

TERM OF COMMISSION: January Session of the January Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson  
District I Commissioner Karen M. Miller  
District II Commissioner Skip Elkin  
Deputy County Clerk Kristina Johnson

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

### **Public Works**

Derin Campbell from the Public Works Department was present on behalf of this item.

#### **1. 2009 Public Works Annual Report**

Derin Campbell stated the beginning has introductory letters and then walks through some of the financial aspects of Public Works. Page 13, discusses Public Works Maintenance Operations Division and lists the goals and objectives. The format has changed from last year. There is an overview of the Owens School Road Low Water Crossing, one of the major projects the guys did in house. There are pictures of Kircher Road and Wilhite Road which are stretches of road that have been reclaimed. Mr. Campbell stated some of this has been replaced with the Magnesium Chloride mixture which has helped dust issues, as well as keep up the roads. Mr. Campbell stated page 18 covers the Design and Construction Division and everything that we do.

Commissioner Elkin asked on the MAC roads, how do they hold up when it freezes and thaws?

Mr. Campbell stated magnesium chloride roads hold up much better they do not get mushy like other gravel roads. On page 19 there is a list of all of our projects and project progress. Once again this kind of shows all the progress in one place which is formatted different from last time. One thing that Mr. Campbell stated he would like to touch on is how many types of projects we have taken on such as Old No. 7 and Nashville Church.

Commissioner Pearson asked if the picture of the bridge was after it had been hydro filled?

Mr. Campbell stated it was.

Commissioner Pearson asked how much was taken off here?

Mr. Campbell stated quite a bit on average. Old no. 7 is actually the worst. Mr. Campbell stated they ended up taking more of it. There are some more pictures here of some of the more major projects we participated in.

Page 34 talks briefly about Neighborhood Improvement Districts. This information summarizes what County applications were received, and how many were acted on. There are also some notes over the Surveying Division and their efforts over the past year. On page 37 there is discussion of the County's stormwater program prepared by Georganne Bowman. This lists a lot about the training and monitoring. Page 44 lists out the Public Works fixed asset program.

Commissioner Miller stated the fixed assets were budgeted out extremely well.

Mr. Campbell stated the reason why the actual cost is not listed in the spread sheet is that some projects are not completely rapped up. The next page highlights different projects we had. Some of them we hope to get finished shortly.

Commissioner Pearson asked if McBaine Bridge was finished.

Mr. Campbell stated not yet it is pretty close to being finished. The weather needs to cooperate, and be above a certain temperature. At the end we have the revenue sharing and revenue replacement programs.

### **Sewer District**

Tom Ratermann from the Sewer District was present on behalf of this item.

## **2. Construction contract documents for Country Squire Sanitary Sewer Neighborhood Improvement District (second reading, first read on 12/31/2009)**

Tom Ratermann stated the Commission passed a resolution a couple of weeks ago awarding the contract to Emery Sapp & Sons which had several contingencies: 1) the bidding document be approved by DNR; 2) that the County's financing was arranged with the bond resolution. The third contingency was that the contractor provides bonds and signed contracts. This is now available to you for your consideration.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve contract 74-20Dec09 – Country Squire Sanitary Sewer Neighborhood Improvement District to Emery Sapp & Sons, Inc. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 40-2010**

### **Circuit Court**

Kathy Lloyd from the Circuit Court was present on behalf of this item.

**3. Budget Revision for Jury Service Costs (first reading)**

Kathy Lloyd stated in 2009 the County had significantly increased jury costs and so the Court has accounted for those through our own budgets. The budget revision is moving money from other classes in the jury services budget and also the juvenile office budget to help cover jury costs associated with jury checks. Ms. Lloyd stated the court pays a juror six dollars a day for just showing up, and then we pay them 21 dollars a day if they actually serve on the jury. There were a number of juries and jury trial days which is listed out on the spread sheet. It lists sequestered and non-sequestered trials and while some were non-sequestered some were still fairly lengthy. There were some civil trials that had taken significant time and costs associated with payments to jurors.

Commissioner Miller inquired if this was a criminal case?

Ms. Lloyd stated this was a civil case.

Commissioner Miller asked if the people involved should be paying for this?

Ms. Lloyd stated the law does not permit the cost to be charged to the losing party in the civil case. If they cancel a case and do not give the court a certain amount of notice, then they may be charged, but generally this is taxed to the county. Now in a criminal case where the defendant is found guilty those costs can be taxed to the defendant. Many times there is not much recovery on those but it can be done.

Commissioner Miller asked what the purpose behind that would be.

Ms. Lloyd stated well, it is unclear. I viewed the statutes before coming over here.

Commissioner Miller inquired if the law should be changed.

Ms. Lloyd stated she did not know, but certainly that is a question.

Commissioner Miller stated this is a good time to say all of these additional expenses are killing us. Commissioner Miller stated she does not understand why Criminal can be charged and Civil are not. Commissioner Miller inquired if Ms. Lloyd was aware of what the statute was that stated this.

Ms. Lloyd stated she did not know off of the top of her head but she could e-mail to the Commissioners. Ms. Lloyd stated generally on non-sequestered jury's the primary costs are the costs of the jury itself. There is also on here things such as Marshal's time but that is really tracked because if there is a changed of venue case we are going to need that. So we are paying for this but out of salaries not out of jury costs.

Commissioner Pearson asked if the law were changed on civil cases and people had to pay costs,

the County would not be paying for much of this, correct?

Ms. Lloyd stated well, the County would still be paying for juries and initial cost would be charged to the County and then the County would try to collect on that.

Ms. Lloyd stated the second table there is the sequestered trials and the significant cost of those in addition to the days that the jurors are paid are the cost of meals and lodging. These were significant costs.

Commissioner Miller inquired what the case was in October that cost 18,000.00?

Ms. Lloyd stated that was the Clinch trial.

Commissioner Miller stated so you can add these costs plus the time that it was dismissed. The County would save \$20,000.00.

Ms. Lloyd stated there are also other expenses like parking which are not reflected on here. These are the expenses that are tracked on a case to case basis. This is taken from a regular jury trial statement. Then there are the costs that are paid monthly like parking. The Commission can also see that the more parking expenditures there is the greater the cost. The first of every quarter there are increased expenses because a pool is being brought in to select the jurors. Then each time after the cost should be pretty consistent. The third section is Grand Juries.

Commissioner Pearson inquired if there were certain reserved parking spots for jurors.

Ms. Lloyd stated there are certain hourly spots that they are allowed to use. We are hoping that maybe we can work out a different way of doing this.

Ms. Lloyd stated this information is just kind of provided to show how costs accrued. So this is why there is the request to transfer funds in for jury services.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

#### **4. Budget Amendment for Jury Service Costs (first reading)**

Ms. Lloyd stated the good side is that because there was more growth there is also more reimbursement. This amendment is just showing that we increased our revenue by \$9,200.00.

Commissioner Elkin asked for the fiscal year view did you bump the amount you needed?

Ms. Lloyd stated we try to be very conservative and it is hard to know year to year. There is just no way to anticipate the number of cases that will go to trial. This year the County doubled.

Commissioner Elkin stated with the budget situation looking not good, and the future outlook is

not looking that good either, it's important to know how everything is going to play into the budget.

Ms. Lloyd stated we have really tried to do some cost containment things such as when we prepare contracts with hotels not to be locked into still paying for that room. We do try what we can to manage the funds.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10-day hold required for budget amendments with an appropriate order for approval.

**5. Budget Amendment for the Administration of Justice Fund (first reading)**

Ms. Lloyd stated the Circuit Court applied for a Domestic Assault Court Coordinator Grant. In September of 2008 we established a Domestic Assault Court Docket. All cases were consolidated under one court with the hope of being able to manage those cases better. For example the Public Defender and the Prosecuting Attorney that are assigned to those cases are aware when their cases are set and this helps fuel efficiency. About one year ago the court received a STOP program to fund MEND a batterer's intervention program which is a counseling center. This was the program that we used to request the Domestic Assault Court Coordinator. This was originally not a funded part of this program. When stimulus grant came out the court again applied for funding of this position and we also asked for funding for supplies and equipment.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10-day hold required for budget amendments with an appropriate order for approval.

**Sheriff's Department (Corrections)**

Warren Brewer from the Department of Corrections was present on behalf of this item.

**6. Budget Revision for Corrections (first reading)**

Warren Brewer stated the reason Corrections would like to move money out for prescription drugs and food. Food primarily due to the departure of Mr. Burkes and we had to hire a corporation to help get us through. Had we not had that contract we would not have gone over. Prescription drugs are simply an increase in the jail population who require medication. We do not pick and choose who gets arrested. Less than 20% of the population on drugs is taking up to anywhere between to 30 to 58% of our budget. This means basically there are very few people with very serious illnesses, that are incarcerated for very serious reasons that we can not ROR or release.

Commissioner Pearson asked if the prisoners come in with preexisting conditions?

Mr. Brewer stated absolutely.

Commissioner Miller asked if these were like diabetes or what?

Mr. Brewer stated everything from Rickets to diabetes etc...

Commissioner Pearson asked if individuals are under treatment when they are arrested?

Mr. Brewer stated as a general rule yes.

Commissioner Pearson asked if they can bring their prescriptions from home?

Mr. Brewer stated yes. They try to work with those doctors.

Commissioner Elkin asked if there is a use of generic drugs?

Mr. Brewer stated they attempt to when they can. Occasionally there is an inability to immediately switch somebody from name brand to generic. There are many factors when it comes to switching an individual. So what we ended up doing because there was money elsewhere we are asking the Commission to transfer money from the other savings into these two budgets.

Commissioner Miller inquired with the system out there now is the cooks doing well?

Mr. Brewer stated they are full staff now but they are interviewing for some part time. Roy who has been with us almost nineteen years is really working on per meal cost.

Commissioner Miller stated your meal cost is pretty reasonable anyways.

Commissioner Elkin asked what is the per meal cost?

Mr. Brewer stated they are staying under a dollar.

Commissioner Miller stated that is incredible.

Mr. Brewer stated this is not as cheap as Sheriff Arpaio from Maricopa County but then again we are not sued as much as he is.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

**7. Budget Amendment for Corrections (first reading)**

Mr. Brewer stated this is the amount for extraditions. We anticipate that the income will

eventually come back. There is a pay out and then the County is reimbursed unless the individual is found not guilty or the offence is down graded to a misdemeanor.

Commissioner Elkin asked who pays for the extradition.

Mr. Brewer stated this is usually part of the cost and fines. So this would come out of the court expense.

Commissioner Pearson stated the county or state requesting the extradition pays.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading after the 10-day hold required for budget amendments with an appropriate order for approval.

### **Courts**

#### **8. Demonstration Monitoring Service Agreement (second reading, first read on 1/26/2010) Commission**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Demonstration Monitoring Service Agreement (no 113009CW1) between BI Incorporated and Boone County, Missouri. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 41-2010**

#### **9. Economic Development Agreement with Centralia (first reading)**

Commissioner Pearson stated this is a \$1,000.00 this year and is annual.

Commissioner Elkin stated this used to be \$5,000.00 and then we lowered this a few years ago.

Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

#### **10. Agreement for Animal Shelter and Related Services (second reading, first read on 1/26/2010)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Agreement for Animal Shelter and Related Services between the Central

Missouri Humane Society and Boone County, Missouri. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioners are hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 42-2010**

**11. Organizational Use of Boone County Facilities by Committee to Elect Sullivan for Columbia (first and second reading)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the organizational use of the Courthouse Grounds by the Committee to Elect Sullivan for Columbia, on February 2<sup>nd</sup> from 9:15 am to 10:00 am.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 43-2010**

**12. Organizational Use of Boone County Facilities by Boone County Farmers Market (first and second reading)**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the organizational use of Boone County Facilities by the Boone County Farmers Market, on February 19<sup>th</sup> and March 19<sup>th</sup>, 2010 from 6:00 am to 10:00 am.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 44-2010**

**Miscellaneous**

**13. Authorize Closed Meeting 610.021(3) for February 2<sup>nd</sup> following Commission at 9:30am (first and second reading)**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Tuesday, February 2, 2010. The closed session will follow the 9:30am Commission meeting. The meeting will be held in Room 243 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized

by 610.021 (3) RSMo. to discuss the hiring, firing, disciplining or promoting of particular employee by a public governmental body when personal information about the employee is discussed or recorded.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 45-2010**

**14. Public Comment**

**15. Commissioner Reports**

The meeting adjourned at 2:35 p.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Kenneth M. Pearson  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner