

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 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 9:35 a.m. Commissioner Stamper reported Commissioner Miller is attending a National Association of Counties legislative conference in Washington, D.C.

SUBJECT: Open Bid 22-05MAR96, Radio Equipment

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Ed Roehr Radio Company	St. Louis, MO	No Bid
McKeever Communications, Inc.	Quincy, IL	No Bid
Midland Land Mobile Radio	Kansas City, MO	No Bid
Mo Comm Electronics	Columbia, MO	Bid
Motorola	Schaumburg, IL	Bid
Team Electronics	Jefferson City, MO	Bid

SUBJECT: Open Bid 23-05MAR96, Tires

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Como Tire	Columbia, MO	Bid
Ewers Tires	Columbia, MO	No Bid
Tire Center, Inc.	Columbia, MO	Bid

SUBJECT: Open Bid 24-05MAR96, Gas and Oil

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Ferrellgas	Columbia, MO	Bid
Heathwood Oil Company	Kansas City, MO	Bid
Jefferson City Oil Company, Inc.	Jefferson City, MO	Bid
Lowe Oil Company	Clinton, MO	Bid
McAllister	Council Bluffs, IA	Bid
MFA Oil Company	Columbia, MO	Bid
Midland Oil Company	Columbia, MO	Bid
National Oil and Supply Co.	Springfield, MO	No Bid
Pawnee Petroleum Products	Kansas City, MO	No Bid
Petroleum Traders Corp.	Fort Wayne, IN	No Bid

SUBJECT: Open Bid 25-05MAR96, Oxygen and Acetylene

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Ahrens Steel and Welding Supply	Columbia, MO	No Bid
Columbia Welding	Columbia, MO	Bid

SUBJECT: Open Bid 26-05MAR96, Hoses and Fittings

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Bruening Bearings, Inc.	Jefferson City, MO	Bid
Fabick and Company	Jefferson City, MO	No Bid
Mid-America Hydraulic Repair	Olathe, KS	Bid
Pneumatic Hydraulic Systems Equip. Inc.	Kansas City, MO	Bid
Superior Industrial Supply	St. Louis, MO	Bid

SUBJECT: Open Bid 27-05MAR96, Tire Chains

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
All Pro Auto Parts	Columbia, MO	No Bid
Big A Auto Parts	Columbia, MO	No Bid
GM Supply Co., Inc.	Columbia, MO	Bid
Missouri Rural Services Corp.	Jefferson City, MO	Bid

SUBJECT: Open Bid 31-05MAR96, Used Vehicle

Responses to the request for quotation were opened as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Price</u>
Al Scheppers Motors	Jefferson City, MO	No Bid
Beck Motors, Inc.	Freeburg, MO	No Bid
Cornell Motors, Inc.	Columbia, MO	Bid
Putnam Chevrolet	California, MO	No Bid

SUBJECT: Award Bid 9-25JAN96, Street Signs

Commissioner Vogt moved that the County Commission of the County of Boone award bid 9-25JAN96, Street Signs, to Amsign Corporation as the lowest and best bidder. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement with Amsign Corporation.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 130-96.**

SUBJECT: Award Bid 20-20FEB96, Flat Bed Trailer

Purchasing Director Beckie Jackson stated the trailer will be used by the Facilities Maintenance Department. It is recommended the commission reject bids from River City, Parts, Inc., Crown Power and Equipment and Cooke Sales and Service, Co. for not meeting the specification concerning deck size.

Commissioner Vogt moved that the County Commission of the County of Boone reject bids submitted by River City, Parts, Inc., Crown Power and Equipment and Cooke Sales and Service, Co. in response to bid request 20-20FEB96, Flat Bed Trailer, for not meeting specifications. The County Commission does hereby award the bid to Big N Trailer Sales, LLC for the Wil-Ro Trailer at a cost of \$3,936.36. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign, the attached agreement with Big N Trailer Sales, LLC.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 131-96.**

SUBJECT: Accept Easements for Old No. 7

Public Works Department Registered Land Surveyor David Piest stated the commission needs to accept easements from five landowners for the part of Old No. 7 which was paved last year.

Commissioner Vogt moved that the County Commission of the County of Boone adopt the attached ORDER ACCEPTING GRANTS OF "EASEMENT FOR PUBLIC ROADWAY PURPOSES" for Old No. 7.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 132-96.**

SUBJECT: Accept Buffalo Ridge Road and Lakota Ridge Lane as County Roads

Mr. Piest displayed a copy of the survey by which the roads were created.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the Presiding Commissioner to sign the attached ROADWAY MAINTENANCE ACCEPTANCE CERTIFICATE for Buffalo Ridge Road and Lakota Ridge Lane in Bonne Femme Estates and adopt the attached ORDER OF ACCEPTANCE OF ROAD AS COUNTY ROAD. The County Commission does hereby accept the land described in the QUIT-CLAIM DEED recorded in Book 1113, Page 965 of the records of Boone County, Missouri.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 133-96.**

SUBJECT: Accept Shelly Lane as County Road and for Maintenance

Mr. Piest stated Shelly Lane is a rock road approximately .5 mile north of Davis Road. It runs east from State Highway 124, a distance of 2,735 feet, including a cul-de-sac at its east end.

Commissioner Vogt moved that the County Commission of the County of Boone accept 3.06 acres of land conveyed by QUIT-CLAIM DEED as right-of-way for Shelly Lane; accept a GRANT OF EASEMENT FOR DRAINAGE PURPOSES and a GRANT OF EASEMENT FOR UTILITY PURPOSES; authorize the Presiding Commissioner to sign the attached ROADWAY MAINTENANCE ACCEPTANCE CERTIFICATE for Shelly Lane; and adopt the ORDER OF ACCEPTANCE OF ROAD AS COUNTY ROAD.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 134-96.**

SUBJECT: Supplemental Agreement, Bid 59-04MAY96, Surveying Services

Mr. Piest presented a supplemental agreement for surveying services. Boone County entered into agreements with five surveying firms in May, 1995.

Commissioner Vogt moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, AMENDMENT NO. 1, with 1996 FEE SCHEDULE, to contracts with Brush & Associates, Crockett Engineering Consultants, Engineering Surveys and Services, Miller Associates, and Marshall Engineering and Surveying, previously approved in May, 1995.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 135-96.**

SUBJECT: Authorize Presiding Commissioner to Sign Easement Acquisition Agreements for Obermiller/Roemer/Blackfoot Road

Public Works Department Manager of Design and Construction Tom Ratermann presented the item.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the Presiding Commissioner to sign easement acquisition agreements for the Blackfoot/Roemer/Obermiller road improvement project which reflect the appraiser's recommendation as directed by Commission Order 121-96.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 136-96.**

SUBJECT: Approve Pin Oak Neighborhood Improvement District Project

Mr. Ratermann stated it is requested the County Commission proceed with the Pin Oak Neighborhood Improvement District project, authorizing the Department to seek sanitary sewer easements and authorize the Boone County Regional Sewer District Board of Trustees to instruct Allstate Consultants to finalize plans. A question to be resolved is when is the assessment roll closed? Neighborhood Improvement District Coordinator Andy Lister sent a memo to Mr. Patton posing that question, listing the options of closing the assessment roll: when the petitions are certified by the County Clerk; when the County Commission forms the Neighborhood Improvement District; when the public hearing is held; when the project is completed, or at another time.

If the roll is closed now, owners of multiple lots could not reduce their cost by replatting lots. However, owners of large lots could plat their lot into smaller lots after the roll is finalized. If the roll is not finalized until the project is complete, multiple lot owners could reduce their cost by platting their lots into one lot and owners of large lots could plat their lot into smaller lots.

Mr. Patton stated under statutes, the neighborhood improvement district includes several steps. A petition to create a district must include a proposed method of assessment. Subsequently, when the district is formed by order of the commission, the proposed method of assessment is set out. A public hearing must be held after a district is formed. After the hearing, the County Commission enacts an order to establish the assessment roll, approve final plans and specifications and the project cost estimate. Assessments do not become final until the project is complete, the final cost is known, and you are ready to issue assessments. The commission has flexibility, prior to completion of the project to adjust assessments. The method must be fair, reasonable and equitably apportion the project cost to every property benefited. Statutes do not make reference to the assessment roll and assessments becoming fixed and final until the project is complete. The issue of property owners wanting to vacate lots to reduce their number of tracts or to replat and add lots is superfluous. When the Pin Oak petition was filed it set out a per tract assessment method. The commission approved the proposed method when it formed the district. It is really not relevant to consider what property owners do in the future.

Commissioner Vogt asked Mr. Patton if he is saying the commission should stick to the method of assessment the neighborhood set forth and the public hearing was held on?

Mr. Patton replied that is a policy question for the commission to decide, but he would say that would be the best thing to do if it is the best formula to use. Mr. Patton outlined the assessment options provided in the statutes. Mr. Patton stated as he understood it, the final plans called for providing a sewer tap for each tract or lot shown in the original method of assessment proposal. Essentially every surveyed or platted lot or tract with multiple dwellings would be allocated a share of the cost. The commission will never achieve precise equity.

Mr. Ratermann confirmed the project provides a 4-inch sanitary sewer lateral extension to every lot or tract or lot split now in existence.

Commissioner Stamper asked, using the Sorrels as an example, will they have two taps?

Mr. Ratermann replied yes.

Commissioner Vogt stated she understood neighborhood improvement districts to be quasi governmental entities and that they make decisions and present them to the commission.

Mr. Patton replied they are not quasi governmental entities.

Commissioner Stamper stated they have no authority.

Commissioner Vogt replied they have authority to choose how they want to be assessed.

Mr. Patton replied no, they do not. The city or county governing body makes the decisions. The district **proposes** a method of assessment. If the commission erred in its choice, was sued, and the

assessment was invalidated, statutes provide for reassessing properties to correct errors, mistakes or omissions or in order to comply with a court order.

In response to a comment from Commissioner Stamper, Mr. Patton replied if extra capacity were required, the person developing the property would have to provide it.

In response to a question from Commissioner Stamper, Mr. Patton replied, by law, final assessments for every tract to be assessed has to be made after completion of the project. Adjustments to the size of the district have been appropriate. A property served by the Sewer District was appropriately removed from the district because they would receive no benefit.

Commissioner Stamper called for public comment.

In response to a question from Mel Winters, 1520 N. Lake of the Woods Road, Mr. Ratermann replied the plans show the 8-inch main servicing the rear of his property. Two or three other properties on his street have similar service. Service should be to the front. The information needs to be provided to Allstate Consultants so they can make appropriate revisions. Mr. McCarter is concerned about providing the 4-inch sewer service line from across the street from his home. Allstate Consultants should be instructed to bring 4-inch sanitary sewer taps to individual property boundaries at the front or rear of their house, depending on where service leaves their house.

In response to a question from Commissioner Vogt, Mr. Ratermann replied plans are not in final form. They need to be revised as necessary to address the concerns of property owners.

Commissioner Stamper commented that can even be the case once construction begins.

Mr. Patton stated Mr. Lister will bring forward an order to comply with the next procedural step. The commission needs to authorize the department to proceed with easement acquisition.

Commissioner Vogt moved that the County Commission of the County of Boone authorize the Public Works Department to proceed with the Pin Oak project. The County Commission does hereby authorize the Treasurer to issue temporary notes and resolves to reimburse itself with the proceeds. The County Commission supports the development of final plans and authorizes easement acquisition.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 137-96.**

At the suggestion of Mr. Patton, the commission requested preparation of a formal order to comply with bonding requirements in the event bonds can be issued for sewer projects in the future.

SUBJECT: Approve Bytware, Inc. License Agreement

Commissioner Stamper moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached LICENSE FORM between Bytware, Inc. and Boone County.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 138-96.**

SUBJECT: Human Development Corporation Audit Report

Commissioner Stamper reported the audit report is available for public inspection.

SUBJECT: Discuss Representation on Missouri River Heritage Community Foundation Advisory Council

Commissioner Stamper reported the commission received a letter on the Missouri River Heritage Community Foundation which suggests commission representation on the advisory council.

Following discussion, the commission agreed to request additional information.

SUBJECT: Community/Social Service Agreement with Reality House for Adult Offender Residential Treatment

Commissioner Vogt moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached community/social service agreement with Reality House for Adult Offender Residential Treatment.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 139-96.**

SUBJECT: Appointment to Senior Board

Commissioner Vogt moved that the County Commission of the County of Boone appoint Mildred Knowles of Centralia to the Senior Board for a two year term.

Commissioner Stamper seconded the motion. Motion passed unanimously. **Order 140-96.**

SUBJECT: Courthouse Square Lease and Agreement with Boone County Courthouse Square, A Not-For-Profit Corporation

Commissioner Stamper stated in July, 1995, Mr. Patton prepared several documents associated with the lease of the Courthouse Square to Boone County Courthouse Square, a not-for-profit corporation. The documents were circulated for comments, but none were received. It is timely to approve the documents and forward copies to the Department of Economic Development.

In response to a question from Commissioner Vogt, Treasurer Kay Murray replied funds for improvements to the Courthouse Square will be handled by the county. Ms. Murray noted the Department of Economic Development wants some type of documentation releasing the not-for-profit group from liability resulting from construction funded by the contributed funds.

Following discussion, Commissioner Stamper moved that the County Commission of the County of Boone approve the attached PUBLIC PLAZA LEASE between Boone County and Boone County Courthouse Square, a Missouri not-for-profit corporation; approve a COOPERATIVE AGREEMENT between Boone County and Boone County Courthouse Square, a Missouri not-for-profit corporation for use and management of the site.

Commissioner Vogt seconded the motion. Motion passed unanimously. **Order 141-96.**

The meeting adjourned at 10:45 a.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner