

TERM OF COMMISSION: December Session of the November Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: District I Commissioner Karen M. Miller
Acting-Presiding Commissioner-Linda Vogt
Deputy County Clerk Melanie Stapleton

The regular meeting of the County Commission was called to order at 9:35 a.m. by Acting-Presiding Commissioner Vogt.

Subject: Recognition of the Boone County Fire District

Commissioner Miller stated that the Boone County Fire District recently provided community emergency response team training for 12 employees of the County. She stated that the training focused on basic emergency medicine and triage, moving patients, basic fire-fighting rescuer safety and interfacing with professional emergency responders.

Commissioner Miller stated that this training benefited both Boone County and the general public. She stated that the feedback from those who had received the training was some of the most positive from any training done in Boone County.

Commissioner Miller stated that due to the successful training of those 12 employees, there was a hope that the training might be performed in the Commission Chambers for the community or for other facilities that serve the public.

Commissioner Miller presented the Boone County Fire District with a plaque. Commissioner Miller read the plaque as follows:

In appreciation of Ken Hines, John Metz, and the Boone County Fire District.
The County of Boone recognizes their time and contributions in providing CERT Training, December 1998.

Commissioner Miller also acknowledged the board members that were present. They included Willis Smith, President of the Fire District, John Richard, Board member, Myrtle Rapp, Board member. She stated that their efforts on behalf of the citizens of Boone County were appreciated.

She asked the members who had taken the training for the County to state their name, department, and building. They were as follows:

Stan Shawver	Planning and Building	Government Center
Nora Dietzel	Recorder's Office	Government Center
Dan Nichols	Facilities Maintenance	All County Bldgs
Mark Stone	Director of Human Resources	Johnson Bldg
Chuck Nichols	Facilities Maintenance	Johnson Bldg
Ryland Rodes	Planning and Building	Government Center
Kevin Alleman	Information Technology	Government Center
David Sabath	Assessor's Office	Government Center
Cheri Sapp	Collector's Office	Government Center
John Watkins	Public Works	

Commissioner Miller thanked the employees for taking the training. She asked Mr. Hines if he would offer this training again in the future.

Ken Hines stated that there would be another training in the spring due to the interest by the employees, and perhaps one every spring for County employees.

Commissioner Vogt asked Chief Paulsell or John Metz if they had anything to say.

Chief Paulsell stated that the public generally relied on the Fire District in times of emergency to provide basic immediate care. He noted however, that emergency response actually starts with the public knowing what to do and whom to call, etc. Then it falls to people who are in charge of different buildings and things like that.

Chief Paulsell further stated that this was the first step in providing emergency service to the public and he acknowledged everyone who participated in the training.

Subject: Library Board Report-Alan Kelly

Alan Kelly introduced the Melissa Carr, Director of the Library.

Commissioner Vogt stated that Commissioner Stamper was attending a SMART Growth Conference and that was why he was not present today.

Alan Kelly stated that the Library circulated its millionth item for the year. He stated that this had never happened before.

Alan Kelly showed the plan that the County had been working on since February of 1999. He stated that the masterplan showed where the facilities needed to be located for the next 15-20 years. He stated that the timeline went out to the year 2015.

Alan Kelly stated that there would be a lease satellite location in southern Boone County which had been added into the 1999 budget. He stated that they had done some research on what the needs of the citizens were and where the facilities needed to be located.

Alan Kelly presented an outline to the Commission concerning the new facility. The outline contained probable facility hours, cost of construction. He stated that this facility was not one that they actually planned to own. He stated that if they needed a facility, there would be a bond issue for its construction.

Alan Kelly stated that they were also considering putting branches in and around Columbia. He stated that they were expanding and renovating the current facility. He noted however with the expanding city, there would perhaps need to be more facilities. He stated however that a facility of this kind would have to sit outside of the Columbia City limits in the Boone County Library district in order to stay outside of the 1965 boundary. He stated that this would require a bond issue as well.

Alan Kelly stated that in 2004, they had planned to build a leased facility in Columbia. He stated that in 2010 there would be a branch location to be owned and built in the city limits of Columbia. He noted that they had looked at the area north, northeast of Columbia and southern Columbia as possible location sites.

Alan Kelly stated that the new bookmobile would better service other areas in Boone County.

Alan Kelly stated that there had been a space plan done for the Columbia Public Library and it had been determined that the facility was not positioned to provide the level of service that the public was demanding of a public library. He stated that they were still in the conceptual mode of the plan. He stated that the renovation planned to change the facility from 58,000 sq ft to between 102-110,00 sq ft.

Alan Kelly elaborated on the two-dimensional pictures of the site plan. He presented the three-dimensional model of the site plan to the Commission.

Alan Kelly stated that there were one or two houses in the area of Garth Ave and Broadway that would be involved with establishing a parking garage in that area for the renovated library. He stated that the library would be expanding a little bit to the north, but mainly to the west and somewhat to the east. He stated that the sloping and the aesthetics of the parking area would be much different. He stated that the architects have determined that there will be an east-west corridor in the library that would separate the staff area from the public area.

Alan Kelly demonstrated on the site plan where the various areas (children's, meeting rooms, etc.) of the library would be located.

Commissioner Vogt asked about the closeness of one of the entrances to the street.

Alan Kelly stated that half of the parking would be north, and some would be to the south. He stated that there would be two entrances, however there would be only one general lobby area that would lead either to the meeting rooms or to the library. This setup would aid with the security issue that having two regular entrances/exits presented.

Alan Kelly elaborated on some other details of the facility such as the overhang, areas that would be cut out of the new building, and landscaping in response to questions posed by Commissioner Miller.

Alan Kelly stated that they had spoken with the City of Columbia about different ways of making it safer to cross from one of the parking lots to the library. He stated that one of the things they had considered was putting a concrete island in the middle of Broadway.

Commissioner Miller asked if the Board was going to keep the art exhibit that currently sits in front of the library.

Alan Kelly stated that they did not know what they were going to do with it.

Commissioner Vogt asked if they (Daniel Boone) library would be sharing books with Ashland.

Alan Kelly stated that they would be doing this on a daily basis.

Commissioner Vogt asked if it might be possible for Hallsville (if they were able to find a site) to work with the library board to manage resources for the site.

Alan Kelly stated that this was a possibility. He stated that the consultant that worked on the master plan looked at the communities that exist in the three-county area. He stated that they looked at how much the different communities used the bookmobile. He stated that they had looked at Hallsville and did not believe that this was one of the communities that would demand a facility in the next ten years or so. He stated that they could work with them if the situation presented itself.

Alan Kelly stated that the Ashland community was very excited about becoming part of the system. He stated that there would be a high level of volunteerism available to help man the new facility there.

Commissioner Miller stated that she liked what the renovated facility would look like and stated that she thought it would be conducive to people wanting to go there.

Alan Kelly stated that in April (in Boone County) there would be a request for an increase for an operating levy. He stated that the four library districts within the Daniel Boone Regional would be going to their voters in April to ask for an increase.

Commissioner Vogt asked what kind of an increase would be asked for.

Alan Kelly stated that the levy was currently at 24 cents. He stated that they were projecting an increase to 32 cents. He stated that the Columbia library district would be requesting an increase in the operating levy from 29 cents (24 cents and 5 cents for a building levy that would be ending) to 32 cents. He stated that therefore the increase for Columbia would actually only be 3 cents from what they were paying.

Commissioner Vogt stated that therefore everyone in Boone County would be paying the same amount.

Alan Kelly stated that this was correct.

Commissioner Vogt stated that everyone paying the same amount was appropriate and necessary, however she stated that she was not sure about the 32 cents.

Alan Kelly stated that this would be one of the great challenges at the ballot in April. He noted that some county increases would be higher than others. He stated that all the districts had expressed interest in increasing the levy.

Commissioner Miller asked if the 1965 boundary would be the used to support this issue on the April ballot.

Alan Kelly stated that it would.

Commissioner Miller asked what this would involve.

Alan Kelly stated that this was a request for funding of approximately 22 million. He stated that for a person who owns a property that is worth \$250,000, it would cost about 47 cents a day. He stated that it would be less than a can of Coke per day for a person that owned property worth \$250,000.

Mary Johnson stated that the price per person depended on the tax rates and interest rates, etc.

Commissioner Miller asked if the people in this district would have a 32 cent operating levy and a 32 cent building levy.

Alan Kelly stated that this was about right. He stated that the ballot issue would ask the voters to approve whatever levy assessment is required to pay off an amount for a bond, approximately 22 million. He stated that the voters would be approving whatever interest rate, the life of the bond, etc. He stated that the Board did not know exactly what that sum would be.

Commissioner Vogt thanked the Library board for coming. She stated that she knew the Board would be doing more to inform the voters of the upcoming ballot issue.

Mary Johnson thanked the Commission for selecting such a wonderful group of board members that were very active.

Subject: Final Approval of Variance Request

Frank Abart presented two variance requests involving St Charles Rd. He stated that they were both adjacent to an existing proposed plan.

Frank Abart stated that both variances were submitted by Brush & Associates. He stated they involved the distance of street intersection to driveway and the design speed of a road (that goes from Putnam Boat up to St Charles Rd). He stated that they wanted to reduce the design speed from 50 mph to 30mph.

Frank Abart stated that both of the variances had been through the Road & Bridge Advisory Committee. He stated that the first variance was approved and was being brought forth for official action.

Commissioner Vogt stated that there had been quite a discussion about this variance request. She stated that if you viewed the area, there was no way that one could go 50mph through this area. She stated that part of the discussion was that the property owners had signed an annexation agreement in order to get sewer services. She stated that the variance requested actually fit more with the Columbia's specifications than with Boone County's.

Commissioner Vogt stated after much discussion with the Planning department, the variance was recommended for approval.

Frank Abart stated that the first variance was recommended. He stated that for second variance, the Public Works department was authorized to work with the Columbia Public Works department to make an agreement on space between driveways and driveway widths without having to go back to the Road & Bridge Advisory Committee again. He stated that they were authorized to come directly to the Boone County Commission for approval.

Commissioner Vogt moved to approve a variance request for St Charles Rd to increase the maximum drive entrance width from 30' to 60' and to reduce the separation width from 150' to 75'. Said variance is to make better use of the site for commercial purposes and should not pose a safety or traffic problem.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 567-98**

Commissioner Vogt moved to approve a variance request to the design standards for Lake of the Woods Texaco per reasons outlined in the attached letter as follows:

1. The Crest Vertical Curve SSD from 400-475' to 200'
2. The Sag Vertical Curve K value from 90-110' to 40'
3. The distance of driveways from a street intersection from 150' to 50'
4. The distance between driveways from 150' to 50'
5. The design speed from 50 mph to 30mph

Commissioner Miller seconded the motion.

Discussion: Commissioner Vogt recognized Jerry Carrington.

Jerry Carrington stated that he was concerned about the first variance that was granted. He stated that he did not know of any public hearing concerning the design of that road or anything else. He stated that everything seemed to be decided through the Road & Bridge Advisory Committee or the Boone County Commission and never went back to the public.

Jerry Carrington stated that he felt like he was paying more on sewer fees because of what has been done to drain the lagoon. He stated that it seemed like they wanted to bring the road up to County standards and at the same time bring it back into the City of Columbia limits.

Jerry Carrington stated that there did not seem to be any consideration being given and that the builder was being allowed to do whatever they wanted to do.

Commissioner Vogt stated that she was sorry that Mr. Carrington felt that no consideration was being given. She stated that the builder had worked with the City of Columbia and Boone County to go through the processes in order to develop the property.

Commissioner Vogt stated that this particular property sat on the edge of the Columbia city limits. She further noted that there was now a policy that if you are requesting sewer service from the city of Columbia, you must sign an annexation agreement and as soon as the property becomes compact and contiguous to the city limits; the city will annex the property.

Commissioner Vogt stated that this (in her opinion) put the developer at considerable risk financially to have to comply to one government or the other, and then without the (builder's) request the other government would annex. She stated that then the builder would have to change and redo their development. She stated that it seemed much more positive to her that both governments work together with a developer to handle the situation up front rather than wait and piecemeal it together as the project goes along. Commissioner Vogt stated that developers do come and speak with both governments. She stated that they did not normally hold public hearings on things where there were already policies established.

Jerry Carrington stated that his neighborhood was paying for sewer out of County residency (an extra sewer fee per month) to let the builder do whatever he wants to do. He stated that the builder did not have to do this project right now, he could wait two years until the property is inside the city limits.

Commissioner Vogt stated the people in ABC Labs would be paying a fee as well. She stated that in time, this would help other people so that the residents would not be carrying the entire burden because there would be a development in the area that would be carrying their part of the burden.

Jerry Carrington asked how many tax dollars would be given up by the County in order to do the annex.

Commissioner Miller stated that the County did not give anything up when there was an annexation. She stated that the County still received its tax dollars, however the city of Columbia also was benefited.

Commissioner Vogt stated that the city of Columbia was within the County of Boone.

Commissioner Miller stated that it made sense to do the development once instead of having to tear it up and interrupt the city.

Commissioner Miller stated that she fully supported what was being done for this project. She also noted that the Road & Bridge Policy Advisory Committee had representation from every township. She stated that this was the advisory group that made recommendations to the Commission. She also noted that this (group) was part of the public process. She stated that they held posted meetings and the public was welcome to attend.

The motion passed 2-0. **Order 567A-98**

Subject: Execute a Water line Easement

Frank Abart stated while working on a project, the Public Works department was under the impression that a line was 20-25' away from the building and in fact the line was under the building. He stated that further investigation revealed that the Water District did not have an easement for the water line. He stated that in the interest of intergovernmental cooperation, the Public Works department was developing a 10' water line easement to be dedicated for the Water District's use.

Commissioner Miller stated that this seemed like a reasonable request.

Frank Abart stated that the Water District did not have an easement on the other side of the property either. He stated that the Public Works department was working with the property owner to get an easement.

Commissioner Miller moved to approve a water line easement as drafted by Legal Counsel for the line within the Boone County property known as the South Facility.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 567B-98**

Subject: Out of County housing

Major Warren Brewer and Sheriff Boehm requested a transfer of \$75,000 from emergency funds to outside services to cover out of County housing for the month of October. Major Brewer

stated that this computed to \$12,942.75 for the following: Warren County for housing prisoners there at the cost of \$40 a day, \$1,012.50 for Marion County at the rate of \$37.50 per day, \$38,667.35 for Callaway County at a rate \$340, Montgomery \$7,410.00 at a rate of \$37.50, and the Reality House group for \$16,525.00.

Major Brewer stated that this was primarily for housing. There was \$500 spent for medical ambulance cost. He stated that the department was certain that they could attach that cost back to the individual's court cost. He stated that there was also about \$267 for medication for a prisoner.

Major Brewer stated that the Sheriff's department averaged about 179 prisoners in custody on a daily basis during September with 48 housed out of County. He stated that in October it jumped up to about 199 in custody and 67 housed out of County. He stated that November was slightly less with 190 in custody and 64 housed out of County. He stated that in December (so far), they were averaging 189 in custody.

Commissioner Miller stated that this was quite a jump (in prisoners).

Major Brewer stated that the increase started in August and has continued since. He stated that during the past couple of years, October has been the high month.

Commissioner Miller stated that there was a pre-construction meeting (for the jail project). She stated that they were waiting on insurance and bonds in order to give notice to proceed.

Commissioner Vogt asked how many beds would be created.

Commissioner Miller stated that there would be 78.

Commissioner Vogt asked if when this project was finished, the County would be able to house the number of prisoners that it currently has.

Major Brewer stated that this was correct.

Commissioner Miller stated that even with 210 beds, there were still a couple of days when prisoners had to be housed out of County.

Commissioner Miller moved to authorize a Budget revision as follows:

AMOUNT	ACCOUNT FROM	ACCOUNT TO
\$75,600	1123-86800 Emergency Funds	1253-71100 Outside Services

Said revision is to cover expenses incurred during the month of October, 1998 for out of County housing.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 568-98**

Subject: Family Medical Leave for an Employee in the Sheriff's Department

Sheriff Boehm stated that he was asking the Commission to approve a leave of absence for an employee who is experiencing family health problems. He stated that the policy allowed him to give employee a 30-day leave of absence. He stated that the following day would be the end of the thirty days.

Sheriff Boehm stated that the employee had used all of her vacation and sick leave.

He stated that he was asking the Commission to allow a 90-day leave of absence for this employee. He stated that he was also requesting that the Sheriff's department be allowed to use the funds available in the budget to hire a part-time, temporary employee.

Commissioner Vogt asked what would happen to the temporary employee once the full-time employee was ready to return to work.

Sheriff Boehm stated that he would have to make it clear to the temporary employee that it would not be a permanent situation.

Major Brewer stated that this would not require any increase or additional funds. He stated that there were funds in Class 1 to pay the present employee, and part of that would be used to pay the temporary employee.

Commissioner Vogt stated that she supported the fact that an employer would keep a job for an employee during a time of crisis. She stated that if the Sheriff's department felt that this employee was important enough to the organization to warrant that, then she found no fault with that.

Commissioner Vogt moved to approve a request for Family Medical Leave for an employee in the Sheriff's Department and authorized the Sheriff's Department to hire a part-time, temporary employee during the absence of the permanent employee.

Commissioner Miller seconded the motion.

Discussion: Commissioner Vogt stated that Sheriff Boehm had mentioned that he was not sure that the 90 days would be long enough.

Sheriff Boehm stated that the employee believed that 90 days was a long enough time, however he stated that the Sheriff's department would be happy to come back to the Commission to address this subject at the end of 90 days.

Commissioner Vogt asked the Commission if they felt it was necessary to put the 90-day clause in the motion.

Commissioner Miller stated that the Commission needed to know what was going on in the department. She stated that they could be allotted 3-month blocks after which time they could come back to the Commission to discuss what was going on with the employee.

Commissioner Vogt asked Mark Stone, Human Resources Director, if the law allowed for 12 weeks.

Mark Stone motioned that this was correct.

Sheriff Boehm stated that if the employee could not come back after 90 days, then he would return in order to bring the Commission up to date and ask for additional time.

Commissioner Vogt asked Commissioner Miller if she would agree to the motion reading that the Sheriff would return with information after 90 days.

Commissioner Miller stated this was fine.

Commissioner Vogt amended her motion to state that the Sheriff would return after 90 days to discuss the situation.

The motion passed 2-0. **Order 568A-98**

Subject: Award Bid 61-25NOV98 for Brine Storage Tank

Beckie Jackson stated that the department had reviewed the bids received and recommended this bid award. She stated that the bid award represented a total expenditure of \$7,490 from organization 2040-91300.

Commissioner Miller moved to award Bid Number 61-25NOV98-Brine Storage Tank as follows:

FOR	TO
(2) NORWESCO BRINE STORAGE TANKS	SPRAYER SPECIALTIES, INC

Said bid is award per recommendation of the Purchasing Director. Pursuant to this order, the Acting-Presiding Commissioner is hereby authorized to sign all contract documents.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 569-98**

Subject: Award bid 62-25NOV98-Brine Making System

Beckie Jackson stated that they had reviewed the bids submitted and recommended rejection of the demonstration unit offered by Allied Construction Equipment Company. The bid specifications specifically stated that the unit must be new, hence all vendors did not have the same opportunity to bid used or demonstration units.

Beckie Jackson stated that the Purchasing department recommended award to Sprayer Specialties, Inc as having presented the lowest and best bid, and meeting the bid specifications. She stated that the total expenditure was \$6,200 to be paid from 2040-91300.

Commissioner Miller moved to award Bid Number 62-25NOV98-Brine Making System as follows:

FOR	TO
SPRAYER SPECIALTIES BRINE MAKING SYSTEM MODEL SB1400	SPRAYER SPECIALTIES

Said bid is awarded per recommendation of the Purchasing Director. Pursuant to this order, the Acting-Presiding Commissioner is hereby authorized to sign all contract documents.

There was no discussion.

The motion passed 2-0. **Order 570-98**

Subject: Change Order No. 1 for Sidewalk Project-Johnson Bldg

Beckie Jackson stated that this contract was awarded last week with intent of securing a Cooperative agreement with the City of Columbia for modifying the alleyway in this area. She stated that this area is owned by Columbia and is not compliant with ADA standards.

Beckie Jackson stated that Columbia's process as far as entering into agreements was going to slow down the County's process of beginning work on the project. She requested that the Commission approve Change order No. 1 which would delete all references to Add Alternate Number 2. She stated that the city of Columbia would complete the work in conjunction with the County project utilizing city staff. She stated that this project would be a \$3,860 deduction from the original contract amount making the final contract amount to date \$43,039.00.

Commissioner Miller moved to authorize Change Order No. 1 for the Sidewalk/Johnson Bldg project deleting all references to Add Alternate Number 2 and authorizing the Acting-Presiding Commissioner to sign the change order.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 570A-98**

Subject: Budget Revision for unexpected repair costs for telephones (due to recent storm)

Commissioner Vogt moved to authorize a Budget revision as follows:

AMOUNT	ACCOUNT FROM	ACCOUNT TO
\$3450	2045-86800 Emergency Fund	2045-48000 Telephones
\$550	2045-86800 Emergency Fund	2045-48050 Cellular phones

Said revision is to cover unexpected repair cost incurred due to the recent storm and an underestimate of usage for the year.

Commissioner Miller seconded the motion.

Discussion: Commissioner Miller stated that it seemed like the telephones were not working in the Public Works Department for weeks and that it was critical that they be repaired.

The motion passed 2-0. **Order 571-98**

Commissioner Reports

Commissioner Miller

Commissioner Miller stated that Mr. Hargrove, liaison to the City Health Department called. She stated that the way the utility assistance program had always worked was when individuals in need of utility assistance were serviced by Boone Electric; the money would come out of County funds. When those that needed utility assistance serviced by City of Columbia Water & Light, the money would come out of City funds.

Commissioner Miller stated that with the territorial agreements, there were now some City customers that had been Boone Electric customers. She stated that the County's department had returned requests to the health department because they were city residents that had been on Boone Electric (utility assistance). She stated that Mr. Hargrove would like the Commission to consider keeping the process the same as it had always been.

Commissioner Miller stated that she was requesting that if a person who needs utility assistance has Boone Electric as its provider, then the money would come out of County funds and if a person had City Water & Lights, then the money would come out of City funds. She stated that it was an easier way for the Health Department to know whom to bill.

Commissioner Vogt asked how utility assistance was funded and through what source were the funds spent.

June Pitchford stated that the funds were in the Community Services Advisory Commission's budget, but that the money went to the Health Department.

Commissioner Vogt stated that she did not have any problem with this.

Commissioner Miller stated that they needed to give direction about this issue.

Commissioner Miller moved to authorize that (for the time being, until Boone County has an opportunity to review all of its contracts with the City of Columbia) any utility assistance being

utilized through Boone Electric Cooperative would be paid out of County funds, and any utility assistance through Columbia City Water and Light would be paid out of City of Columbia funds (as it has been done in the past).

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 2-0. **Order 572-98**

Commissioner Miller also reported that the new Information Technology Director Dan McFarland had given notice that Friday, December 18, 1998 would be his last day. She stated that Dan McFarland would be moving to NAPA Valley, California to work for the MCI Corporation.

Commissioner Miller stated that the position would be posted for, but not until after the holidays.

Commissioner Miller also reported that she was asked to serve on the Legislative Committee for the Commissioners' Association. She stated that she thought this would keep the Commission informed as to what is going on in Jefferson City.

Commissioner Vogt

Commissioner Vogt reported on the progress that was being made on Boone Retirement Center. She stated that on December 14th, John Patton had appointed June Pitchford, Kay Murray, and Commissioner Vogt as the Interim Board. She stated that this group would meet in order to help the County and the new Corporation to make the transition.

Commissioner Vogt stated that the group had met twice. She stated that she had also met with Cindy Forbis. Commissioner Vogt opened the floor for comments from June Pitchford and Kay Murray.

June Pitchford stated that last week, she, Kay Murray, Commissioner Vogt, and John Patton had participated in a conference call with Darryl Buecker of Baird, Kurtz & Dobson (CPA). She stated that Darryl Buecker informed her that he could not move on the work that needed to be done until all parties acknowledged the fact that BKD is performing services for Boone County, Boone Retirement Center Inc. and the new Corporation.

June Pitchford stated that Darryl Buecker stated that they all needed to sign a Consent Waiver stating that his service to all of them was not a conflict of interest. She stated that the firm could not proceed (on account of professional ethics) until the waiver had been signed.

Commissioner Miller moved to authorize the Acting-Presiding Commissioner to sign the Consent Waiver on behalf of the County acknowledging that Baird, Kurtz & Dobson would be working for the three entities (Boone County, Boone Retirement Center Inc., and the new Corporation).

Commissioner Vogt seconded the motion.

Discussion: Commissioner Vogt stated that the County had to move forward and that time was of the essence. She stated that the Interim Board would be bringing things forward quite often.

Commissioner Miller stated that anything that she had in her files (from serving on the Boone Retirement Center Inc. Board) was available for the Interim Board's use.

The motion passed 2-0. **Order 573-98**

June Pitchford stated that the Contract for Sale referenced Schedule A, which was the schedule of liabilities. She stated that they might need to distinguish those liabilities that might be advantageous for the new Corporation to assume rather than require the old Corporation (Boone Retirement Center Inc.) to liquidate such things as accumulated employee compensated absences. She stated that it might be better to transfer those assets.

Commissioner Miller stated that this had been discussed in previous board meetings because the Contract for Sale was the liabilities as of a certain date. She stated that the board for the old Corporation did not want any cash in the end, therefore she stated that whatever would work best for the new Corporation was what needed to be done.

June Pitchford stated that Boone County would handle its relationship with Baird, Kurtz & Dobson under what is called *an agreed upon procedure engagement letter* that would specify the procedures that Boone County is requiring from BKD to attest to the accuracy and completeness of the liabilities and the assets. She stated that she would need to specify those procedures.

Commissioner Vogt stated that the Interim Board agreed to meet once a week (with the exception of the week of Christmas). She stated that the Interim Board might need to have weekly work sessions with the Boone County Commission.

Commissioner Vogt stated that the Interim Board wanted to finalize everything by January 31, 1999 recognizing that it may be the end of February.

Commissioner Vogt stated that she was not able to call Mr. Smull. She stated that she had spoken to Cindy Forbis. She stated that Cindy Forbis was currently responding to Boone Retirement Inc., the Interim Board, and the Boone County Commission. She stated that Cindy Forbis need to know who to take direction from.

Commissioner Miller stated that once the Contract for Sale was signed, it was determined that a new Corporation would be formed. She stated that in as far as anything that had to do with the old Corporation is concerned, Cindy Forbis still needed to be in contact with the board for Boone Retirement Center Inc. Commissioner Miller stated that Cindy Forbis did not have the authority to sign the bills for that corporation.

June Pitchford stated that at the closing of the Contract for Sale agreement, then the Boone County Commission would enter into an agreement with the Interim Board and they would assume the responsibility.

Commissioner Miller stated until that point however, Boone Retirement Center Inc. was responsible for the corporation.

Commissioner Miller stated that if Commissioner Vogt had any questions about what the Interim Board should handle, then Commissioner Vogt could consult her.

Commissioner Vogt asked if they could agree that the Interim Board and the Boone Retirement Center Inc. Board could both receive copies of the financial statements.

Commissioner Miller stated that this was fine.

Commissioner Miller stated that putting the budget together was also an issue. She stated that Baird, Kurtz & Dobson always built the budget for Boone Retirement Center Inc. She stated that the Board gave some direction, but BKD actually made the budget.

Commissioner Vogt stated that they had spoken to Cindy Forbis and had asked her to mirror the 1998 budget (in creating the new one) as much as possible.

Commissioner Vogt stated that the bottom line was that everyone had to work together, and that communication would have to flow both ways.

Commissioner Miller stated that she felt communication should flow both ways.

Commissioner Vogt stated that she had spoken with Mr. Simon regarding extending the date to January 31, 1999.

June Pitchford stated that extending the deadline date would be beneficial because then during the month of January, all of the licenses could be issued to the new Corporation. She stated that it

would be cumbersome to have to apply for a separate license now and then do the entire process all over again.

Commissioner Miller stated that the application was already in Jefferson City.

Public Comment

Christine Andrews, Field Director for the School of Metaphysics, 103 W. Broadway, stated that the school sat directly across the street from the proposed expansion for the Daniel Boone Library. She stated that it had just come to her attention that the Library Board wanted to purchase that property. She stated that Melissa Carr had called her to state that they wanted to appraise her property for a possible purchase.

Christine Andrews stated that she was aware that there were public meetings however, she stated that they were never invited to a discussion. She stated that this seemed like very short notice.

Christine Andrews stated that one of the issues that had come up was the safety issue. She stated that she knew what it was like to cross the street as an adult, and she questioned the wisdom of putting parking off site.

Christine Andrews stated that from the research that she had done, she felt that Alan Kelly had misrepresented the public when he stated that no one wanted a parking garage. She stated that what was more accurate was that the people in Park Hill did not want a parking garage.

Christine Andrews stated that today was the first time that she had heard that more parking could be added to the current parking lot. She stated that there was a lot of green space on the model, which was to appease the neighbors to the south.

Christine Andrews stated that she just wanted to make it known to the Commission that there were a lot of people who were opposed to the expansion as it was presented. She stated that she questioned why 22 million would be spent on this library building when it was obvious that there are needs throughout the community possibly for more bookmobiles, other branches, etc. She stated that there were a lot of people that did not want to move in order to accommodate the expansion.

Commissioner Miller and Commissioner Vogt clarified where the School of Metaphysics sat in relationship to the library. Christine Andrews presented a map showing where the school sat.

Commissioner Vogt explained that the Boone County Commission appointed five people to the Library Board. She stated that this was a report to the County Commission. She stated that Ms. Andrews comments would be on the public record.

Commissioner Vogt further stated that the Boone County Commission did not approve or authorize the actions of the Library Board. She stated that they were an independent body with their own authorities and responsibilities.

Commissioner Vogt and Commissioner Miller explained the way that the Library Board system worked.

Commissioner Vogt thanked Ms. Andrews for her comments.

Commissioner Vogt asked if there was any other public comment.

Jerry Carrington asked if Eutsy Lane had been closed.

Commissioner Vogt stated that it had been.

Jerry Carrington stated that he had spoken with some people in that area that had not received notification about the closing. He stated that he did not see how the Commission could close a road without notifying people. He stated that there had been a survey circulated to determine

whether Eutsy Lane went to Ritchland Rd and then it had been decided that Eutsy Lane did go to Ritchland Rd. He stated that therefore part of Eutsy Lane was still open. He presented a map showing that Eutsy Lane seemed to just end.

Commissioner Vogt stated that the people that lived on the portion of Eutsy Lane that was still open (and not named Eutsy Lane) had sent letters in favor of the closure.

Jerry Carrington stated that a letter had not been received from Mrs. Zumwalt.

Commissioner Vogt stated that she did not live on the portion of Eutsy Lane that was open. She stated that the only portion that had been closed was the portion that had been requested by the property owner who owned property on both sides of the road.

Jerry Carrington stated that Mrs. Zumwalt owned property that went right into the property (of the owner that had requested closure).

Commissioner Vogt stated that Mrs. Zumwalt's portion had not been closed.

Jerry Carrington stated that the portion headed south had been closed.

Commissioner Vogt stated that she had not been landlocked.

Jerry Carrington stated that he did not see where the Commission got the authority without talking to them.

Commissioner Vogt stated that road had been closed not vacated.

Jerry Carrington stated that she was able to use the road and now she was not.

Commissioner Vogt stated that the road had been closed, and if Mrs. Zumwalt wanted it open she would have to come before the Commission.

Jerry Carrington asked if the Commission had to notify people.

Commissioner Vogt stated that this closure had went through the Road Policy Advisory Committee and came to the Commission as a recommendation. She stated that the Road Policy Advisory Committee was made up of one person per township to sit on the body and make recommendations to the County Commission.

Commissioner Vogt stated that she believed people within 1000' had been notified.

Jerry Carrington stated that there were other people that had been notified as well.

The meeting was adjourned at 11:50a.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Don Stamper
Presiding Commissioner

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner