

TERM OF COMMISSION: August Session of the July Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Conference Room 301 / Conference Call

PRESENT WERE: Presiding Commissioner Daniel Atwill
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Community Services Joanne Nelson
13th Circuit Court Judge Kevin Crane
Director of Joint Communications Chad Martin
Sheriff's Office Captain Brian Leer
Children's Division Angie Bezoni
Boone County Health Department Kristine Vellema
Deputy County Clerk Jodi Vanskike

Conference Call Information:

Number: 425-585-6224 Access Code: 802-162-168

The meeting was called to order at 9:30am.

Health Department

1. First and Second Reading: Public Nuisance Parcel # 12-415-20-01-083.00 01

Dan West, the owner of the property, spoke on the conference call that they took care of the truck and he has hired someone to take care of the stuff in the back yard today. Commissioner Atwill advised Mr. West at this time, he encourages him to work with the Health Department as it seems Mr. West is willing to resolve the issue. Mr. West stated he would do that.

Commissioner Thompson moved now on this 3rd day of August 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: junk, trash, rubbish, garbage and other refuse and a derelict, unlicensed, inoperable and junk-filled blue pickup truck vehicle on the premises.
4. The location of the public nuisance is as follows: 2427 E. Alan Circle, Gregory Heights Subdivision, Block 3, Lot 111, a/k/a parcel# 12-415-20-01-083.00 01, Section 20, Township 49, Range 12 as shown in deed book 2984 page 0061, Boone County.
5. The specific violation of the Code is: junk, trash, rubbish, garbage and other refuse and a derelict, unlicensed, inoperable and junk-filled blue pickup truck vehicle in violation of section 6.5 and 6.9 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 20th day of May to the lien holder and on the 17th day of June to the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

WITNESS the signature of the presiding commissioner on behalf of Boone County Commission on the day and year first above written.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #309-2021**

2. First and Second Reading: Public Nuisance Parcel # 11-606-14-01-032.00 01

Commissioner Aldred moved now on this 3rd day of August 2021, the County Commission of Boone County, Missouri met in regular session and entered the following findings of fact, conclusions of law and order for abatement of nuisance:

Findings of Fact and Conclusions of Law

The County Commission finds as fact and concludes as a matter of law the following:

1. The Boone County Code of Health Regulations (the "Code") are officially noticed and are made a part of the record in this proceeding.
2. The City of Columbia/Boone County Health Department administrative record is made a part of the record in this proceeding and incorporated herein by reference. In addition, any live testimony of the official(s) of the department and other interested persons are made a part of the record in this proceeding.
3. A public nuisance exists described as follows: junk, trash, rubbish, garbage tires and other refuse on the premises.
4. The location of the public nuisance is as follows: 709 W. Mauller Road, Bon-Gor Lake Estates Subdivision, Block 2, Lot 11, a/k/a parcel# 11-606-14-01-032.00 01, Section 14, Township 49, Range 13 as shown in deed book 4385 page 0116, Boone County.
5. The specific violation of the Code is: junk, trash, rubbish, garbage, tires and other refuse in violation of section 6.5 of the Code.
6. The Health Director's designated Health Official made the above determination of the existence of the public nuisance at the above location. Notice of that determination and the requirement for abatement was given in accordance with section 6.10.1 of the Code on the 23rd day of June to the lien holder and the property owner.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner was given notice of the hearing conducted this date before the Boone County Commission for an order to abate the above nuisance at government expense with the cost and expense thereof to be charged against the above

- described property as a special tax bill and added to the real estate taxes for said property for the current year.
8. No credible evidence has been presented at the hearing to demonstrate that no public nuisance exists or that abatement has been performed or is unnecessary; accordingly, in accordance with section 6.10.2 of the Code and section 67.402, RSMo, the County Commission finds and determines from the credible evidence presented that a public nuisance exists at the above location which requires abatement and that the parties responsible for abating such nuisance have failed to do so as required by the Health Director or Official's original order referred to above.

Order For Abatement Chargeable As a Special Assessment To The Property

Based upon the foregoing, the County Commission hereby orders abatement of the above described public nuisance at public expense and the Health Director is hereby authorized and directed to carry out this order.

It is further ordered and directed that the Health Director submit a bill for the cost and expense of abatement to the County Clerk for attachment to this order and that the County Clerk submit a certified copy of this order and such bill to the County Collector for inclusion as a special assessment on the real property tax bill for the above described property for the current year in accordance with section 67.402, RSMo.

