

April 10, 2019

Chairman Duffy called meeting to order at 8:00 a.m. with all members present. Zinnel moved Behn seconded motion to approve the April 3, 2019 meeting minutes. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Behn moved Zinnel seconded the motion to approve the agenda as published No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Dan Kolacia, County Attorney; John Grush, Community Services Director & Stacy Tharp, Human Resources Director met with Board to determine response to employment concerns related to Boone County employees working in Madison County. Kolacia explained the purpose of terminating the positions was to limit liability as there is no benefit to Boone County any longer as 28E agreement for case management has expired.

The function of administrative assistant and social worker/ service coordinator will need to be filled by Madison County as the mental health region requires each County to provide that level of staffing in their county. Grush commented on transition plan with Madison County Termination date May 17, 2019. It is expected that administrative assistant and social worker/service will be terminated as Boone County employees on last day of work May 17, 2019 as these positions must be provided in Madison County employees.

Financial data manager provides IT and financial management services to region and position can be provided from any location. This is a region position and Grush suggested moving her base to Boone.

Behn moved Zinnel seconded motion to terminate the positions of Boone County employee providing an Administrative Assistant and Social Worker/Service Coordinator in Madison County IT / Financial Manager Brandi Kanselaar will office in Boone County effective immediately. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Russ Stevens, Buildings and Grounds review amount spent to design tunnel repair and they can supervise construction within the initial estimate of cost. The original estimate of cost to design and engineer and take specifications to bid was \$35,000. To date we have spent approximately \$17,000.

Reports and discussion on any issue the Board members need to share with each other

Lois Powers, Boone County Landfill and Recycling Administrator presented departmental update & FY2020 budget presentation.

Zinnel moved Behn second motion to set Wednesday April 24, 2019 at 9:00 a.m., in their chambers as the date, time and place for the Landfill Advisory Committee meeting and budget approval. . No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve 2019 Applications for Homestead Credit and 2019 Applications for Military Credit as recommended by Boone County Assessor as follow. No: None; Yes: Duffy, Zinnel and Behn. Motion passed. **Military & Homestead:** Calvin E & Debra K Hubbard, 212 Gerald St, Madrid; Dennis C Walton, 1598 Xenia Dr, Ames (Colfax Township). **Military:** Eugene A Meier, 1996 Olive Pl, Woodward (Cass Township); Steven R & Mary Anne Holland, 905 S St, Boone; Matthew S & Jana Bennett, 1952 QL LN, Madrid (Douglas Township); Robert C & Evelyn M Howe, 631 S Jackson St, Boone; Alan R Gallahan, 1516 Benton St, Boone. **Homestead:** Steven Einar & JoAnn Torgerson, 446 Fairview Dr, Madrid; Jonathon & Callie Ayers, 1011 222nd St, Ogden (Marcy Township); Bryan C & Paige M Mueller, 1403 Lowell Cir, Boone; John Taylor, 1403 Tama, Boone; Bobby E & Christy R Duncan, 1309 Noble Lynx Ln NE, Boone (Worth Township); Micheal B Carswell, 627 W First St, Madrid; Cheryl Lynne Chopard, 1705 13th St., Boone; Taylor Anthony Thornburg, 915 14th St, Boone; Michael & Suzanne Grothe, 1414 270th St, Madrid (Worth Township); Dylan Nelson, 1304 Aldrich St, Boone; Vivian Salama, 202 S Division St, Boone; Susan Van Cannon, 1122 5th St, Boone; Cathy Farris, 429 Clinton St, Boone; Rhonda R Jones, 1632 1st St, Boone; Tita B Bechard, 1318 S Linn St, Boone; Travis William & Katrina Tilley, 320 NE 3rd St, Ogden; Julia Ann Stone, 2028 Five Mile Dr, Boone; Justin & Faith Henson, 427 Benton, Boone; Tammy R Little, 824 College St, Boone; Susan Pratt, 1422 Argo St, Boone; Mark F & Pamela J Dodge, 1241 Jade Pl, Ogden (Marcy Township);

Jeff D & Ammie J Dighton, 1204 Nightingale Pl, Boone (Worth Township); Dale M Howe, 856 Leaf Rd, Boone (Yell Township); Richard W & Barbara A Silver, 1975 210th St, Boone (Jackson Township); Dillon J & Ashlie R Hilsabeck, 624 S Main St, Boone.

Behn moved Zinnel seconded motion to approve issuance of Boone County Credit Card for Emergency Management with a credit limit of \$5,000.00. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Behn moved Zinnel seconded motion adopting Resolution 2019-14 - Procurement Policy for Boone County – as follows. . No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

RESOLUTION 2019- 14 PROCUREMENT POLICY FOR BOONE COUNTY

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal and state law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for Boone County that include any federal program funding, as well as those related to the implementation and administration of the CDBG award, Pre-Hazard Mitigation Grant or the Emergency Management Planning Grant (EMPG). In regards to aforementioned federal programs, all procurement will be done in accordance with 2 CFR; Part 200.

POLICY

METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

- A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$100,000 (\$150,000 for federal programs). If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources.
- B. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction.
 1. In order for sealed bidding to be feasible, appropriate conditions must be present, including, at a minimum, the following:
 - (a) A complete, adequate and realistic specification or purchase description is available;
 - (b) Two or more responsible bidders are willing and able to compete effectively for Boone County business; and
 - (c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.
 2. When sealed bids are used for procurement under a grant, the following requirements apply:
 - (a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers;
 - (b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids;
 - (c) All bids shall be opened publicly at the time and place stated in the invitation for bids;
 - (d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest.

Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Boone County indicates that such discounts are generally taken; and

- (e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- C. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for procurement under a grant, the following requirements apply:
 - 1. Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be considered to the maximum extent practical;
 - 2. Requests for Proposals shall be solicited from an adequate number of qualified sources;
 - 3. Boone County shall have a written method for conducting evaluations of the proposals received and for selecting awardees;
 - 4. Awards will be made to the responsible offeror whose proposal will be most advantageous to Boone County, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing; and
 - 5. Boone County may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It can not be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.
- D. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to one or more of the following:
 - 1. The item is available from only a single source;
 - 2. After solicitation of a number of sources, competition is determined inadequate;
 - 3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; or
 - 4. The awarding agency authorizes noncompetitive proposals.
- E. Boone County will take affirmative steps to assure, to the greatest extent possible, that contracts are awarded to qualified small and minority firms, women's business enterprises, and labor surplus area firms whenever they are potential sources. These affirmative steps must include:
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

- f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e).

CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. Boone County shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders. Boone County shall make an independent estimate prior to receiving a bid or proposal.
- C. Boone County shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. In determining a fair and reasonable profit, Boone County must consider the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area.

PROCUREMENT RECORDS

Boone County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

AWARDED CONTRACTS

- A. Boone County will not award a contract to a party listed as debarred, suspended, or otherwise excluded in the System for Award Management (SAM).
- B. Any contracts awarded shall comply with 2 CFR 200.326 and Appendix II to Part 200.

Behn moved Zinnel seconded motion to approve the following budgetary transfers between county funds. From General Basic to General Supplemental \$150,000.00 which represents the final half of taxes collected. From Rural Basic to Secondary Roads \$1,144,998.00 is final half of FY2019 planned transfer. From CIE Fund to Debt Service to transfer TIF revenue to pay the principle and interest due on CIE financing \$302,000.00, and from General Basic to Boiler Replacement to build up cash for future expense \$ 7,500. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Board reviewed and placed on file letter from Dakota Access Pipeline.

Behn moved Zinnel seconded motion to approve pay adjustment for Doug Twigg, Full-time Sheriff's Deputy to \$28.03 per hour effective March 16th, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Behn moved Zinnel seconded motion to approve pay adjustment for Terry Hall, Landfill/Recycling Part-time Transfer Station Operator to \$12.50 per hour effective April 18th, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve pay adjustment for Kristen Bollenbaugh, Full-time Dispatcher to \$18.04 per hour effective May 9th, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve pay adjustment for Lisa Lawton, Full-time Dispatcher to \$20.19 per hour effective May 24th, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve pay adjustment for Stanton Safley, Full-time Secondary Roads Maintenance to \$19.62 per hour effective April 22nd, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve pay adjustment for Michael R. Peterson, Full-time Secondary Roads Foreman to \$28.75 per hour effective April 22nd, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Zinnel moved Behn seconded motion to approve pay adjustment for Lance Kooiker, Part-time Sheriff's Deputy to \$27.98 per hour effective January 24th, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Stacy Tharp, Human Resources Director reviewed Employee Handbook and presented departmental update.

Behn moved Zinnel seconded motion to approve contract with TASC for Cobra administration dated March 13, 2019. No: None; Yes: Duffy, Zinnel and Behn. Motion passed.

Duffy adjourned the meeting at 11:47 a.m.
These minutes were approved March 17, 2019.

Attest: Philippe E. Meier
Boone County Auditor