

TERM OF COMMISSION: October 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
County Counselor John Patton
Deputy County Clerk Melanie Stapleton

This meeting of the Boone County Commission was called to order at 1:35p.m. by Commission Stamper.

Subject: Domestic Violence Enforcement Project-Bonnie Atkins and Kevin Crane, Prosecuting Attorney's Office, Steve Monticelli-Major Case Unit, Patty Relegar-Highway Patrol

Kevin Crane renewed the request for additional (grant) money for the upcoming 1999 year. The additional money will be used to pay two new employees.

Kevin Crane stated that it is a matter of protocol to notify the County Commission when the Prosecuting Attorney's Office wishes to make expenditures from the Check Fund. He further stated that there is a need for more employees in his office due to the increases in crimes against women and domestic violence.

Kevin Crane further noted that the DOVE unit had discussed where the greatest need for (more employee) help was located and agreed that it was the Prosecuting Attorney's Office.

Kevin Crane also stated that the Auditor's office had reviewed the September 30th memorandum and did not anticipate any problems with the request.

Commissioner Stamper asked if there was an issue about using the Bad Check Fund versus the county revenue source that Kevin Crane had identified. He wanted to know if the Auditor's Office had already signed off on that one.

Bonnie Atkins stated that June (Auditor) had given her blessing and said that they could use this fund.

Commissioner Miller asked where the new employees will be located.

Kevin Crane stated that they would have to rearrange and that it would be a challenge.

Commissioner Miller asked whether there would be a separate budget request for the office supplies need for the two, new employees.

Kevin Crane stated that they already have some of the supplies needed for the employees. However, they will need to build office areas. Kevin Crane noted that there would be a budget request to renovate and use some existing office space to make new offices.

Commissioner Stamper stated that the Commission had a request from Kevin Crane on space. He noted that they would have to sit down with the Courthouse and look into the underutilized space in the office.

Commissioner Vogt asked if the corner of space in PA's office that had been previously investigated was ever utilized.

Kevin Crane noted that the Commission had looked into the space, however there was never anything done with it. He stated that they would use another area for this project.

Commissioner Stamper stated that the Commission had received some assurances from the Sheriff that there were not any major changes in his aspect of the DOVE grant. He wanted to clarify with Kevin Crane that while there were some personnel additions, that there would be no General Revenue changes involved.

Commissioner Miller moved to authorize the Prosecuting Attorney's Office to apply for \$66,691.89 in STOP Violence Against Women Grant Funds from the Department of Public Safety for the continuation of the Domestic Violence Enforcement Project.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 472-98**

Subject: Community Needs Assessment Project Phase II-Phil Steinhaus

Phil Steinhaus stated that this was a basic agreement to move money from the City to County to provide funding for the Community Needs Assessment Project. He stated that it puts \$15,000 in the City's General Fund and \$20,000 from the Department of Health CORE Grant. He stated that the total for the project to this point was \$94,000. He also mentioned that they had been assured that the rest was coming from the Missouri Hospital Association leaving a balance of \$33,838.

Commissioner Stamper stated that this was a long-term project for the county and one that the County had been involved in and supported for a long time.

Phil Steinhaus stated that the support was appreciated.

Commissioner Miller asked if the work was almost completed.

Phil Steinhaus stated that it was.

Commissioner Vogt wanted to know when will the information would be available.

Phil Steinhaus stated that it should be soon. He also noted that there would be a descriptive report by October 30th and a final report should be available by February 1999.

Phil Steinhaus also mentioned that he had been working with the Auditor's Office to set up an invoicing system.

Commissioner Vogt moved to establish a budget and approve funding for Phase II of the Community Needs Assessment Project and authorize a Budget Amendment in the sum of \$35,000 as outlined in the Agreement between the City of Columbia, Missouri and Boone County.

Commissioner Miller seconded the motion.

There was no discussion. The motion passed 3-0. **Order 473-98**

Subject: Dee Woods Rd and Gans Rd Designs-Frank Abart

Frank Abart stated that he would like to pursue out-sourcing the design and specification development, and prepare these two projects for construction next year.

He stated that the Commission needed to approve proposals for the design and development of bid-ready specification for Dee Woods Rd to T H & H for an amount not to exceed \$28,800.

Commissioner Stamper moved authorize a contract with Trabue, Hansen, and Hinshaw, Inc. for Engineering & Design Services on Dee Woods Rd for a sum of no greater than \$28,800. Pursuant to this order the Presiding Commissioner is hereby authorized to sign said contract documents on behalf of Boone County for the foregoing.

Commissioner Miller seconded the motion.

There was no discussion. The motion passed 3-0. **Order 474-98**

Commissioner Miller asked if this was the entire road of Dee Woods that was being referred to.

Frank Abart stated that it was.

Commissioner Stamper moved to authorize a contract with Engineering Survey and Services for Engineering & Design Services on Gans Rd for a sum of no greater than \$35,000. Pursuant to this order the Presiding Commissioner is hereby authorized to sign said contract documents on behalf of Boone County for the foregoing.

Commissioner Vogt seconded the motion.

Discussion: Commissioner wanted to know why we would have to make a motion on all these contracts since they had already approved the work itself.

Frank Abart stated that this was an extension of the contract and was also over \$3,000 so therefore it needed a separate motion.

Commissioner Miller wanted to know who would do the utility part of this project.

Frank Abart stated that the Public Works Department would handle that.

The motion passed 3-0. **Order 475-98**

Subject: Tax Sales Surplus

Pat Lensmeyer stated that each year property that is delinquent in paying its taxes is sold at a Tax Retribute Sale at the Courthouse. She stated that under MO law the excess amount is presented to Commission for its information and approval. The excess is then turned over to the County Treasurer to be held for the benefit of the School Fund providing that the original owner's tax sale does not claim that monies within a seven year time period.

Pat Lensmeyer stated that this year the excess sum is \$10,280.62. Pat Lensmeyer requested that the sum be acknowledged.

Commissioner Stamper stated that by acknowledging the sum, the Commission would be signing a document that says "We, the County Commission, of Boone County, Missouri certify that we have examined the above foregoing statement of surplus from the sale of delinquent lands held the 24th day of August, 1998 and approve saying that this requires three signatures on behalf of the Commission."

Commissioner Vogt asked if the money would be held for seven years for the owners to claim and then turned over to schools.

Pat Lensmeyer stated that this was true. She also noted that she now attempts to locate the owners and give the money to them. She stated that if they cannot be reached, then it goes to the Treasurer and is held for seven years after which point it is turned over to County. She further

mentioned that the owners can claim the money during the seven years and that there is a great deal of effort by the Collector's Office to find the owners.

Subject: Consideration of Adoption of Amendments to Roadway Right of Way Regulations-John Patton

John Patton stated that at the end of August he proposed Amendments based on utility company comments to the regulations. John Patton then stated that the Commission requested that the utility companies be given notice and copies of regulations. He stated that he gave the companies until the end of September to comment on them.

He stated that he received a communication from AmerenUE that stated that they would like to have a blanket permit also. AmerenUE also noted that the emergency exception was a good thing.

Therefore, John Patton stated that he made no changes to the Amendments based on additional input. He stated that he was therefore bringing these Amendments back to Commission for adoption.

Commissioner Stamper asked if anyone had heard from any utility companies.

Commissioner Miller and Commissioner Vogt both responded that they had not.

Commissioner Miller moved to adopt the Amendment of Boone County Roadway Regulations, Chapter II amending Commission Order 337-98.

Commissioner Vogt seconded the motion.

There was no discussion. The motion passed 3-0. **Order 476-98**

Commissioner Reports

Commissioner Stamper

Commissioner Stamper stated he had received a call from Mr. Beck, briefing him about a mercury spill.

Commissioner Stamper stated that he still did not understand where that amount of mercury came from or how it got there.

Commissioner Miller said it came from a blood pressure cuff exploding. They were not aware as to when the spill took place, however the room that the accident occurred in is used regularly so the mercury could not have been out in the open for very long.

Commissioner Stamper stated that Mr. Beck discussed a call from the mayor stating that he was interested in re-motivating the discussion about the new health building. He stated that Mr. Beck would bring two orders before the City Council to work on the issue. One order will be for the health department, and the other will be on two transportation projects (on Oakland Rd and Scott Blvd).

Commissioner Stamper also reported that he and Frank Abart spoke about St Charles Rd and Creasy Springs Rd asked Commissioner Miller and Commissioner Vogt to meet individually with Frank Abart to discuss some of the complexities of those cases.

Commissioner Stamper also reported that he met with the NID group about a concern on how the County compensates for a failed NID for the advanced engineering work. Commissioner Stamper stated that the pre-engineering work had been cut to a minimum, however there was still some exposure. He noted that the graver concern was with sewers versus roads.

Commissioner Stamper stated that the sewers were of major concern because there was substantial engineering dollars spent before the project can even be started. He mentioned that there was some discussion about asking for an initial deposit on the work. However he noted that it was agreed that most of the neighborhoods in the NID project would not be able to place an initial deposit. He stated that very little was decided in the discussion.

Commissioner Stamper met with a Boone Electric Cooperative representative, the Auditor, the Treasurer, Jim Davis. He reported that this group had written a letter expressing an interest in a revolving fund with the State to finance an on-site treatment system for homeowners. Commissioner Stamper stated that the State approved it. He noted that it has not been fully accepted because there could be some unforeseen drawbacks for the County.

Commissioner Stamper explained that the money would pass through the county, and is then put in a bank to be made available for lower interest rate loans to correct on-site sewage problems. The loan has a 20-year life.

Commissioner Stamper stated that there would be continuing discussions on that.

Commissioner Miller said that this would be a wonderful thing because many people cannot afford the solutions.

Commissioner Vogt wanted to know if the loan would be a one-time for the property or for the owner.

Commissioner Stamper stated that with this loan, if there were a sewer in violation; an appeal to a loan to a bank could be made, and the money that the bank would loan (the average of which is about \$6,000) would come from a State revolving fund. The low-interest repayment could then be spread over twenty years.

Commissioner Stamper then asked Becky Jackson when she would be bringing forward the recommendation on the Community Development Block Grant.

Becky Jackson stated that it would come forward as soon as the waiver was received from Pat Fielding.

Commissioner Stamper stated that he had received a number of notices on mergers and acquisitions. He reported that AT&T was purchasing TCI Cable and there will be a rate increase on behalf of TCI Cable.

Commissioner Stamper reported that Capital Cable had changed its format and its rate structure. He also stated that GTE was merging with Bell Atlantic. He noted that there were documents and information on rate increases available if anyone chose to look at them.

Commissioner Stamper requested that John Patton, County Counselor schedule a meeting on the revision of the Open Meetings & Records Act.

Commissioner Stamper also submitted for the public record the audit of the Daniel Boone Regional Library.

Commissioner Stamper stated that he had received a visit from the Salvation Army. Commissioner Stamper stated that the Salvation Army were trying to replace the Harbor House and they were making inquiries about the healthcare profit share. Commissioner Stamper stated that he gave them a description of a number of activities that they currently had ongoing, but made no promises.

Commissioner Stamper stated that he had received notice on the Guaranteed Life Insurance Group policy on disability.

Commissioner Stamper also stated that there had been some thought and discussion on the proposal to rebuild the road between the towns of Easley and Wilton and it had been decided that a project of that nature would be extremely expensive and very difficult to complete.

Commissioner Stamper also noted that there was an impression given that one could build expensive homes in this area, however due to the flood plain, 15ft to 18ft levees would have to be constructed for that to even be considered.

Commissioner Stamper stated that he had asked Frank Abart to take a look at the ownership of Goodson Rd. Commissioner Stamper stated that its significance was that it was part of the Booneslick Trail and he wanted to know if that particular road was dedicated to the public right-of-way and who was responsible for maintaining it, etc.

Commissioner Stamper noted in his final report, that he had received a visit from Williams Bros. Pipeline concerning the pumping station. Commissioner Stamper stated that the pumping station was operational and that they were in the middle of a 100-hr test on the facility. Commissioner Stamper stated that he received a briefing (from the representative) on the meeting with landowners who had questions and concerns about the pipeline. The representative from Williams Bros. stated that the pipeline had been subcontracted and that it represented an 8 ½ million investment by his company.

The representative expressed concern that perhaps the landowners were not being treated properly by the subcontractors.

Commissioner Miller

Commissioner Miller stated that they needed to discuss the tabled jail project.

Commissioner Stamper asked Becky Jackson to come forward.

Commissioner Miller asked whether June Pitchford (County Auditor) should be asked to come down.

Commissioner Stamper stated that she would be needed only if they were going to go ahead with an award.

Commissioner Vogt stated that she would like June Pitchford to come down and help discuss the monetary options for the bid.

Commissioner Stamper called a recess at 2:10p.m.

Commissioner Stamper reconvened the meeting at 2:19p.m.

Commissioner Stamper asked Commissioner Miller to review the report she given at the last meeting on the Jail project.

Commissioner Miller stated that Steve Davis, Shinkle Shultz and David Eagle, County Construction Manager looked over the bids and evaluated the costs for the project. They then proposed that they go to the low bidder and ask them to present a cost for doing Pod D. Commissioner Miller stated that Pod D would give the County forty more beds and alleviate some of the immediate housing problems. Commissioner Miller stated that the low bidder came back with a recommendation that was much higher than was anticipated. The recommendation from

that point was to re-bid the entire project and to bid identifying Pod D as the base bid (and everything else would be an alternate).

Commissioner Miller stated that this was the recommendation that she brought to the Commission. She further stated that there were a lot of questions concerning the project and the effect a re-bid procedure would have on the budget. Commissioner Miller requested that June Pitchford be present to answer some questions.

Commissioner Stamper stated that he had some experience with this type of project. It was his understanding that without changing the scope of a bid, there would not be a lot of gain. He stated that by going with alternates, the scope would not be radically changed.

Commissioner Miller stated that if Pod D could be done in closer proximity to the budget that it would alleviate some of the lag time in other phases of the project. She stated that this would help the County keep moving and be able to determine the long-range need for corrections.

June Pitchford discussed the merits of utilizing the existing space (which would provide a place for more beds) versus a major expansion that would result in a temporary loss of space.

June Pitchford then discussed the monetary options concerning the budget. She stated that there was money available in the General Funds from savings in other areas.

She stated that Boone County was in a position to fund projects on a very small scope. She noted that in the beginning the total amount set aside for this project was only \$600,000 (\$500,000 for construction and \$100,000 in owners' cost and architect fees).

June Pitchford further noted that the current bid for the project was almost twice that amount. She stated that as a financial officer of Boone County she could not recommend that the County deplete the operating reserves of the General Fund significantly. She stated that she was concerned about the price tag on the current bid.

June Pitchford stated that she had received questions concerning spending extra money on the project (people assumed that a couple of hundred thousand more dollars would not pose a problem). June stated that her response was that the project budget has already been exceeded prior to the request for those additional funds.

She did state however, that the County had revenue from the Use Tax monies which amounted to a little over \$700,000, and \$500,000 in the Road & Bridge Fund. June Pitchford stated that she had originally thought that this money could be used for some capital replacements within the County. However, she stated that the Use Tax money was supposed to be set aside for capital money for local government. She stated with the out-of-county housing, and the transfer of juvenile officers to the state (which did not result in the savings that were expected); she expected to use a great deal of that money to balance the upcoming year's budget.

She did note that in the year 2000, the county would feel the full benefit of the state assuming the responsibility for juvenile officer positions. However, the reimbursement levels would fall commensurate to the state assuming responsibility.

June Pitchford stated that from a fiscal position, she would be remiss to encourage the Commission to fund significant and costly capital improvements from operating revenues. She stated that operating revenues money is generally more feasible for projects of a smaller scope.

Commissioner Stamper stated that he wanted to bring forth a risk involved in re-bidding a project. He stated that there was a possibility that this bid could back at a proportionate or higher rate.

Commissioner Stamper noted the continued costs of having to house prisoners out-of-county through a re-bid process

June Pitchford stated that the county would have to continue housing prisoners out-of-county even with the alternates or Pod D completed.

Commissioner Stamper stated that this was not necessarily the case if the project were completed as originally planned.

June Pitchford stated that Sheriff Ted Boehm had stated that it was a possibility that the county could be housing prisoners out-of-county even after completion of the Renovation project due to the rising number of inmates.

There was further discussion about the costs of staffing Pod D and those costs versus adding additional bed to Pods B and C and utilizing the staff that was already present.

June Pitchford stated that the sentiment she had received from the architects was that the bids were coming in too high.

Commissioner Miller stated that one of the benefits of re-bidding would be that winter was approaching and this was an indoor project.

Commissioner Vogt stated that one disadvantage was that the bids were already out in the open.

Commissioner Miller stated that it was all bid in one block then. Now the bid is being broken up.

Commissioner Stamper summarized the discussion. He stated that the Auditor had stated that the County had the financial capacity to re-bid the project. The Auditor could not recommend that the project proceed as originally planned due to the gross amount of expenditure required. The Auditor could also not count not account for (money that would be available in) the 1999 budget as far as this project was concerned.

Commissioner Stamper noted on the positive side that this re-bidding discussion allowed everyone to think about and take a serious look at the 1999 budget.

Commissioner Stamper stated that he was asked in a recent forum if there were anything that could raise taxes. He stated the only thing he could think of was this Jail Project.

Commissioner Stamper stated that the question for the County Commission was whether to re-bid or get together with the Auditor's Office and try to find a funding source for the original project.

June Pitchford reminded the Commission that the Use Tax money was available, however the Commission should keep in mind that there are a lot of needs that had to be met. And this money for other things in the 1999 budget would have to be found elsewhere.

Commissioner Vogt asked if we re-bid, how would the bidding procedure be changed to receive a better cost.

Commissioner Miller stated that the architects would break the project down into several different components. She also noted that the bids would be due after the Reality House Projects bid were due, so that the bidders would have more time.

Commissioner Stamper also noted that some of the complaint from the original bidders was the aggressive schedule during which they had to put bids together.

Commissioner Miller moved that the Boone County Commission authorize the Architect to issue Addendum 4 and re-bid the Jail Renovation Project. It is further ordered that the bids be due at the end of October to prevent them being read at the same time as the Reality House Project bids.

Commissioner Vogt seconded the motion.

There was no further discussion.

The motion passed 3-0. **Order 475A-98**

Commissioner Vogt

Commissioner Vogt had no report.

There was no public comment.

The meeting adjourned at 2:50p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner