

TERM OF COMMISSION: November Session of the November Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
District II Commissioner Linda Vogt
Deputy County Clerk Michelle Malaby
County Counselor John Patton

The regular meeting of the County Commission was called to order at 1:36 p.m.

SUBJECT: Discuss Responses to Sound Monitoring Services Request for Proposal

Department of Planning and Building Inspection Director Stan Shawver stated the commission will recall that during the balloon festival last summer complaints concerning the noise level were filed with the commission. Similar complaints were made during the first year of the event. The commission directed him to find a professional service which could provide monitoring and evaluation services to the county. Mr. Shawver stated he worked with Purchasing Department Director Beckie Jackson to develop, distribute and evaluate a request for proposal (RFP) for such services. One response was received. In reviewing the proposal, the cost of the engineering services seemed a little high in comparison with the cost of engineering services the county is accustomed to acquiring. However, sound monitoring is a very specialized area of expertise. Mr. Shawver stated he was at a loss to answer Ms. Jackson's inquiry as to whether funds are allocated for the service. They decided to bring the matter to the commission. Mr. Shawver stated when he was preparing the RFP he spoke with the commissioners individually about who would pay for the service. Auditor June Pitchford, who is present, also expressed concern with that issue.

Ms. Jackson distributed a copy of the proposal submitted by Shell Engineering & Associates, Inc.

In response to a question from Commissioner Stamper, Mr. Shawver replied before they proceed, the firm proposes providing a not to exceed cost. The county could give the firm notice to monitor an event--and the RFP is not limited to the fairgrounds site--and they would provide a not to exceed cost for that service. Mr. Shawver estimated the cost of monitoring an event to be in the range of \$600 to \$700. Evaluating a specific site would be much more costly. The fee schedule lists the following rates: \$200 per hour for an expert witness for a deposition or hearing, \$110 per hour for the owner or principal, \$85 per hour for a project engineer, \$80 per hour for a scientist, and \$55 to \$65 per hour for monitoring technicians. Their costs for computer operation, clerical, word processing and administrative staff are consistent with such costs in the engineering services contracts the county is familiar with.

Ms. Jackson stated the commission recently approved several contracts with various engineering firms for work related to road construction. The fees for positions included in the contracts were compared with the fees included in this proposal. Some areas could not be directly compared.

Commissioner Stamper stated this is going to become a bigger issue. Growth is occurring on all sides of the fairgrounds. One could assume this problem is the responsibility of the Fair Board. However, the commission provided a permit which included an exemption from sound level requirements for the term of the annual fair. Commissioner Stamper stated he believes sound level monitoring is the responsibility of the county. A sound engineer needs to study the fairgrounds and surrounding development and make specific recommendations for changes which could alleviate the problem. Commissioner Stamper stated he believes the county needs to make a substantial investment, but he could debate the issue of whether it is the county's responsibility to study the area to obtain recommendations on controlling the sound. The Fair Board indicates they do not have funds available for such a study.

Commissioner Vogt asked does the commission have the authority to place additional conditions on the Fair Board?

Mr. Shawver replied he believes legal counsel would advise that since it is a planned commercial development, the opportunity has come and gone to place conditions on the project.

Mr. Patton stated the county has the ability to enact regulations concerning health. Noise falls within that purview. Zoning regulations are scheduled to be revised next year. Additional flexibility is needed when conditional use permits for planned developments need to be changed in the future. This is not the first instance where a condition did not make sense after a period of time passed. Currently, there is no mechanism to make changes. Mr. Shawver is correct in saying that for now, the opportunity has come and gone, but that does not mean the problem will not be addressed. Mr. Patton stated if a solution is available, it seems the Fair Board would entertain it.

Commissioner Stamper agreed the Fair Board wants to be a good neighbor. They just do not have the resources necessary to deal with the complaints. They would like to find a way to use the facility more frequently. When it is not in use, it costs money. Commissioner Stamper stated he would like to retain the firm to provide monitoring services and a study. The rates do seem high, but there may not be that many firms who provide the service.

Mr. Shawver replied they investigated resources to the best of their ability. The service is limited in this vicinity. The cost would rise for a St. Louis or Kansas City firm to provide the service. This firm has the ability and expertise necessary to provide monitoring services and a site study.

Ms. Pitchford asked the commission to help her understand the nature of the county's role in this matter, vis-à-vis the Missouri Balloon Corporation, who is the sponsor. What would the county's role be, if any, if other property owners sponsored similar events?

Commissioner Stamper replied the City of Columbia is growing rapidly in that area. The county has no say concerning the zoning or development of the area, yet the commission receives complaints when people perceive the noise to be too loud. Previously, Mr. Shawver, who has minimal training in this area, has measured sound levels. The Fair Board also receives complaints, but the matter rests with the commission due to the issue of whether the noise is a violation or simply an intrusion in people's lives.

Ms. Pitchford asked is it an enforcement issue?

Mr. Patton replied yes. It is up to the county to enforce the terms of the permit.

Commissioner Stamper stated he would like the county to find a way to pay for the study if it is not outrageously expensive.

Ms. Pitchford asked who will fund implementation of recommendations generated by a study?

Commissioner Stamper replied if one recommendation was that a berm be placed on an adjacent property, that could be negotiated as that site is developed. That would be a problem when the land is located in the City of Columbia. He does not know that the county is responsible for making recommended changes at the fairgrounds, but at least they would have the information on what needs to be done.

Commissioner Vogt agreed the county needs to gain knowledge in the area of enforcement. She is not sure public funds should be spent implementing recommendations for the Fair Board. The Fair Board exists to serve the public. The county has statutory authority to provide up to \$10,000 per year to the Fair Board. Maybe that money could be used to address the problem. The commission is considering a bid award today. A contract would be negotiated with the firm.

Mr. Shawver stated that is correct. The county would negotiate fees for services with the firm.

Commissioner Stamper requested the item be tabled until two weeks from today. He would like an opportunity to discuss the issue with Mr. Patton and Fair Board representatives. There is no rush to award the bid.

Mr. Shawver noted there are only two sites in the county which have sound monitoring restrictions through the zoning regulations. The commission has authority to address noise under the health regulations.

SUBJECT: Renew Term and Supply Contracts: Electronic Monitoring Equipment and Maintenance, Full Service Elevator Maintenance, Router Maintenance and Vehicle Preventative Maintenance

Ms. Jackson recommended the County Commission exercise its right to renew the above referenced contracts under the same terms and conditions as the original contracts. Ms. Jackson reviewed her memorandum to the County Commission dated November 20, 1996.

Commissioner Vogt moved that the County Commission of the County of Boone exercise its right to renew contracts under the same terms and conditions and for the same prices as in the existing contracts with:

- General Security Services Corporation for Electronic Monitoring Equipment and Monitoring Services (Bid 105-24OCT95)
- Montgomery KONE, Inc. for Full Service Maintenance of Elevators (Bid 109-26OCT95)
- Dover Elevator Company, Inc. for Full Service Maintenance of Elevators (Bid 109-26OCT95)
- Computerland for Router Maintenance (Bid 4-11JAN96)
- Mr. Tidy for Vehicle Preventative Maintenance (Bid 11-01FEB96)

The Purchasing Department Director is directed to send a certified copy of the order to the vendor and/or contractor.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 576-96.**

SUBJECT: Award Bid 95-30OCT96, Pre-Numbered, Pre-Printed File Folders

Ms. Jackson reviewed her memorandum to the commission dated November 15, 1996.

Commissioner Vogt moved that the County Commission of the County of Boone award bid 95-30OCT96, Pre-Numbered, Pre-Printed File Folders, to Columbia Office Supply for 5,000 file folders at a cost of \$2,747.25. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 577-96.**

SUBJECT: Medical Examiner Budget Revision: Testing

Ms. Pitchford stated the budget revision is due in part to the untimely receipt of invoices for work completed in a prior year. The 1996 budget included an amount sufficient to pay for the annual contract for lab services, but it only covers blood and urine tests. Periodically, x-rays and other tests are necessary. The 1997 budget proposal has been revised to address the matter.

Commissioner Stamper moved that the County Commission of the County of Boone authorize the following budget revision:

Department	Account	Account Title	Transfer From	Transfer To
1123	86800	Emergency Fund	\$6,000	
1280	86300	Medical Examiner: Testing		\$6,000

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 578-96.**

SUBJECT: Public Works Department Budget Revision: Rock

Commissioner Stamper moved that the County Commission of the County of Boone authorize the following budget revision:

Department	Account	Account Title	Transfer From	Transfer To
2040	86800	Emergency Fund	\$54,554	
2040	26201	Vendor Hauled Rock		\$54,554

Commissioner Vogt seconded the motion.

Commissioner Stamper stated he discussed this with Public Works Department Director Frank Abart this morning. Additional budget amendments and revisions are forthcoming. The commission will discuss them in a work session next week.

Motion passed unanimously. **Order 579-96.**

SUBJECT: Request to Fill Vacant Position at Reclassified Salary Range

Commissioner Stamper stated a number of county positions were recently reclassified. The reclassification will take effect in May, 1997. An engineering position at the Public Works Department is being vacated in three weeks. The position is to be reclassified. Mr. Abart would like to fill the vacancy at the new pay range.

Human Resources Department Director Mark Stone stated he and Ms. Pitchford met to discuss this matter. He also briefed Recorder of Deeds Bettie Johnson on the request. Ms. Johnson is a member of the reclassification subcommittee. She indicated she would like an opportunity to think about the request, but if a decision needs to be made today that would be fine. He was unable to contact Sheriff Ted Boehm, who is also a member of the reclassification subcommittee. They tried to identify criteria to use for requests of this nature. If the difference between the existing and proposed salary range is small, they would recommend waiting until May to recruit an employee at the new range. This range 21 position has been reclassified as a range 26. If the administrative authority uses the direct promotion policy, they would recommend the reclassification take effect in May. If reclassifying a position now creates internal concerns, they would recommend the reclassification take effect in May. For example, if several comparable positions in a department are scheduled for reclassification it would not be advisable to reclassify one which becomes vacant. The final consideration is whether the vacancy impacts the provision of services. The land surveyor at range 19 is to be reclassified to range 26 in May. Mr. Abart believes that is a manageable internal concern. Mr. Stone recommended the county recruit for the position at the new salary range.

Ms. Pitchford commented she believes Ms. Johnson shares this view. Ms. Johnson is very deliberate and would be more comfortable delaying the decision. Ms. Pitchford stated she believes it is important to establish a framework to guide these decisions. The criteria they developed is not exhaustive, but is a good start.

Commissioner Stamper suggested this decision be made tomorrow prior to the newspaper advertising deadline. The action can be ratified by the commission on Tuesday. Commissioner Stamper stated his instinct is to fill the vacancy at the new salary range.

Commissioner Vogt stated her greatest concern with recruiting for the position at the new range is the creation of internal conflict within the department.

Commissioner Stamper stated he wants to discuss this issue with Mr. Abart again. The commission will notify Mr. Stone of its intent tomorrow. Once the reclassification subcommittee reviews the proposed criteria it should be brought to the commission for ratification.

The meeting adjourned at 2:10 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

ABSENT
Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner