

**PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Executive Committee was held on Monday, February 11, 2019 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Lund, Supervisor Moynihan, Supervisor VanDyck, Supervisor Sieber, Supervisor Hoyer
Excused: Supervisor Buckley, Supervisor Erickson
Also Present: Corporation Counsel Dave Hemery, Director of Administration Chad Weininger, Internal Auditor Dan Process, Health and Human Service Director Erik Pritzl, Supervisor Lefebvre, Child Support Administrator Maria Lasecki, County Executive Troy Streckenbach, DA Office Manager Michele Andresen, Victim Witness Program Coordinator Kim Pansier, Legal Assistant II Jenny Kleczka, GB Police Officer Scott Asplund, Cheryl Mc Cutcheon and other interested parties.

I. Call meeting to order.

The meeting was called to order by Chair Tom Lund at 5:30 pm.

II. Approve/modify agenda.

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

III. Approve/modify Minutes of January 7, 2019.

Motion made by Supervisor Sieber, seconded by Supervisor Hoyer to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public

-Kim Pansier, 630 N. Huron Street, De Pere, WI

Pansier is the Victim Witness Program Coordinator and requested that the Committee open the floor at Item 10 of the agenda to allow people to speak.

Appointment of Members to Citizens Redistricting Advisory Sub-Committee

1. Appointment by Chair Lund of the following: **Citizen Members:** Robyn Davis, Ken Bukowski, Pam Parish, Hector Rodriguez, Cheryl Mc Cutcheon; **Academic Member:** Thomas Joynt; **Brown County Board Members:** Aaron Linssen, Tom Sieber, Tom Lund.

Motion made by Supervisor Moynihan, seconded by Supervisor Hoyer to approve the appointments. Vote taken. **MOTION CARRIED UNANIMOUSLY**

2. Review Minutes of:
a) *None.*

Legal Bills

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

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to pay the legal bills. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Communications

4. Communication from Supervisor Hoyer re: Review and possibly update the medical/disability/leave policies for county employees as they go through the organ donation and recovery program. *Motion at January Admin: To*

refer the communication from Supervisor Hoyer and the City of Green Bay Personnel Policy 9.8 to the Executive Committee for consideration.

Supervisor Hoyer said the goal is to try to encourage awareness and encourage the possibilities of organ donation with our employees. The agenda packet contained two similar pieces of ordinance, one being from the State and the other from the City of Green Bay. In both those municipal areas employees have similar additional levels of coverage and pay during the period they are off for organ donation. Hoyer has been working with Green Bay Police Officer Scott Asplund and indicated Asplund would be able to speak to this more fully. Hoyer would like this to be sent to Corporation Counsel to draft a policy similar to what Dane County and the City of Green Bay has and then have it brought back before this Committee for approval.

Motion made by Supervisor Hoyer, seconded by Supervisor Sieber to suspend the rules to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

-Scott Asplund, 307 S. Adams Street, Green Bay, WI

Asplund shared his personal experience with organ donation with the Committee. When he went through the process, he learned that he would have to take time off without pay or use existing vacation or sick time; there was not a specific benefit. Asplund researched benefits in other states and found that many of them have policies that cover this so employees would not have to use limited sick or vacation time. He referenced the number of people waiting for organs and having a policy in place would be one small step that may encourage donations. This is not likely something that a great number of people will do, but if someone was contemplating donating, having a policy in place so people would not have to worry about it from a monetary standpoint may help them make a decision.

Motion made by Supervisor Hoyer, seconded by Supervisor Sieber to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Director of Administration Chad Weininger informed in the past if an employee worked 1250 hours in 52 weeks, they qualify for 12 weeks off for FMLA. The State recently changed the law to allow for an additional 6 weeks which can be split up. In addition, the HR Director has the authority to give additional unpaid time off and further, employees are able to donate paid time off to another employee if they desire. Weininger noted Dane County provides 30 days of paid time off for an organ and 5 days for donating bone marrow. The process would be to go to HR to get permission and then if they are approved they would receive the paid time off for donating. Weininger said a fiscal for this would be hard to do but he had Finance do a quick estimate based on 5 employees using the benefit for an organ and 5 for bone marrow in a year and that impact would be about \$40,545, but he noted that realistically it would not likely be that high and this is just a guess.

Weininger continued that if he is directed to draft a policy on this, it would include the caveat that the employee had to work at least 1000 hours in 52 weeks and seek approval from HR and provide appropriate medical documentation. The standard for states that have policies on this is for 30 days off.

Supervisor Van Dyck agrees with this in the spirit in which it is intended, but suggested that we say that the County would support this, but then look at each case individually instead of dictating one hard, fast rule. He would like there to be some flexibility. Weininger said it could be drafted for the HR Director to have the authority to allow for additional time off with pay. Van Dyck noted in the case of an employee donating an organ to another employee, if a policy is in place similar to the Green Bay policy, it would give the person donating the organ up 30 days of paid leave off, yet there is no provision or allotment for the person receiving the donation. Weininger noted that one of the goals of this policy is to help to make the donation process a little easier which may interest more people in doing it.

Weininger noted that the policy written in the past actually allows for flexibility and what this would be doing is making it a little more direct with regard to organ donation. Supervisor Lefebvre asked what the policy is for someone who is receiving an organ. Weininger responded that that would be handled like any other time off for medical reasons which include FMLA and short-term disability.

Motion made by Supervisor Hoyer, seconded by Supervisor Moynihan to refer to administration and bring back to next meeting. Vote taken. MOTION CARRIED UNANIMOUSLY

Resolutions, Ordinances

5. Ordinance to Amend Brown County Code Section 2.05 regarding Creating Sub or Ad Hoc Committees.

Hemery noted this Ordinance has been amended several times and the most current form that went to County Board is contained in the agenda packet.

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

**a) Resolution Authorizing Standing Committee to Create Sub or Ad Hoc Committee.
*Referred back from January County Board.***

Note: This is a sample resolution; no action taken.

6. Resolution re: Table of Organization Change Health and Human Services Department – CTC.

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

7. Resolution re: Table of Organization Change Health and Human Services Department – Public Health Division.

Motion made by Supervisor Hoyer, seconded by Supervisor Sieber to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

8. Resolution re: Table of Organization Change UW Extension - LTE Life Skills Educator.

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

9. Resolution in Support of Increased County Child Support Funding.

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

10. Resolution Authorizing County Classification Schedule & Compensation Adjustment Policy.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to suspend the rules to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

-Michele Andresen, 1656 Carole Lane, Green Bay, WI

Andresen is the Office Manager at the District Attorney's Office. She informed staff still has questions regarding the policy that was put out as to how it will be implemented. They understand those below minimum being brought up to minimum, but they do not know what is going to happen after that. She wants to be sure the Committee is asking the right questions of administration as to how this is going to be rolled out.

Motion made by Supervisor Moynihan, seconded by Supervisor Hoyer to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Weininger explained that the \$800,000 that has been set aside is proposed to be allocated as follows: \$300,000 will be used to bring those in levy funded departments that are below min up to min. \$200,000 will then be put in the market rate adjustment fund which will allow for flexibility when hiring as well as taking care of compression issues. This flexibility is something the County has not had in the past. The remaining \$300,000 will be used to bring those at min closer to market. Non-levy departments will have to work with the funds they have available and this includes

the Library, ADRC and Syble Hopp. Administration will work with the enterprise fund departments to move them up. The dollar amounts for bringing people from below min to min range from \$45 to \$8000. A good portion of the funds are going to some of the areas where there is high turnover, such as Health and Human Services.

Weininger continued that he talked about this in depth at Administration Committee and reference can be made to those minutes. It is the hope that money be set aside in the market adjustment fund each year in addition to a COLA and then continue to work to bring people up slowly over a period of time.

Weininger said they sent the policy out to all employees and some department heads had reached out to HR for some clarification questions. He noted that department heads were asked four separate times to sign off on the classification piece. He said it is important to remember in the classification piece that the numbers are based on the position, not the person.

Weininger said the policy contains a provision that each year administration will look at 6 departments as well as high turnover departments so the classification will be continuously changing and they need the ability to make adjustments. This policy will allow for that flexibility which is something the County has not had in the past. If the Board does not want to go along with this policy, the other option would be to take the \$800,000 and allocate it by trying to move everyone closer to midpoint and not address the other issues.

Weininger continued that the County is a large complex organization and every department is different. He explained that in some departments the internal step program may be appropriate. In other departments, there may be a need to increase starting pay to get someone qualified to fill a position. The plan being proposed allows for all this flexibility and Weininger noted that in the market as it currently is, the flexibility is really necessary.

With regard to the last \$300,000, Sieber asked if it was the intention to bring everyone at minimum up at the same percentage or if areas with high turnover will be looked at separately. Weininger said it will move the min and push everyone up creating a new minimum.

Van Dyck suggested that the language in the proposed policy be modified as it currently says funds appropriated for the class and comp study will be used to bring all non-union levy funded positions that are below minimum to minimum and then it talks about funds available after the market adjustment fund, but \$300,000 has already been identified that is not part of the market adjustment fund that is being used for this purpose. He suggested the policy read: any funds appropriated for the class and comp adjustments will be used first to bring levy funded positions that are below minimum up to minimum and then the next part about the minimums toward midpoint compensation rates, but that is really separate. Then if any market adjustment funds were to be used to reclass, that would be a third thing. Weininger agreed with Van Dyck and said when the policy was originally created it was stand-alone and did not need Board approval and he would have the ability to change the policy internally. Because it was recommended to have this in resolution form, it would force someone who comes in after Weininger to follow the policy. Weininger said he can make the changes Van Dyck suggested.

Lund suggested including the policy number, A-33, somewhere in the resolution to make it clear what policy relates to this. Realistically, Weininger would like the flexibility to change the classification schedule because each year when they look at the 6 departments or those with high turnover, they would like to make the adjustments right away because if they are not made right away, it could put the County outside of market and then they would not be able to make offers until a month later and the County cannot function like that.

Lund recommended that the changes discussed be made by the County Board meeting. The language in the policy and the resolution was discussed further as was the procedure of approving administrative policies and resolutions. Weininger said it appears the concern of the Committee is that if there is an adjustment policy in place, that administration follows that policy and does not change it. Sieber noted that while he trusts the current administration, there is an election coming up and things could change. Further, Sieber feels if we do not see and approve this every year, the Board would be delegating a lot of its authority. Sieber wants to be sure the Board is not just putting the ball in the administration's court and forgetting about it because the Board should have a say in what is going on with the class and comp and market rate adjustments.

Sieber said as he reads the resolution, it is authorizing administration to carry out their policy; it is not actually approving the policy. He feels the Board can suggest changes to an administrative policy, but if the Board wants to have more oversight over what the administration is doing, it needs to be in resolution form. Van Dyck said if the policy is referenced in the resolution and the resolution is approved, he views the policy as being approved as well. This was debated further and the options seem to be that administration has a policy and they need to report the policy to the Board which basically takes the Board out of the loop and would allow administration to change it whenever they want, or we can do the resolution which authorizes what is set forth for 1 year and then would have to come back in the next budget to make the appropriate changes depending on what money is available in the budget. Sieber suggested language be added to the resolution that indicates the administration will have a policy and it will be reported to the Board.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to amend the Resolution as follows: Amend the fourth paragraph to read, "NOW, THEREFORE, BE IT RESOLVED that Administration is hereby authorized and directed to take any and all necessary steps to carry out the Compensation Adjustment Policy and to continuously update the Classification Schedule; and Amend the last paragraph to read: BE IT FURTHER RESOLVED, that Human Resources shall report out any classification schedule changes or compensation adjustment policy changes to its oversight committee on an annual basis. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Resolution Approving of the Issuance of Property Assessed Clean Energy (PACE) Revenue Bonds by the Public Finance Authority.

Van Dyck questioned what happens if these do not get paid back. Hemery said this is not the regular PACE project. This is through the PACE program, but is using a specific type of funding and by statute this body can provide funding at a little better interest rate and for a longer term. This resolution is about this funding that would be used through PACE as opposed to the usual PACE lenders. This is special funding available in certain circumstances and Hotel Northland qualified for this. When the PFA was put into the statutes, one of the concerns before allowing that to happen was the legislators wanted local municipalities to have veto power over these projects so if someone is coming in from outside the state giving millions of dollars on project in a little community, they wanted to give the communities veto authority. If all communities would not approve this, the project would not move forward.

Hemery continued that what is before the Committee has nothing to do with the funding and the County is not in any way committing anything and is not liable for the funds; this is simply a funding mechanism other than traditional PACE lenders being used and the resolution says that the County approves the Hotel Northland proceeding in the community.

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

Internal Auditor

12. Status Update: January 1 – 31, 2019.

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

Corporation Counsel

13. Corporation Counsel Oral Report.

Hemery informed oral arguments will be heard on the tax case on April 26 and it is anticipated an opinion from the Judge will follow in several weeks. All motions previously filed in the case have been denied.

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

Department of Administration & Human Resources

14. Director of Administration Report.

Weininger informed a room tax study will be done to be sure the projections are accurate. He noted this will be needed when it is time to go out for bonding.

Weininger also shared that Shopko pays approximately \$886,000 in property taxes and this is something the Committee should keep in mind. He also mentioned the Georgia Pacific property tax assessment issue still exists.

Van Dyck asked when the room tax study will be done because he feels it is important to know those figures before the Board gives the go ahead on the project. Weininger said it will be part of the bonding and will be done before the Board signs off and noted that nothing will happen without the Board's approval. Van Dyck said if the room tax is coming in lower than anticipated, the Board needs to know that so they can figure out what kind of message they want to send in regard to the spending. If the study proves not to support the original \$93 million dollar price tag, we need to know that as soon as possible so appropriate decisions can be made. Lund asked if the room tax study will take into consideration increased room tax after the expo center is built. Weininger responded that the room tax really is not our money. It flows into several other projects and anything left over goes to the KI and then anything after that will go to the expo hall.

Van Dyck mentioned the naming right dollars which are allocated at \$8 million which he feels may be a little steep. Weininger informed he talked to various people across the nation on this and it was felt that the \$8 million dollars seemed realistic. He said he has already been approached by an organization that is interested in the naming rights and would like a package on this; however we are not at that stage quite yet. Once a package is put together, the intent is to also look locally for a sponsor as well. Weininger pointed out there are a number of naming right opportunities throughout the building for things like gates, rooms, hallways, etc.

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

15. Human Resources Report.

Weininger said they will begin doing some monthly training on things like sexual harassment, FMLA and things like that. Some of this will be mandatory for supervisors and this training will help assure that the County is in compliance.

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

County Executive – No Report.

Other

16. Discussion and possible action regarding the County resolving to not sell 4 parcels of land adjacent to the Brown County Golf Course prior to 08-21-2019 (2 pages of Attachments provided).

Hemery spoke of a communication from the December 2018 Ed&Rec committee requesting "the Brown County Golf Course Superintendent facilitate the listing and ultimate sale of the County's property adjacent to and owned by the Brown County Golf Course." What resulted from that discussion was to direct Corp Counsel to send a draft to the Village of Hobart to pursue development opportunities establishing a property tax based program. He noted this clearly deals with real estate so it does not have to come before this committee. His recommendation is that if the intent is that this property does not get sold for 6 months is simply doing a resolution that states specifically "Brown

County does not sell these parcels until August 21st." He emphasized that he would advise against getting into a written agreement with a specific municipality and simply just field offers for 6 months.

Van Dyck stated that at Ed&Rec in the past the committee voted to list the additional properties for sale. At the time there was some concern echoed by the Village regarding some accessibility or easement issues because of the ongoing uncertainty with the railroad corridor. That recommendation went unpursued basically. So this came back up again and Supervisor Landwehr and he met with the Village and they had expressed an interest in not listing this property at this time in an attempt to try to solicit a developer for it. He noted that there has been interest in getting rid of this property for around 4-5 years so 6 more months may not help much. What he thought about it was putting something forward for the Village that put them on notice that the County is giving them the opportunity to do something. He stated that he does not have a lot of hope that someone is going to purchase this and develop it into taxable property in the near future. He recommends they just list it as a resolution to not do anything for 6 months doesn't make much sense.

It was mentioned that this could be referred to the September meeting of the Executive Committee.

Sieber spoke to the fact that he does not believe that the County cannot do business with one entity. He understood Hobart wanting the County on the tax rolls and he thought tax can be taken into account on the property in the financial offer. He would be strictly opposed to selling this to a developer that the Village of Hobart selects. Legally speaking, if the County wants to sell these, they have to be put out for bid and anyone can bid on them and then they can take the bid that's best for the county. Future tax payments can be taken into account as well.

Van Dyck clarified that the intent was not to sell it to a certain developer. The meeting and engaging Hobart was because they are more connected to potential developers whereas the County doesn't really have anybody that does that. Really, it was an attempt to allow the Village to market it and show that the County is willing to sell. Either there is support on the Board to get rid of the property to sell it or just to continue to sit on it. His purpose of bringing it forward to sell it is that the golf course has no use for this property. It was bought at one time to expand the property of the course but there have been changes in regards to the conservancy property, there's not enough land and even the economics of golf have changed. He would like to just support and focus on the 18 holes that are there. This was really to find a pot of money that the golf course can rely on in the future to do things such as the green project. If it were up to him put it up for sale right now and see what happens.

Sieber stated that there is nothing that would stop these parcels being put up for sale.

Hemery said that to keep options open something like a resolution to not sell the property for 6 months in order to allow all entities enough time to prepare offers for submission.

Motion made by Supervisor Van Dyck seconded by Supervisor Moynihan to defer to the March Executive Committee meeting and have this item included as an agenda item for discussion and possible sale. Vote taken.
MOTION CARRIED UNANIMOUSLY

17. **Discussion and possible action regarding moving oversight of the Brown County Housing Authority from Administration Committee to Planning, Development and Transportation Committee.**

Weininger clarified that this gets confused, planning is not overseeing housing, they do not have actual oversight over them. All they do is they provide contract services for them.

Motion made by Supervisor Sieber, seconded by Supervisor Van Dyck to refer to Corporation Counsel to make appropriate change and bring back. Vote taken. MOTION CARRIED UNANIMOUSLY

18. **Discussion and possible action regarding a determination of the appropriate oversight committee for the Department of Administration and for Human Resources.**

Sieber stated that they combined Human Resources and Administration so there will be one department handling human resources and finance. Technically Administration is the finance committee and executive has always been the personnel committee. Having one committee being the finance and the personnel committee makes sense to him. He proposes that Administration be the personnel and the finance committee. Moynihan agreed with this.

Lund noted one of the main issues was that this committee was the arbitrator for all the personnel.

Weininger stated that when he looks at Chapter 2, he sees Administration and Human Resources reporting to Admin Committee which is basically for functionality issues. So, operational issues and the budget items are how he looks at his report to Admin. Separate to that, is Executive which takes HR large policy issues that encompass the entire organization or other things over the entire organization. Also he talks about larger issues at Admin committee because he considers that to be his "home" committee. He said he doesn't bring smaller issues to this committee it's more so large scale issue like county mandated training or changes in policies and so forth. He went back to Supervisor Sieber's point in talking about having a separate personnel committee meeting.

Lund wished to know if all of this was going to be changed then why even have the Executive Committee. There is no reason to keep on peeling away the layer of this committee, they might as well get rid of it. Lund likes this committee to be the conduit for all the major issues the board deals with.

Sieber believed that things like ordinance changes and so forth are still coming to this committee. It would go quicker if something like personnel got put to a different meeting. He thought that finance and HR should be on one committee.

Weininger listed some of the functions of the Executive Committee including, looking at all the legislative and administrative roles, deals with short term capital projects, it also looks at wages hours and conditions of employment, it's also a large piece of personnel policy functions and he listed a few others as well.

Moynihan pointed out that theoretically this committee could be as needed from month to month. Or if a department had an issue, a meeting could be called on such issue.

Weininger noted that it is nice to report out larger issue because it is a chance at gauging where everyone is at. To have a dedicated committee would be helpful.

Lund felt that more legislative things should be coming to this committee. One of the points of this committee was to have more functionality with the State and currently that is not the case.

Weininger said that the chief legislative person is the Deputy Executive and if they need something it goes to Madison.

Lund believed they should be reporting out all of the issues that they are lobbying to the State.

Van Dyck spoke in regards to compensation issues the problem was that PD&T was off basically doing their own thing as a committee without having HR engaged in the process. No matter where it goes it really should be getting taken into consideration by the committee that oversees HR. To him, the Executive Committee should be the clearing house for subject matters. Still doesn't like the concept that you can pull anything at the County Board and then there is a discussion about it. Subject matters should go before home committee and then if it gets approved there then it can go on to the County Board. For instance, if the human services committee is petitioned but they don't agree with them, then a person should be able to petition the Executive Committee and they don't agree then it shouldn't be able to be even discussed at County Board. In this way, Executive Committee could function as a clearing house that someone doesn't feel as though they didn't get the right hearing in a different committee.

Hemery stated that anything that gets held at the standing committee can be added to the Executive Committee as long as it's done 48 hours before.

Hoyer noted the question is that if there is actually an action and the committee says no to it and you want a second chance at it.

Hemery said that even if the committee says no the Board can still pull from the report.

Lund emphasized that County Board should be very orderly and all the discussion should take place at committees. He then stated then the practice needs to be changed and it should just be a consent agenda from all of those meetings.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to have Administration and Human Resources report to Administration Committee and refer to Corporation Counsel to draft appropriate ordinance change. Vote taken. MOTION CARRIED UNANIMOUSLY

19. Such other matters as authorized by law.

Lund suggested that in the next Executive committee meeting they should have a further discussion regarding this subject matter and committee structure.

20. Adjourn.

Motion made by Supervisor Moynihan, Seconded by Supervisor Sieber to adjourn at 7:25 pm. Vote Taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Administrative Specialist/Transcriptionist

Cayden S. Lasecki
Transcriptionist