

TERM OF COMMISSION: February Session of the January Adjourned Term

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

PRESENT WERE: District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Shawna Victor

The meeting was called to order at 9:30 a.m. Commissioner Elkin acted as Presiding Commissioner in the absence of Commissioner Schnarre.

Subject: Purchasing Department

Marlene Ridgway, Purchasing Department Buyer, was present on behalf of these items.

A. Open Bid 06-17FEB04 (Liberty Lane Project)

Page #	Form Description	APAC	Emery Sapp & Sons	Steve and Associates	CL Richardson Construction
5.1	Bid Form Base Bid (Asphalt)	\$580,069.66	\$625,640.90	\$623,550.34	\$507,395.45
5.2	Bid Form Base Bid (Concrete)	No Bid	No Bid	No Bid	No Bid

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

B. First Reading of Bid 05-27JAN04 (County Roadside Trash Pickup)

Marlene Ridgway stated the Public Works Department and the Purchasing department have reviewed the response received for the above referenced bid. We recommend awarding to Handyman Haulers for having the best bid meeting our minimum specifications. This is a term and supply contract with \$1,200.00 budgeted for this service to be paid from organization 2040 account 71100.

She noted this was the only bid received.

There was no further discussion on this item.

Commissioner Elkin 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 award.

Subject: Public Works

A. Second Reading and Approval of General Consultant Service Agreements

Commissioner Miller moved to approve the following General Consultant Service Agreements and authorize the Acting Presiding Commissioner to sign said agreements:

- Allstate Consultants
- Berger, Devine, Yaeger, Inc.
- Brush and Associates
- A Civil Group
- CM Engineering
- Engineering Surveys and Services
- Farnsworth Group
- Mitzel and Scroggs
- Peopping, Stone, Bach & Associates, Inc.
- Shafer, Kline, & Warren
- Smith & Company Engineers

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 45-20040**

B. Second Reading and Approval of Contract with Engineering Surveys and Services (Judy School Road and Timmons Road Projects)

Commissioner Miller moved to approve the Proposal for Consultant Services with Engineering Surveys and Services for geotechnical engineering on Judy School Road and Timmons Road.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 46-2004**

C. First Reading of Memorandum of Understanding

David Mink, Public Works Director, was present on behalf of this item.

David Mink stated negotiations to develop a new agreement with Laborers International

Union of North America – Laborer’s Local 773 have concluded. A final version of the Memorandum of Understanding has been written and signed by the Union and is presented for Commission approval. We believe that the document accurately reflects the directives of the Commission to the negotiating team and the understanding reached with Local 773.

The negotiating team for management consisted of John Patton, Betty Dickneite, Chip Estabrooks, Jane Morris, and me. Stewards representing the Union were Greg Mullanix, Gordon McCune, and Wayne Garrett. The management negotiating team wishes to express our appreciation for the support of the Commission during this process and for the professionalism of the stewards and other members of the Local 773 team. Mr. Mink believes that we all look forward to a cooperative effort to provide excellent service to the citizens of Boone County.

Commissioner Miller stated she believes these were good negotiations and very different from her first negotiation experience. The first negotiation seemed very negative to her and this one seemed to be a more reasonable way to do it with having a negotiating team. She believes both sides acted more as partners than adversaries. She believes the Union staff and stewards helped with the success of these negotiations.

She is pleased with the results and is looking forward to working through any of the glitches that may happen based on the fact that there are always glitches to go through.

Rex Taggart, Field Representative with Local 773, stated he believes these were tough negotiations. The Union gave up a lot of concessions that were hard to give up. He believes they were tasked from the beginning that they were told that this is the way it would be or there would not be working agreement. He was not pleased that things started off on that foot. There were some hard negotiations and some meaningful things but it started off rough with that being laid on the table. He noted he was not pleased with being told they would agree to certain things otherwise they would not have a work agreement. If that was the Commission that asked people to do that he was not happy with the approach.

Greg Mullanix, Union Steward, stated they were not happy with the agreement. It was signed because they were given absolutely no choice. They were told the Commission was in agreement that this was the only way it would be and that in many parts there was no real negotiations. They accepted it only for the fact that they were trying to keep the Union together and their grievance procedure together so they would not have to go under the Boone County Employee’s handbook.

Commissioner Elkin asked if they, the Union, were not happy with this agreement. Mr. Mullanix stated no, not one employee is happy with this agreement.

Commissioner Elkin asked Mr. Mullanix if he could give some specifics on where their

major qualms are. Mr. Mullanix stated the major part of it was the fact they were told several times during the negotiations no, the Commission has already agreed upon this, you have no choice to accept it, both from Mr. Mink and Mr. Patton.

The specifics were mainly the 40 hour work week and to have overtime one has to work 40 hours first. Before it was set up to where after eight hours of work, overtime started. This was a major change. This was one of the items where there were no negotiations. Changes were made even after a printed copy and they had to go back and go back to the original agreement. He believes they broke their own rules in the fact that they could only deal with what was originally brought to the table.

They changed their holiday pay which was a major item. There were negotiated family holidays, Christmas, Thanksgiving, and those types of family days if when they had to work when no one else had to work; they received double time for being away from their families. These are the type of things that really hurt because they worked very hard in past negotiations to get these things.

Mr. Mullanix stated these are the things that make them different than other County employees. Other than the Sheriff's Department, he sees no one else that gets called out at 2 a.m. He has not found that anywhere. They say they are the same as everyone else and they should fall under their rules. That's fine but they do not get the same as everyone else. They considered themselves, as individual and employees, being proud of the jobs they had done for Boone County and served the citizens very well. They thought they had done this very well. Their pride and confidence in management have always brought them through this but they do not have that now.

Commissioner Elkin asked throughout the negotiations if they ever expressed they did not like this. Mr. Mullanix stated yes they did, many times. They tried to bargain to get other things done but there was no movement there. They were told that was not going to happen, that the Commission had already ok'd this, therefore it was done.

Commissioner Elkin stated the Commission ok'd it because they were told the Union ok'd it.

Commissioner Miller stated on the front end, the 40 hour work week was an item the Commission felt strongly about. The Commission thought that was reasonable. They brought in a premium pay for the nights they are called out, an extra \$2 per hour if they are called out after 7:00 p.m. This is something other County employees do not receive. This was put on the table to off set the overtime issue. That was what the Commission used to mitigate the changes.

She noted the Commission tried to get things more in line with the Personnel Policy as far as call back pay. The Personnel Policy was changed to be in line with the Union. They tried to go both ways in some cases. There were some things in the last agreement, such

as the skill based pay, which was out of reason.

Mr. Mullanix stated the skill based pay was explained to them by June Pitchford, County Auditor, they understood that and understood that it had to change. He has not grips about that.

Commissioner Miller stated the skill based pay was one of the major items the Commission wanted to fix. The 40 hour work week was a major item the Commission wanted to change.

Commissioner Elkin stated the Commission was told throughout the negotiations, by the negotiation team, that the Union was ok with it. Mr. Mullanix stated that is not correct.

Commissioner Elkin stated this is a first reading and is set for a second reading on Thursday, February 19. He asked if this item should be discussed with Commissioner Schnarre before this item is second read. Commissioner Miller believed that to be a good idea. She suggested this be discussed during the 3C with Mr. Mink.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the Tuesday, February 24 meeting with an appropriate order for approval.

D. First Reading of Request to Post “No Parking” Signs (Sunrise Estates Subdivision)

Allison Anderson, Project Engineer, was present on behalf of this item.

Allison Anderson the department received a request from a citizen to look at the intersection of Broadview Court and Richland Road, which is on the south side of Sunrise Estates subdivision. The concern was that people that live in the duplexes on Richland Road have little parking so they park at the corner of Richland Road and Broadview Court. This made it difficult to maneuver though the parked cars and to see onto Richland Road and vice versa for someone turning on to Broadview Court. The department evaluated the situation and also looked at Rainbow Drive and Sunshine Drive, which also exit on to Richland Road. The department has proposed to place “No Parking Here to Corner” signs on both sides of the road on Rainbow Drive, Sunshine Drive, and Broadview Court approximately 40 feet from the intersection.

Commissioner Elkin suggested the department contact the Boone County Regional Sewer District about the signs on Sunshine Drive. The department may want to move the sign on Sunshine Drive back further from the intersection to avoid having people park on the Sewer District’s property. Other than that, he believes it is an appropriate request.

There was no further discussion on this item.

Commissioner Elkin 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 award.

Subject: Clerk’s Office – Second Reading and Approval of Budget Revision

Commissioner Miller moved to approve the following budget revision:

DEPARTMENT ACCOUNT AND TITLE	AMOUNT DECREASE	AMOUNT INCREASE
1123-86800: Emergency	\$6,612.00	
1192-10600: Unemployment		\$6,612.00

Said budget revision is to cover 2003 4th Quarter Unemployment charges.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 47-2004**

Subject: Second Reading and Acceptance of FY2003 Computer Inventory Report

Commissioner Elkin moved to accept the Fiscal Year 2003 computer inventory report as submitted by the County Auditor and Director of Information Technology and authorize the County Auditor to remove the items identified in the report from the County’s Fixed Asset Inventory Records.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0. **Order 48-2004**

Subject: Human Resources – First Reading of Letter Agreement with Rick McRoy

Betty Dickneite, Human Resources Director, was present on behalf of this item.

Betty Dickneite stated John Patton, County Counselor, drafted a letter agreement with Rick McRoy for the Boone County Salary Study Update. The letter was drafted after the Personnel Advisory Committee had discussed both proposals in the January meeting. At that time, all of the people that were present at the PAC meeting voted unanimously to go

with Rick McRoy. She forwarded this recommendation to the Commission in January. The Commission approved the recommendation on January 27, 2004 meeting. It is to her understanding that there are a few elected officials who have concerns about this proposal.

Commissioner Elkin noted he sent out a survey and has received three responses back so far. If the majority of PAC does not have a problem with the proposal then he does not have a problem with it. He wants to make sure that everyone is ok with moving forward. He does not disagree that Mr. McRoy has the institutional knowledge that the County needs. He wants to make sure that PAC is comfortable with that.

Ms. Dickneite stated there was no commitment made to Public Sector Personal Consultants by her at anytime that Boone County would use their services. Their proposal was received in July and was reviewed by the Job Classification Committee. The Job Classification Committee makes recommendations to PAC and then to the County Commission.

Commissioner Elkin stated all this happened at the eleventh hour. The correct steps were taken. It's just the lateness of the letter from Personal Consultants kind of threw a wrench into the mix.

Ms. Dickneite stated John Patton was involved in this whole process from the time she found out that Rick McRoy was not with Public Sector Personal Consultants and he started his own firm. She believes Mr. McRoy brings the expertise that the County needs to move forward with the project.

There was no further discussion on this item.

Commissioner Elkin 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 award.

Subject: Health Department – First Reading of Animal Control and Public Health Services Contracts

Commissioner Miller stated these are annual contracts with the City of Columbia to provide the services for Animal Control, On-Site Sewage, Health Department, and Dental/Energy Assistance programs.

There was no further discussion on this item.

Commissioner Elkin 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 award.

Subject: First Reading Medical Examiner Contract

Commissioner Elkin stated the University has hired a new Medical Examiner, Dr. Valerie Rao, formerly of Dade County, Florida. This agreement is from March 1, 2004 through December 31, 2004. This is the standard Medical Examiner contract. There is no change in the annual allocation; it solidifies the relationship between the University and the County for the remainder of the year.

There was no further discussion on this item.

Commissioner Elkin 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 award.

Commissioner Reports

Commissioner Miller

Southern Boone County Fire Protection District

Commissioner Miller stated the Southern Boone County Fire Protection District will hopefully begin building at the airport within three weeks. There are some drainage issues at the Zumwalt facility. When these buildings are complete, the District board will try to improve their ISO rating.

She noted they will be taking digital pictures for a manual being created that will be in each truck identifying where the utility shut offs are located at different businesses.

Commissioner Elkin

None to report at this time

Public Comment

Jack Donelon, 578 N. Grace Lane, Columbia, was present before the Commission comments on possible zoning violations at the James property. He also commented on process for prosecuting zoning violations.

There was further public comment.

The meeting adjourned at 10:12 a.m.

Attest:

Keith Schnarre
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner