

TERM OF COMMISSION: December Session of the October Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson  
District I Commissioner Karen M. Miller  
District II Commission Skip Elkin  
Deputy County Clerk Kristina Johnson

The meeting was called to order at 9:35 a.m.

**Employee Recognition/Suggestion Committee**

Susan Wells from the County Clerk's Office was present on behalf of this item.

**1. Employee of the Quarter Recognition**

Susan Wells stated that she is a member of the Employee Recognition Suggestion Committee. This Committee meets quarterly to receive nominations. Ms. Wells stated today the Committee would like to recognize the employee selection as the employee of the III Quarter and also recognize all of the other nominees. Jane Telander who is the office administrator for the Public Works Department has been selected as the employee for the III Quarter. Ms. Wells stated she would read a little of what was on the nomination form. Jane has a great deal of interaction with the public and is always diplomatic. Interaction with co-workers is another strong suit for Jane. She is always willing to explain difficult and often confusing payroll questions as well as other various procedure questions to all other members for the office. Jane takes the lead in preparing the department budget. Jane also makes sure that Public Works follows suggested best practices for Human Resources situations.

Ms. Wells stated the County would also like to recognize all of the other nominated employees: David Daniels from the Prosecuting Attorney's Office, Sherry Bruns from the Prosecuting Attorney's Office, David Sabbath from the Assessor's Office, Connie Jones from Corrections, Leasa Quick from the Sheriff's Department, David Marshall from Planning and Building, Dennis Haynes from Planning and Building, Daniel Haid from the Public Works department. Ms. Wells asked all of the employees being recognized to come to the front along with their elected official or supervisor.

**Treasurer's Office**

Lisa Roland from the Treasurer's Office was present on behalf of these items.

**2. Designation of Recovery Zone for Issuance of Recovery Zone Bonds (second**

**reading, first read on 11/20/2009)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the resolution designating a Recovery Zone pursuant to the American Recovery and Reinvestment Tax Act of 2009 for the purpose of issuing Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds. It is further ordered the Presiding Commissioner is hereby authorized to sign said resolution.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 551-2009**

**3. Resolution of Intent to Issue Recovery Zone Bonds (second reading, first read on 11/20/2009)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the resolution authorizing the offering for sale of the County’s Special Obligation Bonds – Recovery Zone Bonds- in the maximum principal amount of \$840,000.00 to provide funds to pay for a portion of the new Warehouse Storage Building. It is further ordered the Presiding Commissioner is hereby authorized to sign said resolution.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 552-2009**

**4. Budget Amendment on Sheriff/Elections Warehouse Project (second reading, first read on 11/20/2009)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment to establish initial budget for Construction (phase I – mobilization and site preparation) and some initial owner’s cost expenses.

| Department | Account | Department Name                           | Account Name           | Decrease \$ | Increase \$ |
|------------|---------|---|------------------------|-------------|-------------|
| 4080       | 71201   | Sheriff/Election Facility Capital Project | Construction Materials |             | 145,000.00  |
| 4080       | 71231   | Sheriff/Election Facility Capital Project | Owner’s Cost           |             | 4,500.00    |

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 553-2009**

**County Counselor**

CJ Dykhouse the County Counselor was present on behalf of this item.

**5. NID Cooperative Agreement from BCRSD (first reading)**

CJ Dykhouse stated he received an executable copy of the contract from the Sewer District and the contracts are currently being circulated throughout the County for signatures.

Commissioner Miller stated this has been a long time coming. Commissioner Miller stated she understands this has required a lot of work with both the Boone County Office Holders and the Sewer District to get to this point.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

**6. Corrected Quit-Claim Deed (first and second read)**

Mr. Dykhouse stated this relates to the land tract that was declared surplus and advertised for sale and the subject of the previous quick claim deed. The title company, although having ample opportunity to comment prior to the delivery of the other deed, came in after the delivery of the other deed with a suggested provision that he had reviewed and the Purchaser reviewed and thought was more appropriate. The first quit claim deed was exactly that a quit claim deed does not convey warranties or title. There was not anything insufficient or damaging with that but this more accurately reflects the intent of that bid process. The difficulty in the description stems from the fact that this land had not really been described. It is four remnants of lots and this description more adequately describes what it was that the County had highlighted on the Assessor's map. The County intended to sell, however it did not adequately describe the property despite best efforts. If the Commission authorizes the execution of this Mr. Dykhouse stated he would deliver the contract to the Purchaser of the amended quit claim deed.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the corrected quit-claim deed with 216 McBaine, L.L.C., for real estate per the attached legal description. The terms of this quit-claim deed are specified in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 554-2009**

**7. Contract and Bid Award for 53-05Nov09 Boone County Sheriff's Annex and Warehouse (second reading, first read on 11/20/2009)**

Mr. Dykhouse stated he had worked with the Deputy County Clerk Kristina Johnson yesterday to get the appropriate wording for this Commission Order so the County could proceed without getting too far ahead of itself. Mr. Dykhouse stated he inserted a clause into the order which would allow Mr. Dykhouse to confirm that the contract files were complete. This is typically done on road projects to ensure that the labor material payment bond is in, performance bond is in, verification of affidavits are done, certify insurance coverage's, and since the County is convening next week over who is going to be monitoring these projects as the County goes forward, but right now he is monitoring then and wanted to make sure everything was in order prior to the actual execution.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 53-05Nov09 to Little Dixie Construction and approve the contract with Little Dixie Construction, for the Boone County Sheriff's Annex and Warehouse. The terms of this contract are stipulated in the attached document. Notice to Proceed to issue only after the County Counselor confirms the contract file is complete. It is further ordered the Presiding Commissioner is hereby authorized to sign said Partial Phasing Contract.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 555-2009**

**Purchasing**

Tyson Boldan from the Purchasing Department was present on behalf of these items.

**8. 64-30Oct09 Law Enforcement Uniforms Term and Supply (first reading)**

Tyson Boldan stated the bid for Law Enforcement Uniforms Term and Supply closed on October 30<sup>th</sup> 2009. Two bids were received. Purchasing and the Sheriff's Department recommended the award to Red the Uniform Tailor for offering the lowest and best bid. This is a Term and Supply contract.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

**9. 57-09Oct09 Mechanic Services- Heavy Equipment and Trucks (first reading)**

Mr. Boldan stated the bid for Mechanic Services – Heavy Equipment and Trucks – Term and Supply closed on October 9, 2009. Five bids were received. Purchasing and Public Works recommend awarding by low bid on labor rate as follows:

Trucks

Primary Supplier – Al Scheppers Motor Company

Secondary Supplier – MHC Kenworth Columbia

Tertiary Supplier – Fabick Cat

Heavy Equipment

Primary Supplier – Tri-State Construction Equipment Company

Secondary Supplier – Roland Machinery

Tertiary Supplier – Fabick Cat

These Term and Supply contracts will be paid out of department 2040 – PW Maintenance Operations, account number 60200 – Equipment Repairs/Maintenance. A portion of \$390,000.00 is budgeted for 2009.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

**10. Surplus Disposal (first reading)**

Mr. Boldan stated the Purchasing Department requests disposal of the following list of surplus equipment.

Commissioner Miller inquired why the first item is a new item and on this list?

Mr. Boldan stated he did not know.

Commissioner Miller asked where did the drawing board come from, and why is it brand new, and why is this on the County's surplus list?

Mr. Boldan stated the item is coming from GIS, but he does not know why it was never used.

Commissioner Miller stated she would like to know the answers to these questions.

Commissioner Miller stated she would hate to think the County is buying things and then never using them, and then placing them on the surplus list. They may have received this item from some ESRI Grant or something and then it did not work out, however she would still like to know.

Commissioner Pearson suggested the description of the item may have been inaccurate.

Commissioner Miller inquired how long these items will be available on GovDeals?

Mr. Boldan stated the length of time depend on how the items are grouped.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

### **Planning and Zoning**

Stan Shawver from Planning and Zoning was present on behalf of this item.

#### **11. Grandview Plat 2. S15-T50N-R12W. A-2. GW Developers LLC, owner. David T. Butcher, surveyor.**

Mr. Shawver stated this is a four lot subdivision. This is a continuation of Grandview Plat 1 which was three lots off of Frank Rd. west of Hallsville. As indicated this is zoned A-2. Here is some additional land that will be platted at a future date. This is just outside of city limits, all lots are larger then five acres. There is a type 2 stream that crosses over part of plat 5. Planning and Zoning Commission approved this at their 19<sup>th</sup> P&Z meeting and this was the only item of business to come forward to the County Commission. The plat was approved by them and now it is ready to be received and accepted by the County Commission.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorize the presiding commissioner to sign:

Grandview Plat 2. S15-T50N-R12W. A-2. GW Developers LLC, owner. David T. Butcher, surveyor.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 556-2009**

### **Auditor's Office**

June Pitchford the County Auditor was present on behalf of this item.

#### **12. Budget Amendment to reimburse General Fund from the One-Fifth Cent Sales Tax Capital Improvement Fund in accordance with the 2006 ballot proposal (first reading)**

June Pitchford stated the handout provides the background context for the budget amendment. Ms. Pitchford stated the Commission is familiar with this information but this is more for the sake of everyone else who is present.

Ms. Pitchford stated to recap the ballot measure approved by voters in 2006, a three year 1/5<sup>th</sup> cent capital improvement sales tax was expected to generate \$14,000,000.00 and be used for the purposes outlined in the ballot measure and are listed here; \$9,500,000.00 for the courthouse and interior renovations; a combined \$1,000,000.00 for the alternative sentencing center which consisted of interior remodeling and then a reimbursement to the general fund for the acquisition of the property; debt retirement; Johnson Building interior remodeling to house the Public Defender; and then \$1,000,000.00 dedicated to the government center project to be combined with other revenues that the County had available for the Government Center project.

Ms. Pitchford stated the column to the right indicates the County's actual/ projected status. The County has received a few additional sales tax dollars, but for the most part the majority of those are collected. These sales tax dollars came in slightly under the original sales tax projections largely due to the unforeseen economic decline. The shortfall was \$489,000.00. The majority of that was offset by investment income. The County did not begin construction on the courthouse as soon as projected but that was actually helpful in the long run in generating some investment income. Lastly there was some additional miscellaneous income. The court had dedicated some funding for the technology portion of the courthouse project. Accounting for all of those revenues and the short of \$14,000,000.00, the courthouse budget came in at \$9.485 million; the County will complete the interior remodeling on the Alternative Sentencing Center. Ms. Pitchford stated she has a note below which indicates the amount that has been spent to date on the first floor which was the \$176,000.00 that leaves a balance of approximately \$150,000.00 for the basement remodeling. The \$670,000.00 reimbursement to the General Fund which is highlighted is then the subject of one of the budget amendments which Ms. Pitchford stated she will come back to.

The debt retirement amounts are official and final from the Treasurer's Office.

Overall there is a shortfall and this is being applied against the Johnson Building. Based on recent discussions that the County Commission has held the scope of that project can be adjusted. The footnote below states the 1<sup>st</sup> floor paint and carpet is completed, leaving a balance of \$359,000.00 for the rest of that project.

This being the background for the first budget amendment presented to the Commission which would lead the Alternative Sentencing Center component of the ballot measure. This would transfer the \$670,000.00 back to the General Fund as reimbursement to the General Fund.

Commissioner Miller stated she is glad that the County had the \$670,000.00 to transfer back because the County was beginning to think this money was not going to be available.

Commissioner Pearson stated this speaks to the efficiency of the operation, in terms of getting it done.

Ms. Pitchford stated yes and bringing that very large courthouse project in on budget.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10-day hold required on budget amendments.

**13. Budget Amendment to authorize transfer of funds from the General Fund to capital project funds (first reading)**

Ms. Pitchford stated this budget amendment is an allocation of \$670,000.00 to be reimbursed to the General Fund. This budget amendment reflects allocating those monies to capital projects. The largest portion of that \$591,400.00 going to the Sheriff's Warehouse Election storage project and the residual amount \$78,600.00 being applied to the ongoing Government Center project.

Commissioner Miller stated this is a reasonable way to use this funding as the County has always tried to use the County's reserves for one time purchases and things. As discussed the other day when the ballot issue was put together the Sheriff's campus was not included in that discussion. The Sheriff at that time identified a need and had been saving for that need. This allows the County to be able to complete that with his support and funding. The difference is the amount the County would have spent in leasing before the lease went up. The \$60,000.00 a year is what the County had been spending anyway and now the allocation of those funds are towards the bonds along with the Sheriff's \$40,000.00 a year from Civil Process. This \$590,140.00 allows the County to complete the whole project and have it paid for in ten years.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10-day hold required for budget amendments.

### Circuit Court

#### **14. Budget Amendment for the Fostering Court Improvement JCIP Sub-grant (second reading, first read on 11/17/2009)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget amendment to increase revenue and expenditures for the Fostering Court Improvement JCIP Sub-grant for the period 10/1/09 – 12/31/09:

| Department | Account | Department Name | Account Name        | Decrease \$ | Increase \$ |
|------------|---------|-----------------|---------------------|-------------|-------------|
| 1243       | 03451   | Judicial Grants | State Reimbursement |             | 645.00      |
| 1243       | 22500   | Judicial Grants | Subscription        |             | 80.00       |

|      |       |                    |       |  |        |
|------|-------|--------------------|-------|--|--------|
| 1243 | 37230 | Judicial<br>Grants | Meals |  | 565.00 |
|------|-------|--------------------|-------|--|--------|

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 557-2009**

**Miscellaneous**

**15. Public Comment**

**16. Commissioner Reports**

The meeting adjourned at 10:18 a.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

\_\_\_\_\_  
Kenneth M. Pearson  
Presiding Commissioner

\_\_\_\_\_  
Karen M. Miller  
District I Commissioner

\_\_\_\_\_  
Skip Elkin  
District II Commissioner