

TERM OF COMMISSION: March Session of the February Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper  
District I Commissioner Karen M. Miller  
District II Commissioner Linda Vogt  
Deputy County Clerk Ashley Williams

The regular meeting of the County Commission was called to order at 9:30 a.m.

**SUBJECT: Affirmative Action Plan**

Commissioner Stamper said that some years ago the Commission recognized the need as an organization to create equal opportunities for all and to be affirmative. They determined they needed an agency within County government to deal with the majority of hiring and processing provisions and from that came the Human Resources Department. It then became apparent, he said, that the County needed assistance in the area of affirmative action, to provide a guide so elected officials could monitor themselves and be affirmative in their policies. The County then retained the services of Julien Carter, and with his help have worked over the last year and a half on the affirmative action plan. Commissioner Stamper said they invited minority involvement in looking at the plan and that the plan was being presented today in final draft form.

Human Resources Director Mark Stone introduced Julien Carter from Personnel Services in Jefferson City and outlined his experience. Mr. Stone said the County centralized the recruitment activities beginning January 1, 1995 and established minimum posting periods to allow equal opportunity for people to apply for positions. They developed a list of organizations to send job announcements to, places where females and minorities would be reached. He said the County has gone through a job classification project where elected officials and himself reviewed the job descriptions. In order to ensure equity in County government, he said, they met with representatives from the minority community, chairpersons from the Mayor's task force and at this time realized the County needed some help in developing an affirmative action plan. At that time, they consulted a contractor, Julien Carter from Personnel Services in Jefferson City.

Mr. Carter thanked the Commission for allowing him to work on this project. He explained that some affirmative action plans are mandated, some are voluntary. The County's, he said, is voluntary and he used Title VII of the Civil Rights Act of 1964 as a methodology guide used by federal contractors. Title VII, he said, provides a safe harbor for certain types of analysis. He said they have identified goals and that those goals be in place only so long as appropriate to remedy the effects of past discrimination.

Statistically speaking, said Mr. Carter, when there is an under-utilization of women and minorities there is an obligation for affirmative action. He said they took the classification analysis, along with salary data and created a job group analysis. Those were grouped into families of similar opportunities and wage rates and from that did an availability analysis. He said they also looked at eight factors to establish a demographic makeup of applicants.

Mr. Carter outlined the affirmative action plan summary that showed a 10% under-utilization of minorities and a 20% under-utilization of women.

Commissioner Stamper pointed out that the County has dropped the classification of corporal.

Commissioner Miller stated that the current right-of-way agent was female.

Mr. Carter said there were three other classifications in that area, the NID Coordinator and right-of-way agents may all be female, he said, but overall the County needed to make greater gains in that area. Looking at this data, he said, it is statistically significant and suggests there are reasons for the disparity. When it gets to this level, he said, it means it can't happen by chance and there is something about the way the County is recruiting.

He said the County needed to keep good records of opportunities and posting and at the rate that women and minorities are being screened out. Is there a point in the process, whether it be in the hiring or retention of employees, he asked, that impacts at a disproportionate rate. Mr. Carter said he provided Mr. Stone with software that will help process a data base that can point inadequacies in the process. That is something, he said, that will have to happen over a period of time.

The goal, said Mr. Carter, is to have parity and to reach that percentage of the labor force which analysis says should be present. He said the County needed to get the word out about positions as they become available and to place advertisements in larger metropolitan areas in an effort to reach more individuals.

Overall, he said, it appears Boone County is in quite good shape. He said the County should be proud with what they created and what they are working towards. This plan, he said, is a good first step.

Commissioner Stamper stated that the administrators are difficult to gauge because those positions are occupied by elected officials.

Mr. Stone clarified that elected officials were not counted.

Mr. Carter said they started the next level down.

Mr. Stone said that the department heads are predominantly white males.

Commissioner Stamper said that from a procedural standpoint there is room for external debate. The plan, he said, has not been published for public consumption and asked that it be released to the media as a draft and placed in the public library for public viewing. He also asked that it be discussed at the administrative meeting on March 23 and that they schedule the affirmative action plan following that meeting and invite public comment as necessary.

Commissioner Miller said that turnover doesn't happen very often in County government and the public needs to recognize that applicants aren't being screened out.

Mr. Carter said that this particular methodology has been around for the past thirty years, but there is talk of changing it. He said he would look at the plan to see if anything has changed and would work with Mr. Stone to help make those changes.

Commissioner Vogt asked if the changes were in the percentages.

Mr. Carter said the new methodology would be getting away from the current eight factor analysis, would rely on fewer factors and would give those factors greater weight. He said that he had taken a conservative approach in the County's plan and that the new methodology would not change the results of the County's study, it would change the way it looks on the statistical side.

Commissioner Vogt said there is a huge gap between affirmative action and quotas. Affirmative action does not mean, she said, that you bind yourself to certain requirements.

Mr. Carter said affirmative action is a plan that provides the County safe harbor to legally make a decision based on race or gender, if a person is minimally qualified. It doesn't mean you have to, he said, it's just permissible.

Commissioner Vogt questioned the need for periodic reports on changes to the affirmative action plan.

Mr. Stone said those updates have been written into the plan.

Commissioner Stamper thanked Mr. Carter and Mr. Stone for bringing credibility to the table. He said the plan creates an environment that expresses that Boone County elected officials desire to be affirmative and reflect the community. He asked Mr. Stone to release the document in a draft form and to bring the plan before the department head meeting. After that, he said, the plan will be brought back to Commission for adoption.

**SUBJECT: Public Housing Authority Report**

Scott Melton presented the Boone County Public Housing Authority Status report as of March 1, 1998.

**SUBJECT: Presentation of Survey Results**

County Commission intern John Wulfert presented the 1998 Boone County Constituent Survey.

**SUBJECT: Contract Non-Compliance**

Purchasing Director Beckie Jackson reported that on January 5, 1997 the County completed a contract with DataExpert Corporation located in Sunnyvale, California. The purchase orders were forwarded to the vendor on two different occasions. After several telephone calls the vendor finally admitted that he would not be supplying the equipment as contracted. She asked the Commission permission to render the contract terminated per section 7.a.- "County may terminate this agreement due to material breach of any term or condition of this agreement." According to section 3 of the contract, the equipment was to be delivered within 15 days from receipt of the purchase order. The purchase order was send the first time on January 7, 1998 and the second time on January 23, 1998 via a fax.

Ms. Jackson also asked the Commission allow the removal of this vendor from the vendor database.

Commissioner Stamper moved that the County Commission of the County of Boone authorize a change in bid 48-29OCT97 for Computer Hardware and Software and that DataExpert Corporation of Sunnyvale, California be disqualified for non-compliance according to section 7a of the contractual agreements; and to authorize purchase of the equipment off of the 1998 bid contract.

Commissioner Vogt seconded.

Commissioner Vogt asked if DataExpert Corporation's non-compliance could be documented and taken into consideration rather than removing the vendor.

Commissioner Stamper said that if Ms. Jackson authorizes him to bid, the vendor might not be able to supply the product again. He said her preference was to remove the vendor from the vendor list.

Commissioner Miller said removing vendors has been the policy in the past.

Ms. Jackson said there were 72 vendors for this particular equipment and that she might recommend differently if it were a product where it was difficult to find vendors.

Commissioner Stamper amended his motion.

Commissioner Stamper moved that the County Commission of the County of Boone authorize a change in bid 48-29OCT97 for Computer Hardware and Software and that DataExpert Corporation of Sunnyvale, California be disqualified for non-compliance according to section 7a of the contractual agreements; and to authorize purchase of the equipment off of the 1998 bid contract and the removal of DataExpert from the vendor list.

Commissioner Vogt seconded. Motion passed unanimously. **Order 92-98.**

**SUBJECT: Agreement for Engineering Services with Trabue, Hansen & Hinshaw; Additional Engineering Service Agreement with Shafer, Kline & Warren; and Utility Relocation Agreement with Boone Electric**

Public Works Director Frank Abart briefly outlined the three agreements.

Commissioner Stamper moved that the County Commission of the County of Boone approve an agreement with Trabue, Hansen & Hinshaw for engineering services for road safety projects #9007-Andrew Sapp Road and Bearfield Road.

Commissioner Miller seconded. Motion passed unanimously. **Order 93-98.**

Commissioner Stamper moved that the County Commission of the County of Boone approve a supplemental agreement for engineering services with Shafer, Kline and Warren, Inc. for the St. Charles Road Improvement Project.

Commissioner Miller seconded. Motion passed unanimously. **Order 94-98.**

Commissioner Stamper moved that the County Commission of the County of Boone approve a Utility Relocation Agreement with Boone Electric for the Vawter School Road project.

Commissioner Miller seconded. Motion passed unanimously. **Order 95-98.**

**SUBJECT: Federal Annual Certification Report for the U.S. Treasury Department and U.S. Department of Justice**

Commissioner Vogt moved that the County Commission of the County of Boone authorize the Presiding Commissioner to sign the Federal Annual Certification Report for Fiscal Year 1997 for the U.S. Treasury Department and the U.S. Department of Justice.

Commissioner Miller seconded. Motion passed unanimously. **Order 96-98.**

**SUBJECT: Agreement for Architectural Services with Mitzel & Scroggs**

Commissioner Miller moved that the County Commission of the County of Boone approve an agreement for architectural services with Mitzel and Scroggs, Architects, Inc. for renovating and remodeling the former Juvenile Justice Center building and authorize the Presiding Commissioner to sign the agreement.

Commissioner Vogt seconded. Motion passed unanimously. **Order 97-98.**

**SUBJECT: Agreement with the Show-Me State Games**

Commissioner Vogt moved that the County Commission of the County of Boone approve an agreement with the Show-Me State Games for \$20,000.

Commissioner Miller seconded. Motion passed unanimously. **Order 98-98.**

**SUBJECT: Community/Social Service Agreements with OATS, Inc., Reality House and the Central Missouri Area Agency on Aging**

Commissioner Vogt reported they were working on a contract with Central Missouri Area Agency on Aging and there was a problem they could not get past. She asked the agreement be held.

Commissioner Miller moved that the County Commission of the County of Boone approve Community/Social Service Agreements with OATS, Inc. for elderly and handicapped transportation and with Reality House for adult offender residential treatment.

Commissioner Vogt seconded. Motion passed unanimously. **Order 99-98.**

**SUBJECT: Utility Relocation Agreement on Vawter School Road**

Mr. Abart requested approval, pending County Counselor John Patton's approval, on a utility relocation agreement on Vawter School Road between the County and Consolidated Water District #1.

Commissioner Stamper said this issue had been discussed in a work session and reflected their intent.

Commissioner Vogt moved that the County Commission of the County of Boone authorize an agreement with Consolidated Water District #1 for utility relocation on Vawter School Road and authorize the Presiding Commissioner to sign.

Commissioner Miller seconded. Motion passed unanimously. **Order 100-98.**

**SUBJECT: Reports from Commissioners**

Commissioner Stamper reported there would be a meeting this evening at 5:30 p.m. with the Planning & Zoning Commission and that all three Commissioners would be in attendance. He said they would discuss sustainable growth as well as procedures, practices and community scope.

He also reported there had been informal discussions in the past regarding waiving tax incentives for development in Boone County. There was an inquiry earlier this week, he said, and they held firm to the policy.

Commissioner Vogt reported she had met with the Bearfield Neighborhood Association and that they had requested a task force be formed.

The meeting adjourned at 10:45 a.m.

Attest:

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Don Stamper  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner