

TERM OF COMMISSION: August Session of the August Adjourned Term

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

PRESENT WERE: Presiding Commissioner Keith Schnarre
District II Commissioner Skip Elkin
Deputy County Clerk Shawna Victor

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

Subject: Purchasing Department – Open Request for Proposal 40-05AUG03 (Needs Assessment)

Melinda Bobbitt, Purchasing Department Director, was present on behalf of this item.

Melinda Bobbitt stated at this time, the offeror’s name is read and then the evaluation committee will meet to evaluate the proposals submitted. It takes approximately one month before a recommendation is brought back forward to the Commission.

Commissioner Elkin stated this is for the Mental Health Needs Assessment. This is being spear headed by the Mental Health Board.

Offeror Name:
1) BHC - Columbia, MO
2) University of Missouri - Columbia - Office of Research

Commissioner Schnarre noted the proposals received will be forwarded to the department for review and brought back to the Commission at a later date with a recommendation for award.

Subject: Central Missouri Counties Human Development Corporation – First Reading of Revised Budget for Section 8 Voucher Program

Barbara Johnson, Central Missouri Counties Human Development Corporation, was present on behalf of this item.

Barbara Johnson stated this is a request to revise the budget for FY04, which runs from April 1, 2003 to March 31, 2004. The original budget was presented in December 2002. CMCHDC administers 401 units. They are requesting an additional \$58,503.00.

The reason for this request for additional funding is because CMCHDC prepares the budget on an average half monthly payment, which is the payment to a landlord. When the budget was prepared, the average rent was lower than it is now. The average monthly

half payment is \$274 but when the budget was originally submitted the average monthly half payment was approximately \$256. The total request for additional funding is for \$11 per month times 401 units times 12 months.

There was no further discussion on this item.

Commissioner Schnarre 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: Boone County Regional Sewer District – First Reading of Amendment to Engineering Contract for Fairway Meadows East Pump Station Project

Commissioner Schnarre stated this is an amendment for Engineering Services for the Fairway Meadows East Pump Station project. This agreement is with Allstate Consultants. This has been approved by Allstate Consultants and by the Sewer District.

Commissioner Elkin stated this will add items to the original project. The project is complete but since the funding came from the Missouri Department of Economic Development, certain items have to be in the contract.

There was no further discussion on this item.

Commissioner Schnarre 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: Presentation of the FY2004 Circuit Court and Circuit Clerk Budgets

Bob Perry, Court Administrator; Cheryl Whitmarsh, Circuit Clerk; Kathy Lloyd, Assistant to Court Administrator; and Jenny Baker, were present on behalf of this item.

Bob Perry noted when the 2004 fringe benefits are added to these budgets that will change the budget requests. It is still anticipated that the revenue will increase 0.69% from the 2003 budget and expenditures will decrease 1.38% compared to the 2003 budget for the JJC, Juvenile Office, Jury Services and Court Costs, Circuit Clerk and Circuit Courts budgets.

Department 1221 – Circuit Clerk

Cheryl Whitmarsh stated the proposed revenue for 2004 represents a 5% decrease from the 2003 budget. The reason for this decrease is because of a decrease in the federal funds received for inmates. Also, the State reimbursed costs for the County serving legal papers has decreased.

The proposed expenditures represents a 40% decrease from the 2003 budget. The department is requesting a new file cabinet and a refurbished typewriter.

Classes 2 through 8 have a proposed increase of 2%.

Mrs. Whitmarsh noted the department is on a hiring freeze for State Employees.

Department 1242 – Juvenile Justice Center

Mr. Perry stated the proposed revenue for 2004 represents a 2% increase from 2003 budget.

The major item for the 2004 proposed budget is the expansion of the JJC facility. This expansion includes the addition of 12 detention beds in the male wing, extending the program wing, expanding the kitchen and visitation area for the detention wing. The new facility may be operational by October 1, 2004. The budget is based upon the assumption that target date. With the increase in space, there will be an increase in utility costs.

The department is requesting a new copy machine. Counter tops and cabinets have been on a four year replacement cycle. 2004 will be year three of the four year plan.

The proposed expenditures for this budget represents a 35% decrease from the 2003 budget. Classes 2 through 8 represent a 7% increase from the 2003 budget.

Mr. Perry noted the State reduced the reimbursement for detention from \$17 per day to \$14 per day. This was effective July 1, 2003. Because of this reduction, the proposed expenditures exceed the proposed revenue by \$6,340.00 for FY04. This is based on the new facility opening on October 1, 2004.

The department has requested an increase of \$0.40 per hour for the program assistant and an increase in pay for the summer school teacher.

There was discussion about how Callaway County is budgeted for since it is in the same circuit as Boone County.

Department 1241- Juvenile Office

Mr. Perry stated the proposed revenue for 2004 represents a 14% decrease from the 2003 budget.

The proposed expenditures for 2004 represent a 26% decrease from the 2003 budget.

The net cost to Boone County for this department is approximately \$1,200 for FY04.

The department is requesting 12 two drawer filing cabinets, book case, water fountain, six new computers and two new monitors.

Mr. Perry noted they have moved paying an hourly fee for Guardian at Litem to a contract service.

There was discussion about the case load for the Juvenile Officers.

Mr. Perry noted in the period of 1990-1993, the referral rate to the Boone County Juvenile Office for law violations averaged 1,078 per year. From 1994 through 2002, referrals have increase to an average of 1,478 per years, which is an increase of 37%.

During this time period, 1994-2002, the type of law violation referrals received changed significantly. Referrals for crimes against person, primarily assaults, physical and sexual, have increased from an average of 300 referrals per year in 1990-1993, to 463 per year in 1994-1998, to 486 per year in 1999-2002. This is an overall increase of 186 per year or 62%. Referrals for crimes against person, in particular felony offenses, result in a higher percentage of detention than offenses involving property crimes (stealing) and offenses against public order, such as possession of drugs.

Department 1230 – Jury Services and Court Costs

Kathy Lloyd stated the overall expenditure budget is proposed at a 24.33% decrease from the 2003 budget. The reason for the decrease in this budget is due to the change in the court costs because the department has gone from an hourly fee to a contract fee for indigent parents.

The proposed 2004 revenue represents a 4% decrease from the 2003 budget. The proposed expenditures represents a 24% decrease from 2003.

This budget depends on the number of change of venue cases and number of sequestered juries.

The biggest increase in expenditures is for printing costs. This is a 125% increase from the 2003 budget.

There is a 24% decrease in the telephone line item. The reason for this decrease is due to the fiber connection between the court and the jail. This will be paid by the State when it is operational.

There is a need to increase interpreting services for the courts.

There is an overall decrease for class 9 for the 2004 budget because of the purchase of the

new x-ray machine and walk through metal detector in 2003.

The department is requesting a desktop copy machine and computer hardware for the video conferencing technology.

Department 1210 – Circuit Court

Mr. Perry stated this budget includes the salaries for the Court Marshals and Court Information Technology staff. This request is based on a 5.5% increase in salaries for salary adjustments in 2004. The total budget for FY04 represents a 3.53% increase from the FY03 budget.

Mr. Perry noted the range of salaries of the Court Marshals within the County's salary classification system.

The proposed revenues represent an 8% increase for FY04 over the FY03 budget. The total proposed expenditures represents a 69% decrease for FY04 over the FY03 budget.

The department is requesting three work stations for the Court Marshals, and fourteen new computers and seven new monitors, replace one steno machine for the Court Reporters and a laser printer for court services.

Department 2904 – Proposition L – Alternative Sentencing Program

Mr. Perry stated this was the first year for Proposition L budgets. Their goal was to establish a Mental Health Court and the first docket was called in April 2003. \$140,000 grant awarded by the U.S. Department of Justice in March 2003. As of today, there were nine admissions to the Mental Health Court. It is anticipated by the end of 2003, 20 participants.

Also in this budget for FY03 was an expansion of the pre-trial diversion program. Extending the bond investigation to six days per week and increasing the number of participants in the electronic home detention program. The average daily population for the electronic home detention program between January through June 20, 2003 was 28.3 compared to 27 in 2002. Within the last seven weeks, the average daily population for this program has been in the thirties.

The proposed expenditures for FY04 represents a 71% decrease from FY03 budget.

The department is requesting a total of \$150,000 for FY04 compared to the \$151,789 in FY03.

He noted any expenses that can be covered by a grant will be first before funds are taken from Proposition L but this budget is based on not receiving any grant funds.

Department 2820 – Family Services and Justice Fund

Ms. Lloyd noted there is a Family Services and Justice fund in Boone County and one in Callaway County. All the expenditures are paid out of the Boone County fund and Callaway County reimburses Boone County.

The proposed revenue represents a 3% increase from the 2003 budget. Primary revenue is from interest income. The majority of the revenue is from people attending the Focus on Kids classes where a \$40 Family Court Fee is paid.

The proposed expenditures for the FY04 budget are the same as the FY03 budget, \$121,925.00. The department pays the Commissioners salaries and the contract services for the Focus on Kids program, contracted through the University here and University Extension in Callaway County.

The balance of this fund was \$117,000 as of June 1, 2003.

Department 2830 – Circuit Drug Court Fund

Mr. Perry stated the proposed revenue for FY04 represents a 1% increase from the FY03 budget. Some of the operational costs for the Drug Court are included in this fund. In FY04 the proposed expenditures are \$12,965, which represents an 8% decrease from FY03.

They are anticipating a fund balance of \$42,000 and end of FY04 having a fund balance of \$50,000.

Department 1243 – Judicial Grants/Contracts

Mr. Perry stated the grants are presented to the Commission when they come up for renewal each year. Some grants run October through September, others run July through June. As of today, \$580,000 has been awarded. In budgeting, the department only budgets on those funds that have been approved. If these grants are renewed, the department will come back forward to amend the budget as the awards are made

Mr. Perry stated overall for these budgets, there is a decrease of \$35,222 in expenditures in FY04.

He thanked the Commission for the opportunity to bring these budgets forward at this time. He has presented budgets to the County Commission since 1972 and this will be his last budget that he presents budgets on behalf of the courts. During this period of time, he is pleased with the advancements in court operations and the advancements that have been made in juvenile services. He believes Boone County is viewed as a model for other

jurisdictions around the state. Mr. Perry noted that he has never had to make a trip to Jefferson City to resolve a budget issue.

There was no further discussion on these budgets.

Subject: Court Administrator – First Reading of Budget Amendment

Mr. Perry stated this is a budget amendment for the State Services to Victims Services Program. This award is for July 1, 2003 to June 30, 2004 in the amount of \$14,729.00. This is for the victim advocate in the Juvenile Office.

There was no further discussion on this item.

Commissioner Schnarre stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the required ten day waiting period at the next available meeting with an appropriate order for approval.

Subject: Public Works

A. Second Reading and Approval of Contract with Trabue, Hansen and Hinshaw (Boatman Hill Storm Drainage Improvement Project)

Commissioner Elkin moved to approve the Proposal for Consultant Services with Trabue, Hansen and Hinshaw for the Boatman Hill Road Storm Drainage Improvement Project.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 379-2003**

B. Second Reading and Approval of Change Order #1 for Phase III South Facility Renovation Project

Commissioner Elkin moved to approve Change Order #1 for the Phase III South Facility Renovation Project in the amount of \$5,590.00.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 380-2003**

C. Second Reading and Approval of Speed Limit Change Recommendation on

Serenity Circle

Commissioner Elkin moved to approve the recommendation from the Boone County Public Works Department to set the speed limit of Serenity Circle at 25 mph.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 381-2003**

D. Status Report – Traffic Study Program

Allison Anderson, Project Engineer, and David Nichols, Design and Construction Manager, were present on behalf of this item.

Allison Anderson stated this program was started in spring 2003. This is a six year program to gather data on traffic movement on roads in the county. The roads have been broken down into three groups; all paved roads, gravel roads with an Average Daily Traffic (ADT) count greater than or equal to 200 vehicles per day, and gravel roads with an Average Daily Traffic (ADT) count less than or equal to 200 vehicles per day or never previously had an ADT count. She noted there are a lot of roads that have not been counted in Boone County.

The paved roads will be done on a three year cycle and the department will use the VMI where the ADT can be taken and get data on the average speed.

The gravel roads with a 200 or greater vehicle count will be done on a three year cycle. These are the roads the department may consider for paving.

The other gravel roads will be done on a six year cycle.

Ms. Anderson noted the Boone County GIS Department created a map showing when a road will be counted and if the road is gravel or paved. When the roads are being counted, the department has also gathered GPS information. This information will be given to the GIS Department for mapping.

The list presented to the Commission with the names of the roads that would be included in this program are not short dead end roads and there are no subdivision roads.

David Nichols noted the dead end roads were analyzed to determine if they should be included in this program.

Mr. Nichols stated the department has received a lot of requests to do speed studies on

paved roads. Each road will be studied for seven days.

The department is trying to get the map created by the GIS Department on the county's website or a copy of the list of roads included in the program.

Ms. Anderson stated the roads that are listed to be studied this year are almost half complete.

There was no further discussion on this item.

E. First Reading to Establish Applewood Creek Neighborhood Improvement District

John Watkins, Project Development Manager, was present on behalf of this item.

John Watkins stated this is the petition for the creation of the Applewood Creek Neighborhood Improvement District (NID). The petition for the creation of the Applewood Creek NID has been filed with the Boone County Clerk's Office.

On behalf of the residents and owners who have signed the petition to create the Applewood Creek NID, Mr. Watkins is requesting the County Commission accept the County Clerk's certification of the validity of the petition and approve the advisability and order the establishment of the Applewood Creek NID.

The Applewood Creek NID consists of four county maintained roadways for total of approximately 1,350' of drainage and roadway improvement. The roadways within this NID are Applewood Creek Road, Crabapple Lane, Persimmon Road, and Hunter Court. 21 of the 21 owners within this district have signed the petition. The cost estimate for this improvement is \$99,766 with a not to exceed amount of 25% or \$124,707.50. This figures to be \$4,750.76 per lot with a not to exceed amount of \$5,938.45.

The proposed improvement consists of a 22' wide asphalt driving surface with a one foot shoulder.

At this time, there are no delinquent taxes.

This project will be tying into a pave in place project on Applewood Creek, which is being done this year by the maintenance department. Crabapple Lane will be moved over and centered of the right-of-way. There will need to be some minor drainage ditches added and some piping.

Mr. Watkins noted there has never been 100% participation in any NID since he has been here.

Mr. Watkins also requested the County Commission have both readings to create the NID due to the time frame of wanting to build this project this year. The next step will be to establish a date to hold a public hearing. He requested the public hearing be held on August 21, 2003 at 1:15 p.m.

There was no objection to the request to waive the second reading and approve an order to create the NID and establish a date for the public hearing.

Commissioner Elkin moved to 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 **Applewood Creek 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 7th day of **August**, 2003.

/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 **Applewood Creek Neighborhood Improvement District** to be described as follows:

- **SW 1/4 Section 33, T 48 N, R 13 W as described by the following in Boone County, Missouri Records**
- Quit-Claim Deed, recorded in Book 1043, Page 57, being Lot # 1, Otahki Trails Subdivision
- Warranty Deed, recorded in Book 522, Page 240, as Lot # 2 Otahki Trails Subdivision
- General Warranty Deed, recorded in Book 1120, Page 538, being Lot # 1 (with exception) & Lot # 2, Paradise Hills Estates Subdivision, Block 1,
- General Warranty Deed, recorded in Book 1442, Page 567, as Lot # 3, Paradise Hills Estates Subdivision, Block 1,
- General Warranty Deed, recorded in Book 1206, Page 646, being Lot # 4, Paradise Hills Estates Subdivision, Block 1,
- General Warranty Deed, recorded in Book 986, Page 743, being Lot # 1, Paradise Hills Estates Subdivision, Block 2,
- Warranty Deed, recorded in Book 1475, Page 272, being Lot # 8, Paradise Hills Estates Subdivision, Block 3,
- Warranty Deed, recorded in Book 1287, Page 944, being Lot # 10, Paradise Hills Estates Subdivision, Block 3,
- General Warranty Deed, recorded in Book 1829, Page 408, being Lot # 11, Paradise Hills Estates Subdivision, Block 3,
- Survey recorded in Book 310, Page 164,

- Warranty Deed, recorded in Book 1144, Page 960, being Lot # 12, Paradise Hills Estates Subdivision, Block 3, & NPT Lot # 1, Paradise Hills Estates Subdivision, Block 1,
- General Warranty Deed, recorded in Book 1257, Page 187, as Lot # 13, Paradise Hills Estates Subdivision, Block 3,
- General Warranty Deed, recorded in Book 1765, Page 886, being Lot # 21 A, (Replat of Lots 21-25) Paradise Hills Estates Subdivision, Block 4,
- General Warranty Deed, recorded in Book 1475, Page 272, as Lot # 25 A, (Replat of Lots 21-25) Paradise Hills Estates Subdivision, Block 4,
- Affidavit of Scrivener's Error, recorded in Book 1518, Page 175,

The final cost of the improvement shall not exceed the estimated cost of **\$99,766.00** 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 ten (10) 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 Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 382-2003**

Commissioner Elkin moved to set a Public Hearing for the Applewood Creek Neighborhood Improvement District to be held at 1:15 p.m. on August 21, 2003 in the Commission Chambers of the Roger B. Wilson Boone County Government Center.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 383-2003**

Subject: Clerk's Office – First Reading of Budget Revision

Commissioner Elkin stated this is a budget revision to cover 2nd quarter 2003 unemployment and a delinquency payment. The total of this budget revision is \$15,443.00.

There was no further discussion and no public comment.

Commissioner Schnarre 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: Authorize Use of Commission Chambers

A. National Labor Relations Board Public Hearing

Commissioner Schnarre moved to authorize the use of the Commission Chambers of the Roger B. Wilson Boone County Government Center on September 30, 2003 and October 1, 2003 between 8:00 a.m. and 5:00 p.m. for a two day hearing of the National Labor Relations Board.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 384-2003**

B. Department of Natural Resources Water Pollution Control Program Public Hearing

Commissioner Schnarre moved to authorize the use of the Commission Chambers of the Roger B. Wilson Boone County Government Center on September 9, 2003 between 6:30 p.m. and 9:30 p.m. for the Missouri Department of Natural Resources Water Pollution Control Program Public Hearing.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 385-2003**

Subject: Authorize Closed Session (610.021.2)

Commissioner Elkin moved to authorize a closed session on Thursday, August 7, 2003 immediately following the regularly scheduled Commission Meeting at 1:30 p.m. The meeting will be held in the Commission Chambers of the Roger B. Wilson Boone County Government Center at 801 E Walnut, Columbia, Missouri, as authorized by 610.021(2) RSMo to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Commissioner Schnarre seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 385-2003**

Commissioner Reports

Commissioner Schnarre

Quarterly Franchise Tax Payment from Charter Communications

Commissioner Schnarre stated the County has received a check in the amount of \$11,156.60 from Charter Communications for franchise tax remittance covering the period from April 1, 2003 to June 30, 2003.

Commissioner Elkin

Airport Advisory Board

Commissioner Elkin requested this report be held until the next available meeting.

There was no public comment.

The meeting adjourned at 3:03 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Keith Schnarre
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner