

TERM OF COMMISSION: May Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Karen Miller
District II Commissioner Janet Thompson
Director Purchasing Melinda Bobbitt
Deputy County Clerk Mike Yaquinto

The meeting was called to order at 9:30 a.m.

Purchasing

1. First reading; Cooperative Contract C213093015 – Photocopier and Maintenance for Boone County Joint Communications

Melinda Bobbitt read the following memo:

The Information Technology office requests permission for Joint Communications to utilize the State of Missouri cooperative contract C213093015 (pricing based on Western States Contracting Alliance cooperative contract 1715) with Image Technologies of Columbia, Missouri to purchase one photocopier with maintenance for Joint Communications.

Konica Minolta C554e (color) Copier / Printer / Scanner

Cost: \$7,819

Maintenance: \$0.04 per print for color and \$0.0069 per print for black & white; or
\$0.0054 with 25,000 monthly base
\$0.0052 with 30,000 monthly base

\$0.0050 with 35,000 monthly base

Copier to be paid from department 2701 – Joint Communications Operations, account 91300 – Machinery & Equipment. \$323,000 remains in the account at this time.

Maintenance will be paid from department 2701 – Joint Communications Operations, account 60050 – Equipment Service Contract.

This copier will be moved to the Commission office to replace their existing copier when this new copier is no longer needed by 911/OEM staff at the 609 E. Walnut location. New units for the Emergency Communications Center will be purchased during the construction project so there are identical units to back each other up. Image Technologies agrees to move this copier to the Commission office in 2016 and haul off the old Kyocera free of charge.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

2. First reading; Computer and Peripheral Surplus Disposal

Melinda Bobbitt read the following memo:

The Purchasing Departments requests permission to dispose of the following list of surplus PC & Peripheral equipment through MRC Recycling Center. MRC Recycling will pick up our surplus at no charge. They are a State of Missouri, DNR Level Four recycling center. No computer items are land-filled. Purchasing will obtain a Certificate of Destruction, and we will let them know that we want everything recycled, not reused

so nothing ends up in the landfill.

Prior to Computer surplus coming to Purchasing for disposal, Information Technology has removed the hard-drives for destruction by their department. Their procedure for PC disposal is:

Once all the data is copied or recovered for the user, IT removes the hard drive and memory from the PC. The memory is held to be used for upgrading other PCs at the county that can benefit. IT sometimes removes parts that can be used as spare if the model is current enough. (ie Power Supplies, Video Cards, etc.) The hard drive is held for a minimum of 30 days in case a user identifies something is missing. After 30 days IT may reuse the hard drive in other county PCs if there are failures. If a hard drive goes unused or fails and IT needs to physically dispose of it, they drill a 5/8" hole through the drive and the data platters. Once IT has collection of "drilled" drives, they deliver them to PC recycling vendor, MRC Recycling Center.

MRC Recycling Center certifies that they have picked up the following items and that all items will be recycled, not reused, so nothing ends up in the landfill.

Commissioner Atwill said he understands it was a request from Commission to insert the memo language concerning the process to be performed by I/T on spare parts and unused hard drives. He would like Purchasing to develop a policy or refined language so they did not have to read the entire process into record when this type of surplus disposal is requested.

Ms. Bobbitt said she will investigate the options on this and let the Commission know what they recommend.

There were no further comments or questions.

Commissioner Atwill 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 appropriate order for approval.

3. Second reading; Cooperative Contract C215017001 – Esri GIS Software & Maintenance (1st read 4-30-15)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the utilization of the State of Missouri Cooperative Contract C215017001 for Esri GIS Software & Maintenance Services with Esri of Redlands, CA.

This is a Term and Supply contract and the terms of the Cooperative Contract are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said GIS Software & Maintenance Support Services Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #196-2015**

4. Second reading; Cooperative Contracts with Missouri Department of Transportation for the purchase of one (1) John Deere 6125M Tractor and one (1) mid mount boom mower and dispose of one (1) 2005 John Deere tractor (1st read 4-30-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the utilization of the Missouri Department of Transportation Cooperative Contract 3-130709TV to purchase one (1) John Deere 6125M tractor from Deere and Company through Sydenstricker Implement Company of Rocheport, MO and Cooperative Contract 3-121024RJ to purchase one (1) Bengal Series BB-22 mid-mount boom mower from Tiger Corporation of Sioux Falls, SD.

The County Commission of the County of Boone further approves the disposition of one (1) 2005 John Deere 6420 tractor, fixed asset tag 15157. The terms of the Cooperative Contracts are stipulated in the attached Purchase Agreements. It is further ordered the Presiding Commissioner is hereby authorized to sign said Purchase Agreements and Request for Disposal form.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #197-2015**

5. Second reading; Contract Amendment Number One to 52-20NOV12 – On-line Computer Legal and General Research Services (1st read 4-30-15)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached Contract Amendment Number One to 52-20NOV12, On-line Computer Legal and General Research Services.

The terms of this amendment are stipulated in the attached Contract Amendment. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number One for On-line Computer Legal and General Research Services.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #198-2015**

6. Second reading; Contract Amendment Number Three to 48-18SEP12 – Pest Control Services (1st read 4-30-15)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Contract Amendment Number Three to 48-

18SEP12, Pest Control Services.

The terms of this amendment are stipulated in the attached Contract Amendment. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number Three for Pest Control Services.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #199-2015**

Boone County Joint Communications

7. First reading; Budget Revision to purchase copier/Printer/Fax for 609 Walnut

Commissioner Miller said this is a request from the Boone County Joint Communications Director to have this equipment purchased and placed in the temporary facility at 609 Walnut for the department.

There were no comments or questions.

Commissioner Atwill 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 appropriate order for approval.

ABC Laboratories

8. Second reading; ABC Laboratories status report (1st read 4-30-15)

Commissioner Miller moved on this day the County Commission of the County of Boone

does hereby accept the attached ABC Laboratories Chapter 100 Compliance Reports, Exhibits B & C.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #200-2015**

Commission

9. 1st & 2nd reading; Organizational Use of the Government Center Chambers by Greenbelt Land Trust of Mid-MO for June 16, July 21 and August 18, 2015.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Chambers by Greenbelt Land Trust of Mid-MO for June 16, July 21 and August 18, 2015 from 6:30 p.m. to 9:00 p.m.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #201-2015**

10. Public comment

Monta Welch, Director of Peoples' Visioning addressed the Commission. She said she would like to request a resolution for the Commission to speak out against Fast Track, Trade Promotion Authority (TPA), for Trans pacific Partnership (TPP).

The following was read into the record by Ms. Welch:

Our country is burgeoning with hate and injustice--born of unequal opportunity, a

blinded social structure with racism, and inequality that, unabated, is horrifying to all with deep concerns and desires for fair treatment and the opportunity of and for all our people, despite genetics, race, color, or other circumstance that life or the system has designed. Our cities explode with the pent-up, understandable hopelessness, anger, and fear of a system, effectively keeping minorities from opportunity and integration into the status quo, which appears to continuously and stubbornly fight this acceptance.

This is the opposite of religious teaching--for those who align with religion, spirituality or a belief structure-- to love, help one another, and to forgive rather than to hate, harm, kill, divide, and spread fear instead of compassion and love! Baltimore; University of Oklahoma fraternity, sorority and others; Ferguson, our slums and reservations, rampant with oppression and inopportunity, are a wake-up call that overt racism, injustice in our population, our system and authority, exercise systemic hatred, blindness, fear, and separation instead of compassion, love, and unity that would unite and heal us, restore fairness, compassion and justice to a more responsive system and governance--one truly responsive and compassionate!

International trade laws worsen all this by downsizing and outsourcing jobs and opportunity, adding significant pressure to our nation's willing workers and the opportunities of the next generation. Peoples' Visioning has brainstormed and offered ideas and solutions to many of these problems. We have brought and will continue to bring them for adoption and urge your adoption of them, immediately, as they are working, here and other places and need your serious consideration.

We cannot go on at war with one another. Not in our locales or our countries abroad. The U.S. military industrial complex thrives on war, hatred and fear operating as a 'divide-and-conquer' wealth consolidator, among other things, towards the upper classes, widening inequity, our wealth gap, and slowing economic growth, a visible connection and testament to the downward spiral, which worsens with 'Free Trade', written by and for corporate interests, classified, and Fast-Tracked through Congress, if we allow it,

when Constitutional responsibility for trade rests with Congress.

People all have good ideas and concepts to help with broad, and absolutely necessary, improvements required to bring balance and appropriate change. Peoples' Visioning, with friends and allies, offer an opportunity, today, to stand with cities and counties: New York City, Los Angeles, Seattle, San Francisco, Pittsburgh, and others with Council Resolutions, opposing Fast Track actions for trade agreements without the proper inclusiveness, vetting, scrutiny and 'interested party voices'—rights and justice activists, all workers, non-governmental organizations, elected officials, interested public, all closed out of unnecessarily 'classified' negotiations and texts, with well over 2,000 entities opposing! We hope the City of Columbia and Boone County can join those thousands.

Past treaties like NAFTA have had poor results socially and economically, on jobs and justice issues for low to middle-income individuals, both here and abroad. Economically, our local and state regulations will be challenged if individuals or corporations wish to sue for their 'presumed loss of profit' based on our sovereignty and laws for our public good! Our sovereignty is challenged and 'we pay', either way, from local to national—for legal defense, if allowed, which, at present, seems not to be possible to legally represent ourselves in Investor State Dispute Settlement Tribunals, or we will pay 'presumed loss of profit' judgments!

We ask you join these County Officials, Commissions, and many cities in a Commission Resolution to stop Fast Track, Trade Promotion Authority (TPA), for Trans Pacific Partnership (TPP) and trade deals impacting all sectors, healthcare, banking, more, not just 'trade', where local to national laws in the public interest and our sovereignty will be up for corporate profits challenge.

We request you to take action today or this week, preferably at this meeting, as there is a short Congressional time frame for a Resolution to Congress, and then please send copies of your Resolution to our Missouri Statehouse and Media.

Included are links and other supporting documentation, the Los Angeles' Resolution, which can easily be adopted tonight; an information sheet; an invitation to our event on TPP impacts on local Farm and Food; and our 'No Fast Track' Petition requesting strong action tonight to impact Congress, where Fast Track via TPA is positioned for a very quick vote!

We also invite you to Peoples' Visioning educational event on this--Fast Track, TPP, local control, economics, farm, food, sovereignty, justice issues-- 7 PM TUESDAY, May12th, Boone County Commission Chambers, Roger B. Wilson Bldg., east of Boone County Courthouse.

Ms. Welch said that she would also like to read into the record a piece written by Ellen Brown which first appeared at Web of Debt. The following was read into the record:

The United States shall guarantee to every State in this Union a Republican Form of Government.

— Article IV, Section 4, US Constitution

A republican form of government is one in which power resides in elected officials representing the citizens, and government leaders exercise power according to the rule of law. In *The Federalist Papers*, James Madison defined a republic as “a government which derives all its powers directly or indirectly from the great body of the people . . .

.”

On April 22, 2015, the Senate Finance Committee approved a bill to fast-track the Trans-Pacific Partnership (TPP), a massive trade agreement that would override our republican form of government and hand judicial and legislative authority to a foreign three-person panel of corporate lawyers.

The secretive TPP is an agreement with Mexico, Canada, Japan, Singapore and seven

other countries that affects 40% of global markets. Fast-track authority could now go to the full Senate for a vote as early as next week. Fast-track means Congress will be prohibited from amending the trade deal, which will be put to a simple up or down majority vote. Negotiating the TPP in secret and fast-tracking it through Congress is considered necessary to secure its passage, since if the public had time to review its onerous provisions, opposition would mount and defeat it.

Abdicating the Judicial Function to Corporate Lawyers

James Madison wrote in *The Federalist Papers*:

The accumulation of all powers, legislative, executive, and judiciary, in the same hands, . . . may justly be pronounced the very definition of tyranny. . . . “Were the power of judging joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control, for *the judge* would then be *the legislator*. . . .”

And that, from what we now know of the TPP’s secret provisions, will be its dire effect.

The most controversial provision of the TPP is the Investor-State Dispute Settlement (ISDS) section, which strengthens existing ISDS procedures. ISDS first appeared in a bilateral trade agreement in 1959. According to *The Economist*, ISDS gives foreign firms a special right to apply to a secretive tribunal of highly paid corporate lawyers for compensation whenever the government passes a law to do things that hurt corporate profits — such things as discouraging smoking, protecting the environment or preventing a nuclear catastrophe.

Arbitrators are paid \$600-700 an hour, giving them little incentive to dismiss cases; and the secretive nature of the arbitration process and the lack of any requirement to consider precedent gives wide scope for creative judgments.

To date, the highest ISDS award has been for \$2.3 billion to Occidental Oil Company against the government of Ecuador over its termination of an oil-concession contract, this although the termination was apparently legal. Still in arbitration is a demand by

Vattenfall, a Swedish utility that operates two nuclear plants in Germany, for compensation of €3.7 billion (\$4.7 billion) under the ISDS clause of a treaty on energy investments, after the German government decided to shut down its nuclear power industry following the Fukushima disaster in Japan in 2011.

Under the TPP, however, even larger judgments can be anticipated, since the sort of “investment” it protects includes not just “the commitment of capital or other resources” but “the expectation of gain or profit.” That means the rights of corporations in other countries extend not just to their factories and other “capital” but to the profits they expect to receive there.

In an article posted by Yves Smith, Joe Firestone poses some interesting hypotheticals:

Under the TPP, could the US government be sued and be held liable if it decided to stop issuing Treasury debt and financed deficit spending in some other way (perhaps by quantitative easing or by issuing trillion dollar coins)? Why not, since some private companies would lose profits as a result?

Under the TPP or the TTIP (the Transatlantic Trade and Investment Partnership under negotiation with the European Union), would the Federal Reserve be sued if it failed to bail out banks that were too big to fail?

Firestone notes that under the Netherlands-Czech trade agreement, the Czech Republic was sued in an investor-state dispute for failing to bail out an insolvent bank in which the complainant had an interest. The investor company was awarded \$236 million in the dispute settlement. What might the damages be, asks Firestone, if the Fed decided to let the Bank of America fail, and a Saudi-based investment company decided to sue?

Ms. Welch said she urges the Commission to strongly consider what was discussed today.

The Commissioners thanked Ms. Welch for her comments.

There were no additional speakers.

11. Commissioner Reports

Commissioner Miller said she attended the re-dedication to the Jay Dix Station on Saturday and noted how proud she is of the partnership with the city on projects such as this one.

There were no additional Commissioner Reports.

The meeting adjourned at 9:58 a.m.

Attest:


Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner

