

TERM OF COMMISSION: January Session of the January 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 Commissioner Skip Elkin
Deputy County Clerk Kristina Johnson

The meeting was called to order at 1:30 p.m.

Sewer District 1:30 to 1:45

Andy Lister from the Sewer District was present on behalf of this item.

1. Resolution for the amended petition for the Brown Station Sewer NID

Andy Lister stated he prepared and submitted a memo. Mr. Lister stated he would touch on a few things from this memo. This has been a long process. In September of 2006 the petition was turned into the County for the Brown Station Neighborhood Improvement District. Bids were opened in January of 2010 and bids were higher than expected. There were five participants in the original NID for Brown Station. Since the original petition a sixth neighbor came forward and asked to be included. This happened in December 2009 and under the County Counselor's guidance, we generated a new petition to add the sixth participant and also adjust the numbers per household. There was also a contingency's for the project added. Today what the Sewer District is here to ask for is for the County Commission to create or recreate the Brown Station NID. On February 2, there will be a public hearing on this project, as with all NID's.

Commissioner Elkin inquired if all the language was what the County Counselor recommended?

Commissioner Miller stated he developed it right?

Mr. Lister stated yes.

Commissioner Pearson asked if all signatures were on the new petition.

Mr. Lister stated yes.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby accept the following certification:

I, Wendy S. Noren, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the attached petitions contain the signatures of the property owners who own

property equal to at least two-thirds by area of all real property located within the proposed **Brown Station Sanitary Sewer Neighborhood Improvement District** and no petitioner is delinquent in County real estate taxes.

In testimony whereof, I have hereunto set my hand and affixed the seal of the County of Boone, State of Missouri, this _____ day of **January, 2010**.

/s/ Wendy S. Noren
County Clerk
Boone County, Missouri

(seal)

In that the attached petitions meet the requirements set forth in section 67.457.3 RSMo. and Commission Order #424-91 for the formation of neighborhood improvement districts, the county Commission hereby approves the advisability of the improvement and orders the establishment of the **Brown Station Sanitary Sewer Neighborhood Improvement District** to be described as follows:

Boundary Description of Brown Station Sanitary Sewer Neighborhood Improvement District

Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting there from that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records

AND

A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range Twelve (12), Boone county, Missouri, as described by a Survey recorded in Book 501, page 891, Deed Records of Boone County, Missouri, containing 0.91 acres, more or less

AND

PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49), RANGE TWELVE (12) IN BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE SET NORTH 16 DEGREES WEST 5.86 CHAINS FROM THE SOUTHEAST CORNER OF SURVEY NO. 2890; THENCE SOUTH 80 DEGREES WEST 4.10 CHAINS TO A STONE; THENCE NORTH 16 DEGREES WEST 2.53 CHAINS TO A STONE; THENCE NORTH 80 DEGREES EAST 4.10 CHAINS TO A STONE; THENCE SOUTH 16 DEGREES EAST 2.53 CHAINS TO THE POINT OF BEGINNING

AND

TRACT TWO (2) OF THE SURVEY MADE BY D. E. HILL AND RECORDED FEBRUARY 18, 1958 IN BOOK 289, PAGE 138, DEED RECORDS OF BOONE COUNTY, MISSOURI, SAID SURVEY BEING LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST (NW ¼) OF

SECTION TEN (10), TOWNSHIP FORTY-NINE (49) NORTH, RANGE TWELVE (12) WEST, OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, IN BOONE COUNTY, MISSOURI, AND BEING LOCATED IN LOTS NINE (9), TEN (10), ELEVEN (11) AND PART OF TWELVE (12) IN THE VILLAGE OF BROWN'S STATION, MISSOURI

AND

Lot Eight (8) of BROWN'S STATION, being part of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range (12), in Boone County, Missouri.

AND

Tract One (1) of the survey made by D.E. Hill and recorded February 18, 1958 in Book 289, Page 138, Deed Records of Boone County, Missouri, said survey being located in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49) north, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in Boone County, Missouri, being located in Lots Nine (9), Ten (10), Eleven (11) and part of Twelve (12) in the Village of Brown's Station, Boone County, Missouri.

The final cost of the improvement shall not exceed the estimated cost of **\$173,971.37** by more than twenty-five percent (25%). The County Commission hereby orders the County Public Works Director to make plans and specifications for the proposed project and file said plans and specifications with the County Clerk of Boone County, Missouri.

The Commission further **orders** that the improvement costs shall be assessed equally against each parcel described on Exhibit "A" attached hereto and shall be payable in not more than **twenty (20)** substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone, and the clerk shall prepare an assessment list and notify the property owners of a public hearing on the proposed improvement.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 28-2010**

Treasurer's Office 1:45

Kay Murray, the Treasurer was present on behalf of this item.

Toni Stegeman from Bond Counsel with Gilmore and Bell was present on behalf of this item.

2. Bond Resolutions for CountrySquire/Brown Station Sewer NID

Toni Stegeman stated what the Commission has before them is the resolution order to approve the bond not to exceed \$179,000.00 for the two projects of Country Squire and Brown Station projects. This resolution approves all of the relevant documents with DNR, the purchase agreement which the Sewer District is also a party to, the escrow trust agreement, and the grant

agreement from ARRA.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize the issuance of \$179,900.00 Principal amount of general obligation bonds (State of Missouri – Direct Loan Program – ARRA) series 2010 of Boone County, Missouri for the purpose of installing and extending sanitary sewer systems in the Brown Station and Country Squires subdivisions; Prescribing the form and details of the bonds and the agreements made by the County to facilitate and protect their payment; and prescribing other related matters.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 29-2010**

Purchasing

Melinda Bobbitt from Purchasing was present on behalf of these items.

3. 75-52Nov09 Ammunition Term and Supply (first reading)

Ms. Bobbitt stated the Bid for Sheriff’s Department Ammunition Term and Supply closed on November 25, 2009. Four bids were received. Purchasing and the Sheriff’s Department recommend split award by low bid as well as utilizing the coop option of the Missouri State ammunition contract in order to obtain the best pricing. Venders awarded include BVAC Inc., Gulf States Distributors, Simmons Law Enforcement, Inc., and Oklahoma Public Safety.

This is a term and supply contract. Contract will be paid from departments 1251- Sheriff, 1255 - Corrections, 2901 – Sheriff Operation LE Sales Tax, Account Number 23200 - Ammunition.

Commissioner Miller asked if Mid-Way Arms sold ammunition?

Commissioner Elkin stated they do but I am not sure ...

Commissioner Miller stated she was just curious why they would not bid on this local 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.

4. 93-123110SS Parking Lot Rental (first reading)

Ms. Bobbitt stated the Auditor’s Office requests permission to lease a parking lot from Tom and Isabel Rife which is located in close proximity to the Boone County Government Center.

Attached is the sole source request form for signature. This sole source was advertised in the Columbia Missourian on January 19, 2010.

Commissioner Miller stated people should be allowed to park there and she has not seen anyone park there.

Commissioner Pearson asked if the signs were up yet?

Commissioner Elkin stated he did not know but he would check with Bob Davidson about it.

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.

5. Cooperative Agreement 3-091110 Oil Distributor (first reading)

Ms. Bobbitt stated Purchasing and Public Works request permission to utilize the Missouri Department of Transportation contract 3-09110 to purchase an n Oil Distributor from The G.W. Van Keppel Company of Kansas City, Kansas as follows:

Etnyre Centennial 3500 Gallon Oil Distributor	1 each	\$154,726.00
o With variable width spraybar		
Front Tank Suction (Option #7)	1 each	\$2,825.00
Add 6 ft Spray Bar, 24 ft total (Option #8)	6 each @ \$1,015.00	\$6,090.00
Temp. Digital Readout (Additional Option Sheet)	1 each	\$340.00
Electric Belly Heat Strips (Additional Option Sheet)	1 each	\$5,300.00
12'x3" Rubber Load Hose (Additional Option Sheet)	1 each	\$345.00
For a total contract price of		\$169,626.00

Contract will be paid from department 2040 – Public Works Maintenance Operations, account 92300 – Replacement Machinery and Equipment. \$175,000.00 was budgeted for 2010.

The Purchasing Department requests permission to dispose of the following surplus:
5000 Gallon Etnyre Oil Transport/Distributor Trailer, fixed asset tag 14034.

Commissioner Pearson asked if this was essentially replacement equipment?

Ms. Bobbitt stated yes.

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. Cooperative Agreement 3-091112 Chip Spreader (first reading)

Ms. Bobbitt stated purchasing and Public Works request permission to utilize the Missouri Department of Transportation contract 3-091112 to purchase a Chip Spreader (\$221,560.00)

with a 12'x24' Hopper (\$4,500.00) and a two year/7,000 hour Cummins Engine Warranty (\$765.00) from The G.W. Van Keppel Company of Kansas City, Kansas..

Total cost of contract is \$226,825.00 and will be paid from department 2040 – Public Works Maintenance Operations, account 92300 – Replacement Machinery and Equipment. \$225,000.00 was budgeted for 2010 (savings from the Oil Distributor covers this purchase).

The Purchasing Department requests permission to dispose of the following surplus:
1996 Etnyre Chip Spreader, fixed asset tag 10604.

Commissioner Pearson stated before there is a second reading on this someone needs to speak with Chip Estabrooks about his chip spreader.

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.

Sheriff's Department

7. Budget amendment for Drug related overtime (first reading)

Commissioner Miller stated the funds for this are being taken out of their funds, so this looks fine.

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 with an appropriate order for approval.

Commission Office

8. Budget Amendment for the Government Center Capital Project (first reading)

Commissioner Pearson stated this is for the stairs and engineering company for the new buildings. The County Counselor drafted the contract.

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 with an appropriate order for approval.

9. Contract for the Government Center Capital Project (first reading)

Commissioner Miller stated the first one was for establishing the budget and this is the 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.

10. Authorize Closed Meeting 610.021(1) for January 27th at 1:30 pm (first and second reading)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Wednesday, January 27, 2010, at 1:30 p.m. The meeting will be held in Room 243 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by 610.021 (1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 30-2010**

11. Organizational use of Boone County Facilities by the Constitution Party (first and second reading)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the organizational use of the Commission Chambers in Boone County Government Center by Daniel Howell and the Constitution Party of Missouri, on May 22nd from 8:00am to 10:00 pm.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 31-2010**

12. Approve the Presiding Commissioner's signature on the Certificate of Approval for the Phoenix Programs, Inc., project (first and second reading)

Commissioner Pearson stated this is the request and approval for the bonding for Phoenix Programs building with a not to exceed \$2,000,000.00. This actually had to go through the City since this is inside the City of Columbia. They unanimously approved this and the IDA had a TEFRA hearing and this was approved there.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve and authorize the Presiding Commissioner to sign the Certificate of Approval for the Phoenix Programs, Inc., project. The terms of this certificate are stipulated in the attached document.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 32-2010**

Miscellaneous

13. Public Comment

14. Commissioner Reports

The meeting adjourned at 2:00 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Kenneth M. Pearson
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner