

MANAGEMENT SERVICES COMMITTEE
McHenry County Government – Administration Building
667 Ware Road
Woodstock, IL 60098

MINUTES OF TUESDAY, MARCH 24, 2009

Chairman Schuster called the Management Services Committee meeting to order at 8:30 a.m. The following members present: Chairman Ersel Schuster; Yvonne Barnes; Lyn Orphal; Kathleen Bergan Schmidt; Tina Hill; and Paula Yensen. Pete Merkel arrived at 8:32a.m. Also in attendance: Adam Lehmann, Administrator Intern; John Labaj, Deputy County Administrator; Tom Sullivan and Paul Lerner, IT; John Hadley, Facilities Management; Cathy Link, Purchasing; Ralph Sarbaugh, Associate County Administrator/Finance; Michael Smoran, Legal Counsel for the Cable Franchise Ordinance; and representatives from KS & A and Dougherty Construction.

Ersel Schuster, Chairman	
Yvonne Barnes	Tina Hill
Pete Merkel	Lyn Orphal
Kathleen Bergan Schmidt	Paula Yensen

MINUTE APPROVAL

Committee members reviewed the minutes of March 10, 2009. Ms. Orphal made a motion, seconded by Ms. Barnes to approve the minutes as presented. The minutes were approved with a majority of member's present voting aye on a voice vote.

PUBLIC COMMENT: None

Mr. Merkel arrived at 8:32a.m.

PUBLIC HEARING

Ms. Yensen made a motion, seconded by Ms. Barnes to enter into a public hearing at 8:32a.m. for the Cable Franchise Ordinance. The motion carried with all members present voting aye on a voice vote.

Mr. Michael Smoran, legal counsel for the Fox Valley Cable Consortium, joined committee members to provide information of the proposed cable franchise ordinance. Committee members questioned why committee members were looking at an ordinance instead of a Franchise Agreement. Mr. Smoran noted that the cable operators are entitled to an agreement, but, an agreement was never provided for consideration. The Ordinance is a basic, conservative streamlined agreement. If the landscape changes again, the agreement can be modified and gives the County the flexibility to address issues in the future. This agreement addresses Mediacom, Comcast and Charter Cable Companies. It does not address AT & T as they follow a different set of ordinances as a video service provider. Comcast had previously wanted some comprehensive legislation, but this went by the wayside. Committee members noted concern that the agreement does not address quality of service issues. It was noted that these issues are addressed by State Legislation and the county is stuck with the current standards imposed. If there is a breach of the contract, the County has to give Comcast a 30 day notice, which does not appeal with the constituents. He stated he has not heard of Comcast agreeing to stricter standards for government agencies. Mr. Smoran noted that a year ago, the commission, and municipalities entered into a franchise agreement. The commission did not want to invest time for continued negotiations that may be a watered down version of what we have. We have a streamlined version that can be legally changed or renegotiated at any time. Committee members questioned why Mr. Smoran was handling this issue for the County instead of being handled in house. It was noted that Mr. Smoran has the legal expertise to deal with cable issues. It was noted that this is a very technical field that follows Federal Law and Mr. Smoran has the background to help deal with the cable situation. The County previously had an agreement that expired in 2001. In 2005 the County joined the Fox Valley Cable Consortium to get more "pull" with Comcast. All entities have agreed to the current ordinance with the exceptions of Lake in the Hills and West Dundee. After a lengthy discussion the committee members left the Cable Franchise Ordinance Public Hearing on a motion by Mr. Merkel, seconded by Ms. Hill. The motion carried with all members present voting aye on a voice vote at 9:50a.m.

Committee members reentered regular session at 9:50a.m. Ms. Barnes made a motion, seconded by Ms. Orphal to move the Cable Television Franchise Ordinance up on the agenda for consideration at this time. The motion carried on a unanimous voice vote. Ms. Schmidt made a motion, seconded by

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Ms. Hill to recommend approval of the Cable Television Franchise Ordinance as presented. The motion carried with six ayes (Barnes, Merkel, Orphal, Schmidt, Yensen, Schuster) and one nay (Hill).

PRESENTATION

Mr. Chris Hanson, KS&A, joined committee members to provide a presentation of the design build services presentation for the new Treasurer's Office. KS&A will be working in conjunction with Doherty Construction. Mr. Hanson noted they selected a local firm that could deliver a project on time and within the proposed budget. Key project issues include space, traffic flow for both people and paper, public accommodations as well as others. The facility would be unique to McHenry County as this would be the first Treasurer's office that would have a drive through window. Site considerations a facility security was discussed with committee members. Some recommendations for replacement of items within the facility were discussed. Committee members were informed that overall the facility is in great shape though there are some upgrades that are needed within the facility. Ms. Link noted that a pre-RFP meeting was held with 66 companies represented. Out of these companies, 25 bids were received. A committee was formed consisting of Chairman Koehler, Ms. Link, John Hadley, Ms. Schuster, Ms. Miller, and Mr. Merkel. After reviewing these bids, the choice was narrowed to 4 vendors. One company pulled out because of changes to personnel within their company. After reviewing the remaining bids the KS&A and Doherty Construction team were chosen to be the best responsible bidder. There is some breathing room within the contract as the Treasurer does not want to move in until completion of the tax bills going out in the Fall. Some items that were suggested for replacement could be completed at a later date. The Treasurer would like to include an elevator within the facility as well and this is something that could be considered at a later date. Committee members were reminded that the \$350,000 price tag is not a total for the project as additional costs could include repair of the parking area, IT connections, utilities and roof repairs. There are also some unknowns with the construction as well. Once the project has been approved by this committee, the Finance and Audit committee and the County Board project oversight would be taken over by the Building Projects Committee. It was suggested that a Resolution, with a total budget, be put together for consideration at the next committee meeting.

NEW BUSINESS

Annual Performance Contract Review (Siemens – John Hadley): This item was pulled for presentation at the next committee meeting.

OLD BUSINESS

None

REPORTS TO THE COMMITTEE

Administrator: None

Cable Commission: See above

Council of Governments: The next Council of Governments meeting will be held tomorrow at the McHenry Country Club for those interested in attending.

EXECUTIVE SESSION: None

ADJOURNMENT:

The meeting adjourned at 9:27 a.m. on a motion by Ms. Barnes, seconded by Ms. Orphal with all members present voting aye.

RECOMMENDED FOR COMMITTEE/BOARD ACTION:

Cable Television Franchise Ordinance

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