



MONROE COUNTY BOARD OF SUPERVISORS

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AMENDED NOTICE OF SPECIAL MEETING

COMMITTEE: FINANCE MEETING
TIME: 5:15 P.M.
PLACE: Monroe County Rolling Hills Auditorium
14345 County Highway B
Sparta, WI 54656
DATE: Wednesday, June 22, 2016

SUBJECT MATTER TO BE CONSIDERED

1. Call to order/roll call

Closed Session per WI Statutes 19.85(g); Consultation with attorney in regards to legal action and options on Justice Center contracts. 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.

2. Resolution Authorizing Release of Funds to Miron – Discussion/Action
3. Adjournment

Committee Chair, Cedric Schnitzler
Date notices mailed: 06/20/2016

PLEASE NOTE: A quorum of the Monroe County Board or other committees may be present at this meeting. No business of the County Board or other committees will be conducted at this meeting, only the business noted above.

RESOLUTION NO. 06-16-04

AUTHORIZING RELEASE OF FUNDS TO MIRON

WHEREAS, Monroe County has approved the following resolutions in regards to the work of Miron Construction Co., Inc. ("Miron") on the Monroe County Justice Center:

- 1) No. 01-16-01 agreeing to an amount of \$423,946.52 for Miron's "Delay Claim;" and
- 2) No. 04-16-03 agreeing to an amount of \$371,759.51 for PCI 336 Outlet Control; and
- 3) No. 04-16-04 agreeing to an amount of \$270,454.37 for PCI 358 Lighting Control.

WHEREAS, subsequent to Monroe County approving the above resolutions the architect, Louis Berger, took a legal position and questioned whether Miron should be entitled to receive these funds; and

WHEREAS, to address Louis Berger's position, Kurt Marshaus and legal counsel recommend releasing these funds to Miron subject to the a mutual reservation of rights; and

WHEREAS, the Building Committee and the Finance Committee recommend releasing funds in the amount of \$1,066,160.40 to Miron subject to the a mutual reservation of rights; and

WHEREAS, Miron has agreed that if it is paid the above amounts, both Monroe County and Miron may reserve their rights with respect to all aspects of the Delay Claim, PCI 336 Outlet Control, and PCI 358 Lighting Control in accordance with any final determination by a Court of law or other mutually agreed upon dispute resolution method.

THEREFORE, BE IT RESOLVED that the Monroe County Board of Supervisors hereby authorize payment of above-referenced funds to Miron, with both Monroe County and Miron reserving their rights to all aspects of the Delay Claim, PCI 336 Outlet Control, and PCI 358 Lighting Control in accordance with any final determination by a Court of law or other mutually agreed upon dispute resolution method.

Dated this 22nd day of June, 2016.

Vote: _____ Yes; _____ No.

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| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Purpose: To authorize the release of funds to Miron in the amount of \$1,066,160.40 for the Monroe County Justice Center.

Fiscal Note: The amount of \$1,066,160.40 will come from the building project fund.

Drafted and approved by Corporation Counsel