

TERM OF COMMISSION: November Session of the November Adjourned Term

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

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Shawna Victor
County Counselor John Patton

The meeting was called to 2:31 p.m.

Subject: Discussion

A. Minority Contractors Alliance

Darrell Foster, John Turner, and Dr. Robinson, were present on behalf of this item.

Commissioner Stamper stated Darrell Foster contacted the Commission in late September and requested the County give consideration to the establishment of a Minority Contractors Status within the County's bidding documents.

Darrell Foster stated in order to do business in the County minority contractors have been overlooked for a number of years. There are policies, executive orders, and other laws on the books that suggest that minority contractors should be utilized when federal funding is involved in a project. There are millions of dollars coming into this community and minority contractors have been overlooked. The Minority Contractors Alliance is seeking to be involved in the commerce of the community. The Minority Contractors Alliance is requesting the Commission establish a policy in good faith to make contractors contact the Minority Contractors Alliance to identify items they would like to have minority contractors to bid on and make these items accessible. There are too many resources coming into the community and not enough being directed into the minority community.

Dr. Robinson stated they are not asking to be an exception but are asking for compliance with regulations and policies that have already been established by the federal government.

Mr. Foster stated they are requesting the Commission to act on policies that are already established and to get a commitment of enforcement to ensure that the policies and guidelines are enforced. The Minority Contractors Alliance is seeking inclusion in the commerce in Boone County.

Commissioner Miller asked if this for federal funds going into capital projects. Dr.

Robinson stated yes but they do not want to be limited to this. They are requesting to be included in all contracts.

Commissioner Miller asked what the compliance is because she knows there is a certain percent of minority contractors within an overall contract. John Turner stated it is 25/10.

Commissioner Stamper asked what other local agencies have been contacted by the Minority Contractors Alliance. He noted he knows the University and the City of Columbia have been contacted. Mr. Foster stated the State has also been contacted. The City has put this in planning and they are working on Section 3 issues. He noted they are requesting to be included in all projects that involve public funds, not just federal funds. There has been an executive order signed by the Governor.

Commissioner Elkin stated he would like to have a worksession to discuss all aspects of this issue.

Commissioner Miller agreed with Commissioner Elkin. She requested all the information that is available to be forwarded to the Commissioners for review.

Commissioner Stamper stated Mr. Foster forwarded paper work earlier this year for review by the County's Legal Counsel and Purchasing Director. He requested a worksession be set up on this issue.

There was no further discussion on this issue.

B. Community Supervision Centers

Dennis Winfrey, Reality House Executive Director, was present on behalf of this item.

Dennis Winfrey stated approximately one year ago the Department of Corrections was thinking about building Community Release Centers in certain areas throughout the State. About one month ago, he received a letter from Probation and Parole describing the Release Centers and what their plans were for these Centers. Mr. Winfrey wrote a letter expressing his concern about these proposed Centers.

Mr. Winfrey is concerned that Reality House may lose some funding. He believes these Release Centers are an expense that the State cannot afford and if they try to afford then he believes programs will have to be cut to come up with the funding.

There are federal matching funds for \$27 million to build these Centers. They estimate these Centers will cost \$4.3 million to build and this means the State will have to find \$430,000 to build the Centers and an additional \$390,000 for equipment. This totals approximately \$1 million to build these Centers. He is concerned with this because there is already a facility in Columbia that does exactly what is being proposed in the

Community Release Centers. It is also estimated that it will cost \$1 million per year to keep the facility running. He noted Reality House is receiving \$450,000 to \$480,000 from the State to run the same programs they are proposing for these new facilities.

Mr. Winfrey stated he is unsure how the State will continue funding the Reality House programs and the Community Release Centers. He does not know how the State will come up with the money to fund both programs. If the State does try to do this then he believes the Reality House program funding will be cut.

He is concerned that the new facility will lack the local control that Reality House currently has and the proposed new facility will be run by someone in Boone County but the persons governing the proposed new facility will be in Jefferson City.

Mr. Winfrey noted the Reality House currently is housing 30 State inmates at a cost of \$450,000 to \$480,000. The Reality House program and the new proposed facility will be doing virtually the same thing but the proposed facility will be done at a greater expense.

Commissioner Elkin stated Sarah Smith gave a presentation about this last week. To his understanding, the proposed new facility will be treating and re-introducing back into society convicted felons, which is different then what the Reality House currently does. The difference is this proposed facility will be re-introducing felons who have been held at the State level whereas Reality House works with people who have been in the Boone County jail. He asked Mr. Winfrey to elaborate on this.

Mr. Winfrey stated he believes the proposed facility will be re-introducing people back into Boone County that have come out of prison, parolees. The proposed facility has also discussed making the center an alternative 120 day shock, where a parolee is sent to a local facility rather than sending them to a State 120 day shock program. The Reality House does this now, there are 20 beds for felons coming back into Boone County and 10 beds for felons that violate their probation that are being considered for the 120 day shock program.

The Reality House also has other programs that are not proposed in the new facility. There is a work release program for the Sheriff's Department, there is a transition program for people who are getting out of the Reality House program or are having problems with their probation.

Commissioner Stamper stated he viewed this differently and thought of the proposed new facility as for people who would not be seeing prison time but would be under a work release type of format, supervised through the centers. Mr. Winfrey stated this is one element of what is being proposed.

Commissioner Stamper stated this is an alternative form of incarceration that would be community based instead of State Penitentiary based. He is most concerned with the

proposal of building a \$1 million infrastructure, free standing, that would then be supported by the State budget process. The theory behind this is that these centers would be created to take the burden off the more expensive prison population and house and supervise them in a community based program that is not as expensive as is the institution. But why build infrastructure when the infrastructure already exists or could be added to in a County.

This would also be required to have the State Department of Corrections have direct supervision of these centers. He wonders if the community should not question this and see if there is an alternative way to do this program by possibly using the funding to add to an existing facility.

Commissioner Miller suggested the County seek a federal waive on this because the requirements are coming from the federal government to receive the funding. This federal waiver could be used to have Boone County be a pilot program before all these centers are built. She suggested the funding source for these programs needs to be reviewed and then work on a federal waiver.

Commissioner Elkin agreed to have the proposed funding that is being suggested for Boone County to be invested into the existing facility.

Mr. Winfrey noted the cost of the infrastructure is proposed to be \$4.3 million per facility. Others have had discussions about this and they are willing to add on to existing facilities.

Commissioner Stamper asked if there should be a group from Boone County sent to meet with the Department of Corrections staff and express concerns on this issue and community based solutions.

Mr. Winfrey stated he does not believe this proposal is a bad idea, he believes it is a good idea to build the community release centers, but he does not believe Boone County needs this.

There was no further discussion on this issue.

C. Budget Hearing for 2003 Proposed Budget

Commissioner Stamper stated a schedule of budget hearings for the proposed 2003 budget is available for anyone wishing to make suggestions to the Commission.

Commissioner Miller asked if there were times set aside for worksessions with the Auditor.

Commissioner Stamper stated this would set up for a potential adoption date between December 26 and 31, 2002.

There was no further discussion on this issue.

Subject: Purchasing Department

Melinda Bobbitt, Purchasing Department Director, and Marlene Ridgeway, Purchasing Department buyer, were present on behalf of these items.

A. Request Additional Expenses for Bid 06-26JAN02 (Lobbying Services)

Marlene Ridgeway stated the County currently has a contract with Burnett and Associates, which will be ending on December 31, 2002. It has one renewal option for an additional year of service. It has been recommended to renew through December 31, 2003 and after contact with the contractor, they have conceded to renew.

Burnett and Associates is appealing for approval of additional expenses as accrued due to the number of new members in the legislature this year. There are approximately 90 new members that will require additional time introducing the concerns facing Boone County. Burnett and Associates has hired an individual to specifically work with this issue. The resume of this individual has been included with the paper work for this issue.

Burnett and Associates is requesting \$7,500.00 this contract year to cover this expense as allowed in the original contract. The Department is requesting the County Commission to consider this request and recommend action for this contract renewal per the aforementioned terms.

Commissioner Miller asked if the contract total would be \$22,500.00. Mrs. Ridgeway stated that was correct.

Commissioner Miller noted there will be 102 new members out of a total of 163 in the House of Representatives.

Commissioner Stamper asked what this is requesting. Mrs. Ridgeway stated this is requesting the Commission to consider the request from Burnett and Associates per the renewal terms for the additional funds.

Melinda Bobbitt stated the original contract stated prior Commission approval they could receive additional expenses.

Commissioner Stamper stated it has been the intention of the Commission to renew the contract with some modification and to expand the scope of services to include the amount that has been outlined. This is part of the 2003 process and the Commission is not in a position today to allocate additional funds for this contract and a contract will be executed upon the approval of the 2003 budget.

Commissioner Miller stated this is a supplemental request for the proposed 2003 budget.

There was no further discussion and no public comment on this issue.

B. First Reading of Bid 73-12NOV02 (Coliseum Roof Repairs)

Melinda Bobbitt stated the bid for Coliseum Roof Repairs was issued on October 23, 2002 and closed on November 12, 2002. Three bids were received. Upon the completion of the bid evaluation, Facilities Maintenance and Purchasing recommend award to Watkins Roofing, Inc for having the lowest and best bid meeting the minimum specifications.

The contract award is for \$17,750.00 and will be paid out of department 1191 Insurance and Safety, account 71050 Insurance Claims. A balance of \$44,044.00 remains in this account.

Commissioner Stamper stated the cost estimate for this project was approximately \$40,000.00. Commissioner Elkin stated that was correct.

There was no further discussion and no public comment on this issue.

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

Subject: Sheriff's Department – Second Reading and Approval of Contract with Missouri Division of Highway Safety (DWI Enforcement Grant)

Commissioner Elkin moved to authorize the Presiding Commissioner to sign the Missouri Division of Highway Safety Grant Contract for DWI Enforcement and Checkpoint funding.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 500-2002**

Subject: Second Reading to Adopt REDI Master Plan

Commissioner Stamper stated last week the Commission heard a presentation from Vicki Pratt, President of the Regional Economic Development, Inc, regarding the Master Plan.

Commissioner Miller stated this was an inclusive way of looking at a Master Plan. REDI

members have never been part of developing a Master Plan. This year, the REDI Board recommended the members be included in the developing of the Master Plan. She believes this is something the community had a voice in and believes it is a good document.

Commissioner Miller moved to adopt the 2002-2006 Columbia/Boone County Economic Development Master Plan as adopted by the Regional Economic Development, Inc Board on June 19, 2002.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 501-2002**

Subject: Second Reading and Approval of Resolution for County Planning and Zoning to work with City Planning and Zoning Commission

Commissioner Elkin moved to adopt the resolution of understating that authorizes the City of Columbia and the Boone County Planning and Zoning Commissions to draft a resolution that will propose how the City of Columbia and Boone County Planning and Zoning Commissions deal with issues of mutual concern in the urban fringe area.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 502-2002**

Subject: First Reading of Lease Agreement for Child Support Office

Barbara Morris, Child Support Program Administrator, was present on behalf of this item.

Barbara Morris stated the lease contract is up on December 31, 2002 and this is a renewal of the contract the department has had for the last three years.

John Patton stated there is a cost escalator on further renewals based on CPI. The basic terms and conditions are the same. He believes the County has had a good working relationship with the owner of the building.

Commissioner Stamper stated this space works well for the department. Mrs. Morris stated that is correct.

Commissioner Stamper stated the County leases 3,600 square feet on 8th Street adjacent to

the Guitar Building for the Child Support Division of the Prosecuting Attorney's Office.

There was no further discussion and no public comment on this issue.

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

Subject: Adopt 2003 Holidays for Boone County

Commissioner Stamper stated the County has been notified by the Governor's Office that the 2003 Holiday schedule has been set.

Commissioner Miller moved to declare that the Boone County Holiday Schedule for year 2003 will be in agreement with Public Holiday List from State Offices issued by the Office of the Governor, State of Missouri, on October 7, 2002. Any holiday adopted by the Office of the Governor will automatically be adopted by Boone County.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 503-2002**

Subject: Final Report and Recommendation Concerning the Proposed Ice Arena at the Boone County Fairgrounds

Commissioner Elkin stated the County entered into negotiations with Columbia Sports Ventures (CSV) which has been going on since May 28, 2002. Some might say six months is a long time, however, in reality these types of negotiations can take up to several years.

I would like to state for the record that Boone County has absolutely no statutory or contractual obligation to reach any form of agreement with CSV. This is strictly a policy decision on behalf of the Boone County Commission to enter into any arrangement.

After numerous meetings and phone call with CSV, the County Commission, Bonding Council, the County's Financial Advisor, Jack Dillingham, County Auditor we have given this in his opinion due diligence. If he was asked did he explore every financial alternative out there in the World today, he would say no. However, from every angle we have explored the result has in some fashion has been a financial obligation and risk to the County. Based on my research and others' research, there are risks associated with these operations and almost everyone that he has found, has had some form of public subsidy.

If we had double-digit growth in revenues we would be in a better position. However, revenues are flat with no relief in the near future. Commissioner Elkin thinks we, the County, are in for a couple of more years of flat or small growth.

Based on constituent feedback, the risks to the County associated with this proposal and the required County appropriation on an annual basis it requires, he feels that these negotiations with Columbia Sports Ventures should be terminated. He does not think it is fair to CSV, the Fair Board and to our constituency to string this out any further.

Should CSV or any other group wish to present the County Commission with a proposal that would not place the County at risk, that would not ask for an annual appropriation and still provide recreational and economic opportunities, he feels he and his colleagues would be glad to sit down and see what they have to offer.

Commissioner Elkin has presented the Commissioners with his Final Report on the Proposed Ice Arena with Columbia Sports Ventures. In this Final Report, there is a summary of the sequence of events, options that are currently on the table, and noted possible future revenue sources. The County currently does not have these revenue sources but could have in the future. The funding is not specifically for an ice arena but for any other recreational activity at the Fairgrounds.

Commissioner Elkin stated the Commission finds value in the concept of bringing a minor league sports franchise to the Boone County Fairgrounds to provide recreational and economic opportunities. The Commission believes currently the risks associated with this proposal and these negotiations outweigh the benefits. Hence, it is the Commission's consensus that the negotiations with Columbia Sports Ventures be terminated.

Commissioner Miller stated the Commission agreed there would be no County funding for any recreational facilities. She noted Commissioner Elkin reviewed the possibility of doing a modified version with public financing. When she received Commissioner Elkin's report showing there could be no long term management agreement and discussed doing a civil contract. It is to her understanding that someone can walk away from a civil contract easily and would put the County in jeopardy of paying off the bonds. Commissioner Elkin stated that was correct.

Commissioner Miller stated under these conditions, she does not believe it is responsible for the County to move forward under those arrangements.

Commissioner Stamper asked if there is a distinction that needs to be made between termination of negotiations versus rejection of a proposal on the table. The specific wording that has been suggested by Commissioner Elkin is that the negotiations with CSV be terminated and this wording sounds final to him. John Patton, County Counsel, stated this does not have any legal significance and the intent was that the County would not negotiate with CSV any further. Commissioner Elkin stated under the present stipulations

that are on the table that is correct

Mr. Patton stated he does not know what the public's perception is on this issue but with respect to the use of County property, this is always a matter that is subject to negotiations with private parties. The present parameters are sale or lease up to 50 years or a licensing or management arrangement, whether it is the Fairgrounds or any place else, there has to be some type of public purpose involved in it. In terms of this project, whether the Commission decides they do not want to handle certain proposals, it is a decision by the Commission. There is no legal consequence and there is no contractual arrangement and no obligation to negotiation, which have no financial effect on the County.

Commissioner Stamper asked for clarification of item C of the Final Report presented by Commissioner Elkin, which states, "Reject CSV proposal as submitted and/or any modified version thereof," which would be consistent with terminating all discussions. Yet in Commissioner Elkin's comments, he stated he is not opposed to negotiating with CSV or anyone else on an alternative format.

Commissioner Elkin stated the bottom line is, to make this as clear as he can, if Columbia Sports Ventures or any other organization wants to bring forward a proposal that will not put the County at risk and not ask for an annual subsidy, he would be happy to sit down and talk with them. He will not limit this, it is open anyone. If an organization can provide what the County has asked for up front, then there will be negotiations. Any modified version thereof was the discussions that have been taking place above and beyond the proposal.

Commissioner Miller stated she agrees with Commissioner Elkin's recommendation and does not believe the County has any other choice.

Commissioner Stamper stated he interprets the word terminate as a final position. Mr. Patton stated that is how he would interpret the word.

Commissioner Stamper stated there is an inconsistency in saying the County will talk with CSV or anyone else in the future if negotiations are being terminated.

Commissioner Elkin stated if Columbia Sports Ventures or any other organization wants to present the County with a new proposal, they are welcome to do so. He believes as far as this proposal that CSV presented and any discussions that have taken place between May 28, 2002 and today, based on that proposal, should not be discussed any further. He would like to see a new proposal in the future.

Commissioner Stamper asked if it would be correct to paraphrase Commissioner Elkin by saying the County is not in a position to accept the proposal which has been made or any of the discussions that have occurred before but are in a position to visit with anyone else regarding the establishment of minor league sports or recreational activities at the

Fairgrounds. Commissioner Elkin stated that was correct.

Fred Springsteel stated the report could be modified to read “terminate *current* negotiations”, which would clarify this issue.

There was no further discussion on this issue.

Commissioner Stamper asked what direction should be taken on this issue. A suggestion has been made that this be a first reading and an order be drafted for a second reading at the next Commission meeting. There was no objection to this request.

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

Commissioner Reports

Commissioner Stamper

Commissioner Stamper stated there is a need for the Commission to switch the designated contact person for the Boone Retirement Center. There is a hearing on January 26, 2003 and does not know if there will be anything required on behalf of the Commission at that time. He brought this forward because he is unsure what the procedure is to change the designated person. He noted the Certificate of Need (CON) is held by the County and he does not know if it requires the concurrence of the Board or the representative to the Board or if this is something the Commission does on their own. There is some action that could carry over. There are two projects that he believes the County will have to step up and a decision needs to be made about this and the Health Facility. There will be discussions and negotiations within the next week for the Health Facility where someone needs to be present.

Commissioner Miller suggested Commissioner Elkin be the one who continues the work. Commissioner Elkin stated he would be happy to continue to do this.

Commissioner Stamper stated there is a debt service relationship between the County and Boone Retirement Center. He believes there are possible future financial challenges and the possible financing.

Commissioner Miller stated she believes since the State has cut Medicare reimbursement payments she believes the County should be patient. She does not want the patients at the Retirement Center to be without a place to live and believes the County should do what is necessary to keep the facility open.

Notice of Voluntary Annexation

Commissioner Stamper stated the County has received a notice of voluntary annexation of approximately 34.85 acres of land owned by Gary R. Evans, et al, located at the northeast quadrant of the I-70/Lake of the Woods interchange.

United Way Board Members Meeting

Commissioner Stamper stated the United Way is beginning to see struggles in fund raising for all agencies. Goals were achieved for the United Way.

Commissioner Miller

National Governor's Policy Academy

Commissioner Miller stated she attended the National Governor's Association Policy Academy in Salt Lake City, Utah last week. There were six states that participated in the academy on integration of land use and transportation. This was the second meeting and there have been many conference calls and worksessions at the state level. Commissioner Miller is the local government representative for the Missouri.

There were presentations of different models of ways to look at supporting transportation investment decisions and how to involve the community in the development of strategies so the investments that are made are protected, long term, and are looked at from a broad perspective. These discussions fit in with the Missouri Commission on Intergovernmental Cooperation's Growth and Revitalization Committee she serves on.

She noted The Brookings Institute of Washington D.C. will be making a presentation of a report to the Missouri Commission on Intergovernmental Cooperation on December 9, 2002. This report was paid for by the Marian Kauffman Foundation of Kansas City. Along with the presentation, there will also be a panel discussion on how the document fits within local government. She will be present for this presentation.

Commissioner Miller noted how state transportation investments over the years has had an effect on local roads. They studied out-migration from rural to urban areas and other issues.

Rural Policy Summit

Commissioner Miller stated she hosted a National Rural Policy Summit in Warrenton, Virginia last week with the National League of Cities, the Council of State Governments, the National Association of State Legislatures, the National Association of Development Organizations, and the National Association of Towns and Townships. The purpose of this was to develop a consensus agenda because each of these organizations was fighting for a small piece to be included into the Farm Bill for Rural America. If these

organizations had collectively worked on a strategy and plan, they could have been more successful. Of the 3,066 counties, 75% of them are below 50,000 in population. 80% of the land mass is rural and rural America keeps being left out of this equation. Boone County is not considered a rural county but there is a good portion that is rural and is surrounded by rural counties.

What came out of this strategy was several strategic plans put together and developing a white paper to present back to the boards for adoption and then present that to the 108th Congress through the Rural Caucus to be used as a strategy to begin moving this forward. They are trying to begin national dialogue on the interdependency of urban America and rural America and how one benefits the other.

The immediate strategies that came out of these discussions were the National League of Cities and the National Association of Counties will work through the State Municipal League and the State Association of Counties to develop models like in Boone County with periodic meeting of city councils, mayors

Commissioner Miller is also working on finding a grant program that will benefit rural counties. This program would have a general questionnaire to determine which grants a county is eligible for, a basic template for the application, and sample grant winners. The federal government has an e-grants initiative to have in place by October 2003 the Office of Administration will require every granting agency to participate in this project. This is a "find and apply" on-line grant program. She will be speaking at a forum on this in January.

She met with the owner of E-Civis Grants locator. They are trying to develop a program where there would be a way to off-set costs for counties under 30,000.

Missouri Association of Counties

Commissioner Miller stated nine resolutions were passed at the Missouri Association of Counties Meeting.

- Support greater ordinance-making authority for county commissions,
- Oppose the weakening of county health department authority,
- Support increasing the current assessed valuation levels used to determine county classification,
- Support legislative action to design a complete and detailed plan for upgrading statewide 911 wireless emergency services,
- Support state appropriations to fully fund state mandates on county government,
- Oppose legislation that erodes the local tax base,
- Support adoption of a standardized depreciation schedule for business personal property,
- Support additional withholding for the statewide assessment program to fund

technological improvements associated with the statutory administration of the property tax program,
Support greater county governing body control over circuit court budget requests,
and
- Support revisions to the current law to allow the new assessment requirements to be at the option of individual counties beginning in 2005 or advance state funding to comply with the additional duties.

Also, there will be two affidavits that will need to be signed for MAC. They are looking for a county in each classification to be a part of the litigation against the State on the reduction of prisoner per diem and assessment fund parcel fee.

Commissioner Elkin

Boone County Regional Sewer District

Commissioner Elkin stated there was discussion of the Bonne Femme area at the Boone County Regional Sewer District meeting. He noted the Straub request to the Boone County Planning and Zoning Commission passed. The Bonne Femme watershed drains directly into the Devil's Ice Box. This request passed Planning and Zoning on the contingency that the Sewer District develop a regional plan for that area.

There was discussion of how this area will develop and the environmental sensitivity of this area.

There was no public comment.

The meeting was adjourned at 3:38 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner