



# BUCHANAN COUNTY COMMISSION

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Ron Hook  
Western District Commissioner

Scott Nelson  
Presiding Commissioner

Scott Burnham  
Easter District Commissioner

## Meeting Minutes Wednesday, July 12, 2023

In attendance were Commissioner Ron Hook, Presiding Commissioner Scott Nelson, Commissioner Scott Burnham, Purchasing Agent Kim Hartman, Administrative Coordinator Amy Kendall, Judge Kate Schaefer, Maintenance Supervisor Roger Murphy, County Attorney Josh Bachman and with MoDOT Nathan King and Bryce Acton

Presiding Commissioner Nelson called the meeting to order at 9:00 am.

## Meeting Agenda

Presiding Commissioner Nelson made a motion to approve today's agenda. Commissioner Burnham seconded the motion.

## Meeting Minutes

Presiding Commissioner Nelson made a motion to approve meeting minutes for Monday, July 10, 2023. Commissioner Burnham seconded the motion.

## Business

Nathan King and Bryce Acton with MoDOT reviewed the Buchanan County Bridge Summary Report with the Commissioners. Two bridges were not able to be inspected, SE Mitchel and Saxton and will be inspected at a later date. Henman Road bridge was requested to be inspected and evaluated by Jefferson City. A binder was left with Purchasing Agent Kim Hartman. Nathan King and Bryce Acton left the meeting at 9:20 am.

A court order authorizing Ambrozi Contracting to do all repair work from the water damage to Division 1 and surrounding offices due to the storm July 4, 2023, was presented. Commissioner Burnham stated he will not be signing the court order, he feels we need to have professional people that specialize in restoration come in, the damages are significant. Commissioner Hook stated he will not sign the court order; he doesn't think a court order is necessary. Judge Schaefer stated she knows they are working hard, but there is still a lot that needs to be removed. The jury room, Cindy Reeder's office and the law library are still wet and they are leaving it alone until they have time to do it. She knows asbestos test was negative, but there is mold growth, and the smell is awful. An independent firm, not roofers need to come in. To not take wet carpet out when its wet is a concern. Judge Schaefer added she is worried about the workers, our employees, and people that are here for court. Roger Murphy asked why they are not getting everything that is wet out. It will be next week before they get to some of the wet stuff and the mold can get worse. Roger added they need to stop construction and start demo work. He can smell the must 4 floors up; they need to get the insulation out. Judge Schaefer stated they have not looked behind the walls and there is damage back there, she asked where her speakers are, they were brand new speakers. Presiding Commissioner Nelson said that priorities do need to change. Roger Murphy said that all the wet stuff needs to be taken out, you do not put-up new drywall while there is still wet dry wall in there. Commissioner Burnham said this is why he wants to hire professionals and wants a court order authorizing whoever is doing the work. County Attorney Josh Bachman stated that Ambrozi needs to be told to do the repairs or not to do it. He is not obligated to do this repair, therefore there should be a court order, Ambrozi is volunteering to do the work. No one works on the courthouse without authorization. Both parties are insured and should turn into insurance and let the insurance companies work it out. Presiding Commissioner Nelson said in general he agrees with that. Commissioner Burnham added, especially when that is not



what they were hired to do. Commissioner Hook stated that any damage to the roof or the dome, it's up to them to fix. It was brought up in a meeting that if there is any damage they would repair it. Commissioner Burnham asked Commissioner Hook why won't you sign the court order, they are doing something different than what they were hired to do? Commissioner Hook stated, according to Ambrozi, they are hiring professionals to come in and clean. Commissioner Burnham stated that we have a disagreement which is another reason to have a court order. Purchasing Agent Kim Hartman added, or we can do a no cost change order, or a cost change order. Roger Murphy stated they had 3 guys at max, if we outsource, they will have a larger crew addressing every room that is damaged. As a courthouse and all the damage, it makes sense to get a bigger crew to get this done faster. Presiding Commissioner Nelson shared a timeline Ambrozi contracting submitted to him. Purchasing Agent Kim suggested that everyone get together and have a meeting. Presiding Commissioner Nelson said this work does need to be sped up we can ask them if they can deliver on that. We do have to deal with the mold. If we are ok with the urgency and their response to urgency, then that decides it for us. Commissioner Hook agreed to that. Commissioner Burnham stated they have already started working on damages they were not authorized to work on. This is our courthouse; we can control who comes in and does work. We can hire someone to come in and they can work on what they were hired to do. We need insurance in here and have an adjuster assess. Things can come up down the road, it doesn't mean we will have a claim against us, we need to make sure our insurance has all the information. Purchasing Agent Kim said Bill Brinton started the claim, he was told to stop with the claim. Commissioner Hook asked who stopped the claim. Purchasing Agent Kim said Presiding Commissioner Nelson and Commissioner Hook said they do not want a claim and didn't want Bill Brinton to proceed with the claim. Presiding Commissioner Nelson and Commissioner Hook did not mean that, they both said that was a miscommunication. A discussion about talking to Fritz Ambrozi today or tomorrow and his crew to see where this goes. Purchasing Agent Kim will set up a meeting for tomorrow for a progress meeting and storm damage discussion. Commissioner Burnham said he is not implying that Fritz's guys don't have the ability to do the work, there is a conflict of interest having them do the work. Commissioner Hook stated that if that is what everyone wants, they will have a conversation with Fritz and get someone else to do it. All commissioner's agreed to get a hold of CBIZ and to get an adjuster here. There was more discussion on the work, to have them stop work until meeting with Fritz, question asked if we are going to let them know we are getting outside firm to come in to work interior damage. Presiding Commissioner Nelson said again that priorities changed, and urgency has changed the answers to those questions will lead us to what follows. Commissioner Burnham stated that if they continue to work today then a court order needs to be signed. Purchasing Agent Kim stated that if an emergency order is done for repair, all 3 Commissioners must sign the emergency order. Commissioner Hook called Tim Miller and asked him to come to the meeting. Roger Murphy stated we have a situation, the guys on the roof are not wearing harnesses. Jeff Ellison with Ellison-Auxier Architects was contacted, he stated it is up to the contractor to make them wear harnesses. Tim Miller said he would inform the workers they had to have harnesses on while on the roof. Presiding Commissioner Nelson spoke to Joe Morrey, Joe thought the Commission could enforce the rule and shut the project down. Tim Miller, project manager for the roof/dome project joined the meeting at 10:00. Presiding Commissioner Nelson asked Tim; would you want a third party to come in and take control of the cleanup and repairs? Tim stated no because I have everything under control. Presiding Commissioner Nelson said to Tim the smell needs to be addressed and the top priority is to get wet insulation out above the jury room, law office and office next to law office. Commissioner Hook asked Tim, how would you like to have the whole thing off your plate? Tim Miller replied he doesn't need it off his plate. Roger Murphy stated that nobody is doubting that you (Tim) can do this. It is noted you are doing everything you can. The concern is getting everything removed that is wet. There were several discussions at one time on mold, insulation, and sheet rock. Tim Miller stated he doesn't think we have a problem as of yet. Roger Murphy reiterated the sooner we can eliminate all the wet product and get it out the better. It should have been the first thing done. Presiding Commissioner Nelson asked Tim to remove the insulation in law office,



Cindy Reeder's office, and the jury room. Tim Miller said he will work on getting all the wet insulation and sheet rock out of those rooms. Judge Shaefer and Tim Miller left the meeting at 10:15 am.

Terry Clark with Creal Clark & Seifert Architects/Engineers, Inc. joined the meeting at 10:15 to discuss the generator project at the courthouse. He shared the plans and specs, if they are ok this is ready to go out for the bid process. A discussion about the size of the generator, dates for project completion. The delivery time for a generator is up to 65 weeks. Discussion on working on generator site after the roof project is complete. It was decided to make start date April 1, 2024, for generator project. Presiding Commissioner Nelson explained to Terry the invoice he received was for the labor of putting in a 4<sup>th</sup> wire on the Academy HVAC project. Terry will look into it. He was not aware of it being pulled separately. Terry and Kim Hartman left the meeting at 10:35 am.

Court orders to transfer funds were presented and approved by Presiding Commissioner Nelson, Commissioner Burnham, and Commissioner Hook.

Court orders to void checks and payroll vouchers were presented and approved by Presiding Commissioner Nelson, Commissioner Burnham, and Commissioner Hook.

A court order in receipt of the agreement with AAT Communications for the Green Acres Tower Lease, dated December 28, 2004, was presented, and approved by Presiding Commissioner Nelson, Commissioner Burnham, and Commissioner Hook.

A court order authorizing a check to Precision Metal Works from Economic Development was presented and approved by Presiding Commissioner Nelson, Commissioner Burnham, and Commissioner Hook.

The court order authorizing Ambrozi Contracting to do the repair work from water damage to Division 1 and surrounding offices due to the storm July 4, 2023, was presented and approved by Presiding Commissioner Nelson and Commissioner Hook. Added to this court order was until further notice.

### **Adjourn**

With no further official business on the agenda Commissioner Hook made a motion to adjourn to any unofficial business that may develop during the day. Commissioner Burnham seconded the motion. All are in favor of adjourning. The meeting ended at 10:51 a.m.

On Wednesday July 12, 2023, at 11:10 Commissioner Burnham made a motion to go into closed session. Commissioner Hook seconded the motion. Roll call vote: Commissioner Scott Burnham Aye, Commissioner Hook Aye and Presiding Commissioner Nelson Aye. Commissioners and County Attorney Josh Bachman went into closed meeting for work session with County Counselor pursuant to RSMo 610.021 (1). Presiding Commissioner Nelson left the meeting at 11:15am. Commissioner Burnham made a motion to end the closed meeting. Commissioner Hook seconded the motion. Roll call, Commissioner Hook Aye, Commissioner Burnham Aye. Meeting ended at 11:40 am.