

State Use Meeting
June 2, 2011 @ 12:30 P.M.

Attachments:

- Persons Present
- Agenda
- Vote Sheet of Contracts

I. Call to Order

David Eldridge welcomed everyone to the meeting and called the meeting to order at 12:30

II. Roll Call

Jeremy Bliss did Roll Call, present at the meeting were the following members:

- Richard W. Gloede
- David Eldridge
- Curt Massie
- Christine M. Dickey
- Daniel A. Strick

Not present at the meeting were the following members:

- Dr. Seymour Bryson
- David Dailey
- Audrey McCrimon

III. Approval of the Minutes of the May 17th Meeting

David Eldridge

Stated there was a quorum present

Asked for a motion to approve minutes from the May 17th meeting

Motion: To Approve Dan Strick

Motion: To Second Curt Massie

David Eldridge announced minutes were unanimously approved.

IV. Review of and Vote on Proposed Contracts (see attachment for list of contracts)

David Eldridge

Explained there was a question at the last meeting regarding the process for agencies outside CMS to do contracts after the fact.

Stated that he had attorneys review and it was determined that having agencies do contracts after the fact is ok and that it is similar to a sole source.

Said that agencies need to fill out a sheet with information and give to State Use staff before the vote by the State Use Committee.

David Eldridge read all contracts (see attachment)

Contract for Clay County for Electronic Recycling which is a \$0 contract was skipped pending a legal review of whether the vote could be taken when only four members would be voting due to one present member needing to be recused.

Question: David Eldridge asked Elizabeth Kee (CMS Attorney) if there are five members present and one member works with the entity in question and needs to recues herself can a vote still be taken?

Response: Elizabeth Kee stated she would like more time to research and would like the contract to be held from a vote until she can get an answer.

Question: Jan Morrow asked if a vote can be taken and find out after if it is allowed?

Response: David Eldridge stated that cannot be done.

Elizabeth Kee then went to ask Ellen Daley (CMS Attorney)

Comment: Craig Mitkes stated that we need to get the contracts regarding rest areas voted on today, if not the contracts will not be in place in time.

Response: David Eldridge said those contracts will be voted on today, that it was only the electronic recycling contract that may be held.

Motion: Dick Gloede to approve all contracts with exception of the Clay County Contract

Motion: To Second

David Eldridge announced the contracts were unanimously approved. He then stated they would continue down the agenda while awaiting an answer regarding voting on the Clay County contract.

V. New Business

David Eldridge asked if there was any new business that needed discussion? There were no responses.

VI. Future Meeting Dates

David Eldridge

Stated currently the last meeting for this fiscal year is scheduled for June 14, and it is the last planned meeting and stated that if needed, another meeting can be scheduled.

David Eldridge then left to ask attorneys if a decision has been made regarding the Clay County Contract.

Question: Chris Dickey - If had to wait on the rest area contracts what would have happened?

Response: Craig Mitkes - The contracts would not have been signed by June 1 and the rest areas would have been shut down. There are 33 contracts so they are started on early to ensure they are done to avoid a shutdown. Only time a shutdown happens is for acts of God or for renovation.

Question: Dan Strick - The Clay County contract for \$0, how does it work?

Response: Chris Dickey - It is paid by the commodities it receives then those commodities are re-sold. Lots of equipment is involved and it is a very specialized type of recycling.

Question: Dan Strick - Can all agencies participate on the Clay County contract?

Response: Jan Morrow stated that agencies send surplus to CMS and CMS will send to vendor.

David Eldridge Returned

Stated that it is his opinion along with Ellen Daley that a majority of those appointed need to be present, so the Clay County Electronics Recycling Contract will have to wait till the next meeting. Told members to please mark off the Clay County contract from the vote sheets and sign the document.

Explained that the Open Meetings Act allows for video conference if the meeting is posted on all sites and for some reason this meeting was not posted as it should have been. Said they will try to make sure the majority of members are present for the next meeting so all contracts can be voted on.

Question: Dick Gloede - Do the rest area contracts have renewals?

Response: Craig Mitkes - These are two year contracts with no renewals, at the end of the two years the contract will be re-done and that there are increases built into the contract for both FY12 and FY13.

VII. Adjournment

David Eldridge

Asked if there were any other matters?

Motion: To adjourn was made by Dan Strick

Motion: To Second by Chris Dickey

David Eldridge announced the motion to adjourn was unanimously approved and adjourned the Meeting.