

January 27, 2007

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on January 8, 2007 and recommends the following motions:

1. County Executive report.
 - a) Budget Status Financial Report (November 30, 2006).
Receive & place on file.
2. Internal Auditor Report.
 - a) Budget Status Financial Report (November 30, 2006).
Receive & place on file.
 - b) Report of work completed in 2006.
Receive & place on file.
 - c) Other. (No additional information.)
3. Communication from Supervisor Paul Zeller re: To hold letting RFP Contract Project #1233 until an opinion from the Wisconsin Attorney General is obtained regarding a potential conflict of interest and the contract is approved by the oversight Committee of the County Board. Refer this back to Public Safety Committee. Ayes: 5 (Erickson, Krueger, Lund, Fewell, Kaye); Nays: 1 (Evans); Excused: 1 (Johnson). Motion Carried.
4. Communication from Supervisor Steve Fewell re: Updating the tracking of Resolutions & Ordinances. (Held from previous meeting.) Receive & place on file.
5. Communication from Supervisor Fewell re: Resolutions: (Held from previous meeting.) Refer this to Administration Committee for further study and bring back to this committee.
6. Action re: Salary compensation for Emergency Management Director. (Held from previous meeting.) (Referred from Public Safety Committee.) Refer this back to Public Safety Committee.
7. Human Resources Director present to Executive Committee meeting recommendation to the Board on procedures needed to re-implement the step process. (Held from November meeting.) Refer to Administration Committee.
8. Human Resources Director presents to Executive Committee his suggestions for a new County Ordinance on the procedure to handle re-class requests. (Held from November meeting.) Refer to Administration Committee.
9. County Clerk's Department Change in Table of Organization (Deleting One (1) Clerk/Typist I ("Bilingual) Position-Creating One (1) Elections Specialist Position (Bilingual). **Revised for Clarification of "Bilingual Required."**(Referred from Administration Committee.) Item Deleted.

10. Resolution re: Aging & Disability Resource Center Change in Table of Organization. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances January County Board.
 - a) Request for Budget Transfer (#07-01): Increase in Expenditures with Offsetting Increase in Revenue: ADRC Grant (\$657,832; Case management – ADRC - \$49,660). Approved.
 - b) Request for Budget Transfer (#07-02); Increase in Expenditures with Offsetting Increase in Revenue: Increase in expenditures of \$552,559 with offsetting increase in revenue. Approved.
11. Resolution re: Changing the HSD's Table of Organization in Support of ADRC Expansion. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances January County Board.
12. Resolution re: Directing the County Clerk to Place the Referendum Question Contained in this Resolution Requesting State Legislative Action on Health Care on the April 2007 Ballot. Committee approved. Ayes: 5 (Erickson, Lund, Krueger, Fewell, Kaye); Nays: 1 (Evans); Excused: 1 (Johnson). Motion Carried. See Resolutions, Ordinances January County Board.
13. Resolution re: To Execute a 2007-2008 Labor Agreement with the Brown County Corrections Officers, Local 75. Committee approved. See Resolutions, Ordinances January County Board.
14. Resolution re: to Execute a 2007-2008 Labor Agreement with the Brown County Highway Department Employees. Committee approved. See Resolutions, Ordinances January County Board.
15. Resolution re: to Execute a 2007-2008 Labor Agreement with the Brown County Austin Straubel International Airport Employees, Local 75. Committee approved. See Resolutions, Ordinances January County Board.
16. Resolution re: to Execute a 2007-2008 Labor Agreement with the Brown County Courthouse Employees. Committee approved. Ayes: 5 (Evans, Lund, Krueger, Fewell, Kaye); Abstain: 1 (Erickson); Excused 1 (Johnson). Motion Carried. See Resolutions, Ordinances January County Board.
17. Resolution re: to Execute a 2007-2008 Labor Agreement with the Brown County Museum Employees. Committee approved. See Resolutions, Ordinances January County Board.
18. Ordinance re: To change Sec. 2.16 of the Brown County Code Dealing with Appointment Terms. Committee approved. See Resolutions, Ordinances January County Board.

Executive Committee

January 17, 2007

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19. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1) (e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes.
(No Closed Session held.)

Approved by:

COUNTY EXECUTIVE

Date

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PROCEEDINGS OF THE BROWN COUNTY EXECUTIVE COMMITTEE



Pursuant to Section 19.94 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, January 8, 2007 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, WI

Present: Jack Krueger, Tom Lund, Steve Fewell, Bernie Erickson, Pat Evans, Harold Kaye.

Excused: Kathy Johnson.

Also Present: Supervisor Adam Warpinski, Mike Kwaterski, Don Vander Kelen, Sara Perrizo, Sunny Archambault, Tom Eggebrecht, News Media and Other Interested Parties.

1. CALL MEETING TO ORDER.

The meeting was called to order by Chair Krueger at 5:33 p.m.

2. APPROVE/MODIFY AGENDA.

Chair Krueger stated that he would like to address item #15 after item #4.

Motion made by Supervisor Fewell and seconded by Supervisor Evans to approve the agenda as modified. Vote taken. MOTION CARRIED UNANIMOUSLY.

3. APPROVE/MODIFY MINUTES OF DECEMBER 11, 2006.

Motion made by Supervisor Lund and seconded by Supervisor Kaye to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

4. REVIEW MINUTES OF: (None)

At this point, the committee discussed item #15

Comments from the Public/Such Other Matters as Authorized by Law

5. There were no comments from the public.

Reports

6. COUNTY EXECUTIVE REPORT.

a) Budget Status Financial Report (November 30, 2006).

Motion made by Supervisor Fewell and seconded by Supervisor Erickson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

7. INTERNAL AUDITOR REPORT.

a) Budget Status Financial Report (November 30, 2006).

Internal Auditor Sara Perrizo reported that the department will go over in overtime and copy expense for the year. She was not aware of any carryovers from 2006.

Motion made by Supervisor Lund and seconded by Supervisor Fewell to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

b) Report of work completed in 2006.
Ms Perrizo distributed a handout of the work that she completed in 2006 (see attached).

Motion made by Supervisor Lund and seconded by Supervisor Kaye to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

c) Other.
There was no additional discussion.

Communications

8. **COMMUNICATION FROM SUPERVISOR PAUL ZELLER RE: TO HOLD LETTING RFP CONTRACT PROJECT #1233 UNTIL AN OPINION FROM THE WISCONSIN ATTORNEY GENERAL IS OBTAINED REGARDING A POTENTIAL CONFLICT OF INTEREST AND THE CONTRACT IS APPROVED BY THE OVERSIGHT COMMITTEE OF THE COUNTY BOARD.**

Supervisor Zeller was not present to discuss the communication. Representatives from the Sheriff's Department were present and requested to address the committee.

A motion was made by Supervisor Evans and seconded by Supervisor Lund to suspend the rules to allow interested parties to speak. Vote Taken. MOTION CARRIED UNANIMOUSLY.

John Flannery, Fred Heitl and Scott Priebe went through a Powerpoint presentation on *Privatization of Transports* (see attached). A discussion ensued. In response to a question from Supervisor Evans, the speakers pointed out that there is potential for unruly behavior or escape. They said there has not been a history of problems and that could be because the use of deputies in the past has been a deterrent.

A motion was made by Supervisor Erickson and seconded by Supervisor Lund to return to the regular order of business. Vote Taken. MOTION CARRIED UNANIMOUSLY.

Supervisor Kaye stated that this was passed at budget time and he would like to discuss this at the Public Safety Committee and have all parties involved in this present. Supervisor Evans stated that he would like to learn more about the qualifications of the contracting company.

Motion made by Supervisor Fewell and seconded by Supervisor Erickson to refer this back to the Public Safety Committee. Vote taken. AYES; 5: Erickson, Krueger, Lund Fewell, Kaye. NAYS; 1: Evans. MOTION CARRIED.

9. COMMUNICATION FROM SUPERVISOR STEVE FEWELL RE: UPDATING THE TRACKING OF RESOLUTIONS & ORDINANCES. (Held from previous meeting).
Supervisor Fewell stated that this is being dealt with by the Administration Committee and they are in the process of working with Corporation Counsel to come up with a numbering system.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

10. COMMUNICATION FROM SUPERVISOR FEWELL RE: RESOLUTIONS: (Held from previous meeting.)
Supervisor Fewell explained that he believes that any decisions of any substance made at committee meetings should be forwarded to Corporation Counsel and placed in resolution form. He added that the resolutions would clearly state intent and purpose and would be easier to track. The County Board would then be voting on resolutions and there would be less confusion.

Supervisor Lund stated that it would be difficult to determine what issues are considered substantial, this could create an extra cost to the Brown County taxpayers and suggested that the Committee Chairs determine what is to be put into resolution form. Supervisor Fewell stated that Corporation Counsel agrees with the idea of putting motions into resolution form and said many other counties throughout the state do this and it would formalize our process. Supervisor Warpinski expressed agreement with the idea and said it would give credence to the committee structure. Supervisor Lund said that the committee structure allows for debate and in a part-time government, you do not want to become too formal and rigid in structure. The debate continued with members of the committee expressing their views on the issue.

Motion made by Supervisor Kaye and seconded by Supervisor Fewell to refer this to the Administration Committee for further study and brought back to this committee. Vote taken. MOTION CARRIED UNANIMOUSLY.

Referred from Public Safety Committee

11. ACTION RE: SALARY COMPENSATION FOR EMERGENCY MANAGEMENT DIRECTOR. (HELD FROM PREVIOUS MEETING.)
Supervisor Kaye said this was discussed at Public Safety and it has been agreed that the proper procedure is for a reclassification of the position to be filed.

Motion made by Supervisor Lund and seconded by Supervisor Fewell to refer this back to the Public Safety Committee. Vote taken. MOTION CARRIED UNANIMOUSLY.

From previous meetings

12. HUMAN RESOURCES DIRECTOR PRESENT TO EXECUTIVE COMMITTEE MEETING RECOMMENDATION TO THE BOARD ON PROCEDURES NEEDED TO RE-IMPLEMENT THE STEP PROCESS. (HELD FROM NOVEMBER MEETING.)

Human Resources Director Mike Kwaterski reported that this was discussed at the Administration Committee and they asked him to get a price to do a market analysis of the current Class and Comp Plan and bring it back to the committee.

13. HUMAN RESOURCES DIRECTOR PRESENTS TO EXECUTIVE COMMITTEE HIS SUGGESTIONS FOR A NEW COUNTY ORDINANCE ON THE PROCEDURE TO HANDLE RE-CLASS REQUESTS. (Held from November meeting)

Motion made by Supervisor Lund and seconded by Supervisor Kaye to refer items #12 and #13 back to the Administration Committee. Vote taken. MOTION CARRIED UNANIMOUSLY.

Resolutions, Ordinances

14. COUNTY CLERK'S DEPARTMENT CHANGE IN TABLE OF ORGANIZATION (DELETING ONE (1) CLERK/TYPIST I ("BILINGUAL) POSITION-CREATING ONE (1) ELECTIONS SPECIALIST POSITION (BILINGUAL). REVISED FOR CLARIFICATION OF "BILINGUAL REQUIRED."(REFERRED FROM ADMINISTRATION COMMITTEE).

Motion made by Supervisor Evans and seconded by Supervisor Fewell to delete item #14. Vote taken. MOTION CARRIED UNANIMOUSLY.

15. RESOLUTION RE: AGING & DISABILITY RESOURCE CENTER CHANGE IN TABLE OF ORGANIZATION. (Referred from Human Services Committee.) Aging & Disability Resource Center Director Sunny Archambault was present to discuss this item with the committee.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

- a) Request for Budget Transfer (#07-01): Increase in Expenditures with Offsetting Increase in Revenue: ADRC Grant (\$657,832; Case Management – ADRC - \$49,660).
- b) Request for Budget Transfer (#07-02); Increase in Expenditures with Offsetting Increase in Revenue: Increase in expenditures of \$552,559 with offsetting increase in revenue.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve 15a & 15b. Vote taken. MOTION CARRIED UNANIMOUSLY.

The committee went back to item #5 at this point.

16. RESOLUTION RE: CHANGING THE HSD'S TABLE OF ORGANIZATION IN SUPPORT OF ADRC EXPANSION. (Referred from Human Service Committee.)

Motion made by Supervisor Evans and seconded by Supervisor Fewell to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

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17. RESOLUTION RE: DIRECTING THE COUNTY CLERK TO PLACE THE REFERENDUM QUESTION CONTAINED IN THIS RESOLUTION REQUESTING STATE LEGISLATIVE ACTION ON HEALTH CARE ON THE APRIL 2007 BALLOT.

Chair Krueger explained his reasons for supporting such a referendum and said this should be forwarded to the state. The committee discussed the origin and wording of the referendum. Supervisor Lund pointed out that the third paragraph should read "*Brown County*" rather than "*Green Bay*".

Motion made by Supervisor Kaye and seconded by Supervisor Fewell to approve. Vote taken. AYES; 5: Erickson, Lund, Krueger, Fewell, Kaye. NAYS; 1: Evans. MOTION CARRIED.

18. RESOLUTION RE: TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY CORRECTIONS OFFICERS, LOCAL 75.

Human Resources Director Mike Kwaterski and Don Vander Kelen were present for discussion. They explained that some small items were negotiated last Friday, with the big principles in place and they have a complete agreement now.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

19. RESOLUTION RE: TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY HIGHWAY DEPARTMENT EMPLOYEES.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

20. RESOLUTION RE: TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY AUSTIN STRAUBEL INTERNATIONAL AIRPORT EMPLOYEES, LOCAL 75.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

21. RESOLUTION RE: TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY COURTHOUSE EMPLOYEES.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. AYES; 5: Evans, Lund, Krueger, Fewell, Kaye. ABSTAIN; 1: Erickson. MOTION CARRIED.

22. RESOLUTION RE: TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY MUSEUM EMPLOYEES.

Motion made by Supervisor Fewell and seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

23. ORDINANCE RE: TO CHANGE SEC. 2.16 OF THE BROWN COUNTY CODE DEALING WITH APPOINTMENT TERMS.

Chair Krueger informed the committee of a situation with the Harbor Commission

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and a discussion ensued on the appointments that were held at the December, 2006 meeting of the Board of Supervisors. Supervisor Lund stated that many of the appointments should have been made by the County Executive several months ago. He added that he fully supports this Ordinance. Supervisor Fewell stated that the County Executive was not present at the December, 2006 Board of Supervisors meeting to discuss the appointments or to answer questions regarding them and he feels the County Board did the prudent thing by holding them. He added that it is unfortunate that the County Executive criticized the County Board for action that they took when she was not present to answer questions.

Motion made by Supervisor Erickson and seconded by Supervisor Kaye to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

24. **Closed Session: For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin Open Meetings Law pursuant to 19.82 (1) of the Wisconsin State Statutes.**

There was no closed session.

Motion made by Supervisor Lund and seconded by Supervisor Fewell to adjourn at 7:20 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Jeanne Buzzell
Recording Secretary

BOARD OF SUPERVISORS

Brown County



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SARA J. PERRIZO
INTERNAL AUDITOR

DATE: January 8, 2007

TO: Executive Committee

CC: Tom Lund, County Board Chair

FROM: Sara Perrizo, Internal Auditor *SJP*

RE: 2006 Audit Plan – Work Completed

Listed below is the internal work plan for 2006, as approved by the Executive Committee in November of 2005. The items that are crossed off on the list are projects that were replaced with projects that the Committee and/or Board Chair deemed more urgent. Those projects are listed at the bottom of the page.

2006 Main Projects:

~~1. General County~~

- ~~• Review the Intergovernmental Agreements Relating to the Resch Center
 - ~~➤ Phase 1: Review agreements~~
 - ~~➤ Phase 2: Review history of room tax collections and payments~~
 - ~~➤ Phase 3: Summarize and flow chart the agreements and their impact on Brown County~~~~
- ~~• Total Estimated Time: 3-4 months~~

~~2. General County~~

- ~~• Analysis of Brown County Vehicle Program and Replacement Policies
 - ~~➤ Phase 1: Review current program policies~~
 - ~~➤ Phase 2: Analyze current county vehicle usage and adherence to policies~~
 - ~~➤ Phase 3: Recommend updated policies~~~~
- ~~• Estimated Time: 3-4 months~~

3. **COMPLETE** - General County

- Review County Indirect Cost Chargebacks and Develop a Complete Understanding of Allocation Methods
 - Phase 1: Work with Maximus, Inc. to understand current allocation procedures
 - Phase 2: Make recommendations for improvement of allocation procedures
- Estimated Time: 3-4 months

4. **COMPLETE** - County Board

- Assist County Board Supervisors with review of the annual county budget.
- Estimated Time: 1 month

Additional Projects Completed:

1. Calculation of 2004 Jail inmate cost per day.
2. Audit of NEW Zoo operations, including calculation of funds embezzled and attending various court appearances.
3. Met with most County departments regarding the implementation of the new monetary handling policy and granted variances in areas deemed appropriate.

4. Sat on committee to choose consultant for procurement of the County's new financial software.
5. Began reviewing weekly listing of Accounts Payable checks written (ongoing).
6. Surprise audit of Jail Canteen account regarding a complaint from the Wisconsin Department of Revenue.
7. Review and analysis of the County's General Fund balance and recommendation of fund balance policy.
8. Coordinated RFP process for hiring of Mental Health Center consultants.

Please feel free to contact me if you have any questions.

Privatization of Transports

Main Issues:

- Public Safety
- Conflict of Interest
- Statutes Regarding Writs
- Benefits of Deputies in Transports

Public Safety

Private Security Company

- Security Guards now responsible for dangerous criminals?
- What is the level of training? Experience?
- Background screening? Drug policy?
- Are the guards armed? Training?
- Private vendor cannot be called upon or trusted to respond to unexpected scenarios.

Public Safety

What's next? Private security guards patrolling our neighborhoods, responding to 911 calls?

The rationale is that better service equates to cheaper service.

Responsibility to the community. Why is public safety being compromised?

Public Safety

- Deputies receive 520 hours of basic training to be certified as police officers in the State of Wisconsin
- 24 hours of training each year to maintain certification
- Each deputy is vested with full law enforcement authority to make arrests and enforce state statutes

Conflict of Interest

County Ordinance 4.100

Is it not more sensible to just wait until an opinion is received from the Attorney General's Office?

Why the rush to implement this contract?

Statutes Regarding Writs

Wisconsin Statute 59.27

(4) *Personally, or by the undersheriff or deputies, serve or execute all processes, writs, precepts and orders issued or made by lawful authority and delivered to the Sheriff...*

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Statutes Regarding Writs

If not deputies, then who? "Special Agents"?
What is a "Special Agent"?

- NOT a position currently recognized by the County hiring procedures
- If deputized, then these "agents" are subject to civil service rules (See Statute 59.26(8), etc.)

Wisconsin Supreme Court

"Government cannot surrender or contract away its governmental functions and powers, not even partially..."

Hammermill Paper Company V. LaPlante,
58 Wis. 2d 32, 80, 205 N.W.2d 784 (1973)

Benefits with Deputies in Transports

- Highly trained personnel performing public safety duties
- Full law enforcement authority
- Subject to higher standards = reduce liability. Private or not, County is still liable for alleged violations of prisoner rights
- "Cross staffing" with deputies
- County has full control over training and screening of personnel

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Non-Supervisory Association

Our Association is committed to reducing transportation costs and expenses for the County...

Furthermore, we have a duty in protecting the safety and well being of this community...

Our goal is obtain a mutually beneficial plan that is both cost effective and will enhance public safety...
