

TERM OF COMMISSION: October Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Room 243

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Joshua Norberg

The meeting was called to order at 1:30 p.m.

Planning and Building

Thad Yonke, Planning and Building, was present on behalf of this item.

1. Concorde South Plat 1. S3-T47N-R12W. C-G/M-LP. Robert M. Lemone Revocable Trust, owner. James R. Jeffries, surveyor.

Mr. Yonke stated there is a performance bond in the amount of \$450,000 with this plat. We are bonding this for roads, storm water, and utility infrastructure.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and accept a performance bond in the amount of \$450,000.00 posted by the owner against completion of required infrastructure. The presiding commissioner is authorized to sign said plat:

Concorde South Plat 1. S3-T47N-R12W. C-G/M-LP. Robert M. Lemone Revocable Trust, owner. James R. Jeffries, surveyor.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 509-2008**

Purchasing

Melinda Bobbitt, Purchasing, was present on behalf of this item.

2. MM55 – Gasoline and Diesel Fuel (first reading)

Ms. Bobbitt stated Purchasing requests permission to utilize the City of Columbia cooperative contract MM55 for Gasoline and Diesel Fuel with Brownfield Oil Company, Inc. of Moberly,

Missouri. This contract is in effect through September 30, 2009, and has four one-year renewals. This is a term and supply contract. Invoices will be paid from Department 2040 – PW – Maintenance Operations, Account 59000 – Motor Fuel/Gasoline.

Commissioner Pearson 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 an appropriate order for approval.

Boone County Regional Sewer District

Tom Ratermann, Boone County Regional Sewer District, was present on behalf of these items.

3. Award Contract for Hill Creek Sanitary Sewer NID (first and second reading)

Mr. Ratermann stated he is planning on delivering this on Tuesday, so he would like a first and second reading.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached resolution awarding the construction contract for Sanitary Pressure Sewer Collection System for the Hill Creek Subdivision Neighborhood Improvement District to Sterling Excavation, Inc. of Jefferson City, Missouri. It is further ordered the Presiding Commissioner is hereby authorized to sign said resolution.

Commissioner Elkin seconded the motion.

Commissioner Elkin asked if this is SRF (state revolving fund) eligible.

Mr. Ratermann stated it essentially is. It is considered a direct loan from the Department of Natural Resources (DNR). It is not technically an SRF, it is a direct loan, but the process is essentially the same. Boone County issues the bonds and DNR buys them and may remarket them or hold them.

Commissioner Pearson asked what happens to the contract if we hit a snag.

Mr. Ratermann stated there are four contingencies in the resolution. The first is execution of contract documents between the County and Sterling Excavation. The second is Sterling producing their bonds. The third contingency is DNR approving all of the requirements of participation in the direct loan program. The final contingency is actually securing financing.

Commissioner Elkin asked what the advantage was of DNR buying the bonds versus the way we normally do Neighborhood Improvement Districts (NIDs). He asked if there is a better interest rate.

Mr. Ratermann stated the interest rate is essentially the same. We are anticipating about a 2%

interest rate. The reason DNR makes a direct loan rather than going through the SRF pool is for non point source projects they go through the direct loan program. For point source projects they go through the standard SRF. It may have to do with the way they get their funding from the EPA.

The motion passed 3-0 **Order 510-2008**

4. Consider State Revolving Fund Loan Application (first and second reading)

Mr. Ratermann stated this is similar to the loan application the Commission applied for last year and at least one other time prior to that. It is what qualifies these projects for direct loans. We are essentially applying for \$4.3 million in loans. There is a resolution for the Presiding Commissioner to sign.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the attached resolution regarding the Missouri Leveraged State Water Pollution Control Revolving Fund Program loan application. It is further ordered the Presiding Commissioner is hereby authorized to sign said resolution.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 511-2008**

County Counselor

5. Agreement for Retention of Outside Counsel Services (first reading)

Commissioner Pearson stated this is for Rogers, Erhardt & Weber, LLC to represent the County in certain legal matters.

Commissioner Pearson 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 an appropriate order for approval.

6. Quit-Claim Deed for Cottonwood RV Park

Commissioner Elkin stated this is for the strip of land at the Fairgrounds next to Cottonwood RV Park.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the attached Quit-Claim Deed for a strip of land located at the Boone County Fairgrounds. It is further ordered the Presiding Commissioner is hereby authorized to sign said

quit-claim deed.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 512-2008**

Public Works

David Mink, Director of Public Works, was present on behalf of these items.

7. Columbia Water and Light Easements on MKT Trail Property (first reading)

Mr. Mink introduced David Sorrell from Columbia Water and Light.

Mr. Mink stated the City of Columbia Water & Light Department is requesting the Commission grant of one (1) new sewer easement and two (2) new utility easements in proximity to the MKT Trail on property owned by the County. The City discovered while researching for their project that the current descriptions for the sewer easement and the 20 foot utility easement referenced are objects no longer in existence such as the former rail line. They have proposed new descriptions in the same locations to replace the existing descriptions which would be abandoned by the City. The third easement describes a new 10 foot utility easement to cover the location of an existing line which was discovered to be outside the existing easement. These descriptions have been reviewed by the County Surveyor and are reasonable requests to clarify the survey information regarding these easements.

The current project proposes a new underground electrical conduit placed in the easements described above. The line would be placed using horizontal boring techniques in sensitive locations to minimize impacts to the trail, trees, and streams. A few pit excavations will be necessary to facilitate the horizontal borings. A few small trees may need to be removed for these excavations. One excavation will be near Scott Boulevard and will require the removal of a willow tree that has been contemplated for removal anyway due to summer flood damage. Bob Davidson and I have met Water and Light personnel on site and have agreed to procedures to minimize the impacts of their project. The City hopes to complete the work before spring.

We appreciate efforts taken by the City to minimize impacts and recommend approval of the easement requests.

Mr. Sorrell stated they want to put another electric line next to the existing one. This is basically to clean things up.

Commissioner Pearson 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 an

appropriate order for approval.

8. Change Order #1 – Waterfront Drive North Overlay & Drainage Improvement Project (first reading)

Mr. Mink stated this is a final closeout change order for this project. About half of it is for the asphalt index increase. The other part was generated by a field change to raise a drainage box by 6". A couple of things were added that weren't bid tabs. One of the larger ones was clearing up a fence row where there were two trees that couldn't be avoided. There was a note on the plans that said to protect the trees, but these two could not be protected. He stated the original budget for this project was \$348,832. The bid was well below the original budget, so with these change orders we are still well below budget.

Commissioner Pearson 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 an appropriate order for approval.

Prosecuting Attorney

9. Budget Revision for Increased Witness Expenses, Transcripts, and Court Costs (first reading)

Commissioner Miller stated this is for increased costs associated with the Rios retrial.

Commissioner Pearson 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 an appropriate order for approval.

Miscellaneous

10. Authorize Closed Meeting 610.021(3)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Monday, November 3, 2008, at 8:30 a.m. The meeting will be held in Room 243 of the Roger B Wilson Boone County Government Center at 801 E Walnut, Columbia, Missouri, as authorized by 610.021(3) RSMo to discuss the hiring, firing, disciplining or promoting of particular employee by a public governmental body when personal information about the employee is discussed or recorded.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 513-2008**

11. Commissioner Reports

There were no commissioner reports.

12. Public Comment

There was no public comment.

The meeting adjourned at 1:56 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Kenneth M. Pearson
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner