

TERM OF COMMISSION: April Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill  
District I Commissioner Fred Parry  
District II Commissioner Janet Thompson  
Health Department Stephanie Sprock  
Stormwater Coordinator Nicki Fuemmeler  
Buyer Phil Fichter  
Director Facilities Maintenance Doug Coley  
Deputy County Clerk Mike Yaquinto

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

**Health Department**

**1. 1<sup>st</sup> & 2<sup>nd</sup> reading; Abatement of a property located at 7601 Hwy VV, parcel #11-318-11-00-003.00 01**

Stephanie Sprock said she received a complaint, via e-mail, on January 3<sup>rd</sup> about this property. She went to visit, walked around the trailer court, and saw about 10 vehicles that were either unlicensed, inoperable or with flat tires. Also, there were approximately 15 lots that had an array of items such as water heaters, appliances, trash, tires, and vehicle parts laying around.

Some of the lots have been cleaned up since then. I have gone back several times leaving my business card at the front office. I have never heard from the property owner and there are still several lots remaining with these issues.

Commissioner Atwill asked about the pictures that are in the packet.

Ms. Sprock said those are pictures of the remaining lots with issues.

Commissioner Atwill asked if Ms. Sprock knows who owns these vehicles in the pictures.

Ms. Sprock said she does not know the owners of the vehicles.

Commissioner Atwill asked for a review of the list of lots with issues.

Ms. Sprock said there are two lots with vehicles remaining and the other five lots have various items laying around. Per the list, that would be lots 5 and 80 with the vehicles and lots 6, 9, 49, 93 and 97 with trash.

Commissioner Atwill asked if there are pictures on all the lots.

Ms. Sprock said no, but all the lots are similar with trash and various items.

Commissioner Thompson confirmed that the two vehicles are the black truck and silver SUV.

Ms. Sprock said that is correct. Both have flat tires.

There were no further questions at this time.

Commissioner Atwill asked if there is anyone here representing the owner.

Charles Burk said he is the owner of the trailer park. He does not own the mobile homes depicted in the pictures, but just leases the lots to the individuals.

Commissioner Atwill asked if the photos are accurate.

Mr. Burk said absolutely.

Commissioner Atwill noted that one of the mobile homes, the one with the side view, has items along the side of it and if they are still there.

Mr. Burk said they are.

Commissioner Atwill asked if he has discussed this with the owner of the mobile home and what the current status might be.

Mr. Burk said he has talked to the owner. He is in bad medical condition and a little hard to deal with. I told him I would haul the items away for him, but without his permission, I don't see how I can walk up and take people's belongings. This could be considered junk trash to us, but to others it is not. He told me that if I touched it, he would call the law and I am not going to jail over this. I am currently in a catch-22.

I am not dis-agreeing with the list. Every year we have a spring cleaning and I notify the people to bring these items to the curb and my crew will pick them up. I also have a permanent container on-site for them to use, but they just seem lazy and don't use it. I send my guys around and if they get permission, we go get those items and dispose of them.

I have had the Sheriff's Department out to tag the vehicles. I even had the last two, shown in the pictures, tagged. The people contacted me and said they have valid license plates. The truck is good to 2018 and the SUV has historic plates. Both have flat tires. In the case of the black truck, the owner is an older man and he just airs up the tires when he is ready to go somewhere. He is in bad health as well, so the vehicle is not really inoperable.

Commissioner Parry asked what qualifies the vehicles as being inoperable.

Ms. Sprock said if the tire is flat, it is inoperable, however, once aired up, it is not a violation.

Commissioner Parry asked about the various concerns that have been listed and what would be considered the biggest threat to public health.

Ms. Sprock said it would be the trash piled up where animals could gather. Also, it has been raining a lot and that can also cause many problems.

Commissioner Parry asked if we send notices to the tenants as well as the property owners.

Ms. Sprock said only the property owner. We do not know who the tenant would be.

Commissioner Parry said that if the county were to clean this up, then the lien would be placed on the property owner.

Ms. Sprock said that is right.

Commissioner Thompson asked if the picture with the red truck and the tires stacked up are still valid.

Ms. Sprock said these pictures were taken yesterday, around 10:00 a.m.

Mr. Burk said this owner will be moving shortly and should be taking those items with him.

Commissioner Atwill asked Mr. Burk if he would like more time to work with the Health Department to correct this.

Mr. Burk said sure. He would be more than happy to haul it away, but would like to know who would deal with the Sheriff once they were called. He needs to know who has the responsibility for this. This person rents the property, pays his rent, so how do I go there and take his stuff.

Commissioner Parry asked if there is any covenant in the lease where they can't stack junk out there.

Mr. Burk said he does have one.

Commissioner Parry asked if the covenant covers this type of thing.

Mr. Burk said it would cover that. He could serve an eviction notice giving them 60 days. After 60 days, they would not have the money to move it and I would be back in court where it would be another 60 days and probably within six months, I could have this cleaned up through the legal system.

Commissioner Parry asked if the tenant has received any notification that this is a problem.

Mr. Burk said he has talked to him and his wife. He is in bad shape and I can talk to his wife again to see if she will give me permission to haul it off. I don't know what else to do.

Commissioner Atwill said we have some risk in moving property that does not belong to the person we notified. I would encourage that you work with Ms. Spock to get this resolved. Some of the items originally identified have been taken care of.

Commissioner Parry said the letters were sent in January and what would be a reasonable amount of time to get this resolved.

Ms. Spock said barring any further complaints, we can work with a 60-day time frame.

Commissioner Thompson said typically what we do is go ahead and issue the order and encourage the parties to work to resolve and perhaps, given this time, and in your case, dealing with tenants, you can say to them that I am dealing with this issue and am being penalized because of your mess.

You then have a contract agreement with your tenants that you can enforce so everybody can work together utilizing the system to keep people safe. As Ms. Sprock has said, vermin can be living in this collection of debris and with all the rain we have had, we could end up with a lot of mosquitoes and mosquito borne disease.

Commissioner Atwill said he believes this case is different. We can't order the removal of an automobile that doesn't belong. I think we just give them the 60 days to work together and bring it back then, if necessary. It needs to be better documented if we are going to do something which includes the other areas. This seems to be a fluid process where some have been taken off the list and maybe the others will be as well. I want to know what the law is on our removing someone else's vehicle before I sign off on this.

Commissioner Parry noted that the code says cars with flat tires are inoperable and the one vehicle has updated tags and the other has historic plates. Are those type of plates needing updating or are they permanent.

Mr. Burk said it is permanent.

Commissioner Parry said he thinks the fair thing, for all parties, is to get this resolved in a 60-day manner. Commissioner Thompson has recommended that we approve the order with the instructions that the Health Department work with the property owner to resolve in 60 days.

Commissioner Thompson said this would give each the flexibility to get things done and gives Mr. Burk the time to utilize the covenant which is in the lease to assist in the remedy of this situation.

Commissioner Parry said it would be 60 days before any financial penalty or abatement be assessed.

Commissioner Atwill said I don't think we can order the removal of a licensed car, that is current, and is in front of the house where the person lives and is not given notice by this Commission and I can't vote for it for that reason.

Commissioner Parry said there is a flaw in the process because we don't require landlords to register their tenants with the county or city. The tenants should be receiving notice in addition to the landlord. We only have teeth with the landlord.

Mr. Burk said for those cars listed on this notice, a copy of the notice was posted the next day to each of those homes. If they were not removed in a timely manner, I called the Sheriff who tagged the cars and then I called the tow company to get them removed.

Commissioner Parry said he would like to move this to the next meeting so we can get some clarity from Stephanie on the specifics of the county ordinance pertaining to the removal of these cars.

Commissioner Thompson said all that is left are the vehicles on lots 5 and 80. All other have been removed. They have received notice and perhaps, if we had some sufficient proof for this Commission to take judicial notice of the fact that they have gotten notice, and that their vehicles will be ticketed.

Commissioner Atwill said he would move to table this for two weeks.

Commissioner Parry said that in the meantime, this gives us a chance for clarity and give Mr. Burk a chance to work with his tenants and decide a course of action.

Commissioner Thompson said that this could give us time for Stephanie to talk to Director Browning about possibly giving notice to the tenants rather than Mr. Burk having to do that.

Commissioner Atwill made a motion to table this item.

Commissioner Parry seconded the motion.

The motion carried 3 to 0.

### **Proclamation**

#### **2. Proclamation recognizing April 4, 2017 as National Service Recognition Day**

Commissioner Thompson said she and Fred Parry had the pleasure of being at the Southern Boone Learning Garden earlier this week and got to see everything in action with the AmeriCorps volunteers. Ms. Grabner is the person at the head of the march at the garden and the AmeriCorps volunteers were down there. They were also at Lee School creating a garden out there.

Commissioner Thompson read the following proclamation:

*WHEREAS*, service to others is a hallmark of the American character and central to how we meet challenges; and

*WHEREAS*, the nation's mayors and commissioners are increasingly turning to national service and volunteerism as a cost-effective strategy to meet county needs; and



***WHEREAS***, AmeriCorps, AmeriCorps VISTA, and Senior Corps address the most pressing challenges facing our cities and nation, from educating students for the jobs of the 21st century and supporting veterans and military families to preserving the environment and helping communities recover from natural disasters; and

***WHEREAS***, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

***WHEREAS***, national service participants enhance the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

***WHEREAS***, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

***WHEREAS***, Boone County, Missouri, currently benefits from a diverse alliance of national service participants including the AmeriCorps volunteers of: Missouri College Advising Corps, Jumpstart Columbia, Big Brothers Big Sisters of Central Missouri, Primaris, Community Leaders Assisting the Insured of Missouri (CLAIM), MO Alliance of Boys & Girls Clubs, Inc., Missouri Healthy Food AmeriCorps Program, Southern Boone Learning Garden, the Columbia Center for Urban Agriculture, Job Point Youth Build, Senior Corps volunteers of RSVP and the Foster Grandparents Program; and

***WHEREAS***, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 4, 2017.

***THEREFORE***, The Boone County Commission does hereby proclaim April 4, 2017, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our county and thank those who serve; and to find ways to give back to their communities.

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby recognize April 4, 2017 as National Service Recognition Day.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #181-2017**

### **Purchasing**

#### **3. First reading; Contract Amendment Number One to C.O. 137-2015 – Cost Allocation Plan Consulting Services**

Phil Fichter read the following memo:

Contract *C.O. 137-2015 – Cost Allocation Plan Consulting Services* was approved by Commission for award to MAXIMUS Consulting Services, Inc. of Springfield, Illinois on March 31, 2015, commission order 137-2015. This amendment adds a 30-day notice for curing a breach of contract prior to cancellation, and it adds that contractor is required, by County, to produce Contractor deliverables, documents, records, working papers, or personnel for testimony or interviews then a change order or new services agreement will be created to set forth any payment and terms.

Invoices will continue to be paid from department 1190 – Non-Department, account 71101 – Professional Services.

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.

**4. First reading; Cooperative Contract 3/2017 – Asphalt Term & Supply**

Phil Fichter read the following memo:

Attached are Term and Supply Cooperative Contracts utilizing the City of Columbia Cooperative Contract 3/2017- Asphalt Term & Supply, with Capital Materials, LLC of Jefferson City, Missouri as the Primary vendor and Christensen Brothers Asphalt of Kingdom City, Missouri as the Secondary vendor. This contract is in effect through January 31, 2018.

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.

**5. First reading; Bid Award 05-25JAN17 – Janitorial Products Term and Supply**

Phil Fichter read the following memo:

05-25JAN17 – Janitorial Products Term and Supply closed on January 25, 2017.

Fourteen bids were received. Doug Coley, Director of Facilities Maintenance and Jody Moore, Facilities Administrative Coordinator recommends award by low bid, quality of product, delivery and ease of ordering as follows:

4.8.1. – 4.8.26. – Smith Paper and Janitorial Supply

4.8.27. – 4.8.30. – Interboro Packaging

4.8.31. – Smith Paper and Janitorial Supply

4.8.32. – Interboro Packaging

4.8.33. – Smith Paper and Janitorial Supply

4.8.34. – Interboro Packaging

4.8.35 – 4.8.37 – No Award

4.8.38 – 4.8.45. – Smith Paper and Janitorial Supply

This is a term and supply contract and invoices will be paid from department 6101 – Housekeeping, account 23031 – Custodial Supplies. Budgeted \$27,180.00

Attached is a copy of the bid tabulation for your review.

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.

## **Resource Management**

### **6. First reading; Approval of Security Agreement and Letter of Credit for Heatherhill Estates**

Nicki Fuemmeler said this is for the Security Agreement and Letter of Credit for Heatherhill Estates in the amount of \$56,006 and is good for two years.

