



## **LEGAL AFFAIRS COMMITTEE MEETING – Thursday March 14, 2019**

The Legal Affairs Committee meeting was called to order by Chair Mike Leis, at 11:00 a.m. on Thursday, March 14, 2019 in Room 309 at the Courthouse Annex.

Members Present: Mike Leis, David Eggen, Justin Running and Dave Strudthoff. Kay Stanek attended by phone.

Others in attendance were David Abt, Dennis Brault, Tim Hundt, Roger Call, Nate Campbell and Renee Tryggestad.

**Affirmation of proper public notice of meeting was given.**

**Review of the February 14, 2019 minutes. Motion to approve the minutes as written by Eggen, second by Running. Roll call vote. All members voted yes. Motion carried.**

**Review/approval of vouchers/budget status. Motion by Eggen, second by Running to approve the vouchers presented at the March 14, 2019 meeting. Roll call vote. All members voting yes. Motion carried.**

**Audience to Visitors – None**

Since the person that wanted to speak on Citizens United was not at the meeting yet, the committee moved to the next item on the agenda.

**Discussion on Gerry Mandering.** Strudthoff stated the Legislature wants to stay in this law suit to support Gerry Mandering but the Governor wants out of the law suit. Strudthoff stated the State of Wisconsin is forced to be in it and wondering if our Attorney General and the Governor have to be good players. Abt stated he is not familiar with this law suit. Abt stated we can express our concerns. The Attorney General will have to be a good player and support the law suit as it stands.

**Loss Control report & Workers Compensation report.** Tryggestad reported loss control we still have open claims for the Nursing Home (1) and Human Resources (2). The Highway claim has been paid and closed. For 2018 year end on Workers Compensation we had had 29 claims, 27 days' work loss and paid \$39,214.12. For 2019 we have 5 claims, zero lost time and \$201.45 paid.

**Committee Members reports/questions – none**

**Corporation Counsel Update with Dave Abt, Abt Swayne Law, including a discussion and possible action regarding board rules and ordinances related to public bidding on County contracts.** David Abt stated this has to do with the \$25,000 limit on bidding and if we want to continue to carry it forward on certain types of bids, Section 2-63. Abt stated this is not in conflict or required by State law. Chief Deputy Sheriff – Nate Campbell stated they need to hire an engineer for advice on the new radio system for the Sheriff's Department and would like to hire by reputation, which is hard to do with the current ordinance. Abt stated we will need to repeal Section 2-63 and amend the current County Board Rules to include the following added rule in lieu of local ordinance: Prior to any County Department entering into a purchase agreement where the estimated cost of such contract exceeds \$25,000 the committee overseeing said department shall ensure that the contract be let by sealed competitive bid and awarded to the bidder whose bid is determined by the relevant committee or the County Board to be the most

advantageous to the County unless the committee makes a finding that to let said contract by sealed competitive bid is not consistent with the County's best interest. **Motion by Strudthoff, second by Running to repeal Section 2-63. Roll call vote. All members voting yes. Motion carried. Motion by Strudthoff, second by Running to approve amending the County Board rules adding the above rule in lieu of the local ordinance. Roll call vote. All members voting yes. Motion carried.** Leis stated these will be presented at the April 16, 2019 full County Board meeting. Brault suggested sending the new rule to all department heads to make sure this meets the needs of the departments. If changes need to be made the rule can be amended at the County Board meeting.

**Citizens United.** Brault handed out a resolution passed by the Town of Viroqua stating that only human beings, not corporations, unions, nonprofit organizations, nor similar associations are entitled to constitutional rights. Brault explained that the Citizens United want a County Referendum in 2020. It is a movement to amend the Constitution stating Corporations are not people and money is not speech. Brault handed out and explained the attached documents.

**Messer ERD Litigation – Dave Abt, Abt Swayne Law, The Chair will entertain a motion to enter into a closed session, pursuant to Wisconsin Statute 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Enter into closed session, if motion is made and passed. (Roll call vote if motion is not unanimous).** It was confirmed that Stanek was alone. **Motion by Strudthoff, second by Running to enter into closed session. Roll call vote. All members voting yes. Motion carried.**The committee entered into closed session at 11:30 a.m.

**Reconvene in open session pursuant to Wis. Stat. 19.85(2). (Roll call vote if motion is not unanimous). May act on items in closed session. Motion by Running, second by Eggen to reconvene in open session. Roll call vote. All members voting yes. Motion carried.** Reconvened into open session at 11:47 a.m.

Leis stated the committee will revisit Citizens United at the next meeting.

**Set next meeting.** April 11, 2019 at 11:30 a.m. in Room 309, third floor Courthouse Annex.

**Motion by Eggen, second by Strudthoff to adjourn at 11:58 a.m. Roll call vote. All members voted yes. Motion carried.**

Minutes respectfully submitted by Renee Tryggstad, County Clerk's Office