

TERM OF COMMISSION: August Session of the July Adjourned Term

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

PRESENT WERE:

Presiding Commissioner Daniel Atwill
District I Commissioner Karen Miller
District II Commissioner Janet Thompson
County Clerk Wendy Noren
Director Human Resources Jenna Redel-Reed
County Counselor C.J. Dykhouse
Director Purchasing Melinda Bobbitt
Right-of-Way Agent Natalie Meighan
Collector Brian McCollum
Deputy County Clerk Mike Yaquinto

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

County Clerk

1. Depository Bid Award

County Clerk, Wendy Noren, gave the following overview on the awarding of the depository bid:

The County Treasurer and County Collector prepared detailed spreadsheets with all bank transactions and average daily balances for each month for the prior two years along with terms and conditions that cover requirements for online banking, collateral, safekeeping, ACH and Positive Pay processing.

Changes from the 2011 RFP process as to who can participate in the bid process involved the following:

- Increase of the maximum deposits to be collateralized from 20 million to 33 million for all accounts during tax season and 11 million for the rest of the year
- Require the institution to provide monthly pricing on investments held for safekeeping
- Request FTP file transfers on ACH and positive pay files
- Removed requirement that limited contract to downtown banks

There were certain Proposal Response Requirement with the RFP which involved:

- Pricing for services and quote the interest rate to be paid on County Deposits
- Agreement to specifics of Terms and Conditions or listing exceptions
- Provide financial data
- Provide a certified /cashiers check as guarantee for providing collateral
- Provide sample reports and bank statements
- Provide funds availability schedule

There is a cost evaluation guide provided for reference along with an interest rate evaluation to be based on quoted rate applied to July 6 Treasury auction for 90 day T-Bills at .015% and site visits were conducted to evaluate services.

Proposals were submitted from Central Bank of Boone County with a rate quote of 51 Basis points above T-Bill rate, Landmark Bank with a rate quote of 25 Basis points above T-Bill rate and a floor rate of no less than 75 basis points and Hawthorn Bank who quoted no fees and 21 Basis points above T-Bill rate with a floor rate of 60 basis points. There were no bids from Commerce, The Bank of Missouri and Callaway Bank.

A summary analysis was reviewed for each bidder. After the analysis, each bank was

sent the spreadsheet analysis for review and correction. RFP responses were reviewed for exceptions to Terms and Conditions and clarifications sought. Site visits were then conducted by various personnel within the County. It was determined that all appeared to have sufficient capacity to handle the county's account. The following issues were reviewed.

Central Bank of Boone County – no issues identified.

Landmark Bank – Use of FHLB Letters of Credit – agreed to limit to one letter of credit of cover Collector's increase balance during the tax season. The County's IT staff is confident Landmark can accept the SFTP file transfers from the county system.

Hawthorn Bank – Collateral holding through Commerce Bank rather than the Federal Reserve Bank and agreed to have Commerce contract for the services according to the model collateralization sample provided by the State Treasurer. Hawthorn cannot do SFTP file transfers of ACH and positive pay files. This would require reworking of staffing/and program development to insure adequate internal security.

Ms. Noren, Kay Murray, Brian McCollum and Tom Darrough reviewed the cost/income analysis of each bank with the Commission. Using the side-by-side comparison for each bank, the net incomes were:

Landmark Bank:	\$137,017.27
Hawthorn Bank:	\$134,017.22
Central Bank:	\$ 79,528.93

This provided a net profit for Landmark Bank over Hawthorn Bank of \$3,000.05 and over Central Bank by \$57,488.34.

Ms. Noren said the integrity of our process is important to us and we need to follow our stated evaluation criteria. After extensive analysis we recommend that the 2015-2017 Depository RFP be awarded to Landmark Bank based on the proposal submitted and according to the Terms and Conditions. The collateral terms shall be as clarified in a separate e-mail and an order has been prepared.

Before a motion is made and an order is read into the record, we wish to thank Hawthorn Bank for submitting an outstanding RFP and the first ever to quote “no fees” since we started this method of banking contracts in 1981. These proposals take a lot of work by the institution and their participation provides us with competition necessary to have the best deal for Boone County. We hope you know we take your efforts very seriously and hope to have the opportunity to award you a contract in the future. I am glad that the Collector and Treasurer agreed to removing the “downtown bank” requirement so they could again participate.

Finally, we want to thank Central Bank of Boone County, Judy Starr, Bonnie Lawler, Jody Munson and the rest of their great staff for four years of exceptional service. Landmark Bank needs to be aware that they have set a very high bar and will be a very tough act to follow. Central submitted a proposal that could, under some criteria, be evaluated as the best option. If we had the perfect crystal ball, we could possibly have gone that route.

The Commissioners thanked the banks for their hard work on presenting these bids and to the Boone County personnel who worked on providing the detailed analysis and final recommendation.

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby accept the bid from Landmark Bank for depository services and does hereby authorize the County Treasurer, County Collector, County Clerk and County

Counselor to proceed with signing the necessary paperwork to set up depository accounts and services with Landmark Bank. This authorization is pending final approval of the master agreement for depository services and shall bind the County only to the extent and under the terms of the Request for Proposal for Depository Services submitted by Landmark Bank and accepted by the County Commission on Thursday, the 27th day of August,

The agreement shall be contingent upon successful placement of collateral as outlined in the Terms and Conditions. The collateral terms have been clarified by Landmark Bank to limit the number of FHLB Letters of Credit to one during each Collector's tax season (November 15 to March 31) to cover the increased collateral requirements required under the Terms and Conditions.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #381-2015**

Purchasing

2. First reading; Bid Award 45-06AUG15 – Shelter Foundation and Site Work for Battle School Project

Melinda Bobbitt read the following memo:

Request for Bid *45-06AUG15 – Shelter Foundation and Site Work for Battle School* closed on August 6, 2015. One bid was received. Dave Dunford, our Radio Consultant, recommends award to McGilton Construction Co., Inc. of Parkville, Missouri for offering the lowest and best bid.

Contract award is \$17,400 and will be paid from department 2704 – Joint Communications Radio Network, account 91300 – Machinery & Equipment. \$321,000 was budgeted for the entire Battle School radio project.

There were no comments or questions.

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 appropriate order for approval.

Resource Management

3. First reading; Approve vacation of a drainage easement - Lot 4, Shalimar Gardens Block I

Natalie Meighan said they have been working with Allstate Consulting on a development plan in Shalimar Gardens. In the initial phase, they discovered a drainage easement that runs across the property at an odd angle. They would like the county to vacate that easement and in the new plan, will run a drainage line down the property line shared by the owner and that of EnRich Construction.

Prior to a second reading, they will have all the new easement signs and be ready for recording. We wanted to approach Commission at this time and make sure that if there were any questions, they would be addressed at this time.

Commissioner Miller asked if this current easement is the natural drainage easement and they are trying to change where the water is going.

Ms. Meighan said ironically, the current easement is not where the pipe is and that is part of

the issue. There is actually a drainage structure and pipe system there and does not fall in that footprint, so it is not really in the right place. The piping the county has is off by a few feet in one direction. We have seen the plan and our engineers and storm water people have looked at the plan and are in favor of moving it. There are no concerns that we have from an engineering standpoint.

There were no further comments or questions.

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 appropriate order for approval.

Human Resources

4. First reading; Revision to County Wide Policy 6.3 Drug Free Workplace

Jenna Redel-Reed said this is for an additional paragraph to the current policy in place. That additional paragraph is as follows:

An employee must notify his/her Appointing Authority in writing of his/her conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

This change is coming about due to a grant request from the Sheriff's Department. The grant requires a notification clause within this policy. It has been approved by the Personnel Advisory Committee in June.

Commissioner Miller asked if this applies only while on the job.

Ms. Redel-Reed said that is right, only at work and notification must occur within five days of

a conviction.

Commissioner Atwill asked if one is driving a county vehicle, is that considered in the work place.

Ms. Redel-Reed said she assumes that the driving is during the work day and it would be considered the work place.

There were no further comments or questions.

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 appropriate order for approval.

5. First reading; New Personnel Policy – Data and Voice Reimbursement

Jenna Redel-Reed said this policy codifies the county practice with regard to re-imbusement for phone and data usage. Currently, the county has four different options. For some county employees, as a condition of employment, they have to have a phone. The cost of the phone is considered to be covered by their current compensation.

Some employees have a phone which is not issued by the county and that is not reimbursed as a condition of employment.

Others have a county issued phone along with the phone service and that is still an option. Then there are those where the employee provides the phone and the county provides the voice or data service. The bulk of the policy deals with employees who own the phone and are reimbursed by the county for either the phone, the date or a combination of both. By policy, the Commission sets the reimbursed rate using market data. The approved current rates are \$30/month for voice, \$35/month for data and \$45/month for Voice/Data Combination. These

are the maximum amounts.

There are now two new forms that go along with this policy. The first form, Authorization for a Wireless Data Service Reimbursement, is filled out by the Appointed Authority and specifies the business justification for paying the employee for the phone. The second form, Request for Wireless Phone/Data Service Reimbursement, is the form the employee will submit to the Auditor's Office for reimbursement. PAC has also reviewed and approved this as well.

There were no comments or questions.

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 appropriate order for approval.

County Counselor

6. First reading; Facility Agreement with United Parcel Service

C. J. Dykhouse said this is a reprisal of an agreement with UPS, the first with our manager/tenant from the end of 2013 into 2014 and the second with the County dating mid 2014 to mid 2015. This agreement provides for use of a storage area for trailers starting September 1, 2015 to March 31, 2016 at a slightly higher rental rate at the same location as it was for the 2014-2015 time frame.

Commissioner Atwill asked if there is any reference in the agreement on how they would work with other users of this facility.

Mr. Dykhouse said that is referenced in paragraph 4 of the agreement.

There were no further comments or questions.

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 appropriate order for approval.

7. First reading; Facility Agreement with Mortgage Research Center, LLC d/b/a Veterans United

C. J. Dykhouse said this is consistent with Commission policy to do what we can with county facilities. This satisfies a unique need for an excellent corporate citizen. It allows them to use the facility for 3,000 guests for their annual holiday party which is a significant event. None of the existing hospitality properties in the county aren't capable or are booked for such an event. We know, because they tried all the other venues. In addition, this allows them to keep all the ancillary business in our county in terms of rental equipment, services and food vendors as opposed to an alternate location they explored on the western side of the state. This is a significant revenue item at a \$20,000 rental and in addition, they agreed to provide the county with approximately 90 days of idle management property management services.

There were no comments or questions.

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 appropriate order for approval.

Collector

8. 1st & 2nd reading; 2015 Delinquent Tax Sale Surplus Report

Brian McCollum said per statute, we have identified through a summary, the surplus amount collected at the sale on the 24th in addition to the bid amounts that satisfied the taxes, special assessments, interests and costs that were part of the sale. We had 21 properties offered and

had bids on 20 of those. Previous to the bids being paid, one bidder backed out on two of the properties they had bid on so the actual issued certificates of purchase was for 18 properties this year. The surplus amount to be turned over to the Treasurer this year is \$443,179.27.

Commissioner Miller asked how someone can back out of a bid.

Mr. McCollum said that they try to let everyone know they need to do their homework before the sale, know what you are buying. Unfortunately, some do not do their homework up front. They come to the sale, get caught up in the action, and bid on a piece of property. If they bid and choose not to pay the bid amount, they are subject to a 25% penalty on the amount of the bid. We did collect that penalty on those two properties. We then re-opened the sale and offered these two properties for sale again. There were no bidders and the sale was closed and these two properties will be offered next year.

There were no further comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby acknowledge the 2015 Tax Sale Surplus Report presented by the Boone County Collector in the amount of \$443,179.27. It is further acknowledged said funds shall be turned over to the Boone County Treasurer.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #382-2015**

Public Administrator

9. Second reading; Agreement for Emergency Dental Services for Public Administrator Clients (1st read 8-25-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached agreement between the Boone County Commission and the Boone County Public Administrator regarding Emergency Dental Services.

The terms of the Agreement are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Emergency Dental Services Agreement.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #383-2015**

13th Judicial

10. Second reading: Memorandum of Understanding between 13th Judicial Circuit and Boone County Commission (1st read 8-25-15)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached Memorandum of Understanding between the Boone County Commission and the 13th Judicial Circuit to use Boone County Law Library funds for technological upgrades in the Ground Floor Courtroom.

The terms of the Agreement are stipulated in the attached MOU. It is further ordered the Presiding Commissioner is hereby authorized to sign said Memorandum of Understanding.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #384-2015**

Commission

11. Public Comment

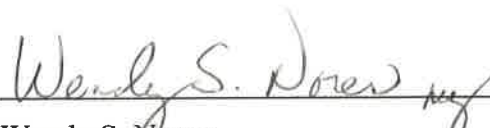
None

12. Commissioner Reports

None

The meeting adjourned at 2:23 p.m.

Attest:



Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner

