

TERM OF COMMISSION: December Session of the October 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 Commission Skip Elkin
Deputy County Clerk Kristina Johnson

The meeting was called to order at 9:35 a.m.

County Counselor

CJ Dykhouse the County Counselor was present on behalf of this item.

1. Western Surety Release and Assignment (first and second reading)

CJ Dykhouse stated this is the contract which culminated from the suit against Western Surety for the full amount of the maintenance bond from the Hi Low Subdivision. When this is authorized Mr. Dykhouse stated he will be able to communicate this electronically to the insurance company and the adjuster that is in Chicago who will be transferring a check. There is currently some discussion between the Auditor's Office and Public Works as to how the check will be deposited and used. This represents a full recovery of the bond so this is a clear victory.

Commissioner Miller inquired why the funds would not be deposited directly into the Public Works account.

Mr. Dykhouse stated he believes that the money will be. The record that is being made is that there has already been an advancement of funds for this project and they want credit back for this project when this money is received.

Commissioner Pearson stated so the money will be deposited into the Auditor's Office for an accounting function.

Mr. Dykhouse stated yes sir, it was. The financial machinery of the County is ready to receive these funds when the check comes.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the Release and Assignment contract for the Western Surety Company issued Bond (Number 70633721) from Blacktop Paving, LLC to Boone County. The terms of this contract are stipulated in the attached memorandum. It is further ordered the Presiding

Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

Commissioner Pearson stated he believed Mr. Dykhouse did a good job on this because in Commissioner's Pearson previous experience dealing with surety companies is extraordinarily difficult.

There was no further discussion and no public comment.

The motion carried 3 to 0. **Order 562-2009**

2. NID Cooperative Agreement from BCRSD (second reading, first read on 12/1/2009)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Cooperative Agreement with the Boone County Regional Sewer District regarding Neighborhood Improvement District Projects. The terms of this contract are stipulated in the attached document. 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 563-2009**

Public Works

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

3. Rolling Hills Road Project Addendum (first reading)

Derin Campbell stated apparently this work was done back in September and October of 2007 for the creation of alternate alignments and displays. This was approximately \$7,248.13 and then a \$1,000.00 is for the creation of a statement file.

Commissioner Pearson inquired if this was included in the original alignment work that was done?

Mr. Campbell stated he guessed in the original scope there is not anything about this. Mr. Campbell stated he was not at Public Works in 2007.

Commissioner Miller asked if there was anything in the file that discussed the Commissioner's meeting with these people and what was agreed to? Commissioner Miller stated she had

thought the County did not agree to add more costs in 2007.

Commissioner Pearson stated he did not recall the County limiting the amount. Commissioner Pearson further inquired if this would normally be part of the process.

Mr. Campbell stated typically in a final design phase alignments have already been looked at. Mr. Campbell stated he assumes that there was a question brought over whether there should be a change in direction and have a change in the alignment. That is not something that it typically done during a final design project, it is a preliminary thing.

Commissioner Pearson stated originally there were two alignments. Is this down toward the intersection of WW?

Commissioner Elkin stated it was.

Commissioner Pearson stated there were two possible alignments the whole length of the project. Commission had selected the one and then it seemed that after the fact there was some discussion about moving the alignments over down toward that intersection so they would match up appropriately.

Commissioner Miller inquired if Mr. Campbell has looked at the June, September, and October invoices?

Mr. Campbell stated not recently.

Commissioner Miller stated she believed that the County needs to look at these invoices.

Commissioner Elkin asked why the billing is coming now, after two years.

Commissioner Miller stated she agreed and some work needed to be done. Commissioner Miller stated she believed that the invoices needed to be brought to the Public Works meeting that afternoon.

Mr. Campbell stated he would.

Commissioner Pearson stated one of the issues here is that they have had folks on their side that left. So the institutional memory is not very good.

Commissioner Elkin stated the County should not have to pay for their loss of institutional memory.

Commissioner Pearson stated no.

Mr. Campbell stated the guy currently is the third or fourth project manager.

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 Revision for computer hardware (second reading, first read on 12/3/2009)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the following budget revision to purchase a replacement computer:

Department	Account	Department Name	Account Name	Decrease \$	Increase \$
2045	91100	Public Works – D&C	Furniture and Fixture	810.00	
2045	92301	Public Works – D&C	Repl Computer Hardware		810.00

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 564-2009**

Circuit Court

5. Budget Revision for the purchase of a refrigerator (first reading)

Commissioner Miller stated she assumes that the refrigerator follows the requirements of the County.

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.

Purchasing

Tyson Boldan from Purchasing was present on behalf of this item.

6. Surplus Disposal List (first reading)

Tyson Boldan stated the Purchasing Department requests permission to dispose of the following list of surplus equipment.

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. 65-04NOV09 Furnishing and Installation of Refrigeration Unit (first reading)

Mr. Boldan stated the bid for the Furnishing and Installation of Walk in Cooler Project closed on November 05, 2009. Four bids were received. Purchasing and Facility Maintenance recommend award to Mechlin Refrigeration for offering the lowest and best bid for Boone County. The total cost of contract is \$5,200.00.

Commissioner Miller stated there is a big variance in these bids.

Mr. Boldan stated there were different types of refrigeration units.

Commissioner Miller stated Mechlin is a good company that has been around since she was in the bar business.

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.

8. Cooperative Contract: 102908 – KI Office Furniture (second reading, first read on 12/3/2009)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Release and Assignment contract for the Western Surety Company issued Bond (Number 70633721) from Blacktop Paving, LLC to Boone County. The terms of this contract are stipulated in the attached memorandum. 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 565-2009**

9. Amendment Number One 07-30Mar06 Mental Healthcare Services for Inmates at the Boone County Jail (second reading, first read on 12/3/2009)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby authorize Amendment Number One to contract 07-30Mar06 Mental Healthcare Services for Inmates at the Boone County Jail. This amendment clarifies this contract as a “Not to Exceed” contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said amendment.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 566-2009**

Sheriff's Department

Dwayne Carrey the Boone County Sheriff was present on behalf of this item.

10. Budget Amendment (first reading)

Sheriff Carrey stated in the new building they had decided to include an exercise room. Not a Wilson's but a room that employees could get some exercise done. Key Largo had to move to the old Wilson's and they had more equipment than they had space. As a result they were selling a bunch of equipment and the Sheriff's Department had the opportunity to save about \$7,500.00. The equipment is used but Sheriff Carrey stated he went out and looked at it and it was in great shape. The hardware software accounts pertain to the scanning and prepping to microfilm documents. Sheriff Carrey stated he just wanted to have one budget amendment and consolidate these two issues.

Commissioner Miller stated it was a good opportunity to clean out all the files and move them into PDF's so these files do not have to be moved twice. Once the County is caught up it will not be difficult to keep it up.

Sheriff Carrey stated he believed that in the new building there will be a workstation where this will take place.

Commissioner Elkin asked how the microfilm process worked. All of the files are sent to Kansas City and they microfilm it?

Sheriff Carrey stated the microfilm is then kept in place of the old documents.

Commissioner Elkin stated it is good to microfilm, but the key is to index it.

Sheriff Carrey stated the company out of Kansas City indexes everything for the client.

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 on budget amendments.

Miscellaneous

11. Organizational Use of Boone County Facilities (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 Boone County Commission Chambers and Courtyard Square by Matthew Jefferies and Chloe Zhu on December 19th from 11am to 11:30 am for a wedding.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion carried 3 to 0. **Order 567-2009**

12. Public Comment

13. Commissioner Reports

Commissioner Elkin stated he attended the City Council Meeting last night. Two issues were discussed. The City approved the Northeast area plan. There was a comment from Pat Fowler who stated it was all about the City.

Commissioner Miller inquired if Commissioner Elkin felt that way when he was listening.

Commissioner Elkin stated he testified and both staffs and commission's put in a lot of hard work. The motion passed and there was further discussion over the East plan and what the City would do different. There was also discussion of Rock Quarry and Gans Rd., as some of the areas the City needs to be thinking about.

Commissioner Elkin stated the second issue concerned the Convention and Visitor's Bureau. This was on the consent agenda.

Commissioner Elkin stated much of the conversation last night was over security cameras.

Commissioner Miller stated the petition required the security camera's to be placed on the agenda. Now if the measure passes overwhelmingly, what is that going to say to the City?

Commissioner Elkin stated the discussion was over big brother watching and so forth.

Commissioner Miller stated when a person is on a public street there should be no expectation of privacy.

Commissioner Elkin asked what is the difference between having a security camera on each corner versus a police officer on each corner? Maybe I am missing something.

The meeting adjourned at 10:05 a.m.

Attest:

Kenneth M. Pearson
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner