified network connection cards. The other three vendors who responded included required items in the base machine price.

Commissioner Vogt asked did the county know that before the bid was awarded?

Ms. Jackson stated she suspected it. It has happened before. She believes such responses create problems with the sealed bid process. The county must request clarification from vendors after bids are opened and prices are known. The county experienced the same problem in March. Four vendors were allowed to withdraw their bids because they did not meet minimum specifications. She believes the bid documents are clear.

Commissioner Miller moved that the County Commission of the County of Boone vacate Commission Order 417-96, authorize the Purchasing Department to remove Computer Discount Warehouse from the Boone County vendor list and award bid 74-10JUL96, Personal Computers to Computer Resources of Columbia, Inc. DBA as Computerland as the lowest and best bidder. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement.

Commissioner Vogt seconded the motion, asking Ms. Jackson if she is recommending the vendor be removed from the vendor list because they continually do not honor their bids?

Ms. Jackson replied not because they do not honor their bids, but because the pricing they submit in response to bid requests do not meet minimum specifications. Another problem is that the county does not deal with the same salesperson because they are a catalog order company.

Motion passed unanimously. **Order 445-96.**

SUBJECT: Discussion of 13th Judicial Circuit Court 1997 Budget Request

Auditor June Pitchford, Circuit Court Administrator Bob Perry and Assistant Circuit Court Administrator Mary Mueller were present.

Mr. Perry noted Circuit Clerk Cheryl Whitmarsh is on vacation. Review of the Circuit Clerk budget by the court en banc was favorable. If the County Commission has questions regarding that budget, Ms. Whitmarsh will be available to respond next week. Ms. Whitmarsh prepared the budget before receiving budget guidelines from the Auditor on across the board and merit increases. The budget does not reflect the proposed increase. Mr. Perry noted the guidelines have been used in preparing the remaining budgets. Where guidelines have not been announced, such as utility estimates, 1996 figures have been used.

Ms. Mueller reviewed the Jury Services and Court Costs budget.

Commissioner Vogt stated refinished pews are available. Could they be used in the lobby areas?

Mr. Perry replied they want to match the existing benches on the third floor. They are willing to consider using the pews on the ground floor.

Ms. Mueller noted the class 7, Contractual Services, portion of this budget was completed before budget guidelines were issued. The mileage rate should be increased to 31 cents.

Mr. Perry noted that is true for all budgets being presented today.

The unstable cost of utilities in the Courthouse was discussed.

Mr. Perry reviewed goals and objectives for 1997 which are outlined in the Circuit Court budget narrative. One goal is to upgrade the court automation/case management system. Current software serving the civil and probate divisions is operating at maximum capacity. The cost to upgrade the system is \$60,000. The State of Missouri will request bids this month for a case management system. Hopefully the bid will be awarded by end of the year. They would like to wait and see what happens with that bid.

In response to a question from Commissioner Stamper, Mr. Perry confirmed the state will provide funding for the court automation/case management system. A lot of their assistance will be in the form of ongoing maintenance and support.

Commissioner Stamper requested Mr. Perry elaborate on the request to reclassify position number 526 from a court security aide to a court security officer.

Mr. Perry stated the State of Missouri continues to mandate increased training for law enforcement personnel. Forty hours of training are required to maintain a commission at a cost of about \$250 a year for three years. The number of training hours required to receive a commission has increased over the last several years. An employee needs to be commissioned to perform the majority of functions. Training requirements continue to eliminate the Circuit Court's ability to assign an employee who is not commissioned to a lot of functions.

Commissioner Stamper stated he recalls a past assertion that combining the use of aides with the use sworn security officers would increase efficiency.

Mr. Perry replied when that approach was initiated they were not faced with the mandates concerning qualifications and continuing education.

Commissioner Stamper asked is there a mandate to have a sworn officer as an aide? The commission agreed to convert commissioned security officers to aides. Now they are being upgraded.

Mr. Perry replied that is correct. Another reason for the request relates to rotation of employees at the security station. Experience has shown a person cannot be assigned to the security station for extended periods of time. The person becomes physically fatigued due to the stationary, repetitive nature of the task. In order to rotate employees from that function, they need to be qualified to perform other functions.

Commissioner Stamper stated he wants to research this matter.

Ms. Pitchford asked Mr. Perry to elaborate on his statement that the state will fund part of the computer upgrade.

Mr. Perry replied the state is setting standards for a statewide court automation/case management system. The state will provide funding to help courts meet the standards. The state is assessing the current system. They will provide a written report detailing required upgrades, what they will fund and what the local entity will be expected to fund.

Ms. Mueller reviewed the Family Services and Justice Fund budget, noting this budget began in late 1994. They underestimated the number of parents who would attend the Focus On Kids program, as well as associated revenue and expenditures. She believes the proposed budget for 1997 will be accurate. There is a healthy fund balance.

Mr. Perry reviewed the Juvenile Justice Center budget, noting the budget for training has been increased by \$750. They have also included \$1,000 for the purchase of in-service training. It is difficult to train a lot of the staff due to lack of opportunity and cost. They hope the purchase of in-service training will help.

Commissioner Miller suggested the additional mowing required at the Juvenile Justice Center be included in the annual contract coordinated by the Facilities Maintenance Department.

Mr. Perry replied they will look into that possibility.

Mr. Perry reviewed the Juvenile Office budget. Mr. Perry noted they applied for grant funding for two additional Deputy Juvenile Officers. They received word the application was approved. However, the State of Missouri placed the program on hold in order to evaluate the effect of the Welfare Reform Act.

Ms. Pitchford stated in the 1996 budget, funding was provided for new technology such as voice recognition. How has that been implemented?

Mr. Perry stated the voice recognition equipment used to monitor juveniles on home detention has worked well. The equipment is also used for juveniles in the intensive supervision program. An associated reduction in the expenditure for trackers is reflected in this budget.

Commissioner Stamper asked what is the Circuit Court's intention regarding the two Deputy Juvenile Officers after the six year grant funding period?

Mr. Perry replied they will have to evaluate the situation at that time.

Commissioner Stamper stated growth in this budget is greater than that in most other areas of county government.

Mr. Perry replied they recognize that. There has also been a significant increase in the number of juvenile referrals. The State of Missouri under Governor Carnahan, has subsidized juvenile court services through this funding mechanism. Juvenile justice has been a prominent area of concern by the State of Missouri for the past two legislative sessions.

In response to a question from Commissioner Stamper, Mr. Perry replied with the addition of the two Deputy Juvenile Officers, six employees will be funded by grants.

The responsibility for funding Juvenile Office employees was discussed.

Commissioner Stamper stated he is concerned the time may come when the county will be expected to fund the six employees who are currently funded by grants.

Mr. Perry stated he appreciates Commissioner Stamper's concern and added that the Circuit Court has never started a service or program which it did not continue once grant funding was discontinued. Therefore, they have planned conservatively--not taking on more than they could handle. If the grant funds were not available, the Circuit Court might have to ask for county funding in order to handle the work. It is mandated that referrals be handled in a certain manner. Should the Circuit Court not enhance its ability to provide better service with six years of full funding because of a concern that it might not be able to continue the funding after six years or should it work toward being able to continue the funding?

Commissioner Stamper stated that is the dilemma. There is a point of no return.

The provision of an interim retirement benefit for juvenile division employees was discussed.

Mr. Perry stated last year two employees were lost to the State of Missouri. One employee had ten years of service. The other employee had eight years of service. Retirement was a significant issue in their decision to leave. Governor Carnahan appointed a commission to address the fact that these employees are not included in any retirement system. They are charged with providing a recommendation for consideration by his office and the legislature during the next legislative session. The Circuit Court requests the county fund an interim retirement benefit until this issue is resolved, which will hopefully be within two years.

Ms. Pitchford reviewed options available to the county for providing such a benefit.

Commissioner Stamper questioned why the county should do anything if it appears the issue will be resolved soon.

Ms. Pitchford stated she sympathizes with the need the Circuit Court has identified. It is grossly unfair that there is a small group of employees who do not have retirement benefits. This would be a short term commitment. The nice thing about the proposal before the commission is that the county can terminate its obligation once a permanent determination has been made.

In response to a question from Commissioner Stamper, Mr. Perry replied a few circuit courts implemented this type of measure last year.

In response to a question from Ms. Pitchford, Mr. Perry confirmed there is a contribution on behalf of the employee in that some funding intended for merit increases would be used.

Mr. Perry stated if the commission does not approve the request, they may have to consider using other funds, such as money designated for merit and across the board increases. They have to make a commitment to their senior people. It is not wise to train people and then lose them over this issue.

Commissioner Stamper stated although he empathizes with the position the employees are in, he would caution Mr. Perry not to treat other employees unfairly.

Commissioner Miller noted other county employees must contribute to the County Employees Retirement Fund in order to participate. She is not interested in a plan for juvenile division employees unless they contribute. She agrees the employees are in dire straits. Anytime an employee is encouraged to help with their retirement it benefits all citizens.

Mr. Perry stated the employees did not initiate this plan. It is his understanding that the county cannot provide an interim plan to which employees can contribute.

Ms. Pitchford replied the Internal Revenue Service looks at plans as qualified or unqualified. From the employer's perspective, if the plan is qualified, contributions are not treated as compensation. Thereby, you save FICA taxes. If the county wants to reap the benefits of saving on FICA, it can establish a profit sharing plan or provide additional compensation to the employees on a short term basis as proposed. Whether an agreement could be reached with the employees regarding an expected contribution is another matter. The county could not legally require the contribution.

Mr. Perry noted this is the approach recommended in meetings with County Clerk Wendy Noren and Ms. Pitchford.

Ms. Pitchford stated if this was something other than an short-term interim retirement plan, her recommendation would be very different.

Commissioner Vogt commented it makes sense to at least look for a way to provide this group of employees with a benefit other employees are receiving, although it may not be something the county can do.

Mr. Perry stated he appreciates the position the commission is in and he sincerely appreciates this County Commission and the 13th Judicial Circuit. Over the years, both have made an effort to improve benefits.

SUBJECT: Change Order No. 1 to Contract with Hall & Riley for Paving Ash Street Parking Lot

Commissioner Stamper stated the change order allows the contractor to seal another parking lot in lieu of the Ash Street parking lot. The lots are similar in size. No additional funding is involved. The contractor did not recommend sealing the Ash Street lot immediately after paving.

Commissioner Miller moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached Change Order No. 1 to the agreement with Hall and Riley Paving Company for the asphalt paving of the Ash Street parking lot.

Commissioner Vogt seconded the motion, stating Motion passed unanimously. **Order 446-96.**

SUBJECT: Loan of Vehicles to Missouri Balloon Corporation for US Hot Air Balloon Nationals

Commissioner Stamper stated last year the county loaned county vehicles for use during the US Hot Air Balloon Nationals. The Assessor has requested vehicles be loaned again this year.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the use of two county owned trucks by the Missouri Balloon Corporation for the 1996 US Hot Air Balloon Nationals.

Commissioner Miller seconded the motion. Motion passed unanimously. **Order 447-96.**

Commissioner Vogt stated she has been assured the vehicles will only be driven by Boone County employees.

The meeting adjourned at 3:07 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