

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, April 8, 2013 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

Present: Chair Tom Lund, Supervisors Patrick Moynihan, Jr., Pat Evans, Bernie Erickson, John VanderLeest, Steve Fewell, Dan Robinson

Excused:

Also Present: Supervisors Pat Williams, Andy Nicholson, Dan Robinson; Brent Miller, Dan Process, David Hjalmsquist, Juliana Reunzel, Brian Shoup, Lynn VandenLangenberg, David Lasee, Other Interested Parties

I. **Call Meeting to Order:**

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

II. **Approve/Modify Agenda:**

Motion made by Supervisor Moynihan, seconded by Supervisor Evans to amend the agenda and strike Item #24. Vote taken. MOTION UNANIMOUSLY APPROVED.

III. **Approve/modify minutes of March 11, 2013.**

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

Comments from the Public - None

Vacant Budgeted Positions (Request to Fill)

1. Circuit Courts – Court Commissioner – Vacated 4/26/13.
2. Human Services – CTC – Admissions/Billing/Collections Supervisor – Vacated 4/19/13.
3. Human Services – CTC – Director of Nursing – Hospital – Vacated 3/19/13.
4. Human Services – CTC – Health Information Services Manager – Vacated 6/3/13.
5. Human Services – CTP – AODA Counselor – Vacated 2/8/13.
6. Human Services – Economic Support – Clerk II – Vacated 3/27/13.
7. Human Services – Economic Support – Economic Support Specialist I (x2) – Vacated 4/4/13 and 5/2/13.
8. Human Services – Social Worker/Case Manager – Child Protection Intake/Ongoing – Vacated 3/22/13.
9. Public Works – Facility Management – Facility Worker – Vacated 3/17/13.
10. Public Works – Facility Management – Housekeeper - .5 FTE (x2) – Vacated 3/15/13.

Motion made by Supervisor Erickson, seconded by Supervisor Evans to suspend the rules to take Items 1 through 10. Vote taken. MOTION UNANIMOUSLY APPROVED.

Motion made by Supervisor Evans, seconded by Supervisor Erickson to approve Items 1 through 10. Vote taken. MOTION UNANIMOUSLY APPROVED.

Communications

11. **Communication from Supervisor Steffen re: Term-limits for Brown County Supervisors. *Referred to April Executive from February County Board.***

**Motion made by Supervisor Erickson, seconded by Supervisor Evans to receive and place on file.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

Supervisor Vander Leest arrived at 5:37 p.m.

- 11a. **Resolution to Establish Term Limits for Board Supervisors. *Motion at February Exec: To put resolution on agenda.***

**Motion made by Supervisor Erickson, seconded by Supervisor Evans to receive and place on file.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

12. **Communication from Supervisors Van Dyck & Lund re: Request that the task force that was formed by the Board Chair last year to examine the future of BC Library system be disbanded and that the mission for which it was formed be undertaken by the Education and Recreation Committee. *Held for 30 days.***

Supervisor Erickson pointed out that there has been more than one group who is discussing the library system, opining that it is being overdone. He asked that the group formed by the Board Chair be disbanded and that their mission be undertaken by this committee.

Motion made by Supervisor Erickson, seconded by Supervisor Buckley to approve disbanding the task force that was formed by the Board Chair to examine the future of the Brown County Library system and refer it to the Education & Recreation Committee.

Supervisor VanderLeest pointed out that not only the PD&T committee and the Ed & Rec committee are discussing the library system, but discussions are also being held by the Library Board, Governing Board, etc. and they are not updating the other. He suggested that a clear process be developed.

Erickson asked to withdraw his original motion and replace it with the following.

**Motion made by Supervisor Erickson, seconded by Supervisor Evans to receive and place on file.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

13. **Communication from Supervisor Nicholson re: Review the ordinance/policy/county code that prohibits county employees to do lobbying in their own interest on county time. *Referred to HR for classification, held for 30 days with possible closed session (See Item #24).***

Supervisor VanderLeest stated that the City of Green Bay has a policy which clearly states their employees are not allowed to lobby in their own interest during work hours. Fewell added that this item has been referred to HR for classification which will be ready for discussion in 30 days.

**Motion made by Supervisor Erickson, seconded by Supervisor Moynihan to hold for one month.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

Legal Bills

14. **Review and Possible Action on Legal Bills to be paid.**

**Motion made by Supervisor Vander Leest, seconded by Supervisor Buckley to pay the bills.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

Other

15. **Discussion of the Chapter 4 modifications and the effects on departments that operate 24 hours per day, seven days per week. *Motion at December Exec: To have a quarterly report for the 911 Communication Center.***

Human Resources Director Lynn VandenLangenberg reported that the HR Department has been working with the 911 Director and staff and are in the process of finalizing their report. At this time modifications are being reviewed by staff for their input. She requested that action be held for one month.

**Motion made by Supervisor Fewell, seconded by Supervisor Buckley to hold for one month.
Vote taken. MOTION UNANIMOUSLY APPROVED.**

Reports

16. **County Executive Report.** No report, no action.

17. **Internal Auditor Report.**

- a) **Budget Status Financial Report for December, 2012 and February, 2013.**

Motion made by Supervisor Fewell, seconded by Supervisor Moynihan to receive and place on file 17a. Vote taken. MOTION UNANIMOUSLY APPROVED.

- b) **Quarterly Status Update.**

Internal Auditor Dan Process summarized projects which are in progress or which were completed during the first quarter of 2013 which included completion of various requests to Administrative Policy A-10 Monetary Receipts, Disbursements, and Deposits for Aging and Disability Resource Center, District Attorney, Parks, & Library; County Bank Reconciliation Review; Standard Monthly Duties; Standard Quarterly Duties; and other miscellaneous activities.

Supervisor VanderLeest asked whether internal controls are in place and the Internal Auditor indicated he was not aware of this practice, however, there is a "Tip Line" in place if employees wish to report concerns.

Director of Human Services, Brian Shoup, noted that his department does have several internal controls which are reviewed annually.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to receive and place on file 17b. Vote taken. MOTION UNANIMOUSLY APPROVED.

Resolutions, Ordinances

18. **Resolution to Approve Submission Requirements for Proposed Amendments to the Annual Budget by Board Supervisors. *Referred from Admin Cmte – See attached minutes.***

This resolution was drafted to establish guidelines for the annual operating budget review process which is distributed by the County Executive by October 1st of each year. Each standing committee is required to conduct a review and hold a public hearing to conclude 7 to 14 days in advance of the annual Board budget meeting. Any amendments shall be submitted to the County Board office in writing to include financial amendments, fund transfers and tax levy adjustments. Submittals will be reviewed and submitted to the full County Board, the County Executive, department heads, media, and to the IS Department for posting on the county's public website. Board Chairman Moynihan explained the intent is to allow supervisors time for research and bring their concerns forward.

Comments from the supervisors included VanderLeest expressing concern with the 7 to 14 day period, noting that financial numbers are sometimes updated at the last minute. He encouraged a process that would bring ideas and issues to the Executive, then on to committee level to make adjustments ahead of budget day. He stated that although work should be encouraged ahead of time, there should always be an opportunity to hear from the public and have flexibility on budget day.

Lund opined this policy somewhat ties the hands of supervisors, although all items can be discussed at the budget meeting.

Supervisor Evans pointed out that the resolution is binding and there would be a process to make any changes. He was inclined to vote against the resolution, opining that it is bad government to tie the hands of the executive branch.

Supervisor Fewell also had issues with any last minute decisions being made at the budget meeting, stating it is best if all supervisors are informed and can make a decision before that time, that last minute decisions could be seen as a violation of public trust. Fewell stated that although there may be times when last minute adjustments need to be made, it should be the exception and not the rule.

Supervisor Buckley indicated it is important to allow staff time to do their investigation and review so that the correct information is presented, and VanderLeest opined that although he would encourage work ahead of time there should be flexibility on budget day.

Supervisor Robinson expressed agreement with the spirit of the resolution as it commits to a policy or guideline. He indicated that decisions are best made when County Board members are all informed and have necessary information ahead of time. He suggested a language change to the resolution which would state, NOW BE IT RESOLVED that board members be encouraged . . .

Supervisor Lund suggested that the resolution be referred to staff to re-draft so that it is non-binding and return to committee.

Motion made by Supervisor Evans, seconded by Supervisor Erickson to receive and place on file. WITHDRAWN

Motion made by Supervisor Fewell, seconded by Supervisor Buckley to refer to the Corporation Counsel to draft a resolution that is non-binding and return to committee. Vote taken. MOTION UNANIMOUSLY APPROVED.

19. **Resolution re: Change in Table of Organization Human Services Department – Advanced Practice Nurse Prescriber.**

Motion made by Supervisor Evans, seconded by Supervisor Buckley to approve. Vote taken. MOTION UNANIMOUSLY APPROVED.

20. **Resolution re: Change in Table of Organization Public Works Department – Electrical Journeyman.**

Motion made by Supervisor Erickson, seconded by Supervisor Vander Leest to approve. Vote taken. MOTION UNANIMOUSLY APPROVED.

21. **Resolution re: To Approve The Purchase and Subsequent Sale of Parcel HL-356, Located Adjacent to the Property Proposed Under the 1998 Landfill Siting Agreement for the Construction of a South Landfill in the Town of Holland.**

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

22. **Resolution re: Supporting Efforts to Maintain the Tax-Exempt Status of Municipal Bonds.**

Motion made by Supervisor Moynihan, seconded by Supervisor Erickson to approve. Vote taken. MOTION UNANIMOUSLY APPROVED.

23. **Resolution requesting the Brown County Board of Supervisors contract for an Assistant District Attorney position and a Support Staff position.**

Supervisor Buckley asked for confirmation that the Legal Assistant II in the 5th Whereas of the Resolution is a contracted position with no benefits, stating that if it is, it should not be included on the Table of Organization and would require a change in the financial numbers.

With regard to the Assistant DA position and a support staff position, the DA has provided a budget of \$78,000 for a contracted attorney, \$54,998.50 for a Legal Assistant II, and \$16,679 for necessary equipment for a period of one year for the Drug Task Force.

Supervisor Evans had questions relative to the Domestic Violence Grant and the funding of staff by the County, indicating he would not support at this time. If the County is going to fund staff positions, he suggested filling three. Supervisor Erickson reported that at a recent Legislative Breakfast he attended there were comments that if the County continues to fund the positions, the State will never pick them up.

VanderLeest asked for clarification if this is a one-time deal to get through the backlog and would not be an ongoing situation. If so, he would support. DA Lasee responded that although the courts are understaffed, his office could handle the backlog. He indicated that of 100 drug cases last year, only 1% went to trial. VanderLeest asked for periodic reports on progress with the backlog.

Supervisor Fewell suggested that a detailed log of the financials paid by the County for these positions be sent to the State and Chairman Lund recommended that Fewell put a communication in to the Board Office to this effect.

Other comments and discussion included that of Supervisor Robinson who asked about the categories of offenses. He expressed hesitancy to move on this at this time, asking if the money could go to higher cases. Chairman Lund stated that although he is regretful that the State will not cover these positions as they should, he is in favor of approval as it affects public safety.

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to approve with the amendment of a change to financials related to the Legal Assistant II position –that is contracted with no benefits. Vote taken. Nay: Evans. MOTION APPROVED

Motion made by Supervisor Fewell, seconded by Supervisor Buckley to approve as amended. Vote taken. MOTION APPROVED.

24. **Closed Session:**
Closed Session Pursuant to Wis. Stats. §19.85(1)(f): Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b)

applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories, data, or involved in such problems or investigations.

No discussion, no action taken.

25. **Closed Session Pursuant to Wis. Stats. §19.85(1)(e) Labor Negotiations with Non Supervisors: Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conduction other specified public business, whenever competitive or bargaining reasons require a closed session.**

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to enter into closed session. Vote taken. MOTION UNANIMOUSLY APPROVED.

Roll call: Evans, Erickson, Lund, Moynihan, Buckley, Vander Leest, Fewell @ 6:47p.m.

Motion made by Supervisor Vander Leest, seconded by Supervisor Moynihan to return to regular order of business. Vote taken. Nays: Buckley, Evans. MOTION APPROVED.

Other

26. **Such other matters as authorized by law.**

Future Agenda:

Supervisor Buckley asked that the Administration Committee have a discussion pertaining to step pay increases for Public Safety, Communication Center, and jailers. Supervisor VanderLeest requested that a discussion regarding Sheriff's Department insurance also be included.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to adjourn at 7:06 p.m. Vote taken. MOTION UNANIMOUSLY APPROVED.

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

Rae G. Knippel
Transcription