



COUNTY BOARD STAFF COMMITTEE
Minutes – October 10, 2017

Call to Order. Chair Podzilni called the meeting of the County Board Staff Committee to order at 4:01 P.M. in Conference Room N-1 on the fifth floor of the Rock County Courthouse-East.

Committee Members Present: Supervisors Podzilni, Kraft, Peer, Thomas, Brill, Mawhinney, and Bussie.

Committee Members Excused: Supervisors Arnold and Sweeney.

Staff Members Present: Josh Smith, County Administrator; Randy Terronez and Nick Osborne, Assistants to the County Administrator; Jodi Timmerman, Interim Corporation Counsel; Annette Mikula, Human Resources Director; Kate Luster, Human Services Director; Lance Horozewski, Children Youth & Families Division Manager – Human Services; Brent Sutherland, Facilities Management Director (at 5:00 P.M.).

Others Present: Judge Jeffrey Kuglitsch.

Approval of Agenda. Supervisor Peer moved approval of the amended agenda, second by Supervisor Thomas. ADOPTED.

Citizen Participation, Communications and Announcements. Mr. Smith reminded the Committee of the meeting on October 17, 2017 at 4 P.M. for the Corporation Counsel interviews.

Approval of Minutes – September 12, 2017. Supervisor Mawhinney moved approval of the minutes of September 12, 2017 as presented, second by Supervisor Bussie. ADOPTED.

Transfers. None.

Review of Payments. The Committee accepted the report.

Resolutions.

Recognizing Marilyn Loveland for Service to Rock Haven

“NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this ___ day _____, 2017 does hereby recognize Marilyn Loveland for her 28 years, 9 months of service and extend their best wishes to her in her future endeavors.”

Supervisor Bussie moved approval of the above resolution, second by Supervisor Brill. ADOPTED.

Recognizing John Welch for Service to Rock Haven

“NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017 does hereby recognize John Welch for his 21 years, 9 months of service and extend their best wishes to him in his future endeavors.”

Supervisor Peer moved approval of the above resolution, second by Supervisor Kraft.
ADOPTED.

Recognizing Jodi Welch

“NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017 does hereby recognize Jodi Welch for her 19 years, 10 months of service and extend their best wishes to her in her future endeavors.”

Supervisor Mawhinney moved approval of the above resolution, second by Supervisor Bussie.
ADOPTED.

Recognizing Linda Lou

“NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017 does hereby recognize Linda Lou for her 27 years, 8 months of service and extend their best wishes to her in her future endeavors.”

Supervisor Thomas moved approval of the above resolution, second by Supervisor Mawhinney.
ADOPTED.

Recognizing Sergeant Kenneth J. Marquardt

“NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017, does hereby recognize Sergeant Kenneth J. Marquardt for his over 28 years of faithful service and recommends that a sincere expression of appreciation be given to Sergeant Kenneth J. Marquardt along with best wishes for the future.”

Supervisor Bussie moved approval of the above resolution, second by Supervisor Kraft.
ADOPTED.

Amending the 2017 HSD Budget to Accept CLTS Funds and Create 11.0 FTE Positions

“NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017, does hereby approve the creation of 6.0 FTE Social Worker positions and one Human Services Supervisor I in the CLTS Program; 3.0 FTE joint CLTS/CCS Social Worker positions and one Human Services Supervisor II in the CCS Program; and the purchase of computers, phones and furniture for the new positions.

BE IT FURTHER RESOLVED, that the 2017 Budget be amended as follows:

...”

Supervisor Thomas moved approval of the above resolution, second by Supervisor Kraft.

Ms. Luster explained the program as outlined in the Executive Summary. Ms. Luster said they are doing some shuffling and rearranging to accommodate the additional staff. She said the County is required to provide this care.

ADOPTED.

Requesting State Law Change Allowing Counties the use of the Design-Build Construction Method and Update the Statutory Bidding Requirements

“**NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017 does hereby request that the Rock County Legislators introduce and support legislation authorizing counties to utilize the Design-Build option.

BE IT FURTHER RESOLVED that the legislature take action to update the antiquated project limit in Sec. 59.52(29), Stats. from \$25,000 to \$250,000, and the requirement of a Class 1 notice be raised for any public work to a cost in excess of \$50,000.

BE IT FURTHER RESOLVED that the County Clerk is authorized to send copies of this resolution to the Rock County Legislative Delegation and the Wisconsin Counties Association to elicit support for this requested change in state law.”

Supervisor Peer moved approval of the above resolution, second by Supervisor Thomas.

Ms. Timmerman said she felt the Committee left with the wrong impression after the last meeting, as it had been asserted that time that everyone but Counties and Towns were able to utilize Design-Build. She said no municipality is able to use this method, with the exception of a provision in Chapter 84, regarding bridges, and the building commission for the State. School Districts have the authority to utilize it but are also subject to referendum related issues.

Supervisor Mawhinney moved to rescind the amended language the Committee adopted at their September 12, 2017 meeting, second by Supervisor Bussie.

Supervisor Mawhinney said she would like to review the use of this method in a year to see if the figures used are correct.

ADOPTED.

Supervisor Mawhinney moved to have the language go back to the original amounts to be consistent with other counties, second by Supervisor Peer. PASSED on the following vote: Yes – Supervisors Brill, Bussie, Mawhinney, Peer, Podzilni and Thomas; No – Supervisor Kraft; Absent – Supervisors Arnold and Sweeney.

Authorizing Engagement Letter in Relation to Claims Against Opioid Manufacturers

“NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2017 does hereby authorize, and agrees to be bound by, the Engagement Letter and hereby directs the appropriate officer of the County to execute the Engagement Letter on behalf of the County; and

BE IT FURTHER RESOLVED that Rock County shall endeavor to faithfully perform all actions required of County in relation to the claims contemplated herein and in the Engagement Letter and hereby directs all County personnel to cooperate with and assist the Law Firms in relations thereto.”

Supervisor Kraft moved approval of the above resolution, second by Supervisor Thomas.

Chair Podzilni informed the Committee that this potential lawsuit was talked about at the Wisconsin Counties Association (WCA) Annual Convention. He added that the WCA suggested each County should adopt this resolution.

Ms. Timmerman said she sat in on a joint phone call with Andy Phillips from the Wisconsin Counties Association, the attorneys involved in this litigation and other corporation counsels from various counties. She stated that there is some “push” for the counties to join this litigation. Lawsuits have been filed in other states and MDLs, multidistrict litigation committees, are being formed. The attorneys associated with this law suit would like to be appointed to the executive committees associated with the MDLs, as it is their belief that such an appointment would provide an advantage in the event of a settlement. She added that, under Chapter 100, counties will be considered a person for purposes of having standing to sue. Ms. Timmerman said some things to keep in mind are: the gathering of information for this may take a great deal of staff hours; confidentiality issues are also in question; a decision had to be made on how to divide any potential settlement; there has been talk on hiring an expert in order to make decisions on how to distribute the money in the event of a settlement, but that everyone in the lawsuit would have to agree on how to divide the settlement. She added that if we don’t get in on this we will not get any of the money if there is a settlement or a positive result. Ms. Luster added that the question on how to apply a formula for settlement is perplexing, this is a very complex issue, and this is one strategy.

ADOPTED.

Review and Possible Action on Policy 5.31, Overtime, Flex and After Hours Payments.

Supervisor Brill moved the changes to Policy 5.31, second by Supervisor Mawhinney.

Ms. Mikula said the change is to page 150 and removes a title we no longer have, and to move the Youth Services Center Supervisor so they have the ability to get overtime for hours worked.

ADOPTED.

Review and Possible Action on Appendix A, Unilateral Wage Scale.

Supervisor Mawhinney moved approval of the change to Appendix A, second by Supervisor Peer.

Ms. Mikula said the change is to Range 16 to change the (C) to an A*.

ADOPTED.

Discussion of Community Agency Initiatives Funding in the 2018 Recommended Budget.

Mr. Smith handed out a memo explaining the establishment of Policy 2.19 regarding contributions to nonprofit organizations, and the September 2017 Wisconsin Attorney General's formal opinion (OAG-01-17) in response to a request from Shawano County regarding whether the County had statutory authority to provide a contribution to a local food pantry. The Attorney General opined that Shawano County did not have the authority to provide this contribution because food pantries are not listed in Chapter 59, Wis. Stats., as something the Legislature has given counties authority to fund. Mr. Smith said, as a result of the Attorney General's opinion, we have reviewed Chapter 59, Wis. Stats., to determine which agencies Rock County is authorized to provide funding for.

Mr. Smith went over the agencies who have requested funding from Rock County and explained which ones the County can and cannot fund. He added, this is to be consistent with the Attorney General's opinion.

Mr. Smith said he realized some may feel this is mean, or that we are cutting back because of the budget, but we have increased funding in other areas that are appropriate to fund.

Resolutions - Requesting State Law Change Allowing Counties the use of the Design-Build Construction Method and Update the Statutory Bidding Requirements

At 5:00 P.M. Ms. Timmerman said Mr. Sutherland is now here and asked the Committee if they wished to revisit item 6.G.

Supervisor Kraft made a motion to reconsider and moved to put Resolution 6.G. Requesting State Law Change Allowing Counties the Use of the Design-Build Construction Method and Update the Statutory Bidding Requirements, second by Supervisor Bussie. ADOPTED.

Mr. Sutherland said the Wisconsin Facilities Management Association, which he is part of, would like to have all the resolutions the different counties adopt to be the same. Also, he felt having the numbers at part of the resolution would help it pass through the legislature.

Mr. Sutherland handed out a packet of information on Choosing a Project Delivery Method – A Design-Build Done Right Primer, the Design-Build Institute of America 2015 State Statute Report, a map showing the 2017 Design-Build State Authorization, and a copy of the resolution St. Croix County adopted. He said Design-Build is allowed in school districts but not in municipalities in the State of Wisconsin. He explained the Facilities Management Association would like the same resolution used. He said the Association feels if they have enough support the WCA will get behind them and it will have a better chance to pass. He added that he feels if the limits are removed it could cause some problems, we want to bid some of the projects, and if the bidding limits are pulled it may not pass. Mr. Sutherland used an example of a \$13,000 project that had to be bid out, was over engineered and became a \$60,000 project. Mr. Sutherland concluded that he feels the use of the Design-Build Construction Method would be of great value to the County.

Supervisor Kraft moved to stay with the original resolution as previously adopted by the General Services Committee, second by Supervisor Mawhinney. ADOPTED.

Adjournment. Supervisor Mawhinney moved adjournment at 5:20 pm, second by Supervisor Bussie. ADOPTED.

Respectfully submitted,

Marilyn Bondehagen
Confidential Administrative Assistant

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.