

TERM OF COMMISSION: May Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Daniel K. Atwill
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Director of Resource Management Stan Shawver
Civil Engineer Dan Haid
Environmental Health Manager Kala Gunier
Marcia Hazelhorst of the Juvenile Justice Center
Buyer Tyson Boldan
Road Maintenance Superintendent Chet Dunn
Deputy County Clerk Cameron Clarke

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

Purchasing

1. Bid Opening: 32-31MAY12 - 2012 Concrete Rehabilitation

| Bid Tab | Engineer’s Estimate | J C Industries | C L Richardson | Emery Sapp and Sons |
|----------------|----------------------------|-----------------------|-----------------------|----------------------------|
| Base Bid | \$531,856.88 | \$439,403.25 | \$488,912.10 | \$482,230.75 |
| Alt #1 | \$444,662.58 | \$373,648.80 | \$397,498.70 | \$413,398.50 |
| Alt #2 | \$375,438.93 | \$355,934.30 | \$345,241.95 | None Given |

2. Bid award to Central Concrete and Columbia Ready Mix for bid 20-02APR12 – Ready Mix Concrete Cement Term and Supply (second reading, first read 5/29/2012)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby award bid 20-02APR12 – Ready Mix Concrete Cement Term and Supply to Central Concrete and Columbia Ready Mix. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order # 262-2012**

Health Department

3. Abatement of a property located at 4305-4307 Bethany Drive, parcel # 16-712-29-02-002.00 01 (first and second reading)

Environmental Health Manager Kala Gunier was present on behalf of this item. Ms. Gunier stated this is a duplex on Bethany Drive, and it took a little bit to hunt this one down. Ms. Gunier stated they received a complaint on it at the end of March. Ms. Gunier stated she sent a certified letter to the owner, and it was returned unsigned. Ms. Gunier stated she checked the Assessor's records, and the address had changed. Ms. Gunier stated she then sent it to an address in Columbia, in care of Clarence Baker. Ms. Gunier stated Mr. Baker showed up in her office, and demanded his name be taken off of this. Ms. Gunier stated the owner is his daughter, and he no longer speaks to her. Ms. Gunier stated she told him she could not do that, and told him to go talk to the Recorder's and Assessor's Offices. Ms. Gunier stated she told Mr. Baker what would happen if this wasn't taken care of. Ms. Gunier stated Mr. Baker said he didn't care, and reiterated that it is his daughter's property. Ms. Gunier stated she doesn't have a contact number for the owner, Sherry Barber. Ms. Gunier stated she is using her father's address for mail.

Commissioner Miller asked what the estimate is to clean the property.

Ms. Gunier stated the bid is for \$210.

Commissioner Miller confirmed it's just a pile of junk, and said it's hard to see in the pictures.

Ms. Gunier stated she couldn't really get access to it, because it's in the backyard. Ms. Gunier stated the pile of junk is the size of a vehicle. Ms. Gunier stated the top picture was actually taken from an angle in the neighbor's driveway, and the bottom picture was taken from Scott Blvd. Ms. Gunier stated there's trash, lumber, and other stuff in the pile.

Commissioner Miller stated she has no problem with abating it; it just pulls the whole neighborhood down. Commissioner Miller asked if anyone lives there.

Ms. Gunier stated it's a rental property. Ms. Gunier stated almost all of the properties on Bethany aren't owner occupied.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the attached Finding of Public Nuisance and Order for Abatement of a public nuisance located at 4305-4307 W Bethany Drive (parcel # 16-712-29-02-002.00 01).

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order # 263-2012**

Juvenile Justice Center

4. Juvenile Accountability Block Grant application (first reading)

Marcia Hazelhorst was present on behalf of this item. Ms. Hazelhorst stated she is requesting the Commission's approval to submit the Juvenile Accountability Block Grant application. Ms. Hazelhorst stated it is a web grant, so we just need approval to send it to the Department of Public Safety electronically. Ms. Hazelhorst stated they apply for this every year, and it funds an art instructor, music instructor, and said they would like to purchase some security equipment. Ms. Hazelhorst stated in the grant application they are also requesting to purchase a second smart board. Ms. Hazelhorst stated in the past it was about \$20,000 but this year it's about \$18,000. Ms. Hazelhorst stated it does require a 10% match, which is compensated for in the budget.