WITNESS the signature of the presiding commissioner on behalf of Boone County Commission on the day and year first above written.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #310-2021**

Sheriff's Office

3. First Reading: Capitol Police K-9 Maintenance Training Contract

Major Gary German from the Boone County Sheriff's Office stated this is the first time the Capitol Police have utilized the Boone County Sheriff's Office services. Major German stated his office evaluated the K-9 and felt it would be a good fit for the program. Major German stated this is for the maintenance where they will work with the dog throughout the year and make sure it doesn't have any deficiencies. Major German stated this is a single purpose dog and the contract amount is \$1,000.00.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

4. Second Reading: Budget Amendment: Video Court Expansion Project (First Read 07.22.21) Open Public Hearing

Major Gary German stated he feels this will help his department and feels his department has proven the concept to work with doing video court throughout the pandemic. Major German stated he feels they need to expand what they currently have, so they are looking to replace the few units they currently have and adding a few more. 13th Judicial Circuit Court Judge Kevin Crane stated he thinks it will be beneficial to court business if they could get another camera at the jail.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Video Court Expansion Budget Amendment.

Terms of the agreement are stipulated in the attached agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign the Budget Amendment.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #311-2021**

5. Second Reading: FY2020 JAG Subrecipient Monitoring Agreement (First Read 07.29.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the FY20 JAG Subrecipient Monitoring Agreement.

Terms of the agreement are stipulated in the attached agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #312-2021**

6. First and Second Reading: FY2021 Edward Byrne Memorial Justice Assistance Grant Application

Major Gary German stated they were allocated \$36,950.00 and his office and the City of Columbia will need to work out percentages and who is going to work on the fiscal side of this. Major German stated they need to make sure they are abiding by grant standards. Major German stated, historically, the split has been a 60/40 split with the City of Columbia retaining 60% and the County retaining 40%. Major German stated the County portion will be \$14,780.00 and the City of Columbia portion will be \$22,170.00. Major German stated the City of Columbia plans to use the money for eight portable radios and the County plans to use the money to redo some doors in the housing unit of the jail allowing more flexibility on where inmates are housed.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve FY2021 Edward Byrne Memorial Justice Assistance Grant Application.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #313-2021**

13th Judicial Court

7. First Reading: Budget Amendment Dept. 1243 JJPA Grant

Angie Bezoni with the Juvenile Office stated they have been awarded \$10,000.00 for the Juvenile Justice Program Assistance Funding. Ms. Bezoni stated this is grant they have had for about ten years now. Ms. Bezoni stated they have not been awarded the full grant they asked for so, at this point, they use it to pay for the in-home detention. Ms. Bezoni stated this will run until June 30, 2022.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

8. First Reading: Budget Amendment Dept. 1243 DRRF Grant

Angie Bezoni with the Juvenile Office stated this grant funds the supervised visitation program, which is contracted through Great Circle. Ms. Bezoni stated it is mainly used for family court cases. Ms. Bezoni stated there was an increase in what was awarded this year as they were awarded \$15,000.00 compared to last year where they were awarded \$10,000.00.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

Community Services

9. First and Second Reading: GIS contract with the City of Columbia

Director of Community Services Joanne Nelson stated they are requesting GIS information for bus routes and bus stops from the City of Columbia for their data base. Ms. Nelson stated they will use the information to plot out information for their Upward Mobility Data Walk that will be held August 11, 2021. Ms. Nelson stated she spoke with IT and this information falls outside of the current agreement that IT has with the City and needs this signed in order to move forward.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached GIS Data License Agreement between The City of Columbia and The County of Boone.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #314-2021**

Purchasing

10. Second Reading: Boone County Contract: 23-15JUL21 - Solid Block Asphalt Sealant - Term & Supply (First Read 07.29.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve Contract 23-15JUL21- Solid Block Asphalt Sealant – Term & Supply which opened on July 15, 2021. One (1) bid was received. Road & Bridge recommends award by low bid to Crafc0, Inc.

This is a term and supply contract and will be paid from Department 2040 – Road & Bridge – Road Maintenance, Account 26300 – Material and Chemical Supply.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #315-2021**

11. Second Reading: Boone County Contract: 27-13JUL21 - Magnesium Chloride Application (First Read 07.29.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve Contract 27-13JUL21- Magnesium Chloride Application – Term & Supply which opened on July 13, 2021. One (1) bid was received. Road & Bridge recommends award by low bid to Scotwood Industries, Inc.

This is a Term and Supply contract and will be paid from Department 2040 – Road & Bridge – Road Maintenance, Account 26301 – Surface Stabilization Material.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #316-2021**

Joint Communications

12. First Reading: Budget Amendment, 2706 Radio Network Improvements

Director of Joint Communications Chad Martin stated he is requesting Commission approval for the attached budget amendment to increase funds for the ongoing construction of two radio tower sites at the Rock Bridge and PEN site. Director Martin stated the timeline for the two projects has accelerated and material and labor costs have increased. Director Martin stated this contract represents full cost of completing each site to take advantage of the process to improve the project costs at once instead of year by year. The current 2021 budget for the Rock Bridge and PEN sites were for a portion only that was expected to be accomplished this year. This multi-year budget approach approved by the Auditor’s Office will allow for better tracking and projection than the annual budgets. Director Martin stated the amount of the Budget Amendment is \$1,159,059.00.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

Commission

13. Second Reading: Approving an MOU regarding relocation of the courthouse murals (First Read 07.29.21)

Commissioner Atwill stated there have been some new developments as pointed out in the most recent edition of the Missouri Lawyers Weekly in the last few days. Commissioner Atwill stated St. Louis County has arranged to build a monument in front of the Courthouse that deals with efforts of lawyers to assist slaves in being freed. Commissioner Atwill stated they had quite a ceremony that addressed that with judges and the mayor of St. Louis. Commissioner Atwill stated a committee was appointed to study the issues involved and came up with this plan. 13th Judicial Circuit Court Judge Kevin Crane stated he doesn't know all the rules under which the Commission operates but he does not understand how you could take down the murals without examining copy right laws or the position of any heirs or descendants of the artist. Judge Crane stated he doesn't understand, until the cost of removal is determined, how it can be determined that it is surplus property. Judge Crane stated further, he doesn't understand what the authority of the Commission is to do anything unilaterally. Judge Crane stated he thinks they ought to slow the train down as he doesn't think this is how they do business in Boone County by just deciding through this course of events that they are to just be taken down. Commissioner Thompson stated she would like to make clear for the record, the Commission has not acted unilaterally and in fact the idea to remove the murals did not come from this body, it came from the court. Commissioner Thompson stated the court sent a memorandum that was from a super majority of the sitting court, to the County Commission requesting that the County Commission facilitate the removal of the murals. Commissioner Thompson stated that was what the Commission received from the Court, so it didn't come from this body or any particular Commissioner, it came from the Court. Judge Crane stated he understood and that he guessed he was in the super minority at the Courthouse and that he didn't know the letter was even being sent. Judge Crane stated he would submit that this currently is before the Commission on a second reading and he would like to say he is opposed to taking them down. Commissioner Atwill moved they need to come up with a clear plan for an evaluation of the murals for removal and that it be discussed publicly before implementation of any action with the murals. Commissioner Aldred seconded. All those in favor: Commissioner Atwill, Commissioner Aldred. Commissioner Thompson abstained.

14. First and Second Reading: Board of Equalization – New Appointment – Kenny Mohr

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the following Board Appointment.

| | | | |
|------------|-----------------------|-----------------|--|
| Kenny Mohr | Board of Equalization | New Appointment | September 1, 2021 thru August 31, 2025 |
|------------|-----------------------|-----------------|--|

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #317-2021**

15. Public Comment

None

16. Commissioner Reports

None

Attest:



Daniel K. Atwill

Presiding Commissioner



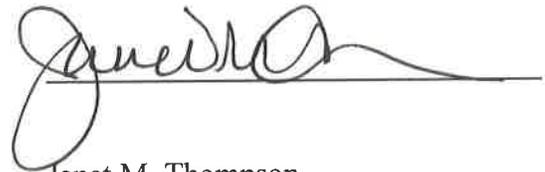
Brianna L. Lennon

Clerk of the County Commission



Justin Aldred

District I Commissioner



Janet M. Thompson

District II Commissioner



Circuit Court of Missouri

Thirteenth Judicial Circuit

MEMORANDUM

DATE: July 16, 2021
TO: Boone County Commission
FROM: J. Hasbrouck Jacobs, Presiding Judge
SUBJECT: Murals in Stairwell of Courthouse

After discussions regarding the murals in the Boone County Courthouse between the ground and first floor, and the first and second floor, it is apparent that the images have become a distraction such that the courthouse is not an appropriate venue for them. On behalf of a supermajority of the *court en banc*, it is respectfully requested that the commission remove the murals from the courthouse.