

TERM OF COMMISSION: December Session of the October Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Boone County Counselor CJ Dykhouse
Court Administrator Cindy Garrett
Director of Road & Bridge Greg Edington
Senior Buyer Liz Palazzolo

Public: Attorney Jim Caldwell, On the phone – Attorney Matt Otteman

Conference Call Information:

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

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

Purchasing

- 1. First Reading: Amendment #1 to Contract 40-12Aug19 Cellebrite UFED 4PC Software License and Support - Term & Supply**

Senior Buyer Liz Palazzolo read the following memo: Amendment #1 to contract 40-12AUG19 with Carahsoft Technology Corporation for the Boone County Sheriff's Office that was awarded September 10, 2019 (Commission Order 386-2019) incorporates annual renewals to existing licenses for UFED for PC software, and adds subscriptions/renewals for annual licenses for Inspector SW, Digital Collector SW, and Digital Evidence Investigator software products.

All other terms, conditions, including pricing of the original agreement remain unchanged.

Payment will be paid from the following Department/Account:

- Department: 1251, GF Sheriff Operations/Account: 70100– Software Service Contract: \$3,663.00
- Department: 1253, GF Sheriff Grants/Account: 70100 – Software Service Contract: \$10,589.03

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.

2. First Reading: Cooperative Contract – 000-14-00059AA – On-Line Auction Services

Senior Buyer Liz Palazzolo read the following memo: Purchasing requests permission to utilize the NASPO ValuePoint cooperative contract 000-14-00059AA for On-Line Auction Services from Liquidity Services Operations LLC, dba GovDeals of Montgomery, Alabama. Contract is through August 31, 2022 and has two, one-year renewal periods. The Purchasing Department utilizes this service to dispose of County surplus.

There is no cost to the County for the sale of surplus. There is a Buyer's premium of 12.5% paid by Buyer to GovDeals.

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. First Reading: Award Sole Source Contract 158-123121SS for the Evidence.com Prosecutor Program subscription for the Prosecuting Attorney's Office

Senior Buyer Liz Palazzolo read the following memo: Attached for signature and approval is Sole Source Request Form 158-123121SS for the purchase of a subscription to the Evidence.com Prosecutor Program from Axon Enterprises, Inc. of Scottsdale, Arizona. The Purchasing Department requests approval of Single Feasible Source contract 158-123121SS that is being established on behalf of the Prosecuting Attorney's Office.

The Evidence.com Prosecutor Program is a software as a service subscription designed for prosecutor's offices that allows for the Prosecuting Attorney to manage and share digital evidence with other law enforcement offices without local storage or other software.

The single feasible source has been advertised in both the Missouriian and the Columbia Tribune. No other vendors have come forth to indicate that they are able to provide it.

The contract period will run from November 01, 2021 through October 31, 2026.

It is anticipated that there will be no cost for the subscription unless additional storage beyond the provided free storage is required. Any payments will be paid from the following fund/account:

- Fund 1172 GF IT Administration/Account 70100 – Software Subscriptions: \$0.00

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: Contract # 47-31DEC22C – Staffing Agreement (First Read 12.07.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Contract #47-31DEC22C – Staffing Agreement with Job Finders Employment Services Co. of Columbia, Missouri. Boone County Human Resources requested Purchasing put this Contract in place for our Information Technology Department to utilize for a HelpDesk Technician.

Invoices will be paid from Department 1170 – GF IT Administration, Account 71100 – Outsourced Services. Savings from Class 1 will be used to cover the cost.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #499-2021**

Facilities Maintenance

5. Second Reading: Facilities Maintenance Budget Revision (First Read 09.07.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Budget Revision for Department 6100 to Cover Class 6 Emergency.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #500-2021**

Resource Management

6. Second Reading: Intergovernmental agreement with City of Columbia and University of Missouri to share costs for Hinkson Creek Chemical Analysis Project (First Read 12.07.21)

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Intergovernmental Agreement to share costs for the Hinkson Creek Chemical Analysis Project.

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 #501-2021**

Road & Bridge

7. First Reading: Authorization to transfer above authorized transfer salary

Director of Road & Bridge Greg Edington stated the Road & Bridge Department wishes to transfer a current employee to the soon to be vacated Fleet Operations Superintendent position. Director Edington stated this move is above their authorized transfer salary but is equivalent to what other Superintendents have been brought into the position at before. Director Edington confirmed that this causes no internal equity issues within the Department.

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.

13th Judicial Circuit Court

8. First Reading: Budget Amendment: Dept 1245 MODOT Hwy & Safety Grant

Court Administrator Cindy Garrett stated the court applied for and received a grant through MoDOT Hwy & Safety, so this is for the staff to receive additional training, including a trip to Stockton, California, attendance of the NADCP training; and having a group from California come to Columbia to see how everyone is doing after the training. Ms. Garrett stated the total amount of the award was \$40,690.00. Ms. Garrett stated \$7,300.00 of that would be used to pay for registration fees, and the remaining \$33,390.00 would be to pay for transportation and lodging.

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.

Sheriff's Office

9. Second Reading: Sedalia PD K-9 Basic Training Contract (First Read 12.07.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached K-9 Basic Training Agreement between Boone County and the following:

- City of Sedalia PD

The terms of the agreement are set out in the attached. The Presiding Commissioner is authorized to sign said agreement.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #502-2021**

Commission

10. Second Reading: Approving a Chapter 100 Plan for Plumrose USA, Inc (a/k/a Swift Prepared Foods) and a related Chapter 100 Performance Agreement – Open Public Hearing (First Read 12.07.21)

County Counselor CJ Dykhouse stated Jim Caldwell from Gilmore Bell, the County's Bond Council, is here today to speak. Mr. Caldwell stated often they have the initial order of the Commission approving the project early on, which was done for this project, and then you go through the document graphing process, including putting together a Chapter 100 plan and the cost benefit analysis that goes with that. Mr. Caldwell stated typically, they wait until the project is almost finished before they move forward and approve the whole package, but in this case, the company thought they would be most comfortable if the terms of the tax abatement and the claw back provisions included in the performance agreement were approved early on, then the remaining bond documents could be drafted. Mr. Caldwell stated the company would then come back to Commission closer to the time that the bonds are issued. Mr. Caldwell stated this project will not be completed until late 2022 or early 2023, but that's not unusual to go on ahead and move forward the way they are proposing at this time. Mr. Caldwell stated there are other jurisdictions in the St. Louis area that have a policy where they won't permit the sales tax exemption until you have closed on the Chapter 100 bonds, even though there is no project to finance at the time the bond is closed. Mr. Caldwell stated he wants the Commission to know that although this isn't something they have done in the past, it is not uncommon in other jurisdictions.

Commissioner Aldred moved this order be entered into the record as if read verbatim.

WHEREAS, Boone County, Missouri (the "**County**"), is authorized under the provisions of Article VI, Section 27 of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended (collectively, the "**Act**"), to purchase, construct, extend and improve certain projects (as defined in the Act) for the purposes set forth in the Act and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and

industrial development purposes upon such terms and conditions as the County shall deem advisable; and

WHEREAS, the County Commission of the County adopted Commission Order 74-2021 on February 25, 2021 regarding a project for Plumrose USA, Inc., a Delaware corporation (the “**Company**”) doing business under the name Swift Prepared Foods, consisting of (a) acquiring certain real property in the County (the “**Project Site**”), (b) making certain real property improvements (the “**Project Improvements**”) on the Project Site, including constructing an Italian meats and charcuterie production facility, and a cold storage warehouse on the Project Site, and (c) installing and equipping such facilities with certain machinery and equipment (the “**Project Equipment**,” collectively with the Project Site and the Project Improvements, the “**Project**”), to be financed out of the proceeds of industrial development revenue bonds to be issued under the Act (the “**Bonds**”), contingent upon preparation and approval of a plan for industrial development with respect to the Project (the “**Plan**”) as required by Section 100.050 of the Act; and

WHEREAS, the County has prepared a Plan for the Project, notice of the Project was given to the taxing jurisdictions in accordance with Section 100.059.1 of the Act, and the County now desires to approve the Plan; and

WHEREAS, the County further finds and determines that it is necessary and desirable in connection with approval of the Plan that the County enter into a Performance Agreement setting forth the terms and conditions of property tax abatement offered by the County to the Company in connection with the issuance of the Bonds;

NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Promotion of Economic Development. The County Commission hereby finds and determines that the Project will promote the economic welfare and development of the County, and the issuance of the Bonds by the County to pay the costs of the Project will be in furtherance of the public purposes set forth in the Act.

Section 2. Approval of Plan. The County Commission hereby approves the Plan for Industrial Development Project attached hereto as **Exhibit A** in accordance with Section 100.050 of the Act.

Section 3. Approval and Authorization of Performance Agreement. The Performance Agreement, among the County, the Company and the County Assessor of Boone County, Missouri, attached hereto as **Exhibit B**, pursuant to which the County has granted the Company certain rights with respect to the abatement of *ad valorem* real and personal property taxes on the Project in consideration for the Company’s agreement to maintain a certain level of employment at the Project Site with pay at or above the current County average wage, is hereby approved in substantially the form presented to the County Commission at this meeting (a copy of which shall be filed in the records of the County), and the County is hereby authorized to execute and deliver the Performance Agreement with such changes therein as shall be approved by the officials of the County executing such document, such officials’ signatures thereon being conclusive evidence of their approval thereof.

Section 4. Sales Tax Exemption. The County Commission approves sales tax exemptions for tangible personal property and materials used in construction of the Project and for equipment included in the Project as described in Section 3.8 of the Performance Agreement. The County authorizes the use of a sales tax exemption certificate by the Company or other entity authorized to act on behalf of the Company conditioned upon the County's receipt of a letter signed by the Company agreeing that if the Bonds are not issued, the Company will (unless the County extends the expiration date of the project exemption certificate) immediately pay all sales tax that otherwise would have been due with respect to the Project. The Performance Agreement provides that if the Bonds are not issued by December 31, 2022, the provisions of the Performance Agreement including the sales tax exemptions described therein will have no further force and effect.

Section 5. Further Authority. The County shall, and the officials, agents and employees of the County are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Order and to carry out, comply with and perform the duties of the County with respect to the Bonds and the County Documents.

Section 6. Effective Date. This Order shall take effect and be in full force immediately after its approval by the County Commission.

**APPROVED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI,
THIS 9TH DAY OF DECEMBER, 2021.**

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #503-2021**

**11. Second Reading: Approving opioid settlement participation agreements (First Read
12.07.21)**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone, upon the class action counsel's recommendation in connection with the national opioid litigation, does hereby approve the Janssen and Distributor Settlement Participation Agreements. The terms of the agreements are set out in the attached and the Presiding Commissioner is authorized to execute the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #504-2021**

**12. First and Second Reading: Board Re-appointment Board of Health – Dr. Elizabeth
Hussey**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the following board reappointment.

Dr Elizabeth Hussey	Board of Health	Reappointment	3 Year Terms	12-1-21 thru 11-30-24
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Commissioner Thompson seconded the motion.
 The motion carried 3 to 0. **Order #505-2021**

13. Public Comment

None

14. Commissioner Reports

None

Attest:



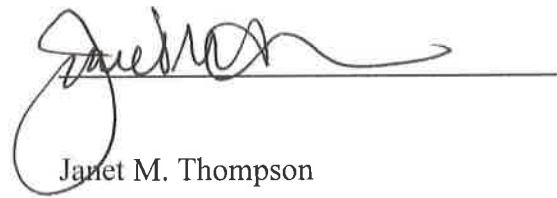
Brianna L. Lennon
 Clerk of the County Commission



Daniel K. Atwill
 Presiding Commissioner



Justin Aldred
 District I Commissioner



Janet M. Thompson
 District II Commissioner