

TERM OF COMMISSION: September Session of the July Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Room 301

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Fred Parry
District II Commissioner Janet Thompson
County Counselor CJ Dykhouse
Director Office of Emergency Management Chad Martin
Senior Buyer Liz Palazzolo
Stormwater Coordinator Nicki Fuemmeler
Deputy County Clerk TeQuila Freeman

**Conference Call Information:
Number: 425-585-6224 Access Code: 802-162-168**

Meeting was called to order at 1:30 p.m.

County Clerk

- 1. Second Reading; Approval of the 2020 Boone County Tax Rates.
(1st Read on 9-15-2020)**

Commissioner Parry moved now on this day the Commission of the County of Boone does hereby set the 2020 Boone County Tax Rates per \$100.00 of assessed valuation per County purposes as follows –

The County of Boone – General Revenue \$.1200

Common Road and Bridge \$.0500

Group Home \$.1136

County of Boone Total \$.386

And County-wide Surtax on Subclass III Property \$.6100

Commissioner Parry asked for clarity on this order, whether there would be a total of both.

County Counselor CJ Dykhouse responded no. This will be seen in the larger approval of tax rates that is next on the agenda and will make more sense when seen in the total presentation. But this is the format that supports the underlying programming for the tax filing.

Motion is read on this 17th day of September 2020. It is further ordered that the Presiding Commissioner is hereby authorized to sign said motion.

Commissioner Thompson seconded the motion.

Motion carried 3 to 0. **Order #406-2020**

2. First and Second Reading; Approval of tax rates for political subdivisions in Boone County.

County Clerk Brianna Lennon spoke to the tax rates for political subdivisions in Boone County. The Order in front of the Commission does not contain Village of Hartsburg numbers. She stated that we had a 99% response rate of all the school districts, cities, fire protection districts, library districts, and watershed subdistricts for their respective tax rates. They had their public hearings, and numbers listed are now the tax rates that they have set and we are now memorializing today in this order. The Village of Hartsburg did not reply to us and did not send us a pro forma, so we do not have a tax rate set for them. Lennon reached out to the attorney that she has dealt with. Because for the April election the Village of Hartsburg did not certify their election to us, we could not put it on the ballot and their

attorney did file a lawsuit so we could get it on the ballot. That attorney has indicated that he is not sure if we have a good contact with them or if there is one. To date, requests for responses have gone unanswered. Lennon has spoken with Boone County Counselor Dykhouse and Boone County Collector Brian McCollum on how this impacts the tax rates. This essentially means that the Village of Hartsburg will not have a tax rate set for this year (2020) and we cannot set for them and they will have to deal with this. We will not be able to extend our collection agreement, and next year, if Hartsburg does come back and wants us to collect on their behalf, they will have to enter into a new collection agreement with the County Collector.

Commissioner Parry asked County Clerk Lennon if anyone has tried to reach out to Bill Moellendorf, the current mayor of the Village of Hartsburg?

County Clerk Lennon stated she has reached out several times. Deputy Clerk Freeman has reached out on Lennon's behalf. The attorney we contacted was who we worked with for the election to make sure Hartsburg ended up on the local ballot. We did receive one email from him about the election and haven't heard anything since then. We have been working with this attorney on anything related to the Village of Hartsburg. Lennon looped him into emails approximately 10 days before the deadline and so far, she has had no updates.

Commissioner Parry asked what the consequences of their actions are. Will we not be able to collect taxes on their behalf if they do not have a tax rate?

Counselor Dykhouse replied that September 1 is always a big deadline, and the reason is that the statutes, particularly Revised Missouri Statute 67.110, sets a September 1 deadline for all the political subdivisions to set their ad valorem property tax rate. You must have a public hearing before that date with publication requirements. The statute sets out the consequences to answer Commissioner Parry's questions. Missouri Statute 67.110 provides that should any political subdivision whose taxes are collected by the County Collector of Revenue fail to fix their ad valorem rate by the date provided under this section for such political subdivision, then no tax rate, other than the rate, if necessary, to pay interest and principals on any outstanding bonds, shall be certified for that year. Hartsburg does not have any voter approved bond indebtedness, so what we end up with in this commission order is certifying the rate that the County Clerk is extending onto the tax file that ultimately will be used by the County Collector to create his tax book. We are directed by the statute to not extend the rate for Hartsburg for the County Collector's collecting. Counselor Dykhouse said that this has happened before with other municipalities in Boone County and, in those circumstances, on at least one occasion that he is aware of, the municipality sent out their own tax bills and tried to collect their own taxes.

However, they do not have near the success rate of Collector Brian McCollum's office, nor do they have any of the County Collector's infrastructure. It usually serves to increase their appreciation for the County Collector's services for at least four or five years after something like this happens. The consequence for us is clear in the law that it is not appropriate for us to extend the Village of Hartsburg's rate. We are happy to work with Hartsburg to see if they can do some self-help. County Collector McCollum and Counselor Dykhouse have talked about this, and in early 2021 we will approach Hartsburg to

implement a new tax collection agreement that will exclude the 2020 tax collection year. This will let the Boone County Collector start collecting taxes for the Village of Hartsburg for 2021, if they so desire. He suspects they will. As you know, when Collector McCollum gives his annual report, his collection rates, on the real estate/property tax side are over 99%. It is hard to beat the collection rate that the County Collector provides to the taxing entities.

Commissioner Parry stated he would like to reach out to the Mayor of the Village of Hartsburg and asked if there was a chance to table this order until we had an absolute final answer from them.

County Clerk Lennon responded that the County Tax Rates are due on September 20, 2020, so historically we have always tried to get it done this week, so it is submitted in time. That portion of it cannot be delayed and so we need to rely on County Counselor Dykhouse for instruction.

Counselor Dykhouse would hesitate to go past the deadline of September 20, 2020 because it could call into question the extension rate of all the entities that did everything they needed to do properly and on time by September 1, 2020.

County Clerk Lennon commented that if the Village of Hartsburg did not hold a public hearing by September 1, 2020, even if they got us something today, that could open other problems.

Commissioner Thompson stated that this is not a new law to the entities.

Counselor Dykhouse stated that we have been through this with the City of Sturgeon, City of Rocheport and now the Village of Hartsburg.

Commissioner Atwill noted that all that could be done has been done and called for a motion.

Commissioner Parry moved now on this day the County Commission of the County of Boone does hereby set the 2020 Tax Rates per \$100 of assessed valuation for accounting purposes as indicated here on the certified copy of order submitted by the County Clerk and the record reflect these proposed rates as if they were read verbatim.

It is further ordered that the Presiding Commissioner is hereby authorized to sign said order.

Commissioner Thompson seconded the motion.

Motion carried 3 to 0. **Order #407-2020**

3. First and Second Reading; COVID-19 Caterers License Accommodation

Counselor Dykhouse stated that COVID County Clerk Brianna Lennon spoke with him regarding the possibility of doing a COVID-19 Caterers Liquor License accommodation in connection with the County's Liquor License program. The State of Missouri Division of Alcohol/Tobacco Control has, at times, required facilities that have liquor licenses to obtain a second State of Missouri caterers license if their points of sale of liquor are on a sidewalk or an area, such as a parking lot, that is immediately adjacent to their facility. That seems

like a reasonable thing to do, having sales outside in order to prevent the spread of COVID-19, but it does not seem entirely equitable to require the business to obtain a second license to do that. Our liquor license program in Boone County is a derivative of the State of Missouri's program, so we cannot call signals that are different from what they are doing. But what we can do, for purposes of this order, during liquor license year, 07/01/2020 – 06/30/2021, is set the amount of our caterers license required by the State of Missouri – Division of Alcohol/Tobacco Control, under these facts, where we have an adjacent liquor license holder that is just trying to do this to prevent the spread of COVID-19, we can set our caterers liquor license at \$0.00 (zero). Businesses will get a County of Boone license for their facility at the normal rate and then get a caterer's liquor license, in these particular facts and circumstances, with a charge of \$0.00 (zero). That is the proposal before you.

Commissioner Thompson moved now on this day the County Commission of the County of Boone does hereby adopt COVID-19 Caterers License Accommodation –

Whereas, the Boone County Commission adopted the State of Missouri's schedule fees as Boone County's liquor license fees in Commission Order 50-1981; and

Whereas, during the COVID-19 pandemic several liquor license holders have had to adjust their operations to permit liquor license sales in outdoor areas immediately adjacent to their licensed premises, such as adjacent sidewalks or parking lots; and

Whereas, the Missouri Division Alcohol/Tobacco Control (ATC) is requiring an additional state liquor license, specifically a caterers license, for licensees to sell alcohol in areas immediately adjacent to their otherwise licensed premises; and

Whereas, the COVID-19 pandemic has necessitated certain health orders and other actions which have adversely impacted many businesses which hold liquor licenses; and

Whereas, to relieve some administrative burdens during these unprecedented times, the County of Boone will temporarily set any required county caterer's liquor license fee at \$0.00 for liquor license holders who have a current liquor license for premises immediately adjacent to the sidewalk, parking lot, or adjacent outdoor area where that licensee is making alcohol sales for the license period that runs from July 1, 2020 through June 30, 2021.

Now, therefore, the County Commission of the County of Boone does hereby temporarily set the county caterers liquor license fee at \$0.00 for the license period July 1, 2020 through June 30, 2021 for any caterers liquor license required by the ATC to facilitate alcohol sales from a current holder of a county liquor license at the premises immediately adjacent to the sidewalk, parking lot, or other adjacent outdoor area where that licensee is making alcohol sales in an effort to prevent the spread of COVID-19.

It is further ordered that the Presiding Commissioner is hereby authorized to sign said order.

Commissioner Parry seconded the motion.

Motion carried 3 to 0. **Order #408-2020**

Purchasing

- 1. First Reading; Contract 152-123120SS – Single Feasible Source for the National Automobile Dealers Association Valuation Subscription for the Assessor’s Office JD Power Chicago, Illinois**

Senior Buyer Liz Palazzolo stated that attached for approval and signature is the sole source request form # 152-123120SS for the National Automobile Dealers Association Subscription for the Assessor’s Office JD Power Chicago, Illinois. The Purchasing Department requests approval of single feasible contract # 152-123120SS that has been established on behalf of the Assessor’s office. The subscription is necessary for the Assessor’s office to conduct reliable valuation of vehicles for County tax assessment purposes. The subscription is proprietary to JD Power. The single feasible source has been advertised in both the Missouriian and the Columbia Tribune. No other vendors have come forth to indicate that they are able to provide the subscription. The contract period will run 10/01/2020 – 09/30/2021 and there are two 1-year renewal options after this initial period. Payments will be paid from the following accounts – Fund 2010 Assessment, Account 71100 Outside Services for a total of \$18,000.00

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

2. First Reading; Computer and Peripheral Surplus Disposal

Senior Buyer Liz Palazzolo stated that the Purchasing Department requests permission to dispose of the following list of surplus PC's, peripheral equipment, non-working air conditioners, filing cabinets, and other misc. items through MRC Recycling Center. MRC will pick up our surplus for \$50.00 per truck load; tube monitors and televisions cost extra. There is also an extra charge for items that contain freon. They are a Level IV State of Missouri DNR recycling center. No computer items are landfilled. Purchasing Department will obtain a certificate of destruction and we will let them know that we want everything recycled, not reused, and nothing will end up in the landfill. Prior to MRC coming to Purchasing for disposal, Information Technology has removed the hard drive for destruction by their department. Their procedure for disposal is listed and identified in the E memo. MRC Recycling certifies that they will pick up the items and all items will be recycled, not reused. So, nothing will end up in the landfill.

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

3. First Reading; Award 35-03SEP20 – Pre-Printed Envelopes for the Boone County Collector

Senior Buyer Liz Palazzolo stated requests for 35-03SEP20 – to solicit bids for Pre-Printed Envelopes for the Boone County Collector had a total of 12 responses received: 7 bids and 5 no bids. The 7 bids were reviewed by Boone County Collector Brian McCollum, Chief

Deputy Collector Crystal DeSilva, and Lead Deputy Collector Grace Hayes. The Purchasing Department conducted cost evaluations. After reviewing the 7 bids, the 2 lowest priced bids were determined to be non-responsive to specification requirements and because of past unsuccessful performance history with the County. Sample envelopes and reference information were also considered in the evaluation. The County is preparing to award the contract for pre-printed envelopes to Cenveo Worldwide Limited of Villa Ridge, Missouri, the lowest priced responsive bid presenting compliant sample envelopes and positive reference information.

The contract period will run from 09/28/2020 through 09/27/2021.

Payment will be paid from the following Department 1150 Collector/Account 23001 printing – for a total of \$10,508.00.

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

4. Second Reading; Amendment Number Six to Contract #08-01MAR16 – On-Line Computer Legal and General Research Services.

(1st Read on 9-15-2020)

Commissioner Thompson moved now on this day the County Commission of the County of Boone does hereby approve the attached Amendment Number Six to Contract #08-01MAR16 – On-Line Computer Legal and General Research Services. Terms of the contract are stipulated in the attached amendment.

It is further ordered that the Presiding Commissioner is hereby authorized to sign said Amendment.

Commissioner Parry seconded the motion.

Motion carried 3 to 0. **Order #409-2020**

5. Second Reading; Amendment Number One - 19-31DEC20C - Consulting Services for Survey, Geotechnical, Design, and Engineering Services, LLC to Construct a Radio Tower at Rock Bridge/Gentry Schools (1st Read on 9-15-2020)

Commissioner Parry moved now on this day the County Commission of the County of Boone does hereby approve the attached Amendment Number One - 19-31DEC20C - Consulting Services for Survey, Geotechnical, Design, and Engineering Services, LLC to Construct a Radio Tower at Rock Bridge/Gentry Schools. Terms of the contract are stipulated in the attached amendment. It is further ordered that the Presiding Commissioner is hereby authorized to sign said Amendment.

Commissioner Thompson seconded the motion.

Motion carried 3 to 0. **Order #410-2020**

Resource Management

- 1. First Reading; Release of the Performance Bond from the United Fire & Casualty Company issued on behalf of Coil Construction, Inc. for stormwater improvements.**

Nicki Fuemmeler stated that she visited the PET Mobility site on Meyer Industrial Blvd on September 11, 2020 and found the site to meet the requirements for their permits to be final, so we can release the performance bond back to Coil Construction.

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

- 2. Second Reading; Approval of Stormwater Security Agreement and Irrevocable Letter of Credit for Martha's Grove Plat 3 (1st read on 9-15-2020)**

Commissioner Parry moved now on this day the County Commission of the County of Boone does hereby approve the attached Stormwater Security Agreement and Irrevocable Letter of Credit for Martha's Grove Plat 3 between the County of Boone and Tracey Arey Real Estate LLC.

The terms of the agreement are stipulated in the attached extension agreement. It is further ordered that the Presiding Commissioner is hereby authorized to sign said Agreement.

Commissioner Thompson seconded the motion.

Motion carried 3 to 0. **Order #411-2020**

Emergency Management

1. First Reading; State Homeland Security Program Funding Opportunity/State Homeland Security Grant.

Director of Office of Emergency Management Chad Martin is asking for Commission approval for grant application for State Homeland Security Program Funding Opportunity/State Homeland Security Grant. This is a subset of an original grant that has already been through Commission for approval. This is what they refer to as "Round 2" funds which means some additional monies were left over. There is no match for this program. We were given a very short time frame to turn in the application, what we are looking for today is Commission to understand that this is first reading but will need Commission approval to efficiently act upon this application. This program is going to support some technology inside the incident support team trailer that we are partnered in with the Boone County Fire District. Chief Olson oversees the incident support team. We house the trailer and maintain the equipment inside of it. Today, through a training and inventory event, it was determined some of the items contained in the trailer were outdated and needed to be updated, such as computer-related software and accessories. The grant request is \$11,497.50. Again, there are no matching funds, and this is a grant application.

No questions from the Commissioners.

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

Commission

1. First and Second Reading; Paul Zullo-Board of Adjustment, Reappointment of 4-year term 10-01-20 thru 9-30-24

Commissioner Thompson moved now on this day the County Commission of the County of Boone does hereby reappoint Paul Zullo to the Board of Adjustment as a reappointment of 4-year term 10-01-20 thru 9-30-24.

It is further ordered that the Presiding Commissioner is hereby authorized to sign on this 17th day of September 2020.

Commissioner Parry seconded the motion.

Motion carried 3 to 0. **Order #412-2020**

2. First and Second Reading; Application from Home Church for use of Courthouse Plaza.

Commissioner Parry moved now on this day the County Commission of the County of Boone does hereby approve the organizational use of the Courthouse Plaza by Home Church of Columbia, Missouri for Rosh Hashanah Pray on 09/18/2020 from 5 p.m. to 10:15 p.m.

Commissioner Thompson seconded the motion.

Motion carried 3 to 0. **Order #413-2020**

Public Comment


None.

Commissioner Reports

None.

Meeting adjourned at 1:59 p.m.

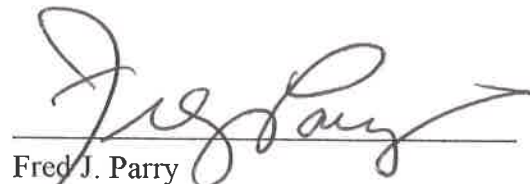
Attest:



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