

PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, September 12, 2016 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Lund, Vice-Chair Moynihan, Supervisor Van Dyck, Supervisor Hoyer, Supervisor Buckley, Supervisor Erickson, Supervisor Schadewald
Also Present: Supervisors Ballard, Sieber, Lefebvre, Brusky; Internal Auditor Dan Process, Public Works Director Paul Fontecchio, Port and Solid Waste Director Dean Haen, Public Safety Communications Director Cullen Peltier, Treasurer Paul Zeller, Director of Administration Chad Weininger, Interim Human Resources Director Pete Bilski, news media and other interested parties

**Audio of this meeting is available by contacting the County Board office at 920-448-4015*

I. Call meeting to order.

The meeting was called to order by Chair Lund at 5:30 p.m.

II. Approve/modify agenda.

Motion made by Supervisor Schadewald, seconded by Supervisor Hoyer to strike 18a and approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/modify Minutes of August 8, 2016.

Motion made by Supervisor Van Dyck, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public

Robert Welsing, 2140 Westline Road, Green Bay, WI

-Welsing, 291st Combat Engineers, showed pictures of his son, Robert Welsing, Jr. to the Committee. He said that 13 Supervisors voted against his family at the last County Board meeting. All they wanted was to clear Bob's name. The County Board would not let that happen. He took his wife to the ER at St. Vincent's and she is out, but not thanks to the 13 Supervisors who voted against this. He wanted the Committee to know that his family is not done. They are going to take this to a Judge and jury. He advised the Committee to be very careful because they do not have ground to stand on. He continued that public officials, the Committee and Board can be subject to harassment. If the Supervisors should have followed the Independent Hearing Officer's statement that the County over reacted. The accusations of Bob falsifying timecards were found to be false. They had guys coming in a half hour early to start equipment and then went after him for that and for what he had in his telephone. Bob had names in his phone and said that the Board did not know what the names meant.

1. Review Minutes of:

a) LEAN – Brown County Continuous Improvement Steering Committee (July 7, 2016).

Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

3. **Communication from Supervisors Sieber and Linssen to ask the Brown County District Attorney's office to investigate violations of closed sessions and/or the dissemination of classified information. *July motions: To refer to Corporation Counsel to draft a policy re: violation of closed session confidentiality and identify possible penalties and bring back. Carried 5 to 2; Motion to refer the current complaint to the Ethics Board for review.***

Supervisor Van Dyck informed that Corporation Counsel contacted him today for clarification on this. He advised Corporation Counsel that his understanding was that this was referred to them in an attempt to find out what, if anything, could be done in the event of a violation of the code or ordinance as right now it seems to be that if there is a violation there really is not anything that could be done. Corporation Counsel advised Van Dyck that they are currently understaffed and have not been able to get to this yet. Van Dyck suggested that this be held for 90 days.

Supervisor Sieber questioned if there was any update with regard to the Ethics Board. Supervisor Schadewald informed that he talked to a few members of the Ethics Board by phone and they asked if there was a formal complaint because that is supposed to be the first step. Schadewald said he thought we would have information from Corporation Counsel on this and specifically what the rules are. The question was raised that if a complaint is filed, if it has to be against someone.

Sieber was of the impression that the Ethics Board would meet and figure out how to proceed. Schadewald said the Ethics Board could meet to determine all of this. Sieber felt this should be done in public and not over the telephone. He said that the full County Board authorized this to move forward to the Ethics Board and he would like the Ethics Board to meet to get the ball moving forward.

Motion made by Supervisor Van Dyck, seconded by Supervisor Erickson to hold for 90 days. Vote taken. MOTION CARRIED UNANIMOUSLY

4. **Communication from Supervisor Van Dyck re: Rescind the amendment to Sections 4.92 and 4.93 of Chapter 4 of the Brown County Code entitled "Grievance Procedure" made by the County Board in 2014. *Motion at July Exec: To refer this to Corporation Counsel to redraft showing all grievances going back to the full County Board including the reference in 4.94.***

Van Dyck has not received any update from Corporation Counsel on this yet. Director of Administration Chad Weinger said this was included in the Chapter 4 re-write which still needs to be brought before the Committee. Weinger said there were a number of requests from Committee members regarding Chapter 4 so there was a thorough review of the Chapter and sections that the HR Director thought needed to be changed were changed. There were also some changes made according to what the Board has asked for over the last 6 – 7 months.

Motion made by Supervisor Van Dyck, seconded by Supervisor Moynihan to hold until the Chapter 4 re-write update is provided. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Communication from Supervisor Erickson re: Jail Overcrowding. After discussions with Sheriff John Gossage and Judge Don Zuidmulder I am proposing to have a judge or court commissioner work a few hours on Saturday to review the case load that comes in on the weekend so arrangements can be made to release a percentage of those arrested to lighten the jail capacity on weekends. Judge Zuidmulder and Sheriff Gossage both have concluded that this is a good idea and would provide some capacity relief. *Referred from August County Board.***

Supervisor Erickson said this had already been discussed at the Public Safety Committee and it was referred to the Criminal Justice Coordinating Board (CJCB). This will come up at the next CJCB meeting in October.

Supervisor Buckley added that members of the CJCB include the DA's Office, Sheriff's Department, Police Department, Judges, etc. This is not as easy as just bringing in a Judge; there would also have to be someone available to open the courthouse, provide courthouse security and run the video feed, as well as having a DA there and a stenographer and a plethora of other people. Buckley said he talked to the Sheriff earlier in the day to go over the lock up list to see what percentage could actually be let go and it was a very, very small percentage.

Motion made by Supervisor Erickson, seconded by Supervisor Buckley to refer to Criminal Justice Coordinating Board. Vote taken. MOTION CARRIED UNANIMOUSLY

6. **Communication from Supervisor Van Dyck re: Change the health insurance benefit year from a calendar year 01/01-12/31 to fiscal year 03/01-02/28. Referred from August County Board.**

Van Dyck stated this communication was also forwarded to the Administration Committee who referred it to administration to look at the implications of implementing this as well as any sort of ramifications. He would ask that this be referred to staff by this Committee as well.

Erickson commented that there is a quote coming in from the State for insurance and we probably should not pass anything until we get that quote. Van Dyck said that this would not be for the coming year.

Motion made by Supervisor Van Dyck, seconded by Supervisor Schadewald to refer to staff. Vote taken. MOTION CARRIED UNANIMOUSLY

7. **Communication from Supervisor Buckley re: To have the Treasurer bring the Haven Place parcel that was recently taken due to back taxes before disposal of the property. Referred from August County Board.**

Buckley informed this property is in the Village of Hobart. It came to his attention that Port & Solid Waste was going to acquire the property at this time but for no particular purpose. He said this property has been an eyesore for some period of time, especially since there was a fire there several years ago. The site is commercial, but on either side of it, it is residential. Buckley feels the County needs to stop buying property and start getting property back on the tax rolls, especially when the property is just going to sit. Secondly, he feels the County needs to encourage people to develop the property, whether it is to go commercial again or back to residential. He was afraid this was going to go through without coming to the Committee or the Board and he did not want that. He understands that Port and Solid Waste voted to acquire the property earlier today. Buckley has a problem with the County continuing to buy property.

Erickson said the County acquiring property is news to him. He is aware that the County has sold some property to the City of Green Bay, but he is not aware of any property purchases coming under the jurisdiction of Planning, Development and Transportation. Erickson said this property would be beneficial to the Solid Waste Department and asked Port and Resource Recovery Director Dean Haen to talk further about this.

Haen said the property is unique in that it is commercial property. The parcel is in close proximity to the transfer station. The landfill sits in the middle of the transfer station and there is a perimeter road with very little space around the outside. There are a number of activities that are resource recovery related that go on in that perimeter such as tire recycling, appliances, wood waste, shingles, etc. In looking to the future, it seems the only thing that is certain is there will be further value to be pulled out of the waste stream, but the County is locked in their footprint and that is why they are interested in the property. Haen continued that the property could be used for some resource recovery activity such as leasing it to someone that could use the resources that are in the waste, whether it be organics, shingles, wood waste or something else. He said they are entertaining an interest in the property and from the

department standpoint, they are the only department that actually pays payment in lieu of property and he assumes that that would continue.

Haen continued that Supervisor Landwehr had some concerns about this that he shared with the Solid Waste Board. These concerns were discussed at the Solid Waste Board meeting earlier in the day and the Solid Waste Board agreed that this could be revisited in five years and if nothing was happening with the property the County could sell it and return it to the tax roll as commercial property.

Haen also talked about the landfill that is producing methane gas. Currently they burn the gas, but something they could entertain is aqua culture. They could pipe the methane gas to a water source to produce heat which would power the lights of a greenhouse, heat a greenhouse etc. They could also raise fish and use the nutrients from the fish waste in different ways. It is quite sustainable and interesting and the one thing that causes these to fail is energy. He does not want to waste the business opportunity for someone to come in and do that if all they have to do is pay for us to get the gas to them.

Haen continued that he has met with the Village of Hobart and obviously the Village is concerned with the land coming off the tax roll. Hobart's interest was if there was an opportunity for payment in lieu of taxes to make them whole on the property. They also expressed concern about the company that used to be there and the disturbance to the neighborhood. Haen said they do a lot better job and whatever they would do with the property would be of the same standard as their Broadway facility. He acknowledged the property is currently in bad shape and is a mess but said the County has the resources to clean the property up. They would take the buildings down and clean up the rest of the property and although Haen could not say what they would use the property for, it does fit their mission and strategic plan. This seems like a good opportunity. He also said that several years ago they looked at the property adjoining to the west and decided that it was no affordable to buy the property to do resource recovery activities as the property was about \$400,000. With this Hobart property, the price is right and it's really just the value of the land and he hopes to acquire it to complete their mission.

Buckley asked what will happen if the County gets a recycle plant going there and then the neighbors complain about it. He sees problems down the road with the County being the gatekeeper of the property and he also reiterated that he did not think property should be taken off the tax roll but that private development should be encouraged instead. Buckley is aware that Hobart has a problem with the Oneidas taking property off the tax rolls and giving them payment and he does not understand how Hobart does not have a problem with the County doing the same thing. For the sake of the neighborhood, Buckley would like to see this property go back to residential because he feels this will be a problem down the road.

Van Dyck understands Port and Resource Recovery not wanting to miss out on this property, but he feels that five years is too long to re-evaluate the property and thought that an annual report by Port and Solid Waste would be more appropriate. If after several years there is nothing happening with the property, it may be time to sell it. Van Dyck feels there needs to be more activity on this on an annual basis so someone else can get a kick at the can one more time to make something happen. That would be Van Dyck's caveat to supporting this at this point.

Haen responded that for the resource recovery things like shingle recycling and trying to lease the property for some type of activity that would be reasonable. The business development for something like the aqua culture would take longer than that and Haen feels that that is the neatest opportunity to figure out how to use the gas instead of wasting it. There are two tracks: resource recovery activities and the business development with the gas which is much more difficult.

Motion made by Supervisor Erickson, seconded by Supervisor Hoyer to allow Port and Resource Recovery to purchase with a 5 year window to develop while reporting back each year to PD&T for consideration or reconsideration. No vote taken.

Treasurer Paul Zeller indicated that this Item is connected to Item 19c on the agenda and asked if Item 19c should be taken at this time. Lund suggested that we keep 19c where it is to keep things clean. Erickson said this is to allow it to be done and it can be approved at 19c. Lund thought it would be best to take it up at 19c. The order of the agenda was discussed further and it was decided to take Item 19c at this time as well.

The following discussion relates to Item 19c.

Zeller informed that County Board policy T1, sale of tax deeded lands, states that the County Treasurer's office will notify all County departments of the availability of the tax deeded properties and if a County department is interested, they can purchase the property for all back taxes and related costs. The Department must have funds budgeted for the purchase or a request for budget transfer must be completed and the Department also would be responsible for the property taxes for the year the property is acquired. Zeller said if no County department is interested in the tax deeded property, the property will be offered for purchase to other governmental units. The Committee can determine that the parcel not be acquired by another governmental unit, but Zeller still needs to offer it to other governmental units. In the grand scheme of things, the next step would be the possibility of another governmental unit acquiring the property which would keep the property off the tax roll.

Secondly, Zeller said he asked for a definition of "related costs" as the policy states that the purchase price should be back taxes and related costs. Corporation Counsel has informed Zeller that the statutes do not directly address sales to a County department. Normally addresses sales to third parties and sales to other taxing jurisdictions however, Brown County Administrative Policy T1 states that if a County department is interested they can purchase the property for all back taxes and related costs. I would interpret that to include any amounts owed to the municipality. In this case the purchase price would be \$72,902.56 owed to the County and the \$26,775.73 owed to the municipality. The owed to the municipality is the special assessments that the Village has added to the tax bills in the previous four years along with interest and penalties on the special assessments. Zeller reiterated that the Executive Committee has the authority to interpret their policy as they see fit. The total amount due on this parcel, including the 2016 taxes is \$107,378.29. In addition, Zeller pledged to Port and Solid Waste the amount of \$4,900 from the tax deed account which would otherwise have to be expended to clean the property up. If the purchase is not exercised, the property still needs to be cleaned up. The motion at the Solid Waste Board passed this with all considerations in place. It is Zeller's understanding that the Solid Waste Board action goes before the full County Board, but the action of the Executive Committee does not. Erickson also noted that the Solid Waste Board action will come to PD&T in the Solid Waste Board minutes. Zeller said the October Executive Committee meeting is scheduled for October 24 so any action would be delayed to a special meeting on October 19 or the next Executive Committee meeting.

Motion made by Supervisor Erickson, seconded by Supervisor Schadewald to sell to Port and Resource Recovery for \$107,378.29 with a 5 year window to develop with annual reports to PD&T on the progress with the decision to continue or sell at that point. No vote taken.

Supervisor Hoyer asked if there was an estimate of the cleanup costs and what the cleanup would entail. Haen said the cleanup is mostly physical, but noted that there is some styrene contamination on the property which is confined to less than four feet deep in one spot so it is basically a bucket load. This may have remediated itself over the last eight years as a petroleum based product, but, if not, it will go right to the landfill. The rest of the property is couches, televisions and recyclables which would all go to the landfill. There is nothing hazardous or brownfield related.

Supervisor Schadewald asked what the tax loss to Hobart would be if the property is sold. Zeller responded that the assessments have been adjusted downward every year for the last four years. From 2012 to the present the assessments have been reduced from \$809,600 to \$401,800. Haen reiterated that there is no value to the buildings on the property; it is the value of the land. He does not understand the appraisal when the buildings have to come down. The taxes are \$7,700. The Village's portion of these taxes is about 20-25%. Schadewald asked Haen what the Village of Hobart said at their

meeting with Haen. Haen responded that he was informed this would meet their long range plans and current zoning. Hobart was not overly thrilled there would be more land coming off the tax roll but they liked the idea of the aqua culture. Haen was also advised by the Village that the County would have to be good neighbors to the adjacent residents.

Buckley informed he had spoken with Landwehr earlier in the day. He said Landwehr is against this purchase for the same reasons Buckley is. This is a residential neighborhood with a commercial property stuck between houses and if there is going to be some type of recycling facility there, even if it is just a fish farm, there will probably be some sort of smell or noise and we are going to be right back here trying to figure out how to take care of the neighbors. Right now there is an opportunity to put the property to better use and get it back on the tax roll. Buckley felt Haen could find some other suitable property that was not in a residential area.

Buckley asked what the special assessments against the property are. Zeller responded that when they receive the special assessment to add to the tax bill, they send an amount and a code and although Zeller does not have the costs for each year, he said that the assessment range from \$3,074 in 2012 up to \$7,326 in 2013 and the amounts vary each year. These assessments are classified mainly as storm water management and "other". Buckley said nothing has been done to the property as long as he can remember. If it is decided that the Executive Committee wants to keep this property off the tax rolls and turn it over to Port, Buckley does not feel the County should be paying special assessments and interest. He felt Hobart would be happy with whatever we could give them, but he does not think we should be giving them interest and special assessments. Hobart has not received anything on the special assessments to date, but they would receive funds if the property was sold at the price in the motion.

Supervisor Moynihan asked how long the property has been in its present state. Zeller said he received the Judge's order on July 20 and that is the first day he visited the property, but Hobart would probably say the property has been in its current state for at least three years. Buckley said the property has been vacant for roughly seven years and there was a fire a few years ago and it has been sitting that way ever since.

Van Dyck asked Zeller if he has done any research as to the value of the property. Zeller said the valuation of the land only is \$75,200. He has talked to the assessor about the present condition of the buildings and was advised that the improvements are valued at \$326,600. The assessor said he did a site visit and revised the assessment and the figure given is the new value. The buildings are in really tough shape with the exception of the largest building which appears to be structurally sound. Two of the buildings have to come down. Zeller said the property could be sold "as is" and he can hire a commercial realtor to sell it. He said the opinion of the Village is in a County departmental purchase, the municipality needs to be made whole for the related costs. Van Dyck asked if there were any time constraints on this by either party. Zeller said at the time the County took possession of the property, the gates were not secured and the driveway was not blocked. Haen provided the manpower to secure the gates and block the driveway. Even after the property was secured and "no trespassing" signs were posted, there have been items such as lawn furniture and television sets left at the gate. It is a constant battle that the County has to maintain. If the property is not sold by January 1, it will be another year of no taxes. Van Dyck said he is all for putting things back on the tax roll, but if the Village of Hobart does not have a long range plan to achieve that, it would be a moot point. He felt this should be held for 30 or 60 days to get an official statement from Hobart as to if they object to this or if they want to see the property developed in some other way. He noted that Hobart not being at this meeting gives the indication that they do not care.

Erickson said first of all, we were through this a number of months ago with municipalities putting high assessments on worthless properties. The County has to make every community whole at tax time. This can be appraised at anything, but it is not worth a pinch of salt and he thinks this is a perfect example of that and noted that what was paid in taxes to make Hobart whole was not worth it. As a County, we just accept it and pay the money. According to Buckley, it has been approximately 10 years since this property has been abandoned and burned. Erickson assumes that Hobart has had the opportunity to

purchase the property and feels that they do not have a plan of any sort. As far as the special assessments are concerned, we are looking at things that everyone pays in some shape and he would say that the assessments should be paid in good faith and the property be purchased. Schadewald said he was about to say the same thing as Erickson just said. He will contact Hobart personally and if they have some objection they can come to the next County Board meeting. Lund said the County can take hold of the property today, but what the County does with it in the future is not going to be determined at this meeting. Schadewald agreed with Bernie that we should move ahead and not make things any more complicated.

Buckley wished to correct what he said earlier regarding the fire at the property. The property has been limitedly used for at least seven years, not 10 years. The property is a four acre parcel and he would guess that the value is more for the property and not the improvements. If the site was cleaned up he feels the property would have a higher valuation based on what property is going for out there. Buckley reiterated he is totally against the purchase of the property as well as paying interest and special assessments. It is his understanding from Landwehr that Hobart is not overly excited about this transaction either.

Lund noted there have been problems with Hobart in the past with regard to the transfer station. He would not mind purchasing the property tonight but would be totally against doing anything with the property before the County works with Hobart. Lund feels the property should be purchased tonight and then go back to PD&T to figure out what is done with the property.

Motion made by Supervisor Erickson to do an intradepartmental transfer from the Treasurer's Department to Port & Resource Recovery for \$107,378.29 with approval from the Planning, Development and Transportation Committee in the determination of development of the property along with annual reports. No second; no vote taken.

Supervisor Sieber noted the Executive Committee has the power to sell the property, but he is not aware of any authority given to Port and Solid Waste to buy the property. That is something that should come through PD&T and be approved by the County Board. Weininger noted that this will be done by the budget adjustment. Today the Committee is saying that they are going to sell the property and the budget adjustment will then go to PD&T for approval of the transfer of the dollars and then have to be approved by the Board.

Motion by substitution made by Supervisor Schadewald, seconded by Supervisor Erickson that the Executive Committee approves the intradepartmental transfer from the Treasurer's Dept. to Port & Resource Recovery for \$107,378.29 contingent upon the approval of the \$107,378.29. Vote taken. Ayes: Lund, Schadewald, Erickson, Hoyer, Van Dyck Nay: Buckley, Moynihan. MOTION CARRIED 5 TO 2

Motion made by Supervisor Erickson, seconded by Supervisor Van Dyck to receive and place on file Item 7. Vote taken. Ayes: Erickson, Lund, Moynihan, Hoyer, Schadewald, Van Dyck. Nay: Buckley. MOTION CARRIED 6 TO 1

8. **Communication from Supervisor Schadewald re: This communication is my request for the Public Safety Committee to propose a resolution to send to the WI State Legislators and the Governor voicing our support to provide benefits similar to our U.S. armed forces to our public safety personnel who are killed in the line of duty. *Referred from September Public Safety.***

Schadewald indicated this has been handled by Public Safety. Hoyer informed he will be attending the WCA Convention in a few weeks and there are a bunch of different proposals from different counties and this is the sort of thing that Brown County alone sending in is good, but having the full force of the WCA would be even better. He will learn about the process of getting something to that level and noted that sometimes these things are done as a single County thing but in the future we might want to think of doing things differently.

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

Resolutions, Ordinances

9. **Resolution Adopting Brown County's 2017 Five-Year Capital Improvement Plan. *Referred back from August County Board.***

Motion made by Supervisor Erickson, seconded by Supervisor Hoyer to approve. Vote taken. Ayes: Erickson, Hoyer, Moynihan, Schadewald, Lund Nay: Buckley, Van Dyck. MOTION CARRIED 5 to 2.

10. **An Ordinance Creating Section 4.57(5) of the Brown County Code Entitled, "Overtime Compensation for Non-Exempt Employees of the Airport & Highway Department. *Referred back from August County Board.***

Motion made by Supervisor Erickson, seconded by Supervisor Moynihan to approve. No vote taken.

Public Works Director Paul Fontecchio provided a handout re: Overtime Scenarios, a copy of which is attached. He said in the April/May timeframe some of his crew went to the PD&T meeting to talk about overtime and their concerns. There are two main drivers that Fontecchio recalls. One was overtime on weeks that have holidays and vacation time, especially when it comes to snowplowing. The second issue was overtime related to billing and how if it snows on a Sunday and they are billing out on straight time, by the time they get to Thursday or Friday on a normal work day it is at time and a half which created some billing issues.

At the May PD& T meeting, the Committee asked Fontecchio to look at three different scenarios. The first scenario was what is the additional costs if vacation and holidays counted towards a 40 hour work week. The amount for this is \$26,934.47 as set forth on the attachment and Fontecchio noted that most of that is in the winter months around Thanksgiving, Christmas and New Year's. They also looked at where the revenue came from and the sources are also shown on the handout.

The second scenario was the additional cost for the entire year if hours worked outside of regularly scheduled hours of work were treated as overtime and that came out to \$43,587.89.

The third scenario was additional costs for winter plowing months and that came out to \$29,029.19.

Fontecchio continued that the recommendation from PD&T was option 2 and that is what eventually ended up in the ordinance here. He recalled from discussions that this would cover the overtime issues the crew has and also cover the billing. This is the history of the ordinance that is before the Committee tonight.

Erickson said this group of individuals work a very diverse schedule from the rest of the County, similar to the Sheriff's Department with overtime and call-ins, but the Sheriff's Department employees are compensated for all of their time where these guys are not. Erickson continued that he has talked to many of these individuals about this and in basic and broad terms, they are getting screwed. Erickson continued that in looking at Fontecchio's scenario, almost everything that would bill out as overtime is billed out as charges so the County is not actually paying it; it is being covered by the State and other funding. Erickson feels this thing is a win-win all the way around. He said the guys go out in all kinds of situations and emergencies and do things on weekends that are being billed at straight time because they bill out what they are paying the crews. These guys get called out at all times of the night to take care of 15 inches of snow and they spend the next day or two plowing when they should be home opening Christmas presents. Erickson said he is trying to make things right with these guys and noted that they do not complain about this and they do come in when they need to. All they want is to be treated fairly and Erickson noted that the cost is very minimal to the County. At one point there was an estimate for the Airport which was about \$2,000 annually.

Fontecchio said during snow season, he can only allow two or three guys to be unavailable so they can go on vacation. He said a lot of guys take their vacation between deer hunting, Christmas and New Year's which is understandable. Fontecchio said the guys are very good about coming in, even when there is a big storm over a holiday. If they take two days of vacation time, they then work for straight time and that is the crux of this. A lot of vacation goes unused because of this. Fontecchio said that he was on call in December, 2013 and there was a lot of snow during that period. At the January PD&T meeting the overtime hours that were presented were 3,752 hours for the highway crew.

Van Dyck appreciates the fact that the ladies and gentlemen who do these jobs work hard and it is not pleasant work. His concern is that every other department could walk in here and make a case as to why their employees should receive some sort of special treatment. He is not saying he is opposed to this, but if we say yes here, what do we do with the next department that walks in and pleads their case? Further, it seems to Van Dyck that this is being sold off as it is not going to cost very much because a lot of it gets billed out to the State and other municipalities so the impact is minimal. That may be the case, but on the other hand, the impact on the employee is significant. Van Dyck feels we have to be cognizant of what the impact of this would be county-wide before we adopt it for one department and then turn a deaf ear to everyone else who asks for it. Also, on the ordinance itself, the fiscal note says that this resolution does not require an appropriation from the general fund because the Airport and Highway are non-levy funded departments, but Van Dyck disagrees with this and feels that needs to be addressed before this is voted on.

Buckley said he was a public servant for 17 years and spent a lot of time on call-ins. He was a master at the call-in procedures. He asked if a person getting multiple call-ins per day has been addressed. Fontecchio responded that one of his budget initiatives will be an emergency response crew and there will be standby pay as part of that. This actually goes to the next agenda item which was driven by this and Fontecchio recommends holding off on that at this time. Buckley said back in the day he could get 12 hours of call-in pay for less than two hours of work and he wants this addressed with the Highway Department. He understands the call-in part and he does not want to slight anybody. He knows that getting called in on a holiday or weekend stinks, but that is the work these people chose to do. His biggest concern is how this affects the rest of the departments in the County. Buckley feels that if this is done, and he is not saying he thinks it should be done, but if it is done, we need to address it to make sure that we are not coming back here time after time after time with other departments. Buckley asked Director of Public Safety Communications Peltier to explain how his department handles this. Lund said this is germane because we are talking about pay for one department, but it leads to the overall structure.

Erickson said this was put forward at PD&T and this Committee does not have the authority to speak for any other department; if any other department wants to do something, they can bring it to their parent Committee. Buckley does not feel it is the responsibility of each Committee to negotiate with the employees within that Committee; he feels that HR should be doing this work and he has said this in the past. Erickson said this is a special group of people. Buckley said that all employees are very special in their own way. Erickson could not think of many other departments that would fall into this, but if there are departments, they can come forward. Buckley said Peltier contacted him about this to speak up about the issues he will have in his department. Erickson said Peltier can bring that up at his own Committee meeting but Buckley disagreed.

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to amend Section 1 (5) to read as follows, "*Overtime Compensation for Non-Exempt Employees of the Airport & Highway Department. Non-exempt employees of the Airport and Highway Department shall receive one and one half (1.5) times their regular hourly rate of pay for all hours worked outside the established workday and/or the established workweek set by the Department Head so long as consistent with governing law, including the Federal Fair Labor Standards Act and the state's wage and hour laws*" and then send to HR for cost estimates and recommendations and bring back next month. Vote taken.
MOTION CARRIED UNANIMOUSLY

Schadewald said it is very important to treat all employees fairly and feels this motion would do that. He said this needs to be dealt with justly and rightly and it should either be all or nothing. He said the Executive Committee is supposed to handle this and is a proper spot to have this come from the PD&T Committee. Other people in other departments have brought this up and Schadewald made the motion to do this in one fell swoop.

Interim Human Resources Director Pete Bilski stated he has dealt with similar issues in other companies and agreed that an issue like this needs to be addressed as impacting other departments and a decision has to be made with everyone in mind.

Bilski continued that he has looked at the overtime year-to-date. The cost of scenario two against the overtime is about 12% of the overtime. He took 6% of the overtime for the other departments and year to date, a rough number would be around \$50,000 of cost to all other departments. This is running at about \$60,000 - \$65,000 in costs if this was implemented for all departments. Bilski does not think there are any offsets to any departments other than the Highway Department. He feels this may be a no brainer if it is just Highway but the issue is what is the risk of other departments wanting this. Bilski noted that year-to-date the jail is at \$448,000 of overtime and the CTC is at \$153,000 of overtime.

Bilski's other thought is there may be a way to look at this in a different way with something like people on call or on notice and he is aware that Fontecchio has some thoughts on this as well. He would like to work with Fontecchio on this a little more so that all of the issues and options are considered.

Van Dyck said when talking about overtime, we are talking about taking straight time and converting it to overtime and therefore the percentages are a bit understated. He said Public Safety Communications alone is at \$400,000. Public Safety Communications Director Cullen Peltier referred to his handout, a copy of which is attached, and said he put this together in August, before he was sure exactly what the resolution was going to be. As the resolution is presented at this time, the cost would be \$66,000 over the course of a year. Peltier said his department has a lot of hours worked outside of regular hours, very similar to law enforcement and the Highway Department and they have the same issues with the overtime. People do not want to work overtime during holiday weeks, just like Fontecchio said earlier. His point for being here today is exactly what was discussed and brought up by Schadewald in that this has to be equitable for his people. He noted one of the biggest concerns when Chapter 4 was enacted a few years ago along with vacation distribution was this issue and basically we are reversing this. One of the biggest concerns is people being paid straight time when working outside of their normal shift. He is looking for equity and that is why he came to this meeting.

Bilski said that in today's world it is all about flexibility for employees. He likes the idea of allowing someone to work longer on particular days to get out early on another day, but this would automatically be a problem with this resolution. He does think there are creative ways to do what they are asking to be done while still recognizing the key people.

Moynihan said coming here tonight he was supportive of this policy, as he has been in the past. He applauds Schadewald for striking the Airport and Highway Department and looking at all employees collectively and not picking winners and losers in regard to compensation. He is in support of Schadewald's motion as reflected by his second.

Schadewald said this should be referred back to HR because verbiage could be included to reflect flexibility in hours. Before Act 10 people were being paid this. Long term employees used to get paid and now they do not, so it's not really adding a benefit. Now the County Board has to look at if they want a sustainable workforce who provides the best quality services, you have to have satisfied employees willing to do the work. He understands what the Highway Department is going through, but he also knows there are a lot of people in a lot of different departments who are affected by this. Schadewald added that the figures former HR Director Zaehring provided were a little higher and he does not want the Committee to be shocked if the numbers come out a bit more. He feels this is

somewhere we can make a decision that is good for the employees as well as the constituents who receive the services and he thinks this is a good signal to the employees to do this once for all.

Dick Powers – 2300 Short Road, Hobart, WI

Powers has been a snowplow driver at the airport for 23 years. He agrees with this resolution and noted that if one snowflake hits the airport he gets called in and they do not care what he is doing. He is fine with that because he enjoys doing it. He questions the call-in policy in the resolution and asked if there would be consideration when someone is already on their shift and just continues on or if the call-in means that you have to be off the clock and then called in. The Committee advised Powers that that is not what is being discussed at this time.

Sieber recalled at the PD&T Committee they talked about working outside of scheduled hours. He said that if a department head says someone can work additional hours throughout the week in order to leave early on a different day, that becomes a scheduled shift. What was discussed earlier does allow some flexibility. He thinks it would be wise to amend the motion to see if there are any other options that HR might have.

Buckley said we have to be careful comparing this to the Sheriff's Department contracts because when we went through Act 10, the contracts were left in place for law enforcement. This was a decision by the State, not the County. Buckley said there were a lot of things he did not agree with in Chapter 4 and he hopes that we are on the right path now by addressing this globally throughout the County rather than addressing over the next year on a department by department basis. Lund agreed with Buckley and feels that we have to take leadership in this because people will be looking at what Brown County does. He said we are taking a leadership position within the State and he feels it has to be done right so we do not have to keep on changing this by department. Buckley advised those in attendance that it is not that we are against this, it is just that as stated three months ago when this was brought forward, we have to get it taken care of once and for all for everyone.

Van Dyck said in the justification of this, one of the things that was brought up was the billing rate to the municipalities and he would like to see a different formula for this. It seems to him in the private sector if you call to have something done in an emergency, you pay more. But in regular activities such as snowplowing, it should not matter when it is done. There should be a rate that is charged and the rate should incorporate straight time and if overtime is normally 20% of the activity, that rate should be charged on a consistent basis instead of trying to track it when it is actually happening. Fontecchio said this is more on the accounting end of things and he does not know all the rules, but he does know there are State accounting rules with the DOT.

Erickson commented that he was not making a comparison between the Sheriff's Department and the Highway Department; he was only using it as an example. The point he does want to make is that he thinks this should go through and he commended Schadewald for including all departments. When this was brought up at PD&T, the Committee did not feel they had the authority to bring it out that way. They wanted to bring it forward so it got some discussion. Erickson feels this is on the right track. He said over the last five years or so, the Board has been saying to employees here is a little kibble on your check, but you have to pay more for insurance, etc. and he thinks this is a good show of good faith in saying people are going to get paid what they work for when they work. He thinks this will send a great message to the employees.

11. **An Ordinance to Amend Sections 4.49 and 4.57 of the Brown County Code of Ordinances Entitled, Respectively, as "Extra Pay" and "Policy". Held for one month.**

**Motion made by Supervisor Erickson, seconded by Supervisor Buckley to hold 30 days. Vote taken.
MOTION CARRIED UNANIMOUSLY**

12. Resolution re: The Position of Chief Deputy in the Sheriff's Department.

Weininger informed that the Chief Deputy is one of the few positions that was not assigned a classification. At the last budget meeting for the 2016 budget, the Board directed HR to place the Chief Deputy in a Grade 3 and this resolution would put the position at that grade. HR looked at comparables and determined the market rate to be \$97,000. The Chief Deputy currently has a salary of \$95,000. With the wage adjustment that was passed in the budget the position would qualify for a 2% increase which would amount to \$1,900 and this would put the position closer to market.

Schadewald asked if this would dovetail into Item 13. Weininger said this will go into the next item, but it is about fairness. This is an employee who has not received a wage increase because the position was not included in the class and comp. This resolution is necessary to get the position into the class and comp so it is treated in the same way as all of the other positions.

Moynihan asked why the positions of Director of Port, Director of Public Safety Communications and Zoo Director are included in the resolution. Weininger responded that the resolution was drafted by HR and it shows the category group that the Chief Deputy would fall in. Typically what they do is go outside what the market is and look at internal comparables and then place them in an internal comparable with market and balance it out, but that is very subjective. Objectively you could go to the market and it would be a set figure. Moynihan can understand comparables from other counties in regard to the position, but with a Board of 26, discussions could lead to the other positions listed on the document and muddy the waters.

Sieber noted a Deputy Airport Director was recently hired making \$2,000 less than the Airport Director and he tried to move the Director back up to midpoint. He thinks the Chief Deputy is doing a great job, but recalls the argument being made that the Board will not go around changing one person's salary but now it seems that we are giving the Chief Deputy a raise and we just had a long discussion on not treating Public Works any differently than anyone else. Now we are talking about doing the same thing with the Chief Deputy. Weininger responded that this is not about a wage adjustment for anyone. Unlike the Airport Director, the Chief Deputy position was not placed in the class and comp study. Those in the class and comp study were given a wage based on where they fall in the study. What is being proposed is a 2% raise which is what everyone else got. This is basically correcting an error from the previous budget.

Buckley added the last time the Chief Deputy got a raise was about three or four years ago. Shortly after the Sheriff was elected he came forward to request a wage increase for the Chief Deputy to have someone in the position. The Chief Deputy position does not get any overtime and the only way he would get an increase is if the Sheriff asks for it. The Chief Deputy position is sort of like an island in that it does not fit in with the non-supervisory and does not fit with the supervisory positions. This resolution is a clarification because he was overlooked in the class and comp because of his classification.

Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to strike the sentence in the fifth *Whereas* that reads "*Other positions in this pay grade included the Airport Director, Director of Port and Resource Recovery, Director of Public Safety Communications and the Zoo Director* and to strike the sixth *Whereas* in its entirety. Vote taken. MOTION CARRIED UNANIMOUSLY

13. Resolution Approving a Rep for a Classification and Compensation Study with Arthur J. Gallagher & Co. and a Budget Adjustment to use General Fund Balance to cover the expense.

Erickson asked if what is being asked for is a representative to go through what another representative has already done. He will not vote for this.

Van Dyck said the reason this was brought forward is that the class and comp study that was done a few years ago was undertaken by people internally that really did not have a whole lot of experience with this type of study. He also noted there have been three HR Directors during the course of time the study was

being done. Nevertheless, Van Dyck feels the results of the class and comp study left a bit to be desired and the County is still paying the price from this study not being done efficiently and effectively. Further, there is not a lot of buy-in and confidence from the employees that the study was fair and equitable. His concern is that if there is not confidence and buy-in, there will continue to be situations like we had last year with 70 – 80 people challenging their placement in the study. As a County, Van Dyck feels it behooves us to get it right. What he wants to be done by this group is to have a much more thorough study than what was done before, along with suggestions as to how to implement the study because we did not get this with the last study. The study was thrown in our laps with no kind of guidelines on how to implement it, how to get people to midpoint, etc. Van Dyck would like Bilski's take on this, but his perspective is that money was spent on the study and we did not get what we paid for. He feels we need to get something in place that we can use going forward.

Schadewald said the marketplace changes rapidly and what we are seeing happen with our people has made the former study not as germane as it should be to the next year and the year after. Schadewald feels we need more information and this study would provide that so we can do a better job of implementing the class and comp study. He said these kinds of studies have been done in the past and noted that the implementation is more important than the study itself.

Weininger said the Board approved moving forward with an RFP and an RFP committee was created. A number of proposals were reviewed and these are the ones that ranked the highest. There was no money allocated in 2016 for this and that is why it is before the Committee now. Schadewald said we are supporting spending the money.

Bilski said the fact that he is now on board means he can take an active part in this process and he noted that he has done similar studies in very large companies in the past. He has had success in taking comp systems that were unpopular and then doing them the right way. He also said we have to factor in the market. There needs to be less emphasis on the details and more focus on the market. Bilski said there are some things he can teach the HR team on this. Lund noted that 400 employees out of 1500 employees appealed the last study. Bilski applauded the Board for making tough decisions but said we need to fix this. He would be happy to stay engaged in the process to see if there is a way to simplify a plan and make it transferrable so we do not have to keep going back to the folks. A plan should be updated every two or three years. Cost of living can be applied to a market-based system and Bilski would welcome the opportunity to work on this.

Buckley feels we need to figure out a system for the HR Department to operate. The way HR has operated in the past is ridiculous. He said we can spend money for someone to do a class and comp, but when it comes in, it depends on the Board's appetite to abide by it. If money is spent on a plan and then the County does not like what they see, the money is just wasted and nothing is done to set us up for the future and the County will continue to spend money on class and comp studies and all we are getting is behind instead of getting us into a position where the County can move forward on their own. The County should be able to do this on their own. Buckley is not trying to take away from what Van Dyck wants, but he wants to know where we are going to go with this. Lund added we have been talking since 2008 that a class and comp study had to be done because wages were frozen and adjustments were made on the basis of employees be disgruntled and asking for adjustments to their wages. Some were adjusted and some were not.

Bilski asked what the County turnover rate is. Weininger responded that HR run an analysis on this last year and Brown County is on average with the national trends for municipal governments. Tom Smith will be re-running this analysis. Lund said that sometimes it is not the turnover as much as who is turned over, especially if you are losing key employees.

Van Dyck said part of the RFP was that there were budget constraints and Gallagher had to understand that they could not propose something that was going to cost millions of dollars that the Board would turn down. The one thing Van Dyck said at Administration Committee is that if it would make the Board feel better, this could be delayed by 30 days to allow Bilski time to look at what was done before and

then what this is supposed to do so he could lend some comfort level to the rest of the Board that this would do what we want it to do. The last thing Van Dyck wants is to do another study that just sits on a shelf.

Schadewald suggested Bilski review this and if he has any major concerns he can present them at the next County Board meeting. Bilski said he has a conflict with the date of the next Board meeting. Lund said he does not necessary have to attend the meeting, but he should advise the Committee if he has any major concerns. Buckley liked the idea of holding this for a month to let Bilski have some time to look at this. If we are not going to take the opportunity to use his experience and expertise in the study and then expect him to implement something he was not given the opportunity to really study and bring back, then it is shame on us when it is just shelved.

Erickson asked for clarification of what they want Gallagher to look at. Van Dyck said this would be a combination of the appeals and the study and implementation. Erickson feels priority should be given to getting the appeals taken care of. Van Dyck said the appeals will be taken care of as part of the overall study. The problem is you cannot look at the appeals independently because every one of them has ramifications on other departments and that is part of the problem that came out of the old study; we did not have a way to implement the whole package and then we started trying to piece meal it. He is agreeable with the motion to hold because that will give Bilski time to look at this before the Board meeting, but noted that it could be held on the Board floor if Bilski does not have proper time to get brought up to speed on this. Buckley said Bilski has to be given enough time to have a fair analysis of the past and going forward.

Motion made by Supervisor Buckley to hold for 30 days. No second, no vote taken.

Motion made by Supervisor Schadewald, seconded by Supervisor Van Dyck to approve. Vote taken. Ayes: Schadewald, Van Dyck, Moynihan, Hoyer, Erickson, Lund Nay: Buckley. Vote taken. MOTION CARRIED 6 to 1

14. **Initial Resolution Authorizing the Issuance of Not to Exceed \$1,970,000 General Obligation Promissory Notes of Brown County, Wisconsin in One or More Series at One or More Times.**

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

15. **Initial Resolution Authorizing the Issuance of Approximately \$6,070,000 General Obligation Corporate Purpose Refunding Bonds of Brown County, Wisconsin.**

Motion made by Supervisor Schadewald, seconded by Supervisor Hoyer to approve. Vote taken. Nay: Buckley. MOTION CARRIED 6 to 1.

Reports

16. **Brown County Financial Statement Results—Levy Funded Departments as of June 2016. *Held for one month.***

Weininger said this shows where each department is at. The latest figures are from July 31, 2106. Public Safety has a deficit and this is based off the target and is due to the maintenance contracts being expended. The County Clerk has \$100,000 that will be used from the general fund due to the elections and equipment that needed to be purchased. Community Programs and CTC typically trend in the negative but now are trending in the positive and Weininger said they have been doing a really good job of managing this. The county road and bridges have not really received any State funds. Weininger said that overall the County is trending well.

Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to suspend the rules to take Items 16 & 17 together. Vote taken. MOTION CARRIED UNANIMOUSLY

**Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to approve Items 16 & 17.
Vote taken. MOTION CARRIED UNANIMOUSLY**

17. Brown County Financial Statement Results – Levy Funded Departments as of July 2016.

See action at Item 16 above.

18. Internal Auditor Report.

~~a) Presentation of the 2015 Comprehensive Annual Financial Report (previously distributed), Federal Awards and State Financial Assistance Report and Management Communications (to be distributed) by David Maccoux, Schenck, SC.~~

This item was struck from the agenda.

b) Discussion – City of Green Bay Personnel Committee.

- i. City of Green Bay Personnel Committee.**
- ii. Brown County Chapter 4 – Personnel Rules and Regulations.**

Internal Auditor Dan Process recalled a request at the last Executive Committee meeting to gather some information on Green Bay's Personnel Committee. He referenced the documents contained in the agenda packet which include an organization chart showing that the City's Personnel Committee is a standing committee consisting of four alderpersons. Input is given by the Mayor and the HR Director and then the information flows up to the Common Council. The second part of the packet materials include information as to the responsibilities of each of the groups that make up the Personnel Committee. The third piece of information is a copy of the City's Chapter 2. Process also included how the County is currently structured. He noted there are some similarities but also some differences and some of the discussions earlier in this meeting illustrate where some of the deviations come into play as far as each of the oversight committees having input in personnel decisions and how it comes to the Executive Committee next and then to the Board.

Schadewald recommended that this be referred to the Administration Committee and the HR Department because he feels that this is where the real work of the consultant is going to be in the next three months. We have to get ourselves knowing how to run a Personnel Committee. He feels in the plans the implementation can be done right versus us trying to reinvent the wheel. Schadewald appreciated the report by Process but feels this has to be looked at further before any decisions are made.

Supervisor Le Febvre said she talked to Zaehringer about this at the last Administration Committee meeting. Zaehringer gave some good insight. She does not feel a Personnel Committee is needed but instead, HR needs funding for training. This goes back to the recent investigation which shows that the person was not qualified or trained properly to do the investigation. In addition, there is supposed to be a training and development position that has never been filled. Le Febvre thinks what we need is to fill that position and get funding for it because currently there does not appear to be enough money to train people properly. Le Febvre said she is trying to find a way to start at the beginning to solve the problem, not to add more to it.

Buckley said he has been on the County Board and has also been on the City Council and one of his positions was on the Personnel Committee. He feels the working relationship with HR would be much better if there was a Personnel Committee that just focused on working with HR. In taking the position Le Febvre talked about, a Personnel Committee would have fought for the position, just like we come and fight for our respective departments. His personal opinion from seeing how a Personnel Committee works and from seeing how HR works elsewhere, is that you need someone who understands and learns what HR actually does. This is not an easy area to learn. Buckley feels that of the Supervisors on the Board, very few understand what HR has to do to keep up on changing laws. He is not saying that a Personnel Committee has to be experts, but if they work closely with HR on the types of issues that were talked about tonight or different issues such as the dress code, it would help solve a lot of employee issues and give the employees a place to go with HR-related issues. A Personnel Committee could work together with HR and Buckley he feels we could do a lot better for our employees. Le Febvre asked Buckley for his opinion on a training and development position, but Buckley

responded that he cannot give an honest opinion at this time without having a better working knowledge of what the HR Department is actually doing.

Schadewald said maybe there could be a subcommittee under the Administration Committee that is a Personnel/HR Committee which deals with them on a more ongoing basis and could bring information to Administration Committee who could then pass it along to the full Board. Buckley added that HR is complicated and there are a lot of different facets that people do not understand.

Van Dyck appreciates the comments made, but opined that until we clarify exactly whose role this is, we will continue to struggle to answer this question. As long as he has been on the Board, the Executive Committee has been the de facto Personnel Committee. There also seems to be a dotted line to the Administration Committee and it is very confusing from an HR perspective as to who they report to. Since minds cannot be made up, they report two places. Van Dyck does not think we need to create a new committee; he feels that someone needs to be given the ability to take charge of this. This may belong at Administration, but Van Dyck feels the Executive Committee may be reluctant to give up authority over HR decisions. When the Committees and the Board become comfortable with where all the pieces go, progress can be made. But until that decision is made, we will continue to spin our wheels.

Moynihan said that that is why he has acquiesced by seconding the motion. He said that Buckley has always brought this forward and he has downplayed that the Executive Committee is the Personnel Committee instead of adding another layer. He would like to see what the Administration Committee comes up with on this and then those ideas can be addressed collectively. Buckley agreed with Moynihan and added that there are a lot of committees, but he would not have a problem with a Personnel Committee that reports to the Executive Committee. He would like to see a recommendation on this, and noted that he does not have a problem forming another committee. If the Executive Committee still wishes to be involved, the Personnel Committee could still report to the Executive Committee.

Lund said he is not willing to give up the powers of the Executive Committee because it has all of the chairmen of all of the Committees who help make decisions that go to the County Board. Buckley is not suggesting that the Executive Committee be disbanded.

Schadewald is taking this all into consideration and believes in checks and balances. He envisions a Personnel Committee being much more involved in determining if things are being done properly when decisions are made and if there are appropriate procedures and policies in place so the Executive Committee can review the decisions and support them.

Erickson said it does not hurt to have a recommendation on this. He is the Supervisor who made the motion to compare the City to the County and he said that Process did a good job in getting the information he wanted to see. Erickson said the County model and the City model are very similar and serve a very similar purpose. There could be a subcommittee under the Executive Committee that would only meet if there was an employee concern. This is something that he may see as having some value.

Buckley disagreed with Erickson and said that from being in both roles, the committees are not even similar. The Executive Committee does not do what the Personnel Committee did at the City. At the City, the Personnel Committee met with HR or department heads who had issues with their pay or dress code or whatever. Buckley said these are different Committees but Erickson would not know this because he has not been involved in both. The Personnel Committee dealt only with personnel issues and worked closely with the HR Director. After all these years of him trying to fight for a Personnel Committee for the County, he does not understand why everyone fights it because it would help the County Board as well as the entire workforce. Le Febvre agreed with Buckley and said we have to start solving problems.

Van Dyck spoke to Buckley's point and said if the Executive Committee feels strongly about maintaining control over benefits and wages and so forth, to him that is the most important thing the Executive Committee does. The Executive Committee could easily be relabeled as the Personnel Committee and a lot of the other stuff that comes before this Committee could be pushed off to another Committee. Van Dyck feels the major role of the

Executive Committee is making decisions regarding wages and benefits, and as he looks at it, we can narrow it down to that and nothing else. This group of people should understand what is going on when we are talking about wages and benefits so they can take the information back to their respective Committees.

Schadewald agreed with Van Dyck and said that that is the way thing used to work years ago. He said there are a lot of things being done at Executive Committee that used to not be done there. Many things are rehashed at Executive after they have already been vetted at another Committee. Hoyer agreed with this. Schadewald said that as recommendations are made, some of the ways things are reviewed may change. Moynihan said that he has had conversation with Supervisors exactly to this point.

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to refer to Administration Committee and Human Resources Department for review and recommendations. Vote taken. MOTION CARRIED UNANIMOUSLY

c) **Board of Supervisors Budget Status Financial Report – July 2016 (Unaudited).**

Motion made by Supervisor Van Dyck, seconded by Supervisor Erickson receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

d) **Monthly Status Update: August 1 – August 31, 2016.**

Motion made by Supervisor Hoyer, seconded by Supervisor Moynihan to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

19. **Treasurer - ACTION - Review and approval or rejection of bids/selling prices for tax deed properties: (Bid results of 9-7-16).**

a) Parcel #	Municipality	Address	Starting Bid	High Bid	#of Bids
21-1449	City of Green Bay	216 Quinton St.	\$ 3,000	\$ 5,075	12

Zeller informed that he had several inquiries on this property even before the Treasurer's office received the property and put it out for bids. The notice of sale was sent to two dozen immediate neighbors and 12 bids were received. The high bid was \$5,075.

Motion made by Supervisor Schadewald, seconded by Supervisor Hoyer to approve the bid by Tom Didier in the amount of \$5,075 for Parcel 21-1449. Vote taken. MOTION CARRIED UNANIMOUSLY

b) **City of Green Bay Redevelopment Authority considering the following 3 parcels:**

- i) **Green Bay Parcel 8-156 at 1409 Elm St.**
Municipal cost = \$ 1,496.42 (TIP) + approx. \$ 275.00 2016 taxes
Special Assessment, Special Interest & Penalty due = \$ 7,501.71

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to suspend the rules to take Items bi, ii, iii together. Vote taken. MOTION CARRIED UNANIMOUSLY

Zeller said each of these bids fulfill all of the County's costs. He noted that all of these parcels have special assessments beyond that and the City's intent is to get some of their special assessments back.

Schadewald said that approving these sales is not something that has always been done at Executive Committee. Moynihan informed that Zeller did some research and found that this belongs at Executive Committee. Lund added that it is in the County ordinances that this comes to the Executive Committee and noted that this could be something that moves back to Administration Committee.

- ii) **Green Bay Parcel 6-475 at 1634 Sixth St.**
Municipal cost = \$ 14,554.98 (TIP) + approx. \$ 800.00 2016 taxes
Special Assessment, Special Interest & Penalty due = \$ 17,705.01

- iii) **Green Bay Parcel 14-309 at 115 S Van Buren St.**
Municipal cost = \$ 21,959.84 (TIP) + approx. \$ 1,000.00 2016 taxes
Special Assessment, Special Interest & Penalty due = \$ 143,519.25

Motion made by Supervisor Schadewald, seconded by Supervisor Hoyer to approve Items 19 bi, ii & iii.
Vote taken. MOTION CARRIED UNANIMOUSLY

- c) **Brown County intra-County transfer purchase being considered for parcel:**
Hobart Parcel HB-855-3 at 973 Haven Place
County cost = \$ 72,902.56 (TIP) + approx. \$ 7,700 2016 taxes*
Special Assessment, Special Interest & Penalty due = \$ 26,775.73

***The current assessed valuation of \$401,800 will result in a 2016 tax bill in the ballpark of \$ 7,700 due 1-31-2017 because the parcel was taxable on January 1, 2016.**

See action at Item 7 above.

- d) **Parcel 21-1293-2 at 1739 Main St. – Discussion – Direction to Proceed.**

Zeller recalled that this parcel has been discussed before. It is a former gas station property on Main Street. He attempted to sell this property with a minimum bid of \$37,500 toward the end of last year. Zeller noted that there is petroleum contamination on the property. The neighbors include a restaurant and an automobile repair shop and both of them are interested in the property, but not at the price of \$37,500. Zeller did go through the steps to obtain the local government unit liability protection and submitted it to the DNR and attained the appropriate documentation as provided to a County for a taking of this type, but he noted that it does not pass to a new owner. He is asking for the Committee's direction on this. He would be happy to put this back out for auction but needs the Executive Committee to determine a minimum bid. Zeller did not think he could get \$37,500 for the property. What the County would need to get for general taxes only would be \$17,083.16. Moynihan asked what previous bids for this property were. Zeller said that there were no bids.

Van Dyck commented that he does not see what difference minimum price makes because the County is only going to get what they get. To put it out at \$17,000 and not get any bids again and have to bring this back does not make sense. If nobody bid on it earlier, he did not feel like anyone would bid now at that price. He suggested starting with a much lower minimum bid. Van Dyck asked about the liability transfer that Zeller referred to and asked if it was specific to property the County is taking under this situation because the County has a parcel of property that had come under discussion about selling it but there were issues and it was decided not to market it because an attorney informed that the liability, no matter if it was sold "as is" or not stayed with the County. Zeller read that assuming that the LGU (the County) did not cause the contamination, it can be eligible for the local government liability exception by acquiring the contaminated property in accordance with State law. One of the eligible methods of acquisition includes tax delinquency.

Schadewald agreed with Van Dyck on the minimum bid. Zeller said the minimum bid to put the property out for sale online is \$100. There is a set term to the listing. Zeller added that Supervisor Nicholson did a lot of work with this property prior to the County owning it and he wanted to try to get the neighbors to purchase the property together and split it. Lund said if the neighbors want to do this they could do it themselves. Buckley recalled this being done in the past and said we may want to explore this further because he feels that if two neighbors each want part of the property the County would probably get more than just listing it on the website at \$100.

Motion made by Supervisor Van Dyck, seconded by Supervisor Moynihan to hold for 30 days and direct Treasurer Zeller to go back to the two parties and seek an offer if they are interested. Vote taken.
MOTION CARRIED UNANIMOUSLY

20. Human Resources Report

Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

21. County Executive Report

a. Budget Status Financial Report for July 2016.

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

Other

22. Such other matters as authorized by law. None.

23. Adjourn.

Motion made by Supervisor Moynihan, seconded by Supervisor Van Dyck to adjourn at 8:28 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Alicia Loehlein
Recording Secretary

Therese Giannunzio
Recording Secretary

PUBLIC WORKS DEPARTMENT

Brown County

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PAUL A. FONTECCHIO, P.E.
DIRECTOR

TO: PD&T Committee
FROM: Paul Fontecchio, P.E.
DATE: June 27, 2016
RE: Overtime Scenarios

At the request of the PD&T Committee during the May 23, 2016 meeting, I am reporting on the estimated additional costs for overtime for the following three scenarios using 2015 data:

1. Additional cost if vacation, holidays, etc. counted towards the 40 hours of work.
 - This change would result in \$26,934.47 in additional cost (pay & fringe).
 - It would also generate \$28,849.73 in additional revenue:
 - \$9,702.13 would be charged to the State of Wisconsin.
 - \$7,034.37 would be charged to County 240 fund.
 - \$9,645.97 would be charged to capital projects (bond/levy).
 - \$2,467.26 would be charged to other sources (municipal, inter-department, private, etc.)
2. Additional cost for the entire year if hours worked outside of regularly scheduled hours of work were treated as overtime.
 - This change would result in \$43,587.89 in additional cost (pay & fringe).
 - It would also generate \$43,927.23 in additional revenue:
 - \$14,624.62 would be charged to the State of Wisconsin.
 - \$11,066.79 would be charged to County 240 fund.
 - \$14,472.93 would be charged to capital projects (bond/levy).
 - \$3,762.90 would be charged to other sources (municipal, inter-department, private, etc.)
3. Additional cost for winter/plowing months (2nd Monday November to 2nd Monday April) if hours worked outside of regularly scheduled hours of work were treated as overtime.
 - This change would result in \$29,029.19 in additional cost (pay & fringe).
 - It would also generate \$29,364.44 in additional revenue:
 - \$10,323.25 would be charged to the State of Wisconsin.
 - \$7,315.72 would be charged to County 240 fund.
 - \$9,212.02 would be charged to capital projects (bond/levy).
 - \$2,513.44 would be charged to other sources (municipal, inter-department, private, etc.)

DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS

Brown County

3028 CURRY LANE
GREEN BAY, WISCONSIN 54301-4875



Emergency Communication Services
9-1-1 Center Operations
Emergency Management

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Cullen Peltier
Director

August 8, 2016

To: Cullen Peltier

From: Renee Ruiz

Reference: Overtime Pay

Overtime paid on Inversed Hours:

- We currently pay overtime to the 10 hour employees so there would be little difference there. There would be some increase for employees who currently do not receive overtime pay if they use benefit time and then get inversed on their working day or when being used on a cover week.
- Currently 10 hours were inversed to 12 hour employees who may not have been at their 40 hours which would be an increase of approximately \$110
- Extrapolated for the year would be approximately \$138

Overtime paid over 8 hours:

- Due to the fact that almost all of our FT employees work over 8 hours in a day this would be a substantial cost to our Department. More than likely we would have to revert back to a 5/2 5/3 schedule which would make our staff extremely unhappy and likely result in high turnover.
- Calculations of cost:
 - 26 12 hr employees @ 12 OT hours per week for 52 weeks would be an additional 16,224 hours paid at time and a half
 - 32 10 hr employees @ 8 OT hours per week for 52 weeks would be an additional 13,312 hours paid at time and a half
 - Total 29,536 hours * \$11/hr=\$324,896 annually

Overtime paid outside of regularly scheduled hours:

- I believe if the County worded it as stated above it would grant what the proposal intends and allows each Department to set their own schedule.
- This would increase our budget as follows (approximately):
 - We currently have 4,545 hours worked outside of regular hours paid at straight time. If we paid those at time and a half that would be an increase of \$49,992.
 - Extrapolated for the year would be approximately \$66,989