

Meeting Minutes, December 15<sup>th</sup>, 2016 @ 10:00AM

NINTH MEETING OF THE WOODBURY COUNTY POLICY REVIEW COMMITTEE

Location: Board Chambers, first floor of the Courthouse  
620 Douglas Street, Sioux City, Iowa 51101

Members present: Matthew Ung, County Supervisor; Pat Gill, County Auditor, Ed Gilliland, Director of Human Resources; PJ. Jennings, County Attorney; Tonia Abell, Human Resources

Audience Attendees: Kenny Schmitz, County Building Services Director, John Malloy (IT Director), Shane Albrecht (Baker Group), David Jorgensen (Baker Group), Ernie Colt (NCSRCC), Felicia Hilton (NCSRCC), Scott Williams (President, NWIBCT), Reggie Torno (Northwest Building Trade), Abigail Sills, County Civil Attorney

**Agenda**

- I. Call to order ---Ung
- II. Public Comments  
No public comments
- III. Approval of Agenda  
Approved by consensus
- IV. New Business
  - A. **Misc. Updates** Performance Bond project  
Per Gilliland, Review of Contractors liability follows module of contract and shouldn't add cost.
  - B. **Quality Assurance for Bidding (1<sup>st</sup> review of new practice)**  
Ung began with introductory remarks. Time was needed for Building Services Director Kenny Schmitz to review state code, practices, and check for duplication. As there are three outgoing Board members, action is requested at the upcoming Tuesday board meeting.

Schmitz pinpointed three objectives: view of the County procedure, compare areas of duplication with that of state code, and show merit to improve. The County is meeting requirements of Iowa, liability and coverage. The County has \$5 million aggregate for current specifics limit project contracts within contractual requirements. Schmitz recommended quality assurance questionnaire for bids over \$135,000. Discussion to any changes, including that of language would not be allowable. Gill then observed in the past exceptions were allowable under majority of the Board. Baker Group, David Jorgenson relayed their business provides a template to contractors which follows Code A132 & 232, standard for Iowa law. Sills advised public bid process be constant, if there are exceptions it opens for complaint. Sills then recommended transparency of bid process. Jennings further noted a line could be added, "exceptions subject to Board approval apply" and the need to follow process, except in the extreme. Concern whether specification under \$135,000 be put out for bid. Schmitz requested discussion for future agenda.

Ung noted there is no past practice and that the contract questionnaire would need to be of public record.

Jennings affirmed. Ung resolved an approved practice would be a pro-active approach to improve the process going forward.

In regards to the questionnaire, Schmitz commented he had revised it to 2 pages to keep shorter and eliminate redundancies. Schmitz believes this will reduce the amount of time contractors would need to fill out and return.

Discussion was open to public comment.

NSSRCC, Felicia Hilton voiced concern of subcontractors abiding by wage and hours by the absence of two particular questions weakens point to define responsible contractor.

**Question #16 (Has Contractor ever failed to complete any work awarded to it?)**

**Question #20 (Contractor affirms that it will retain only subcontractors who will fully comply with bid specifications, including those that address requirements concerning labor)**

Baker Group, Shane Albrecht affirmed the concern is valid, whereas subcontractors misclassify workers and allow 1099 with no benefits, including work comp. Albrecht recommended to go back to Contractor and ask for records, if suspicions arise. Jennings validated keeping question #20, it may not get all workers legitimate coverage, however the County would have defense if needed. Ung affirmed adding questions #16 and #20 agreeable.

Jorgensen questioned if contractor replies “yes” what actions would be taken. Jennings commented the County would need to look further into details and put contractor on notice. Schmitz not opposed to adding #16 and #20.

Ung agreed marking “yes” would not be an automatic no, but would trigger a review.

Schmitz advised a separate sheet be added by contractor to explain any red flags. The Baker Group and the committee agreed that certain language dealing with the county’s ability to investigate a bidder’s practices should be added to the actual bidding documents.

**Motion by Ung to recommend to Board the adoption to follow process of Quality Assurance**

**Questionnaire with the addition of questions #16 and #20 and more descriptive header by legal.**

**Second by Gill. Passed 5-0.**

**C. Acceptable (Network) Use (6<sup>th</sup> review of new policy)**

Gilliland agreeable to the wording of the policy and has no issue. Gilliland plans to review progressive disciplinary action steps needed based on the outcome of phishing campaign by WCICC. Actions can lead up to termination. Ung tasked Human Resources with the investigations of network use abuse. Jennings’ belief is that elected officials and managers will get policy out and stress disciplinary actions. Human Resources will disseminate the policy and investigate network abuse. Ung noted passage of this new policy will be a major topic at the January department head meeting. **Motion by Ung to add signature line and recommend to Board to adopt policy for acceptable network use for the January 3<sup>rd</sup>, 2017 board meeting. Second by Jennings. Passed 5-0.**

**D. Human Resources**

**i. Review Contractors Liability** – Discussed in items IV (a) and IV (b)

V. Policy item requests for future

**A. Contract & Archival Procedure (2<sup>nd</sup> review of new policy)**

**B. Building Use Policy (2<sup>nd</sup> review of new policy)**

Jennings will get outside input and inform Ung of timetable to bring forward.

**C. IT: Social Media, Retention, USB/Thumb Drive Storage, Cloud Storage and Mobile Device Management**

VI. Discussion: Committee reauthorization for 2017 by Board of Supervisors

Ung suggested keeping policy committee going. Ung plans to chair committee if approved and would like to add a 2<sup>nd</sup> Supervisor to sit on committee in 2017. Committee members all agreed to stay with committee if approved, and agreed the committee has done some great work. Next meeting if committee approved will be scheduled in late January or early February 2017.

VII. Meeting adjourned 11:50AM