

RESOLUTION ~~39-2010~~ <sup>10</sup>

To Furnish County Training and Conference Centers

~~WHEREAS, the Polk County Board of Supervisors adopted Resolution 10-10, which directed the Buildings Director and the Information Technology Director to develop and equip the County Board Room and the East, West and Lower Level Conference Rooms as training and conference centers with video, audio and teleconferencing capabilities; and~~ *Whereas, adopted Resolution 10-10 authorizes expenditures, "in part or in whole as deemed necessary; and (see below)\*"*

WHEREAS, there is a practical need to furnish these rooms so that they may be used as training and conference facilities, in a manner consistent with the resolution.

WHEREAS, without the incurrence of further cost to the County; the County may furnish the noted rooms immediately with the chairs and tables that the County possesses, as a result of the purchase by the Human Services Department; and

WHEREAS, by using said chairs and tables to furnish the noted rooms as training and conference facilities, the County would avoid any losses that would be associated with either the return of such furniture to Business Interiors by Staples, or other disposition; and

WHEREAS, the County would experience rather immediate cost-savings in the form of reduced operating costs and training expenditures by furnishing the noted rooms with the chairs and tables already in the County's possession; and

WHEREAS, the County would experience a return on investment on its training and conference rooms when making seminars and training events available to other municipalities on a fee basis; and

WHEREAS, consistent with state law and county policy, the Human Services Board has addressed the personnel issues associated with the void purchase by the Human Services Department; and

WHEREAS, while not lessening the significance of the void purchase, it is in the interest of County, for all reasons cited above, to retain the furniture and to move forward on the training and conference room initiative.

NOW, THEREFORE, BE IT RESOLVED, consistent with Policy 912, the Polk County Board of Supervisors declares void the purchase of furniture from Business Interiors by Staples, previously made by the Human Services Department.

BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors re-affirms the transaction previously made.

BE IT FURTHER RESOLVED, that the expenditure for the furniture, as a capital asset, is out of the 2010 operating budget of the Human Services Department.

BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors retains the furniture and transfers the furniture from the Human Services Department to the Buildings, Parks and Solid Waste Department.

BE IT FURTHER RESOLVED, the Polk County Board of Supervisors directs the Buildings, Parks and Solid Waste Director to install said furniture consistent with the directive provided in Resolution 10-10.

*\* Whereas, the Human Services Board wants to finalize that part of Resolution 10-10 involving the furniture purchase from Business Interiors by Staples, for the East, West and Lower Conference rooms, and*

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Funding Amount: \$39,700.77 from 2010 Human Services Operating Budget

Funding Source: Transfer of Capital Asset as Noted.

Date Finance Committee Advised: N/A Effective Date: upon passage

Approved as to form:



Jeff Fuge, Corporation Counsel

Date Submitted to County Board: June 15, 2010

County Board Action Failed

Sponsored and Submitted By the Human Services Board

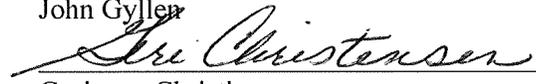


Diane Stoneking, Chair

Russ Arcand

David Markert, Ph.D.

John Gyllen



Kristine Kremer-Hartung

Gerianne Christiansen

William Alleva

Timothy Strohbusch



Marvin Caspersen

Legislative Note:

By adopting the resolution, the County Board of Supervisors reconfirms and endorses the express language and intent of Policy 912 to hold responsible those persons who make purchases on behalf of Polk County. The issue of responsibility regarding purchases made by the Human Services Department is a matter vested to the Human Services Board. Pursuant to state law and the county's personnel policies, the Human Services Board has addressed and resolved the relevant personnel issues.

The express language of Policy 912, *Purchasing*, voids the purchase of furniture from Business Interiors by Staples, but only internally to the County. Cancellation of the transaction and return of the furniture with a refund is not an option.

Business Interiors by Staples has offered to accept return of the furniture. However, that new offer is made as a transaction separate from the void purchase. Business Interiors by Staples has offered the County \$9,000 in exchange for the furniture. Accepting that new offer and returning the furniture would result in a net loss to the County of \$30,000.

The County Board of Supervisors may retain the furniture. Taking such action is consistent with state law and Policy 912. Taking such action is also consistent with the County Board Resolution 10-10, which calls for the development of County Board Room and the East, West and Lower Level Conference Rooms as training and conference centers. Retaining the furniture for that specific purpose cost-effectively accomplishes the policy decision made and found in Resolution 10-10. More significantly, by retaining the furniture for the purposes expressed in Resolution 10-10, the County Board of Supervisors would mitigate any loss resulting from the void purchase. In so doing, the County Board of Supervisors would uphold its fiduciary responsibility to Polk County.

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In this instance, Article 3, Paragraph 1(b) of the County Board Rules of Order, which otherwise calls for consideration by the Finance Committee matters which require appropriation, is in applicable. The 2009 and the 2010 budgets, as approved by the County Board, appropriated the funds involved.

The above resolution seeks a transfer amongst departmental funds. Accordingly, Wisconsin Statute Section 65.90 requires a two-thirds affirmative vote of the County Board of Supervisors for sufficient passage. Additionally, statute requires publication in the County's designated legal paper within 10 days of adoption.

On the 15<sup>th</sup> day of June 2010, the Polk County Board of Supervisors adopted the above-resolution, RESOLUTION \_\_\_\_\_-2010: To Furnish County Training and Conference Centers, upon a vote of \_\_\_\_\_ in favor and \_\_\_\_\_, against.

\_\_\_\_\_  
William Johnson, IV  
Polk County Board Chairperson

Attest:  
\_\_\_\_\_  
Carole Wondra, County Clerk

Dated: \_\_\_\_\_