

TERM OF COMMISSION: November Session of the October 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
Director Purchasing Melinda Bobbitt
Director Resource management Stan Shawver
Deputy County Clerk Mike Yaquinto

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

Purchasing

1. Bid Opening 72-05NOV15 – Radio Tower Assembly and Erection at the ECC

Commissioner Atwill said that the bid is for the tower at Battle High School and not ECC as reflected on the agenda.

The following bids were opened:

McAfee Construction, Inc.:	\$110,477.00
Western Towers:	\$ 87,270.00
Mercury Communications & Construction:	\$ 72,155.00
McGilton Construction Company:	\$ 59,362.00

Commissioner Atwill thanked those that submitted bids and said they will be returned to Purchasing for further evaluation.

2. 1st & 2nd reading; Cooperative Contract 080114-ACS – Salt Storage Building

Melinda Bobbitt read the following memo:

Public Works request permission to utilize the National Joint Powers Alliance (NJPA) cooperative contract *080114-ACS* to purchase one (1) Salt Storage Building from SBK Farm and Ranch, LLC of Gerald, Missouri.

Total cost of contract is \$39,066.00 and will be paid from department 2040 – PW Maintenance Operations, account 91200 – Buildings and Improvements. \$45,000.00 was budgeted.

Commissioner Miller said there was a 1st & 2nd reading today because there was a need to have the facility up and filled with salt before winter.

There were no further comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the utilization of the National Joint Powers Alliance Cooperative Contract 080114ACS to purchase one (1) Salt Storage Building from SBK Farm and Ranch, LLC of Gerald, MO.

The terms of the Cooperative Contract are stipulated in the attached Purchase Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Purchase Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #530-2015**

Resource Management

3. First reading; Accept gift of Stream Gauging Equipment located on Hinkson Creek

Stan Shawver said we recently received an offer from Dr. Jason Hubbart, formerly an Associate Professor of Forestry, Hydrology and Water Quality at the University of Missouri. He has been operating four stream gauging stations on Hinkson Creek. Dr. Hubbart is leaving the University and has offered to donate these gauging stations to Boone County. They have been gathering vital information on Hinkson Creek as to its condition. He is donating them, four stations, each with a bubbler and solar panel. There is a fifth bubbler that is kept in reserve. The value of this equipment is about \$20,210.

With this expense coming into the county infrastructure, at some point there will be repairs necessary, tune-ups and other expenses, so it needs to be in the county inventory. The county Auditor said this needs to be brought before the County Commission where the donation will be accepted and then we will proceed to get them added to the county class 9 items. This will be at no cost to the county. Dr. Hubbart has asked that the county continue to make the information available to him. Although he is not here, he is still interested in Hinkson Creek.

Commissioner Miller said that Dr. Hubbart also said that the county is not obligated to continue monitoring Hinkson Creek if at some point it is not in the best interest of the creek or Boone County to continue or if the county may want to move them elsewhere. This is totally up to the county with no strings attached.

Commissioner Atwill asked how Dr. Hubbart acquired title to this equipment.

Mr. Shawver said they were obtained as part of a grant and through the expiration of time since acquisition, there is no feedback or callback on the original funding. We investigated all of that very carefully before accepting the offer. It is below the University value as far as

what would be equivalent class 9 inventory. They have no interest in the equipment.

Commissioner Thompson asked if they have relinquished any kind of claim they would have to the property.

Mr. Shawver said yes.

Commissioner Miller asked if there is anything in writing from the University as to that fact.

Mr. Shawver said we could not get anything from the University on that. We did everything we could to get the documents and approval, but it was below their radar.

Commissioner Miller asked if Gary Ward was consulted.

Mr. Shawver said he did not speak to Mr. Ward, but did speak to Todd Houts. Mr. Shawver said the he personally, is fairly confident that Dr. Hubbard would not have made the offer if he were not empowered to do so.

Commissioner Atwill said the point is we need to cover the record as to him having the authority to do this. What I do know is that in the process of giving things, they must own it to give it. Perhaps an affidavit from him that says he has the ownership and the right to dispose of this. There should be some type of trail on this.

Commissioner Miller said she agrees with this. There should be some safeguards in place for this transaction.

Mr. Shawver said he doesn't know if we can get anything more than the letter that he provided to us on October 6th.

Commissioner Atwill said we should consult County Counsel on this matter. This is only the first reading.

Mr. Shawver said he will do that.

There were no further comments or questions.

Commissioner Atwill said a second reading, if required after consultation with the County Counselor, will be scheduled upon notice by Mr. Shawver to the Deputy County Clerk.

4. 1st & 2nd reading; Findings of Fact and Conclusions of Law – Gerald & Marylyn Sims on behalf of Cellco Partnership d/b/a Verizon Wireless

Stan Shawver said this is the Conditional Use Permit for the transmission facility that was approved on October 27th. The Findings of Fact and Conclusions of Law are brought forward to the Commission for adoption.

There were no comments or questions.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby adopt the attached Findings of Fact and Conclusions of Law relative to a request by Gerald & Marylyn Sims on behalf of Cellco Partnership d/b/a Verizon Wireless for a Transmission Facility with a 165' monopole tower.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #531-2015**

5. 1st & 2nd reading; Findings of Fact and Conclusions of Law – Gary F. Arends on

behalf of Cellco Partnership d/b/a Verizon Wireless

Stan Shawver said this is similar to the previous one just approved. It is for the Conditional Use Permit for the transmission facility that was approved on October 27th on Canole Road.. The Findings of Fact and Conclusions of Law are brought forward to the Commission for adoption.

There were no comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby adopt the attached Findings of Fact and Conclusions of Law relative to a request by Gary F. Arends on behalf of Cellco Partnership d/b/a Verizon Wireless for a Transmission Facility with a 165' monopole tower.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #532-2015**

Commission

6. Public Comment

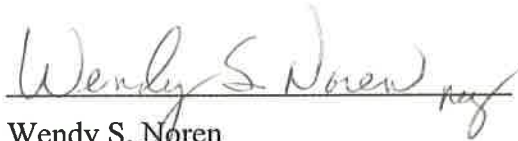
None

7. Commissioner Reports

None

The meeting adjourned at 1:42 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

