

TERM OF COMMISSION: September Session of the July Adjourned Term

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

PRESENT WERE: District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Human Resources Jenna Redel
Director of Purchasing Melinda Bobbitt
Director of Joint Communications Chad Martin
Chief Engineer Jeff McCann
Environmental Public Health Specialist Kennedy Weatherly
Environmental Public Health Specialist Liz Olree
Senior Administrative Assistant Audrey Brandon

Public: Property Owner Robert O'Brian

Conference Call Information:

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

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

Health Department

1. First and Second Reading: Public Nuisance – Parcel #11-907-25-00-004.00 01

Environmental Health Specialist Kennedy Weatherly stated she received the complaint July 25, 2022, and when she went to do the inspection, the weeds were up to her waist. Ms. Weatherly stated she sent a notice, which was returned with no signature, to the property owner. Ms. Weatherly stated a notice was posted in the Missourian and a re-inspection was done. Ms. Weatherly stated she drove by the property this morning and it still has not been mowed.

Commissioner Aldred moved now on this 1st day of September 2022 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: * growth of weeds in excess of twelve inches high on the premises.
4. The location of the public nuisance is as follows 25 E Brown School Rd, Columbia MO, a/k/a parcel# 11-907-25-00-004.00 01, SWPT NW (TR F SUR 360-236), Section 25, Township 49, Range 13 as shown by deed book 3740 page 0039, Boone County
5. The specific violation of the Code is: growth of weeds in excess of twelve inches high in violation of section 6.7 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 25th day of July 2022, to the property owner and lien holder.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner and lien holder were 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.

Commissioner Thompson seconded the motion.
The motion carried 2 to 0. **Order #421-2022**

2. First and Second Reading: Public Nuisance – Parcel #11-619-24-01-070.00 01

Environmental Health Specialist Kennedy Weatherly stated she received the initial complaint at the end of June 2022. Ms. Weatherly stated an inspection was done and junk was found in the yard. Ms. Weatherly stated she did hear from the property owner requesting an extension, and a 30-day extension was given. Ms. Weatherly stated she has driven by a few times since the extension was given but the property has only been cleaned up a little bit but doesn't show much progress.

Owner Robert O'Brian arrived at the meeting during public comment. Commissioner Thompson explained that since no one was here to represent the owner when the item was addressed, the abatement has been ordered.

Mr. O'Brian stated he has talked to the Health Department, but they keep calling his wife who is in a nursing home. Mr. O'Brian stated he had Covid and the Health Department wanted him to go clear the yard, but his doctor had told him to stay out of the sun. Mr. O'Brian stated the Health Department stated he had "rubbish" but that they need to start being more specific, and if they are going to tell him to clean something, they need to tell him what the thing is they are referring to, don't just say rubbish. Mr. O'Brian stated "I have a lot of rubbish. I'm not going to tell you where it's at." Commissioner Thompson gave Mr. O'Brian the pictures that the Health Department provided in support of the abatement. Mr. O'Brian stated he doesn't know what they want him to cover, he doesn't know what they want him to do and he feels like he went "beyond the call of things" as he could have died out in the heat when he had Covid. Mr. O'Brian stated he was outside cleaning when he got a headache, so he went to the VA Hospital and they told him he either had a heat stroke or it was Covid related. Commissioner Thompson explained to Mr. O'Brian that the Health Department commented today that he had made a good start on the area and if she could get a good phone number from him, she will give it to the Health Department to get into contact with him.

Commissioner Thompson moved now on this 1st day of September 2022, 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: discarded furniture, junk, trash, rubbish, and an inoperable truck bed on the premises.
4. The location of the public nuisance is as follows 121 E Clearview Dr Columbia, MO, a/k/a parcel# 11-619-24-01-070.00 01, Clearview Lot 18, Section 24, Township 49, Range 13 as shown by deed book 0500 page 0597, Boone County
5. The specific violation of the Code is: discarded furniture, junk, trash, rubbish, and an inoperable truck bed 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 30th day of June 2022, to the property owner and lien holder.
7. The above described public nuisance was not abated. As required by section 6.10.2 of the Code, the property owner and lien holder 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.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #422-2022**

3. First and Second Reading: Public Nuisance – Parcel #17-513-21-01-017.00 01

Environmental Health Specialist Liz Olree stated they received this complaint at the end of May 2022, a letter was sent out and they received that back at their office at the end of June. Ms. Olree stated she posted a notice in the newspaper and re-inspected last month, at which time, she noted the nuisance was still present.

Commissioner Aldred moved now on this 1st day of September 2022, 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: growth of weeds in excess of twelve inches high on the premises.
4. The location of the public nuisance is as follows 1662 S El Chaparral, Columbia, MO, a/k/a parcel# 17-513-21-01-017.00 01, Section 21, Township 48, Range 12 as shown by deed book 4169 page 0136, Boone County
5. The specific violation of the Code is: growth of weeds in excess of twelve inches high in violation of section 6.7 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 25th day of May 2022, 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.

Commissioner Aldred seconded the motion.
The motion carried 2 to 0. **Order #423-2022**

Human Resources

4. First Reading: Request to temporarily lower the budgeted hours for position 48, Legal Assistant I

Director of Human Resources Jenna Redel stated this request is from the Prosecutor's Office which currently has two open Legal Assistant positions. Director Redel stated there is a good candidate for one position, but the candidate is still finishing his undergraduate degree. Director Redel stated the Prosecutor's Office is asking to lower the budgeted hours for the position to $\frac{3}{4}$ time from now until the candidate graduates on May 15, 2023. Director Redel stated she is bringing this to Commission due to it affecting accrual rates of time off and holiday hours and the Prosecutor's Office needs an order to make the adjustments.

Commissioner Thompson 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.

5. First Reading: Request to reclassify position 379 from Legal Assistant I (Range 25) to Victim Assistant (Range 25)

Director of Human Resources Jenna Redel stated the Prosecutor's Office is changing the duties that this job will perform and with the new job duties, the job aligns more with a Victim Assistant job title. Director Redel stated both job titles are on the same pay range so it won't have any budget impact, she just needs a Commission order in order to make the change.

Commissioner Thompson 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

- 6. First Reading: Cooperative Contract: C000476 (City of Columbia Coop 102/2022) – Overhead Door Maintenance and Repair with D. H. Pace Company, Inc. of Columbia, MO. A City of Columbia cooperative term and Supply contract utilized by Boone County Facilities Maintenance and Boone County Road & Bridge**

Director of Purchasing Melinda Bobbitt read the following memo: Facilities Maintenance and Road & Bridge request permission to utilize the City of Columbia cooperative contract 102/2022 to purchase Overhead Door Maintenance and Repair services from D. H. Pace Company, Inc. of Columbia, Missouri. Boone County contract number is C000476.

This is a county-wide term and supply contract that will be primarily used by Facilities Maintenance and Road and Bridge. Contract term is August 8, 2022 through August 7, 2023 with four, 1-year renewal periods.

Commissioner Thompson 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.

- 7. First Reading: Amendment #3 to Coop Contract EC07-14 (Finance Enterprise Contract #C000366) - Licenses and Maintenance for Rave SMS to Opt-in for Public Safety with Rave Wireless, Inc., d/b/a Rave Mobile Safety. This is a contract to purchase Rave Alert's keyboard feature with maintenance renewal.**

Director of Purchasing Melinda Bobbitt read the following memo: Attached for signature and approval is Amendment #3 to Coop Contract EC07-14 (Finance Enterprise Contract #C000366) – Licenses and Maintenance for Rave SMS to Opt-in for Public Safety. Vendor is Rave Wireless, Inc., d/b/a Rave Mobile Safety.

Contract is for the period August 1, 2022 through February 28, 2026 for six license subscriptions for the following annual renewal pricing:

08/01/2022 – 02/28/2023: \$875.00
03/01/2023 – 02/28/2024: \$1,500.00
03/01/2024 – 02/28/2025: \$1,500.00
03/01/2025 – 02/28/2026: \$1,500.00

Invoice(s) will be paid from department 2708 -- 911/EM IT Hardware & Software, account 70100 - Software Subscriptions. \$1,500 is budgeted for 2022.

Commissioner Thompson 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.

Joint Communications

8. First Reading: Rescind Commission Order 132-2020

Director of Joint Communications Chad Martin stated this request will bring the Director of Joint Communications and Director of Emergency Management positions out of dormancy and allow the Auditor to properly budget salaries for both of those positions.

Commissioner Thompson 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.

9. First Reading: Request Administrative Authority to Purchase Communications Equipment

Director of Joint Communications Chad Martin stated they are seeking approval for FY2023 unforeseen equipment needs. Director Martin stated this is the second year they have done this, following the IT model. Director Martin stated fixed assets require certain approval and they sometimes get in positions where they need stuff faster than it can get approved. Director Martin stated this order will give him authority to cover equipment up to \$7,500.00, and they are using a proposed budget amount of \$30,000.00 in the FY2023 operating budget.

Commissioner Thompson 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.

10. First Reading: Request to temporarily lower budgeted hours for five Emergency Telecommunicator positions.

Director of Joint Communications Chad Martin stated he is requesting to temporarily lower five current full-time positions, to a 30-hour benefitted position until the end of the year. Director Martin stated at such time the FY2023 budget rolls, those positions would return to full-time and they would then create five additional part time positions for Emergency Telecommunicator's.

Commissioner Thompson 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.

Resource Management

11. First Reading: Approve Permanent Stormwater Management BMP Security Agreement and Irrevocable Letter of Credit between Boone County and D&D Investments of Columbia, LLC for Willow Creek Plat 2

Chief Engineer Jeff McCann stated with this property, they collected the irrevocable letter of credit, they were given one year to complete that and if all the homes aren't constructed and the buyer retention sale can't be put in, they will do an extension for another year. Chief Engineer McCann stated this money is there to cover if they are to back out or refuse to build, they will cash it and have their own contractor finish it out. Chief Engineer Jeff McCann stated this is a standard agreement and the amount is for \$33,300.00.

Commissioner Thompson 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

12. Public Comment

None

13. Commissioner Reports

None

Attest:



Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner

A handwritten signature in black ink, appearing to read "Janet M. Thompson", is written over a horizontal line.

Janet M. Thompson

District II Commissioner