

TERM OF COMMISSION: October Session of the October 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
Accountant Jacob Flowers
Buyer Robert Wilson
Deputy County Clerk Jodi Vanskike

Public: Gary Oxenhandler

Conference Call Information:

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

The meeting was called to order at 1:30pm.

Auditor

1. First Reading: ARPA Budget Amendment Professional Services

Accountant Jacob Flowers stated a budget amendment was added to the contract, which they do for all of them because they don't budget anything for them ahead of time.

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.

Purchasing

2. First Reading: Bid Award: 35-20SEP21 - Pest Control Services - Term & Supply

Buyer Robert Wilson read the following memo: Request for Bid 35-20SEP21 – Pest Control Services – Term & Supply opened on September 20, 2021. One (1) bid was received. Facilities Maintenance recommends award to Wingate Pest and Lawn, LLC.

Invoices will be paid from departments 6101 – FM Housekeeping & Custodial Services, 2047 – R&B Facilities Maintenance and Custodial and account 60150 – Pest Control.

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.

3. Second Reading: Contract for Signature for Boone County: 39-123121C - ARPA-Related Non-Attest Services (First Read 10.05.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Contract# 39-123121 C ARPARElated Non attest Services with RubinBrown LLP of St. Louis, Missouri.

The purpose of the contract will be for RubinBrown LLP to advise the County regarding administration of grant funding received related to the COVID-19 pandemic.

Invoices will be paid from Department 2983 -American Rescue Plan Act, Account 71101 - Professional Services.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #426-2021**

4. Second Reading: Contract Amendment #2 for Signature: 36-13SEP28 - Healthy Hometown (First Read 10.05.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Contract Amendment #2 to 36-13SEP18 – Healthy Hometown – Southern Boone County with Jefferson City Area Young Men’s Christian Association.

Invoices will be paid from Department 2132 – Community Health Fund Program Funding, Account 71106 - Contracted Services.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #427-2021**

5. Second Reading: Contract for Signature for Boone County: 160-123122SS - GeoComm Maps (First Reading 10.05.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Sole Source Request Form from the Boone County

Information Technology Department, #160-123122SS for GeoComm Maps Subscription Fee with GEO-COMM, INC. of St. Cloud, Minnesota.

Total cost of service in the attached term and supply contract is as follows:

Year 1:	March 1, 2022 through February 28, 2023	\$27,299
Year 2:	March 1, 2023 through February 28, 2024	\$32,486
Year 3:	March 1, 2024 through February 28, 2025	\$38,658
Year 4:	March 1, 2025 through February 28, 2026	\$46,003
Year 5:	March 1, 2026 through February 28, 2027	\$55,377

The Sole Source Agreement #138-123117SS for Geocomm GeoLynx Server was awarded to Geocomm Inc. on May 4, 2017, Commission order # 224-2017.

Invoices will be paid from Department 2708 – 911/Emergency Management Information Technology Hardware & Software, Account 70050 – 911/Emergency Management Sales Tax Fund.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #428-2021**

6. Second Reading: Contract for Signature for Boone County: 159-123122SS - Q Plus Quality Performance Review Service (First Read 10.05.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached Sole Source Request Form from the Boone County Joint Communications Department, #159-123122SS for Q Plus Quality Performance Review Service with Medical Priority Consultants, Inc., d.b.a. Priority Dispatch of Salt Lake City, Utah.

Total cost of service in the attached contract for the period October 1, 2021 through September 30, 2022 is \$95,212.80. Invoice will be paid from Department 2711 – Boone County Joint Communications Administration, Account 71101 – Professional Services.

\$93,000 is budgeted for Q Plus Quality Performance Review.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #429-2021**

7. Second Reading: 25-09SEP21 – Boone County Government Center First Floor Physical Improvement Project (First Read 09.09.21)

Commissioner Aldred moved on this day, the County Commission of the County of Boone does hereby approve the Bid 25-09SEP21 -Boone County Government Center First Floor Physical Improvement Project which closed on September 9, 2021. Award is recommended to Glovecon, Inc. of Fulton, Missouri for offering the lowest and best bid.

Invoices will be paid from Department 4120 - Government Center Security Improvement, Account 71201 - Construction Costs.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #430-2021**

Emergency Management

8. Second Reading: ARPA- Supplemental Grant Award Acceptance (First Read 10.05.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Emergency Management Performance Grant-ARPA Supplemental Award.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #431-2021**

Commission

9. First and Second Reading: Commission action on Boone County Court House Murals

Commissioner Atwill stated before they begin, he would like to read a statement.

Let's all take a deep breath. We are in difficult times. The extreme right is willing to destroy our democracy. The extreme left is willing to do equal harm in different ways. Our representatives in Washington DC are in deadlock because of extremist views. These different points of view are articulated by both ends of the spectrum who both pour high levels of energy into the system. Most people just want to live peacefully and enjoy life and don't want to be involved as participants in either extreme. How is that related to murals in the courthouse? Because we have developed a fighting posture on all things. We have lost the ability to compromise. Our form of government is based upon common sense and compromise. We do not benefit from an all or nothing mentality. It is not in our best interest or the interest of those who follow us. The issue of the murals is a litmus test of whereas a community we fall in this unfortunate but important set of circumstances. I have proposed a compromise, the murals will come down which shows respect for the opinions of those who have voiced their concerns about the portions of the artwork that are deemed inappropriate in a place that administers justice. Those views have validity. My compromise also recognizes those who contributed to the creation and positioning as having done so without ill will as their motivation. The people who are mentioned in the order are no longer alive to present their thoughts but many of us knew them to be people of integrity who were well intentioned. They and their families also deserve this small measure of respect. Whatever record this commission leaves as its decision in this matter will be a guidepost to future decisions and will be an indicator of our thought process and our willingness or

unwillingness to work together for a better tomorrow. I hope we have the capacity to come together and work together to create a better tomorrow.

Commissioner Atwill stated he was going to read the order that he has proposed, and we would go from there. Commissioner Atwill read now on this day, the County Commission of the County of Boone takes up the issue of two large murals currently on display in the stairwell of the courthouse on two levels. The murals were created by Sidney Larson in 1994 with the cooperation of then Circuit Judge Frank Conley, the State Historical Society Director, James Goodrich and others who participated and contributed to the effort as a part of a court construction and renovation project. The murals were, at the time, welcomed by the County Commission as valuable additions to the renovated courthouse. For almost 30 years the murals have remained on display.

Earlier this year questions were raised about the propriety of the murals because of the portions that illustrate harsh punishment in the form of whipping and lynching and other features that reflect poorly on minorities and females. This County Commission held a public forum on September 28, 2021 and heard the comments of concerned citizens, both for and against the continued display of the murals. Outstanding presentations were made by both sides with approximately 31 people speaking. In addition, numerous letters and electronic communications have been received by the Commission. A record of the comments was kept, and minutes of all comments will be included in the permanent records of the County. The dominant theme that was gleaned from the presentations was that the murals, while originally well-intended, would currently be more appropriately displayed in a venue that is not where justice is administered, and disputes resolved.

The Commission therefore finds that the murals should be and will be removed from the Courthouse and stored on County property until such time as an appropriate venue can be found which will appropriately display them. It is the intent of the Commission that the murals will not be destroyed or lost to concealed storage and that the artist and his supporters as well as those on opposite sides of the issue be treated with dignity and respect. Efforts will be made to find an appropriate way to protect and preserve the murals in an appropriate location.

Done this 7th day of October 2021.

Commissioner Atwill stated he would now invite comments from the Commissioners and if appropriate to them, a motion.

Commissioner Thompson stated one of her concerns about the proposed order is, if adopted, these murals would be, as you say, stored on County property until such time as an appropriate venue can be found to appropriately display them. Commissioner Thompson stated that creates a problem for two reasons, number one, we are not in the business of art preservation, and if these murals need to be stored on County property, we would run the risk of them being damaged, ruined or otherwise harmed. Commissioner Thompson stated that's one of the concerns in terms of the work that was done by Sid Larson, who's a great friend of many folks, of her included and something to be considered. Commissioner Thompson stated the other question is, to find a venue that can or will agree to display them, is something that we would find difficulty in finding an organization that can make that pledge. Commissioner Thompson

stated when art is donated, left in storage, or donated to any kind of art museum or gallery, there is no assurance that the artwork will be displayed. Commissioner Thompson stated often that art is put in storage and when appropriate can be displayed, but there is no guarantee. Commissioner Thompson stated even more critical is when artwork is as large as these murals. Commissioner Thompson stated that's part of her concern with this order. Commissioner Atwill stated he would respond to that by saying this allows for the prompt removal of the murals from the Courthouse and if the things that you mentioned arise, an order from this Commission can be entered, changing the direction of the use of the murals or the storage. Commissioner Atwill stated this simply get them on a track of moving the murals promptly and placing them in a secure place that will allow us time to explore options. Commissioner Atwill stated Commissioner Thompson may be correct that it will be difficult to find a new location for display but they won't find one if they don't try, and if they don't ultimately find one, they can alter the order to accommodate the current needs at that time. Commissioner Thompson stated in response to that, the alternate order that has been proposed that is in the packet, should we get to that point, and addresses those issues squarely. Commissioner Atwill stated he doesn't agree with that, and asked Commissioner Aldred if he had any comments. Commissioner Aldred stated his concern is using taxpayer dollars to run an art gallery in Boone County. Commissioner Aldred stated he doesn't know that he wants that, at all, in any capacity and he doesn't know that Boone County Government can compel an outside entity to display anything, so he has an issue with that. Commissioner Atwill asked how it would come about that they would try to compel anyone and then stated he doesn't see that as part of the recommended order. Commissioner Aldred stated it is the intent of the Commission that the murals will not be destroyed, which he agrees with, or lost to concealed storage, and stated if they have a different definition of that, that might be helpful. Commissioner Atwill asked "Do you have a proposal?" Commissioner Aldred stated no, he would agree with the action Commissioner Thompson has proposed. Commissioner Atwill asked "Is there a second? Apparently not, so that constitutes a rejection of this proposal." Commissioner Thompson stated, "if I may, I move that now on this day, the County Commission of the County of Boone does hereby order that the murals currently on display in the stairwell of the Boone County Courthouse be removed forthwith and that they thereafter be placed in a secure location, where the integrity of the artwork can be appropriately and safely maintained. Done this 7th day of October 2021."

Commissioner Aldred seconded the motion.

The motion carried 2 to 0. **Order #432-2021**

Commissioner Atwill stated he will abstain from this vote because it doesn't recognize either the people who took their time to present their case to this Commission on September 28th nor does it recognize the good intentions of people who spent time and money to create and present these to the citizens of the County. Commissioner Atwill stated it also flies in the face of the previous Commission that felt this was an appropriate thing to do. Commissioner Atwill stated he would re-emphasize that there are alternative ways to deal with this after the murals are taken down, but this does not seem to satisfy any of those. Commissioner Thompson stated the order that would be entered by this Commission can always be seen in the context of the hearings that were conducted and Commissioner Atwill's comments, as well as everyone's comments last Tuesday night, are part of the record. Commissioner Atwill stated that's true, however, there is

no statement of understanding or intent by the Commission in the order you propose and what the order says is what will be looked to in the future by those who want to do research on this particular subject. Commissioner Atwill stated they will only have four lines of information, not a quick summary which I think is important. Commissioner Thompson stated as we know, every meeting is reduced to writing. Commissioner Thompson stated the minutes of every meeting carry all those comments within them, so that will be part of the record as well. Commissioner Thompson then stated, "I call the question." Commissioner Atwill stated "Question has been called, all those in favor." Commissioner Thompson stated "Aye" Commissioner Aldred stated "Aye", Commissioner Atwill stated "I abstain for the reason stated."

10. Public Comment

Gary Oxenhandler stated Rusty Antel and he have been seeking the removal of the murals from the Courthouse. Mr. Oxenhandler stated he understands some of the things that Commissioner Atwill said but he also agrees with Commissioner Thompson that the record is replete with all the comments made at the public hearing but particularly the comments made at this meeting. Mr. Oxenhandler stated what he would propose to the Commission, is that the language that has just been approved, there be an addition to it. Mr. Oxenhandler stated the addition would address, in some way, the comments that Commissioner Atwill said but that they appreciate the removal of the murals.

11. Commissioner Reports

None.

Attest:



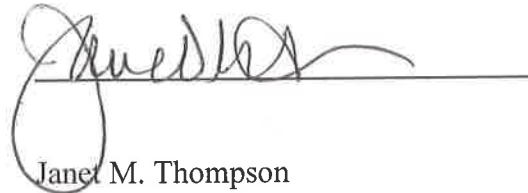
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner