

MINUTES
EXECUTIVE COMMITTEE
FEBRUARY 21, 2012

Members Present: Supervisors Molinaro, Ekornaas, Elverman, Clark, Michel, Noble and Breunig

YIG Present: Rende and Jekot

Also Present: Frank Volpintesta, David Geertsen, Ray Arbet and Carol O'Neal

1. 6:32 pm
The meeting was called to order by Chairman Molinaro in the second floor committee conference room at the Administration Building. All members present with the exception of Supervisor Noble.
2. 6:32 pm
Citizen Comments: None
3. 6:32 pm
Chair, Supervisor and YIG comments:
YIG Jekot announced she was awarded the Mayor's Youth Commission scholarship with the help of this committee.
4. 6:33 pm
Communications:
Chairman Molinaro commented on a memo dated February 15, 2012 that he received from legal counsel for the WCA regarding an Eau Claire County Circuit Court decision regarding the WRS contribution for elected officials. The decision is specific only to them but this may be something this committee wants to do. He requested the corporation counsel look into this.

Supervisor Noble arrived at 6:36 pm

Molinaro also distributed a letter dated February 18, 2012 from KMD Consulting Services, the new team on board with the Menominee Tribe. They were in town last week and we had a good meeting with them. They have done a number of projects across the country with various tribes. They have done due diligence over the past two years on our project. He is optimistic this project will go forward.

5. 6:40 pm
Approval of minutes of February 7, 2012 meeting:
Supervisor Ekornaas made a motion to approve the minutes. Seconded by Supervisor Michel. All aye. YIG voted aye. Motion carried.
- 6a. 6:40 pm
Report on status of Corporation Counsel's 2011 and 2012 budgets:
Volpintesta reviewed the two budgets and said at this time, there are no problem line items.
Supervisor Clark made a motion to receive and file the reports. Seconded by Supervisor Michel. All aye. YIG voted aye. Motion carried.
- 6b. 6:44 pm
Contracting Policy
Volpintesta said there were three areas where additional work needed to be done. Everything else was agreeable to this committee as well as Administration. On page 2, claims were

discussed as to whether they go to the board or to the county executive. Claims are more appropriately addressed in the Claims policy. Claims are resolved through WMMIC. Anything not insured would end up coming to the board but all claims are handled through the insurance company. The second issue was employee benefits. The last item was section 1.11.

Molinaro had a question about section 1.08. He had provided language that he wanted to become a second paragraph under this section. Volpintesta brought the document up on the video screen and inserted Molinaro's proposed language. Supervisor Clark said he had concerns about the RFP process and add alternates. Molinaro said he is asking that before the release of the RFP and construction bid, that it be reported to the committee. He is comfortable with Highway and Social Services projects being carved out. Supervisor Elverman said Molinaro's paragraph covers most of his concerns raised previously. His biggest concern was alternates and change orders. The committee was never aware of the alternates. This language takes care of that. Molinaro asked O'Neal to address any concerns she has with this language.

O'Neal asked if they wanted all RFP's or just those over \$250,000. Molinaro said just those in excess of \$250,000. O'Neal said her concern is as the RFP document is prepared, it goes back and forth before it is finalized. If we bring it before the committee and already have the advertisement out there, you may request more changes. We will have to re-advertise and come back to another meeting to approve the changes. Her main concern is bringing it back multiple times for changes. Molinaro said he doesn't anticipate there will be amendments. If you have already published it, you are too late and you should plan accordingly. He is just looking for a report that states these are the RFPs going out, here is the timeline. He just wants a modest report.

Clark said it is an opportunity to receive input. Administration can take it or leave it. It comes down to having input. If someone has questions, everyone will understand what is going on. He also wants a recap of the project when it is done.

Dave Geertsen said his concern is workload. Purchasing is a small, 3-person office. You are willing to exempt Highway and Human Services but should anything else be exempt. He would like O'Neal to discuss workload. O'Neal said we have been delegating some of the bigger RFPs to other departments. This policy will result in our writing more reports, attending more meetings and more computer time. Molinaro confirmed that purchasing already tracks various contracts that are out for bid and suggested that could be their report. O'Neal said she has no problem bringing a report. She had concerns about the language regarding input. She also pointed out all the documents are on the county's website.

Jekot left the meeting at 7:20 pm.

Ray Arbet said what you are asking for, a report that defines the scope of the base product, he tries to share that with the committee now. We provide monthly updates to the committee. I think this is more of a formalization of that. We should be providing you with the bid tabulation. He has concerns from a timing standpoint. There are certain projects that are time sensitive or weather sensitive, i.e., the irrigation project. Clark said if time is of the essence, he is comfortable with it being handled between administration and the committee chairman.

Geertsen said he would also like to see the \$250,000 figure indexed to inflation and repeated there is an impact to workload. In order to act in a leaner fashion, we have good technology out there like Share Point and we can put it out there for anyone to look at it at anytime they want. You want a report to the committee but we do have technology we can use, we don't have to bottleneck the process.

Volpintesta said the big issue is accountability and transparency. When you develop the budget and turn it over to the county exec, it is his duty to do the RFP. The scope of the project should be defined at budget time. If you want input, input is different than reporting. Input suggests you

can make changes. What input are you looking for? Most of the RFP is just boiler plate. Are you micromanaging where something won't get done? Molinaro said he doesn't care if it is on the web. He wants a report to the committee. Arbet said he wants language on time sensitive projects that says we can just talk to the chairman.

Supervisor Clark made a motion to add Molinaro's language to section 1.08 but amend it so that the \$250,000 figure is adjusted by the 2012 CPI; and further amend it so that if time is of the essence, the committee chairman be notified and discern whether the requirement to come to the committee prior be waived; and further amend it so that Highway and Human Services projects be excluded. Seconded by Supervisor Michel. All aye. YIG voted aye. Motion carried.

Moving on to section 1.11, Molinaro asked the committee to use the 3-paragraph handout for editing purposes. Volpintesta brought the document up on the video screen and inserted the proposed language. Clark said we should strike any reference to input and change it to reporting. Also, change the 48 hour reference to two business days. Molinaro said we should add Human Services contracts to paragraph 2. This committee still needs input for change orders.

Supervisor Clark made a motion to approve the changes to section 1.11. Seconded by Supervisor Bruenig. All aye. YIG voted aye. Motion carried.

Volpintesta said some of the changes you are making to section 1.11 are contrary to our past opinions.

Supervisor Bruenig made a motion to approve the contracting policy as amended. Seconded by Supervisor Clark. All aye. YIG voted aye. Motion carried.

Molinaro said the first reading of this resolution will be on Tuesday, February 28, 2012.

- 8:23 pm
6c. Cell phone ordinance:
Volpintesta said Joe Cardamone in his office has been in touch with Representative Barca's Office. Volpintesta read an e-mail Cardamone received from Barca on the status of the legislation. This will be a state-wide law. Molinaro requested this item be carried over to the next meeting.
- 8:27 pm
6d. Updates to Ethics Code:
Molinaro requested this item be carried over to the next meeting.
- 8:27 pm
6e. Updates to Municipal Code:
Volpintesta mentioned policies and ordinances need to be reviewed for cleanup purposes. One policy references the Policy and Rules Committee which no longer exists. Molinaro requested this item be carried over to the next meeting and asked Volpintesta to make a recommendation on the priorities.
- 8:33 pm
6f. On-line publication:
Molinaro requested this item be carried over to the next meeting.
- 8:33 pm
6g. Ordinance to amend section 8.02(5)(c) and (d):
Molinaro said this amendment results from problems encountered with Club Climaxx. He requested the first paragraph be amended to three business days instead of two.

Supervisor Breunig made a motion to amend the first paragraph to three business days. Seconded by Supervisor Clark. All aye. YIG voted aye. Motion carried.

Supervisor Breunig made a motion to approve the ordinance as amended. Seconded by Supervisor Noble. All aye. YIG voted aye. Motion carried.

- 8:37 pm
6h. Response to BIA concerning casino:
Volpintesta said our Washington DC attorney is drafting a letter, a copy was in your packet. Your motion would be to instruct Mr. Baur to forward that letter with any supplement he deems necessary.

Supervisor Noble made a motion to approve the letter with any comments outside counsel sees fit and forward it to the BIA with both the county board chairman and county executive signing it. Seconded by Supervisor Elverman. All aye. YIG voted aye. Motion carried.

Supervisor Breunig left the meeting at this time.

- 8:39 pm
7. **Supervisor Clark made a motion to go into closed session. Seconded by Supervisor Ekornaas. Roll call vote: All aye. Motion carried.**

Return to Open Session:

- 8:55 pm
8. Any other business: None
- 8:55 pm
9. **Supervisor Elverman made a motion to adjourn. Seconded by Supervisor Clark. All aye. YIG voted aye. Motion carried.**

Respectfully submitted,

Linda Haney
Legal Assistant