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 an appropriate order for approval.

5. Budget amendment for Community Garden Coalition Grant (first reading)

Marcia Hazelhorst was present on behalf of this item. Ms. Hazelhorst stated we appeared in March seeking permission to submit an application for the Community Garden Coalition grant, and we have been awarded \$685. Ms. Hazelhorst stated there is no match; it is a fully funded grant.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10 day hold required for budget amendments with an appropriate order for approval.

Resource Management

6. Acceptance of Security Agreement and Letter of Credit St Charles Road Development, LLC (first reading)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this is a security for a land disturbance and sediment control out on the new section of Battle Drive. Mr. Shawver stated they gave us a check, and it has been secured in the Treasurer's safe. Mr. Shawver stated this is the paperwork and documents involved.

Commissioner Miller confirmed it's a check that will never be cashed, and will just go in a safe. Commissioner Miller stated that's not a good thing.

Mr. Shawver stated that's what they wanted to do.
Commissioner Miller asked why we would do it.

Mr. Shawver stated it's in the provisions that we have. Mr. Shawver stated almost

everyone has been doing the letter of credit.

Commissioner Miller asked how long a check is good for without cashing it.

Mr. Shawver stated he can't answer that.

Commissioner Miller stated she would hope we have a date in the document that we will cash it by. Commissioner Miller stated we could end up with a piece of paper that's not any good.

Mr. Shawver stated he understands, and will check on that.

Commissioner Atwill asked how much the check is for.

Commissioner Miller stated \$50,070. Commissioner Miller stated it's saying it won't be done until November 2013, and a check is only good for six months.

Mr. Shawver stated he thinks you can present a check at any time.

Commissioner Miller stated she thinks by law you can't legally collect on it if they say no after six months. Commissioner Miller stated that's what she was told about something else. Commissioner Miller stated she just wants to check on it and make sure.

Commissioner Atwill asked what obligation they post this against.

Mr. Shawver stated that the land will be put back in acceptable shape, the erosion will be fixed, and anything that's part of the land disturbance process.

Commissioner Atwill stated if at the end of the process we decide they owe \$10,000, we would be sitting on a \$50,000 check.

Mr. Shawver stated we do a punch list, and if anything doesn't meet the submitted design plans, they are given a chance to fix them. Mr. Shawver stated this is for a worst case scenario, where we have to go in there with a sub-contractor to fix what they were required to put it. Mr. Shawver stated if it cost \$10,000 to fix it, we would return the rest to them.

Commissioner Atwill asked what happens if they put actual cash down.

Mr. Shawver stated they can give us cash, a check, letter of credit, certificate of deposit, or a surety bond. Mr. Shawver stated each contractor has those options available, and it's really a question of what they want to do with their financial institutions. Mr. Shawver stated some people will write a check, but that's pretty unusual anymore. Mr. Shawver stated some put money into CD's, and they are allowed to keep the interest they make on those. Mr. Shawver stated a surety costs a monthly payment to them.

Commissioner Atwill stated this is the cheapest way to do it.

Commissioner Miller stated absolutely, write a check and it never gets cashed.
Commissioner Miller stated she's not opposed to the check as long as it will be cashed at the end of November 2013.

Commissioner Atwill asked if this is by state law, or if it's an internal policy.

Mr. Shawver stated it's internal, but it's based on what state law says.

Commissioner Atwill stated we should look at the process again.

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 an appropriate order for approval.

7. Settlement and Release agreement between Consolidated Public Water Supply District No. 1, and Boone County, Missouri (first reading)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this was a misunderstanding between the water district and Boone County, centered on Country Hill. Mr. Shawver stated we have reached an agreement, or an agreement to disagree and let things be.

Commissioner Miller stated it's a teaching moment.

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 an appropriate order for approval.

8. Proposal for Consultant Services with Bartlett & West Inc. for Creasy Springs bridge #1220005 (first reading)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this is the bridge design for a bridge on Creasy Springs. Mr. Shawver stated it's at the bottom of the hill. Mr. Shawver stated the design consultants have said they can do the bridge design for about \$79,000.

Commissioner Atwill confirmed this is just for the engineering.
Mr. Shawver stated this will be for the design, and said we hope the design is based on sound engineering practices.

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

an appropriate order for approval.

9. Memorandum of Understanding with MoDOT (first reading)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated we're going to use our term and supply contracts to do some chip and seal on some intersections, and they will reimburse us for it. Mr. Shawver stated the intersections are listed in the agreement.

Commissioner Miller stated Claysville isn't on there.

Civil Engineer Dan Haid stated we normally do it to the right-of-way line, and it doesn't make sense for MoDOT to do those radiuses in the intersections. Mr. Haid stated when we do our chip seal projects this year, we will go up to the edge of the road, or on higher traffic roads we will stay a certain distance off of the road. Mr. Haid stated we will do the portions inside of MoDOT's right-of-way, and they will reimburse us.

Commissioner Miller asked about Claysville.

Mr. Haid stated we're not chip sealing Claysville this year.

Commissioner Miller stated we're overlaying it.

Mr. Haid stated yes, this is just the chip seal stuff. Mr. Haid stated we couldn't get anything worked out with overlay because we have different insurance requirements. Mr. Haid stated MoDOT requires \$3 million, and we require \$2 million.

Commissioner Miller stated it will be a shame to have a really nice road down at Claysville, and have MoDOT falling apart getting to it.

Mr. Shawver stated that's where those "County Maintenance Ends" signs come in.

Commissioner Miller stated it shows State maintenance ends. Commissioner Miller stated people don't read those signs; they just see a crummy road and don't understand why you don't fix the whole road.

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 an appropriate order for approval.

10. Application Entity Road & Bridge Project Funding Application (second reading, first read 5/29/2012)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated we introduced this on Tuesday, and the Commission asked for some clarification in the document. Mr. Shawver stated those changes have been made.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the attached application entity road and bridge project funding application.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order # 264-2012**

11. Utility Agreement with Boone Electric (second reading, first read 5/29/2012)

Director of Resource Management Stan Shawver was present on behalf of this item. Mr. Shawver stated this was also discussed on Tuesday. Mr. Shawver stated this is the contract for them to do the work once the easements have been acquired.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the contract between Boone Electric Cooperative and Boone County, Missouri for utility work. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order # 265-2012**

Public Works

12. Sign agreement (first reading)

Road Maintenance Superintendent Chet Dunn was present on behalf of this item. Mr. Dunn stated we used to buy our ID signs. Mr. Dunn stated we've had requests from other towns to make their signs for them, because they can't get them at a decent price. Mr. Dunn stated Centralia is the one who has made the request the most. Mr. Dunn stated we've had Hartsburg and Ashland also request it. Mr. Dunn stated this would be the way for Boone County to help out some of the towns. Mr. Dunn stated the signs look different in every town, and this would make them more consistent.

Commissioner Miller stated the agreement talks about how fast we would turn them around, and this is based from the special road district asking.

Commissioner Elkin stated he gets yelled at occasionally for not taking care of a road that's not ours.

Mr. Dunn stated they haven't ordered signs in three years. Mr. Dunn stated he thinks this will work out.

Commissioner Miller stated we have an outlet where it says, "County may deny a request to produce signs if resources are not available to do so in a timely manner."

Commissioner Elkin asked if they will have the coordinates on the signs like we do, or if they just want the name.

Mr. Dunn stated it's up to them to provide the coordinates if they want them on there.

Commissioner Elkin stated he's just worried about Emergency Management. Commissioner Elkin stated it's harder in the towns because they never went by the geographical coordinates. Commissioner Elkin stated he doesn't mind helping out our partners. Commissioner Elkin asked Mr. Dunn to report back in a year with how much time has been spent on this.

Commissioner Miller stated each city that wants to participate will have their own contract with us. Commissioner Miller asked if we need to adopt this agreement, or if it is just so we can come to a consensus about the agreement before it is sent out to a city. Commissioner Miller stated she thinks we can just hold this for a second reading when the Centralia Special Road District submits it.

Commissioner Atwill confirmed one of these will be brought back every time there is a customer.

Mr. Dunn stated yes. Mr. Dunn stated he doesn't see a whole lot of requests.

Commissioner Elkin stated it's mostly replacements, because new signs are put up by the developers.

Commissioner Miller stated it's only when someone runs them over or when a kid takes them.

Commission

13. Public Comment

14. Commissioner Reports

The meeting adjourned at 2:03 p.m.

Attest:

Daniel K. Atwill
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner