

TERM OF COMMISSION: February Session of the January Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Boone County Commission Chambers

PRESENT WERE: Presiding Commissioner Kip Kendrick
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Human Resources Angela Wehmeyer
Director of Resource Management Bill Florea
Director of Facilities Management Johnny Mays
Senior Buyer Liz Palazzolo
Director of Purchasing Melinda Bobbitt
Boone County Deputy County Clerk III Jodi Vanskike

Conference Call Information:

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

The meeting was called to order at 9:30AM and roll call was taken.

Human Resources

- 1. First and Second Reading: Request to Hire Above FHR for Position 462, Senior Programmer Analyst**

Director of Human Resources Angela Wehmeyer stated this candidate has over fifteen years programming experience in various applications, including Cobol. Director Wehmeyer stated this will round out the application, development, and support team in IT and the proposed salary is \$70,720.00 which is at 89.75% of mid-point. Director Wehmeyer stated she has no internal equity concerns, and she thinks this is a great hire.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request to hire above the flexible hiring maximum for position number 462, Senior Programmer Analyst, and does hereby authorize an appropriation of \$70,720.00 for the salary of said position.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #54-2024**

Resource Management

2. First Reading: Boone County Rental Housing Standards

Director of Resource Management Bill Florea presented this memo to the Commission for consideration:

Boone County Rental Housing Standards

1. **Purposes:** The regulations in this chapter are enacted for the purpose of regulating and ensuring the habitability of rented residences in Boone County, Missouri.
2. **Authority:** These regulations are enacted under authority vested in the County Commission of Boone County, Missouri, by section 64.207, RSMo.
3. **Definitions:** As used in this chapter, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:
 - 3.1 Tenant – a resident who has a signed lease agreement with the property owner and who is current on all rent due.
 - 3.2 Complaint – a written document executed by the Tenant, under oath, on the forms provided by Resource Management.
4. **Jurisdiction:** The regulations contained in this chapter shall be applicable to all unincorporated areas within Boone County, Missouri.
5. **Requirements for Rented Residences:** It shall be unlawful for any owner of record of any rented residence to fail to provide Tenants of said residence with the following:
 - 5.1 Structural protection from the elements.
 - 5.2 Access to water service, including hot water.
 - 5.3 Sewer service.

5.4 Access to electrical service.

5.5 Heat to the residence.

5.6 Basic security, which, at a minimum, shall include locking doors and windows.

5.7 Notwithstanding the foregoing, if a utility service is unavailable because a Tenant fails to pay for service, the unavailability shall not be a violation of this ordinance.

6. **Tenant Complaints:** A Tenant may file a written Complaint under this section if the rented residence does not meet the standards listed in section 5 and the condition of the rented residence threatens the health or safety of the tenant.

6.1 Complaining Tenants must be signatories on the lease with the property owner or his or her agent.

6.2 Complaining Tenants must also be current on all rent due.

6.3 Complaining Tenants must use the Complaint form provided by Boone County Resource Management. The complaint form shall require the Tenant to swear to the veracity of the statements set forth therein under penalty of perjury.

7. **Process for Review of Tenant Complaints:** The Boone County Commission herein designates the Director of Resource Management, or his designee, to respond to Complaints of the condition of a rented residence that threatens the health and safety of Tenants.

7.1 Once the designated officer receives a Complaint from a Tenant and has verified after a site inspection the complaint documents violations of the requirements in Section 5, the officer shall serve the owner of record with notice of the Complaint. The notice shall specify the condition alleged in the Complaint that constitutes a violation of the minimum standards set forth in 5.1 through 5.6 of this ordinance. The notice shall also state a reasonable date that the abatement of the condition shall commence. Notice shall be served to the owner of record by personal service, certified mail with return receipt requested, or if those methods are unsuccessful then by publication.

7.2 If the work to abate the condition does not commence by the date stated in the notice or if the work does not proceed continuously and without unnecessary delay, as determined by the designated officer, then the matter shall be set for a hearing before the Boone County Commission.

- 7.3 The owner of record and any other person who has an interest in the rented residence shall be parties in the hearing before the Boone County Commission.
- 7.4 Parties shall be given at least ten (10) days' notice of the hearing.
- 7.5 Any party may be represented by counsel, and all parties shall have an opportunity to be heard.
- 7.6 If the Boone County Commission finds that the rented residence has a dangerous condition that is detrimental to the health, safety, or welfare of the Tenant, the Commission shall issue an order that the condition be abated. The order shall state specific facts, based on competent and substantial evidence, that support the Commission's finding. If the Commission finds that the rented residence does not have a dangerous condition that is detrimental to the health, safety, or welfare of the Tenant, the Commission shall not issue an order.
- 7.7 Any owner who violates an order of the County Commission adopted under the provisions of this section shall be guilty of a class C misdemeanor.
- 7.8 Each day a violation continues shall be deemed a separate violation.
- 7.9 Any penalty assessed for a violation of an order shall not be the exclusive punishment for the condition. The designated officer may, in his or her own name or in the name of the County, seek and obtain any judicial relief provided under equity or law including, but not limited to, civil fines authorized under section 49.272, declaratory relief, and injunctive relief.
- 7.10 The designated officer may declare the continued occupancy of the rented residence unlawful while the condition or conditions remain unabated.

Commissioner Kendrick 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.

Facilities Management

3. First Reading: Budget Amendment - Department 2705 - Cover Class 9

Director of Facilities Management Johnny Mays stated this contract is for a redesign to make sure there is uninterrupted power supply at the ECC and 911 call center that was supposed to get done last year. Director Mays stated he wanted to get it moved to the 2024 budget, but it didn't happen in time, so he is now making a Budget Amendment.

Commissioner Kendrick 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

4. First Reading: Award of Boone County Contract C000743 from Cooperative Contract 091423-TKN for Teknion Office Furniture Solutions with Related Accessories and Services with Inside the Lines - Countywide, Term & Supply

Senior Buyer Liz Palazzolo read the following memo:

Now on this day, the County Commission of the County of Boone does hereby approve the award of County Contract C000743 awarded using Sourcewell Cooperative Contract 091423-TKN for Teknion Office Furniture Solutions with Related Accessories and Service. The Contract is awarded to Inside the Lines of Columbia, Missouri, the local Teknion dealer. This is a Countywide Term & Supply contract. Contract terms and pricing are set out in the attached, and the Presiding Commissioner is authorized to sign the same.

Commissioner Kendrick 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: Award of Contract C000745 from cooperative contract 20469 for Tractors, Mowers, Other Equipment, Parts, and Services (Term & Supply) with Farm Power Lawn & Leisure of Columbia, Missouri for the Boone County Facilities Maintenance Department

Senior Buyer Liz Palazzolo read the following memo:

The Purchasing Department requests approval of contract C000745 using Omnia Partners cooperative contract 20469 for Tractors, Mowers, and Other Equipment, Parts, and Services (Ex-Mark) with Farm Power Lawn & Leisure of Columbia, Missouri for the Boone County Facilities Maintenance Department.

The Facilities Maintenance Department wishes to purchase a 2024 tractor mower detailed as follows:

Description	QTY	Discounted Firm Price to County
2024 ExMark LZX921GKA726Q1 Lazer X 311[P T]" tractor mower	1	\$15,611.00
142-8181 OCD Gate Kit	1	\$290.00
142-8166 Pedal Kit for OCD	1	\$156.00

Firm total price - delivery included	\$16,057.00
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Contract pricing provides a 27.5% discount off current MSRP for tractor equipment, and a minimum 15% discount on parts. The pricing shown is discounted pricing.

The contract period will run from February 15, 2024, through May 14, 2025. There are two (2) one-year renewal options available beyond this initial contract period.

Payment will reference 6104 - Facilities Maintenance Grounds Maintenance/91300 - Machinery & Equipment: \$16,057.00.

Commissioner Kendrick 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.

6. First Reading: Approval of Vehicle Surplus Disposal

Director of Purchasing Melinda Bobbit read the following memo:

The following are vehicles that will be replaced. The Sheriff's Office requests Commission approval for disposal through the Missouri Auto Auction. Our Contract with Missouri Auto Auction is 20-12JUN20 – Auction Services for Surplus Vehicles.

Two (2) vehicles have been totaled by our insurance carrier and the titles will be turned over to MOPERM. Fixed asset 23180 – Ford Interceptor Utility has been wrecked due to vehicle impact with deer. Fixed asset 18117 – 2012 Dodge Ram has hail damage.

Two of the Sheriff's vehicles will be transferred to the Prosecuting Attorney's office. One is to replace the totaled Malibu, asset tag 16236 (from November 2023), and the other is being added to inventory.

AUCTION THROUGH MISSOURI AUTO AUCTION				
Year	Description	Approximate Mileage	VIN #	Condition
2017	Ford Interceptor Utility (22300)	124,xxx	1FM5K8AR3HGE14755	Fair
2016	Ford Interceptor Utility (20118)	135,xxx	1FM5K8AR4GGC91837	Was a K9 vehicle
2013	Ford F150 Crew Cab Truck (18439)	215,xxx	1FTFW1EF7DKE77899	Poor. Very rusty. High miles.

2009	Chevrolet Impala (police model) (16982)	147,xxx	2G1WS57M691298493	Costs of repairs exceeds value of vehicle
TURN TITLE OVER TO MOPERM				
2012	Dodge Ram 1500 Truck (18117)	127,8xxx	1C6RD7KT3CS289113	Totaled by Insurance Carrier – turn title over to MOPERM
2019	Ford Interceptor Utility (23180)	123,8xx	1FM5K8AR1KGA12160	Totaled by Insurance Carrier – turn title over to MOPERM

TRANSFER TO PROSECUTING ATTORNEY				
Year	Description	Approximate Mileage	VIN #	Condition
2017	Ford Interceptor Utility (22152)	110,xxx	1FM5K8ARXHGC86210	Good.
2016	Ford Interceptor Utility (20115)	100,xxx	1FM5K8AR2GGC91836	Good.

Commissioner Kendrick 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 and Second Reading: ARPA Funding Beneficiary: C000737 – Hogan House Food Pantry and Support Center with Do Something Right Now, Inc.

Director of Purchasing Melinda Bobbitt read the following memo:

Boone County, Missouri received ARPA grant funding from the federal government and the County Commission engaged in an RFP process to determine ARPA funding awards.

This ARPA award is for County Contract# C000737-Hogan House Food Pantry and Support Center with Do Something Right Now, Inc. The ARPA funds will be used to support Hogan

House Food Pantry and Support Center. The Center serves those in poverty by providing meals, free food, childcare items such as diapers and formula, and connections with other area community resources. A portion of the funds will go to improve the facilities at the Center to improve the ability of the Center to serve their participants.

Contract award is for a not to exceed amount of \$155,880.00 and will be paid from Department 2983 - American Rescue Plan Act, Account 82400 - Other Contracts.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve an ARPA Funding Beneficiary agreement with Do Something Right Now, Inc. for Hogan House Food Pantry and Support Center.

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

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #55-2024**

8. First and Second Reading: ARPA Funding Beneficiary: C000739 – Grow Hallsville Parks with Grow Hallsville Parks Foundation

Director of Purchasing Melinda Bobbitt read the following memo:

Boone County, Missouri received ARPA grant funding from the federal government and the County Commission engaged in an RFP process to determine ARPA funding awards.

This ARPA award is for County Contract# C000739- Grow Hallsville Parks with Grow Hallsville Parks Foundation. The ARPA funds will be used to continue operations at the Community Center, purchase a generator to make the Center a reliable warming and cooling shelter, replace current failing HVAC system, and other needed facility repairs to allow the Community Center to continue to serve the members of the community in an effective and efficient manner.

Contract award is for a not to exceed amount of \$225,000.00 and will be paid from Department 2983 - American Rescue Plan Act, Account 82400 - Other Contracts.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve an ARPA Beneficiary agreement with Grow Hallsville Parks Foundation for Grow Hallsville Parks project.

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #56-2024**

9. First and Second Reading: ARPA Funding Subrecipient: C000730 – New Community Center Building with United Community Builders Community Development Corporation

Director of Purchasing Melinda Bobbitt read the following memo:

Boone County, Missouri received ARPA grant funding from the federal government and the County Commission engaged in an RFP process to determine ARPA funding awards.

This ARPA award is for County Contract # C000730 – New Community Center Building with United Community Builders Community Development Corporation. The ARPA funds will be used to develop a new community center building for youth in the underserved portion of northern Columbia. Expenditures under this program include the construction of the second phase of a new 22,500 square foot youth and community center.

Contract award is for a not to exceed amount of \$750,000.00, and will be paid from Department 2983 – American Rescue Plan Act, Account 82400 – Other Contracts.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve an ARPA Funding Subrecipient agreement with United Community Builders Community Development Corporation for a New Community Center Building.

The terms of the Agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #57-2024**

10. Second Reading: Budget Amendment - Dept 1118 - 2024 New Office Furniture – Open Public Hearing - First Read 01.23.24

Commissioner Kendrick opened and closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Budget Amendment for Department 1118 to establish a budget for the Purchasing Director’s office furniture.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #58-2024**

11. Second Reading: Contract: C000717 (175-123124SS) - MowerMax Equipment with ATMAX Equipment Co. – First Read 02.01.24

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve Contract C000717 (175-123124SS) with ATMAX Equipment Co. for the purchase of MowerMax Equipment and Repair Parts.

The terms of the Agreement are set out in the attached Contract, and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #59-2024**

Auditor

12. Second Reading: Budget Amendment - Department 4130 - Law Enforcement Training Center – Open Public Hearing - First Read 01.25.24

Commissioner Kendrick opened and closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Budget Amendment for Department 4130 to establish a budget to transfer \$5 million dollars from the General Fund that was reserved for the Law Enforcement Training Center capital project and establish budget for architect fees.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #54-2024**

Commission

13. Public Comment

None

14. Commissioner Reports

Commissioner Aldred stated it is Election Day for the City of Ashland on their Sewer Bond issue.

Commissioner Thompson stated, as Commissioner Kendrick pointed out, last week, they had the experience of having public comment about health-related issues in this community and she would like to take a few minutes to bring all the threads together and to give a cohesive view of what has happened. Commissioner Thompson stated Jamie Heuer has come in repeatedly and has asked for permission to not comply with regulations set out by either the Health Department or by the Department of Resource Management. Commissioner Thompson stated Mr. Heuer has been given the opportunity, and has, in fact, on numerous occasions, signed off on agreements to comply with a schedule of required actions by him and each time, that has come to naught. Commissioner Thompson stated, as Commissioner Kendrick noted last Thursday, for over

twenty years, Mr. Heuer has ignored the fact that his wastewater system at Heuer's Country Store and Restaurant has been failing and has discharged human excrement onto adjoining properties. Commissioner Thompson stated, that on one occasion at least, Mr. Heuer then removed a literal ton of sewage out of his lagoon and then applied it to his own property. Commissioner Thompson stated that for over twenty years, Mr. Heuer has known and has proceeded with having a wastewater system that is failing and Mr. Heuer has taken every opportunity to not comply with regulations or guidance offered by the Department of Resource Management or the County Commission and continues to fight those regulations.

Commissioner Thompson stated Mr. Heuer has on various occasions acknowledged those regulations have been put in place to protect public health and safety. Commissioner Thompson stated Mr. Heuer's wife is a woman of great character and Mr. Heuer has ignored that she has spent over thirty years in her chosen profession of nurse, supporting public health.

Commissioner Thompson stated Mr. Heuer claims to love his community, employees, and his customers, yet he has ignored those health regulations. Commissioner Thompson stated when they came together last week, on both occasions Mr. Heuer was here, there was a piece of her that wondered if they were asking too much of him. Commissioner Thompson stated then, especially last Thursday, as she listened to him and his wife, the people that came here in support of him she realized this is a person who has repeatedly ignored the public health and safety of the people he purports to love and serve, and she says that not lightly.

Commissioner Thompson stated not only has Mr. Heuer not complied with regulations with respect to sewage coming out of his establishment, but he, his wife and the people that were here said one thing that really resonated with her, "he will do anything to keep his store open". Commissioner Thompson stated, once she heard that and thought about the testimony that was given last Thursday, she realized he will do anything, including putting the people he purports to love and serve at risk by discharging sewage onto other peoples' property, neighbors' property, and by not having a hood over his stove that is in compliance with regulations, and that condition existing to this day, and Mr. Heuer has known about it for years and he still hasn't replaced the hood even though the hoods are there to protect the safety of the people he serves in his restaurant and his employees. Commissioner Thompson stated, about two weeks ago, the Commission was told that while Mr. Heuer was working out of the Little General Store in Midway, the Health Department had discovered in his refrigerator at the Little General Store raw milk. Commissioner Thompson stated when Mr. Heuer was asked about that instance after the Health Department had removed it and had told him he could not use that, Mr. Heuer claimed before the Commission that he didn't know he couldn't do that and that he intended no harm. Commissioner Thompson stated Mr. Heuer never acknowledged that he hadn't disclosed the use of raw milk to his customers but kept asking "was there any harm?". Commissioner Thompson stated first, his statement that he didn't know it was wrong to utilize raw milk, as Shakespeare would say, "all sound and fury signifying nothing" because, what he acknowledged was, instead of calling the Health Department, which is a local health authority, Mr. Heuer did what a lot of people would do, he Googled it, to find out how he could utilize this product he had purchased to use at the store, and Googled it because he knew there was something wrong with it. Commissioner Thompson asked, did he Google what he should be doing with Central

Dairy milk to utilize it in his store? Probably not. Commissioner Thompson asked, did he Google what to do with Aurora Dairy milk in his store? Probably not, but he did Google how to use raw milk in his store.

Commissioner Thompson stated the only kernel of truth that came through in Mr. Heuer’s and his supporter’s testimony from the hearing last week was Mr. Heuer’s statement, and the statement of all of those in support of him, that he will do anything to keep his store open. Commissioner Thompson noted that this statement is critically important as we consider history.

Commissioner Thompson stated what we have seen is over twenty years of failure to comply with regulations with respect to wastewater, and now as we know, a failure to comply with regulations that the Fire Department has put in place and using a product that is dangerous to the health and welfare of the people that he serves. Commissioner Thompson stated she knows Mr. Heuer is ramping up support in the community for his restaurant and she hopes he will comply with regulations, and she hopes he cares about the health and welfare of his staff and the customers he has in his restaurant but doesn’t know that her hope is justified.

Commissioner Kendrick stated, in addition to that, some things that weren’t mentioned were the use of eggs purchased from the Amish community along with the purchase of raw milk. Commissioner Kendrick stated this includes the sale of eggs that are not USDA inspected and do not come from an approved site. Commissioner Kendrick stated there is a history of non-compliance with the Department of Revenue also on collecting sales taxes from customers but not remitting those sales taxes to the State, rather keeping those for himself. Commissioner Kendrick stated he knows that is a long-term issue with the Department of Revenue to ultimately clear himself of that and ensure the paying back of all the sales taxes that hadn’t been properly remitted. Commissioner Kendrick stated hopefully a long history of non-compliance with many levels of government, many different departments within local, County and State Government is all behind us now and he will turn over a new leaf, operating a restaurant that is compliant and in the best interest of public health.

Attest:

Brianna L. Lennon
Clerk of the County Commission

Kip Kendrick
Presiding Commissioner

Justin Aldred
District I Commissioner

Janet M. Thompson
District II Commissioner