

TERM OF COMMISSION: October Session of the October 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
County Counselor CJ Dykhouse
Director Purchasing Melinda Bobbitt
Environmental Public Health Specialist Kris Vellema
Deputy County Clerk Michelle Thompson

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

Proclamation

1. Proclamation Honoring County Counselor CJ Dykhouse for His Expert Legal Work on Behalf of Boone County

Commissioner Atwill said the practice of law is a particular type of profession where you have to be result-oriented. Getting good results give a chance at having some recognition in the field. CJ delivers on good results regularly. The County is very fortunate to have a counselor with the knowledge, expertise, and commitment he has.

Commissioner Parry said the work CJ did for the Ameren litigation was a very complicated case and this is really going to make a huge difference to the local schools and the library. A lot of counties have chosen not to challenge Ameren's claims. Ameren has challenged at least 16 counties on valuation, and so, Boone County is standing up to that and bringing it back to the citizens of Boone County. What he believes is rightfully theirs. This is a big win for Boone County, and it is a great honor to work with CJ.

Commissioner Thompson echoed the comments of the rest of the Commission. As to this

particular case, other commissioners across the state say they would love to have CJ on board with them. When they see something like Ameren or any other company in their headlights, the company is coming over the top of them. The County is blessed to have someone who has that broad knowledge of various areas of the law. Because of CJ, this money is coming back to the people of Boone County through the schools and the other entities that are receiving this funding.

Commissioner Atwill read the following proclamation:

Whereas, in 2018, Ameren Corporation filed a complaint with the Boone County Board of Equalization after the filing deadline and, after being refused an extension, appealed the decision to the Missouri State Tax Commission; and

Whereas, this appeal required an extensive review process, thus creating a delay in the distribution of significant tax payments to public entities in Boone County; and

Whereas, CJ Dykhouse, Boone County Counselor since 2008, successfully defended Boone County's position in this litigation, using his expertise to the benefit of the affected public entities; and

Whereas, as a result of Tax Commission's favorable decision, the County is now able to distribute Ameren's 2018 property tax payments, more than \$2.8 million, which had been held in escrow by Boone County Collector Brian McCollum; and

Whereas, students of Columbia public Schools, Southern Boone County R1 Schools, and Centralia R6 School District; residents of the City of Columbia; patrons of the Columbia/Boone County Library District; and

Boone County residents served by the other affected public entities will all benefit from the results of CJ's leadership, expertise and persistence.

Therefore, we do hereby honor County Counselor CJ Dykhouse for his outstanding legal work in defending the County of Boone's position in the litigation against Ameren Corporation, which is just one example of CJ's expertise and dedication to the County of Boone and its citizens.

CJ Dykhouse thanked the Commission for this recognition. He is truly humbled by it. Trying to add value on everything they touch is something that everyone in his office, including himself, try to hold to. It is professionally satisfying to see something like this where it can benefit the schools, library, and all the citizens in a tangible way.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby recognize County Counselor CJ Dykhouse for his outstanding legal work and dedication to all the citizens of Boone County.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #474-2019**

Commissioner Atwill said it is a privilege to have members of the Columbia Public School System Board of Directors present today and asked if any of them would like to make a statement.

Jonathan Sessions explained how much the Board truly thanked Dykhouse for his service. Every dollar that comes into Columbia Public Schools means more opportunity for the students and that is what this comes down to. There will be about 1.8 million dollars going to Columbia Public Schools from this. That is incredibly meaningful and powerful. This will

impact more than just Columbia Public Schools. Sessions again thanked Dykhouse for his service to the children of Boone County.

Health Department

2. First & Second Reading; Abatement of Property located at 765 Demaret Drive, parcel #17-313-11-01-148.00 01

Kris Vellema said this one is the same owner as some others done for this street before. The owner is currently residing in the jail, but she has spoken with his girlfriend and she has said that she wants to get it cleaned up. She is willing to work with her, but it is a pretty big mess.

There were no comments or questions from the Commission.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the attached Finding of Public Nuisance and Order for Abatement of a public nuisance located at 765 Demaret Drive, parcel #17-313-11-01-148.00 01.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #475-2019**

Purchasing

3. First Reading; Bid Award: 56-19SEP19 – Right to Harvest Hay

Melinda Bobbitt read the following memo:

Invitation for Bid *56-19SEP19 – Right to Harvest Hay* closed on September 19, 2019. One bid was received. Recommendation for award is Jason Wilhite for

offering the highest payment to County for baling hay.

Central MO Events Center: \$300 per mowing

Sheriff: \$200 per mowing

Facilities Maintenance will administer this contract.

There were no comments or questions from the Commission.

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.

Commission

4. Public Comment

None

5. Commission Reports

None

The meeting adjourned at 1:43 p.m.

Attest:



Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner



Boone County Commission

FOR IMMEDIATE RELEASE

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COUNTY RECOGNIZES DYKHOUSE FOR WORK ON AMEREN LITIGATION

Local Schools to Receive More Than \$2 Million in Withheld Funds

October 31, 2019 – The Boone County Commission recognized Boone County Counselor CJ Dykhouse on Thursday afternoon in honor of his successful litigation against Ameren Corporation, a St. Louis-based conglomerate of power and energy companies. As a result of Dykhouse's work, Boone County will distribute more than \$2.8 million in revenues on Friday to 25 school districts and public entities throughout the county.

Ameren first filed an untimely complaint with the Boone County Board of Equalization in 2018 disputing the valuation of its natural gas distribution system in Boone County. Ameren has filed a similar complaint in at least 16 other Missouri counties. When the County's Board of Equalization refused to extend its deadline for appeals, Ameren appealed that decision to the Missouri State Tax Commission. After an extensive review process, the Tax Commission handed down its decision in September. Ameren was given another 30 days to appeal that decision, which is now final.

As a result of the Tax Commission's decision, the County will now distribute Ameren's 2018 property tax payments which had been held in escrow by Boone County Collector Brian McCollum. On Friday, McCollum will disburse funds to all affected public entities including a payment of \$1,784,357.28 to Columbia Public Schools, \$246,522.98 to Southern Boone County R1 Schools, \$114,945.90 to the City of Columbia, \$109,119.04 to the Columbia/Boone County Library District and \$85,668.84 to the Centralia R6 School District. In all, more than \$2.8 million will be disbursed to 25 public entities that normally receive a percentage of Boone County property taxes.

Columbia Public Schools Superintendent Peter Stiepleman praised Dykhouse's work, saying "Columbia Public Schools is grateful for Mr. Dykhouse's leadership, expertise, and persistence in getting this matter resolved to the benefit of our more than 18,000 students."

Christopher Felmlee, Superintendent of the Southern Boone County R1 school district, said "the Southern Boone School District appreciates the settlement negotiated by County Counselor CJ Dykhouse against Ameren. The funds come at a critical time when residential developmental is the predominant growth development in our community and while the district is investing heavily in teachers to maintain the lowest possible student to teacher ratio in the county."

The Boone County Commission presented Dykhouse with a proclamation honoring his legal work in defending the county's position in this litigation. Several representatives from local taxing entities were also on hand to celebrate the outcome of Dykhouse's work. Dykhouse became County Counselor in 2008 after working in private practice for a number of years.

"A lot of other counties would have chosen to seek outside counsel for an issue of this magnitude but we knew CJ would be diligent in his efforts to pursue a positive outcome," said Dan Atwill, Boone County Presiding Commissioner. "That's just the way CJ works and the citizens of Boone County owe him a debt of gratitude for his outstanding work."

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