Commissioner Parry asked if this is like a bond.

Ms. Fuemmeler said that Resource Management policy is that any project that is going to spend \$20,000 or more in erosion sediment control costs. So, its 150% of the original sediment control costs and if it is over \$20,000, then they put up some form of collateral.

Commissioner Thompson said paragraphs 2 and 3 show the improvements that will be done which is very helpful and describes what they are required to do.

Ms. Fuemmeler said that if they walk away, then we can go in and stabilize the site. If they finish, then we can release the letter of credit and return the money.

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.

## **Facilities Maintenance**

### **7. First reading; Asset transfer from Public Works to Grounds Maintenance Department**

Doug Coley said this is a transfer of equipment they were going to dispose of. We spend quite a bit of money each year on the MKT Trail using several different vendors to refurbish the trail when we have a good deal of rain. We could do this in-house as we have several people that can operate this equipment.

Commissioner Atwill asked where this will be stored.

Mr. Coley said it will be at the north facility.

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.

**Collector**

**8. Second reading; 2011 Tax Bill Year; remove from delinquent tax rolls property tax balances on real estate and person property (1<sup>st</sup> read 4-3-17)**

Commissioner Parry moved on this day the County Commission of the County of Boone, pursuant to Chapter 139 RSMo, does hereby authorize the Boone County Collector, Brian McCollum, for the 2011 tax bill year, to strike from the delinquent tax rolls, property tax balances on real estate and personal property as follows:

State	\$	3,361.98
County	\$	26,108.54
School Districts	\$	546,381.97
Cities	\$	44,825.79
Fire Districts	\$	2,218.89
Library Districts	\$	34,560.72
Surtax	\$	60,971.36
Common Road	\$	5,305.82
Centralia Common Road	\$	16.99
Total	\$	<u>723,752.06</u>

These 2011 real estate and personal property taxes are stricken for the following reasons:

- After due diligence, the collector cannot locate the owners; or
- Bankruptcy or probate proceedings have intervened making the balances due uncollectible; or,
- The real estate property was not subject to taxation after being acquired by a tax exempt owner after January 1 of the taxable year.

The above total of \$723,752.06 breaks out as follows:

- Personal property \$ 65,554.06
- Bankruptcy and/or probate \$ 5,736.45
- Tax exempt acquisitions \$ 652,461.55

The following tax amounts represent 2010 and prior tax bills that were previously stricken from the delinquent tax rolls in Boone County. The tax amounts were added back to the delinquent tax rolls, and collected and distributed to the taxing entities during the period of March 1, 2016 through February 28, 2017.

State	\$	10.80
County	\$	84.74
School Districts	\$	1,604.73
Cities	\$	128.69
Fire Districts	\$	105.63
Library Districts	\$	131.80
Common Road	\$	13.95
Centralia Common Road	\$	3.35
Total	\$	<u>2,083.69</u>

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #182-2017**

**Commission**

**9. 1<sup>st</sup> & 2<sup>nd</sup> reading; Organizational Use of the Government Center Chambers by Greenbelt Land Trust of Mid-Missouri for April 6, 2017**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Boone County Government Center Chambers by Greenbelt Land Trust of Mid-Missouri for April 6, 2017 from 6:30 p.m. to 9:30 p.m.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #183-2017**

**10. 1<sup>st</sup> & 2<sup>nd</sup> reading; Approve Minutes for 1<sup>st</sup> Quarter, 2017**

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the Boone County Commission Minutes during the I Quarter, 2017, beginning on 01/03/2017 through 03/30/2017.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #184-2017**

**11. Public Comment**

None

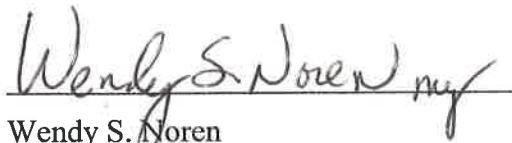
**12. Commissioner Reports**

None



The meeting adjourned at 2:14 p.m.

Attest:

  
Wendy S. Noren  
Clerk of the County Commission

  
Daniel K. Atwill  
Presiding Commissioner

  
Fred J. Parry  
District I Commissioner

  
Janet M. Thompson  
District II Commissioner

