

TERM OF COMMISSION: December Session of the November Adjourned Term

PLACE OF MEETING: Hearing Room One, Boone County Courthouse

PRESENT WERE: Presiding Commissioner Don Stamper
District II Commissioner Linda Vogt
Deputy County Clerk Michelle Malaby
Assistant Prosecuting Attorney John Patton

The special meeting of the County Commission was called to order at 1:30 p.m.

SUBJECT: Open Bid 96-10NOV94, Snow Removal Services

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Response</u>
Tiger Striping, Inc.	Columbia, MO	Bid
Columbia Turf	Columbia, MO	Bid
Pace Snow Removal and More	Columbia, MO	No Bid
C + C Construction	Columbia, MO	No Bid

SUBJECT: McBaine Levee District Engineering Services

Although the item was originally scheduled as a progress report, that is not what ensued.

Joe Gibbs, who works for Crockett Engineering Consultants on a contract basis, submitted a bill stating he has performed work in excess of his contract with the County.

Commissioner Stamper stated the contract is for engineering services relating to the McBaine levee district. The cost was not to exceed \$6,000. The bill submitted today for activities between October 31, 1994 and November 30, 1994 is for \$3,627.90.

Mr. Gibbs stated it should be the 19th of October rather than the 31st. There is a past due amount. He notified Commissioner Stamper on October 24, 1994 that he had exceeded the original contract amount. The week before Thanksgiving he received a letter from the County which said the item would be placed on the agenda. He thought the County would have a contract with Crockett Engineering Consultants before the end of October. His contract was an interim agreement to cover bills from February, 1994 until the grant was received. After the grant was received, John Sam Williamson, Jr. told him to proceed with preparation of the levee design and the contract documents. It is an emergency situation, so he continued to work.

In response to a question from Commissioner Stamper, Mr. Gibbs replied the County does not have a contract with Crockett Engineering Consultants for the type of work included on the bill. The County has a contract with Crockett for surveying the easement.

Commissioner Stamper replied the County is negotiating a contract for this type of work.

In response to a question from Commissioner Vogt, Commissioner Stamper replied there is a grant from the Department of Economic Development for 75 percent of the cost of repairing the levee. The City of Columbia received community development block grant funding for the 25 percent match needed. There is no grant funding to cover most of the work of forming the district. The County has two relationships--one with Mr. Gibbs and one with Crockett. The bill presented includes work which would be covered by the proposed agreement with Crockett.

In response to a question from Mr. Patton, Mr. Gibbs replied the first draft of the bid form is ready. He is prepared to distribute it to Commissioner Stamper so he may work out an agreement with the Department of Conservation. The boiler plate and amendments to the general conditions are complete. The bid advertisement is not complete because it is a dated document. The site grading specifications are complete, with the exception of itemization.

In response to a question from Mr. Patton, Mr. Gibbs replied he is preparing the documents.

Mr. Patton stated in speaking with Mr. Crockett, he understood Mr. Gibbs would perform day-to-day inspections. It sounds like Mr. Gibbs is performing design work for the bid specifications.

Mr. Gibbs replied he is. He is also gathering an enormous amount of data and working with eleven entities--not including property owners. Crockett submitted qualifications and experience documentation on September 27, 1994. He assumed the County would have a contract with Crockett by now.

Mr. Patton questioned why isn't the contract with Mr. Gibbs?

Mr. Gibbs replied he did not submit his qualifications and experience. He believes it was wise to continue working.

Commissioner Stamper stated continuing was productive for Mr. Gibbs, but it is not legal for the County to continue without a contract and without funding allocated.

Mr. Gibbs stated there is an emergency situation at McBaine.

Commissioner Stamper advised Mr. Gibbs not to perform any more work on behalf of the County until the situation is resolved. The Commission cannot act on the bill presented. It is work which is not within the scope of any existing contractual agreement.

In regard to Mr. Patton's comment that he does not understand why the County is not contracting with Mr. Gibbs if he is performing all the work, Mr. Gibbs replied he is an independent contractor who works for Crockett Engineering Consultants when there is work. He does not feel qualified to complete this project alone. There is an enormous amount of work to accomplish.

Mr. Patton replied he does not know that the County is going to reach agreement with Crockett Engineering Consultants. Why doesn't Mr. Gibbs submit his own proposal?

Mr. Gibbs replied he does not feel he can perform the stake-out work and engineering survey work which needs to be done.

Mr. Patton asked couldn't that work be subcontracted out? Mr. Patton stated the County has a contract with Mr. Gibbs which states if the work costs more than the authorized amount, prior approval to proceed must be obtained. That has not happened. All parties want to see the project proceed, but they are not reaching agreement with Crockett on price. If they cannot reach agreement, the County will go somewhere else.

Commissioner Stamper asked if Mr. Gibbs can identify work in the bill which is within the scope of the County's agreement with him?.

Mr. Gibbs replied the work included in the bill is beyond the scope of his agreement.

SUBJECT: Treasurer's Report on the Month of October

Treasurer Kay Murray presented her report on the reconciliation of the bank statement and cash totals and investments for the month of October.

SUBJECT: Budget Revision: Transfer from Emergency Fund for Courthouse Utilities

Director of Court Services Robert L. Perry stated they thought 1994 utilities would level out, but they have continued to climb.

Following discussion, Commissioner Stamper moved that the County Commission of the County of Boone authorize the following budget revision:

<u>Organization Account</u>	<u>Account Title</u>	<u>Transfer From</u>	<u>Transfer To</u>
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1320	48100	Natural Gas		\$2,000
1320	48200	Electricity		\$16,225
1181	86800	Emergency Fund	\$18,225	

Explanation: Attached to original budget revision on file in the Auditor's office.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 486-94.

The Commission agreed there should be an investigation of whether the County is being billed correctly.

Auditor June Pitchford commented there are companies who will investigate utility bills for errors. They share in any erroneous amount discovered.

SUBJECT: Supplemental Agreement for Boone County Family Court Staff

Commissioner Stamper added the item to the agenda and stated Mr. Perry presented the agreement to him and he signed it thinking it had been approved by the Commission. Commissioner Stamper stated he asked Mr. Patton to review the agreement.

In response to a question from Mr. Patton, Mr. Perry replied the \$5,000 amount in the supplemental agreement to the contract with the State for child support enforcement is a high estimate for the remainder of the contract period. When the original contract for reimbursement was entered into, there was not a family court. When the family court was established, the Boone County Circuit Court contacted the State to determine budget items the County could be reimbursed for. The Court Security officer's attendance in family court is a reimbursable expense. Other expenses for the Family Court Commissioner, such as the provision of office equipment, are reimbursable. To qualify for reimbursement, the supplemental agreement was needed. The agreement has nothing to do with the Family Court Commissioner's salary, which is State funded.

Following further discussion of items for which reimbursement might be provided, Commissioner Stamper moved that the County Commission of the County of Boone ratify Boone County's participation in the attached supplemental agreement between the Missouri Department of Social Services, Division of Child Support Enforcement and the County of Boone, effective November 10, 1994.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 487-94.

SUBJECT: Data Processing Budget Revision: Printer Supplies

Ms. Pitchford commented on the revision and stated an emergency fund budget revision will likely be needed before the end of the year.

Commissioner Stamper stated the Department seems to be transferring a lot of funds.

Commissioner Stamper moved that the County Commission of the County of Boone authorize the following budget revision:

Organization	Account	Account Title	Transfer From	Transfer To
1170	23018	Printer Supplies		\$2,000
1170	60050	Equipment Service Contract	\$2,000	

Explanation: Current balance in class 2 is \$1,158.28. Outstanding bills are \$1,114.50. Funds were transferred on October 7, 1994. Estimate was conservative at that time (see attached.) Revision needed due to heavy printing during election time and tax season. It is hard to estimate expenses.

Data Processing Director Scott Monnig is requested to provide a verbal report to the Commission on over expenditures of Data Processing Department accounts.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 488-94.

SUBJECT: Vote to Authorize Closed Meeting to Immediately Follow 610.021 (2) RSMo.

Commissioner Vogt moved that the County Commission of the County of Boone authorize a closed meeting to immediately follow the regular meeting of the County Commission on December 1, 1994 as authorized by section 610.021 (2) RSMo. to discuss the lease, purchase or sale of real estate by a public, governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor.

Commissioner Stamper seconded the motion. Motion passed unanimously. Order 489-94.

SUBJECT: Discuss City of Columbia Notice of Requested Annexation

Commissioner Stamper reported on the notice, stating the property in question seems to meet the rule that the land be compact and contiguous with the city limits. Commissioner Stamper suggested the Commission write the City and question the type and density of development which will be allowed and express concern for Oakland Gravel Road.

SUBJECT: Reports from Commissioners

Commissioner Vogt reported the Commission is entitled to make a private sector appointment to the Private Industry Counsel and invited suggestions as to who might serve.

Commissioner Vogt reported the Human Resources Director wants a doorbell. She advised him to prepare a work order for Facilities Maintenance. He is concerned if someone tries to come to his office, but is unable to use the stairs, they will have no way to request assistance.

Commissioner Stamper suggested he be patient, in four months the area will no longer be an access point for the building. Perhaps a sign can be placed at the door listing a phone number to call for assistance.

Commissioner Vogt stated she will take that direction back to him.

SUBJECT: Public Comment

No comment was made.

The meeting adjourned at 2:29 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner