

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
Treasurer Tom Darrough
Buyer Cheli Haley
Sheriff Captain Gary German
Director Resource Management Stan Shawver
Deputy County Clerk Mike Yaquinto

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

Purchasing

1. First reading; Bid Award 62-02OCT15 – HVAC Units and Parts Term & Supply

Cheli Haley read the following memo:

Bid 62-02OCT15 – HVAC Units and Parts Term & Supply opened on October 2, 2015 with three bids received. Facilities Maintenance recommends awarding by best bid for ease of contract to all three bidders since each sell the products of different manufacturers. Award will go to Reliable Products Corporation d/b/a Johnstone Supply, Comfort Products Distributing, and Riback Supply Company, all of Columbia, Missouri.

Invoices will be paid from Department 6100 – Facilities and Grounds Maintenance and Account 60200 – Equipment Repairs/Maintenance. The amount budgeted for this work is \$29,000.00.

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.

2. Second reading; Bid Award 72-05NOV15 – Tower Foundation and Site Work for Battle High School site (1st read 11-5-15)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 72-05NOV15 – Tower Foundation and Site Work for Battle School to McGilton Construction Co., Inc. of Parkville, MO.

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

Commissioner Thompson seconded the motion.

The motion carried 3 – 0. Order **555-2015**

3. Second reading; Bid Award 68-23OCT15 – Pest Control Services (1st read 11-19-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby award bid 68-23OCT15 – Pest Control Services to Wood's Pest Control of Eldon, MO.

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

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #556-2015**

4. Second reading; Bid Award 48-31AUG15 – MDC/GPS Vehicle Tracking and Fleet Management System (1st read 11-19-15)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 48-31AUG15 – MDC/GPS Vehicle Tracking and Fleet Management System to CalAmp Radio Satellite Integrators of Torrance, CA.

The terms of the bid award are stipulated in the attached 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 #557-2015**

5. Second reading; Contract Amendment Number One to 47-23OCT15 – Records Shredding and Disposal Services (1st read 11-19-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Contract Amendment Number One to 47-23OCT14 – Records Shredding and Disposal Services.

The terms of this amendment are stipulated in the attached Contract Amendment. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number One.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **558-2015**

Treasurer

6. First reading; 2013 Tax Sale Surplus for Izzaldin Mustafa

Tom Darrough said this is a perfect example of understanding the tax sale before participating in them. Mr. Mustafa bought several properties in 2013 and did not follow all the conditions properly and lost four of the five he bought. On this particular property, he followed the proper procedures and then did not do the taxes himself and it sold again two years later and now he is receiving the surplus based on the follow up he did on this property.

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.

Sheriff's Department

7. First reading; Budget Amendment to establish budget for the use of the Internet Crimes Against Children Task Force sub-grant

Captain German said the Sheriff's Department is requesting a budget amendment for the Internet Crimes Against Children Task Force sub-grant through the Protect Act for \$10,000 to be used for training and equipment. This also includes an amount of \$480 for defendant and court re-coup fees.

Commissioner Atwill asked if there are any costs to the County.

Captain German said there were none.

There were no further comments or questions.

Commissioner Atwill said a public hearing and second reading will occur after the mandatory 10 day waiting period for budget amendments.

8. First reading; Budget Amendment to budget 2015 portion of the Cyber Crimes grant award

Captain German said this was awarded earlier in the year and we would now like to release the funds so we are seeking a budget amendment for this grant. This is for the 2015 portion. The 2016 portion has been put in the regular budget. This will be for two employees and their salaries and benefits as well as some training and miscellaneous equipment for investigations.

Commissioner Miller asked if the amount is split \$84,000 for this year and \$84,000 for next year.

Captain German said that is correct.

There were no further comments or questions.

Commissioner Atwill said a public hearing and second reading will occur after the mandatory 10 day waiting period for budget amendments.

9. First reading; Budget Amendment to establish FY2015 JAG budget

Captain German said this is a budget amendment for Juvenile Justice Assistance for 2015. The total amount is \$38,139 which \$15,256 is for the county and \$22,884 is for the city as a sub-recipient. This is for equipment.

There were no comments or questions.

Commissioner Atwill said a public hearing and second reading will occur after the mandatory 10 day waiting period for budget amendments.

Prosecuting Attorney

10. Second reading; Budget Revision to cover cost of homicide trials in 2015 (11-19-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for the Prosecuting Attorney to cover added costs of homicide trials in 2015.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1123	86800	Emergency & Contingency	Emergency	11,000	
1262	84600	Victim Witness	Court Costs		500
1262	84700	Victim Witness	Witness Expense		5,500
1262	84800	Victim Witness	Transcripts		5,000

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #559-2015**

13th Judicial Circuit

11. Public Hearing and second reading; Budget Amendment to increase revenue and expenditures for the Fostering Court Improvement JCIP Sub-Grant (1st read 11-10-15)

Commissioner Atwill opened the public hearing and asked if there is anyone present that would like to speak on this item. There were no speakers and Commissioner Atwill closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby acknowledge the following budget amendment for the 13th Judicial Circuit to increase revenue and expenditures for the Fostering Court Improvement JCIP sub-grant for the period 10/15/2015 – 12/31/2015.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1243	3451	Judicial Grants	State Reimbursement		250
1243	37230	Judicial Grants	Meals		250

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #560-2015**

12. Public Hearing and second reading; Budget Amendment for implementation of juvenile justice programming assistance for delinquent youth (1st read 11-10-15)

Commissioner Atwill opened the public hearing and asked if there is anyone present that would like to speak on this item. There were no speakers and Commissioner Atwill closed the public hearing.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby acknowledge the following budget amendment for the 13th Judicial Circuit for the implementation of juvenile justice programming assistance for delinquent youth for the period July 1, 2015 to December 31, 2015.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
1243	3451	Judicial Grants	State Reimbursement		12,473
1243	23050	Judicial Grants	Other Supplies		2,995
1243	23400	Judicial Grants	Food		1,013
1243	71100	Judicial Grants	Outside Services		6,084
1243	71600	Judicial Grants	Equipment Lease		2,381

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #561-2015**

Resource Management

13. First reading; Re-approve variance for Hunter's Creek Farms, LLC previously known as Addison Ridge Estates

Stan Shawver said this is a piece of property off Hatton Chapel Road, platted in 1977 as Nature Trails Ranchettes subdivision. The development did not go anywhere as only a couple of lots were sold.

A new plat was proposed in 2005. Variances for construction of a 22 foot wide road with four foot grass shoulders and no parking were requested and granted. The street plans received approval on August 27, 2008. A second variance for a landscaped entrance island was requested and approved. Construction proceeded and approximately 2200 feet of a proposed 4400 foot road was built. At that point construction halted.

According to Boone County Zoning regulations, the life span of a plat is 5 years. This means that from the date of preliminary plat approval, a developer has 5 years to fulfill the requirements of becoming a final plat. Plat and variances expired in approximately 2010

with a half built road.

A new developer is currently requesting to renew the expired variances before submitting a new proposed plat to the Planning and Zoning Commission. Given the following facts: 1) an inspection of the in-place road was conducted. The road was found to be in good condition with no cracks. Zero crack panels were found, 2) cores of the concrete were taken and tested. Test results showed compressive strength to exceed the required limit, 3) the proposed road will be a through road, connecting O.B. Brown, versus the previously approved cul-de-sac, 4) while being a through road, the analysis provided by Allstate Consultants supports that the road will serve almost entirely internal traffic and 5) no parking will be allowed on the proposed streets and is to be posted as such.

While the proposal is dramatically different than the current road standards, the fact remains that 2200 feet of acceptable infrastructure exists. After review, the county engineer supports the requested variance. Confirmation of variances for 2006 and 2009 are on commission orders 284-2006 and 102-2009.

Commissioner Miller verified that the road has been inspected and is in good condition.

Mr. Shawver said everything works.

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.

**14. Second reading; Accept Street and Utility Easements from City of Columbia –
Rangeline Road (1st read 11-19-15)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby accept the attached easement for street purposes and easement for utility purposes for a portion of Rangeline Road.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #562-2015**

Joint Communications

**15. Second reading; 3rd Quarter 911 Joint Communications Invoice from City of
Columbia (1st read 11-19-15)**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby accept the attached invoice from the City of Columbia in the amount of \$93,977.04 pertaining to operating costs of the Joint Communications Center for the period July through September, 2015.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #563-2015**

Public Works

**16. Second reading; Memo and Budget Revision to purchase small plow and spreader
(1st read 11-19-15)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for the Public Works Department for the purchase of a small plow and spreader to be installed on a recently acquired one-ton truck.

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
2040	92300	PW	Replacement Equipment	10,250	
2040	91300	PW	Machinery & Equipment		10,250

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #564-2015**

Commission

17. 1st & 2nd reading; Rescind Commission Order 553-2015

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby rescind Commission Order 553-2015. The closed session meeting has been rescheduled from November 24, 2015 to December 1, 2015.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #565-2015**

18. 1st & 2nd reading; Approve Closed Session authorized per RSMo Sec 610.021 (1) at 2:00PM on December 1, 2015

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Tuesday, December 1, 2015, at 2:00 p.m. The meeting will be held in the Conference Room 338 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by RSMo 610.021(1), to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #566-2015**

19. Public Comment

Linda Cheatham

I believe there has been a lack of transparency on the Gulf War Memorial issue. It is our understanding there is a committee and a design has been put forward and we would like to know who is on the committee, how they were picked, how the design was chosen, how it was funded and who donated to that committee. We also understand it was just below the bid ceiling and we are concerned that it might have been done inappropriately.

The proposed memorial is generic and is ugly and diminishes the contributions of the two Boone County military who made the ultimate sacrifice. We need and deserve a full accounting of the process and the costs involved. My basic question is why are we spending money to put in a new memorial when the families have agreed to leave the fish covered and there is no need to move it. I really think it is a waste of money on the part of the county to

move the existing memorial when it does not need to be moved.

Jim Coy

I am a retired army Colonel and am a veteran of the Gulf War. I agree that the memorial should not be moved and ask the Commission to consider not moving the memorial. I am speaking for veterans as a whole and specifically those of the Persian Gulf War. This creates more sadness and hurt for the families of these two soldiers. I also understand a new monument has been proposed and that it would cover the Persian Gulf War and also that the Farnen's requested that the name of their son not be put on the new one. It is my request that you leave the monument where it is. The families have agreed to leave the fish covered and not move the memorial.

Rick Rowden

We lost the fight to keep the Gulf War Memorial on the Boone County grounds. At that time, when it was covered, in secret, the Commission broke the hearts of the parents of these fallen soldiers. The Commission made a decision to stand with American's United for Separation of Church and State and stand against the citizens of Boone County. The survey indicated that more than 70% of the people did not want the memorial moved.

I believe the Commission took a stand against religious liberty as well as freedom. In deciding to hide the ichthus, the Commission violated the words of Jesus which states, "If you are ashamed of me before man, I will be ashamed of you before my father. You will be held accountable when you stand before God."

We lost the battle, you won. The question I have is why are you moving the current memorial. As the Commission never answers questions from the public, I am compelled to answer for you. There is no moral or legal reason and the only thing I can surmise is that you

are moving it as a personal vendetta against those that oppose you. Moving the monument which displays no religious symbol makes no sense and sets a dangerous precedent for our community. There are currently five additional memorials that have the same characteristics and markings as does the Gulf War Memorial, no religious symbols.

My argument is there are people who can make the case that all memorials, which in their eyes honor men and women who have killed other humans, should not dwell on public property. Several years ago, that would be a far-fetched idea and I can't say that now. I would never have imagined a group of students would ask that a statue of Thomas Jefferson be moved from the university just as never imagining that the Commission would remove a religious symbol that was on these grounds for 23 years.

There are many examples of anti-God and anti-American acts that have become common place in our society. In closing, I ask you to lead and do the right thing before you leave office. Do not leave the county susceptible to the fallout that could follow these actions as you exit office.

Betsy Phillips

I have been here before on this issue and I stand with those that have spoken before me. I think, especially in light of the many things that are happening in our country and our society, people are out of control in many ways and then I look at the situation of the memorial that happened over 20 years ago and people are saying why are you worrying about this. If it had happened 40 years ago, people would laugh. Our society has changed so much. Our constitution guarantees these rights which cannot be taken away from us which are life, liberty and the pursuit of happiness.

I am very disappointed and am not finished with this. It is disappointing to come before this governing body and see the actions that have transpired and I am sad at the lack of

transparency. It shows either there is something going on or you simply don't trust us. We need to get along and do things that will benefit all of us. We have to work together. Sometimes we don't all agree on these things. We have to look at it a lot more deeper than the issue itself. I still stand where I did before and that the monument should stay and be uncovered. It is a matter of freedom of speech.

Paul Prevo

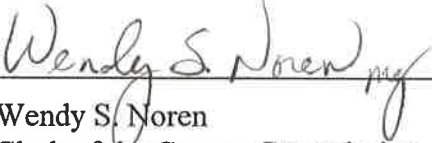
I was not asked or appointed to serve on a committee to look at the memorial. I would like to make a simple suggestion that might be a cost savings and benefit everyone in the long run. Take the plaque currently on the memorial and engrave the national motto "In God We Trust" on it and leave the memorial in its current place. That is best for the community and best for those that served for us.

20. Commissioner Reports

None

The meeting adjourned at 1:55 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