

## 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, January 11, 2010, in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin.

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**Present:** Mary Scray—Chair, Bernie Erickson, Tom Lund, John VanderLeest.  
**Excused:** Pat Evans, Andy Nicholson, Guy Zima.  
**Also Present:** Bill Bosiacki, Bonnie DeBauche, Jean Eckers, Bob Heimann, Tom Hinz, Jenny Hoffman, Kurt Hogarty, Paula Kazik, Julie Knier, Chuck Lamine, Lauri Marenger, Fred Mohr, Sara Perrizo, Jayme Sellen, Brian Shoup, Howard Erickson, Dennis Nelson, Joe Oprosko, Ina Tahlier, Tony Walter, and Other Interested Parties.

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Presentation by Veridocs prior to meeting. (Handout filed at County Clerk's office.)

I. **Call Meeting to Order:**

The meeting was called to order by Chair Scray at 6:43 p.m.

II. **Approve/Modify Agenda:**

**Motion made by Supervisor Lund and seconded by Supervisor VanderLeest to approve. MOTION APPROVED UNANIMOUSLY.**

III. **Approve/Modify Minutes of December 7, 2009:**

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to approve. MOTION APPROVED UNANIMOUSLY.**

**Comments from the Public/Such Other Matters as Authorized by Law:** None.

**Communications:**

1. **Communication from Supervisor Knier – Ask for a modification to Section 2.03(3)(e) to include a provision for emergency contracting. *Held for one month:***

Supervisor Knier stated that she thought this was important, especially in cases of Corporation Counsel. Attorney Mohr added that he thinks this could be important when a need arises for any consultant depending upon the circumstances. He continued by saying the obvious example is Corporation Counsel: If Brown County gets sued and has 20 days to respond, it is likely there would not be sufficient time to bring this to the standing committee and Board of Supervisors within that period of time.

Supervisor Lund asked if the County Executive has the ability to act in case of an emergency according to State Statutes. Mr. Mohr said under the present ordinances a special meeting would need to be called; he suggested looking at the ordinance to make a provision for times when action is needed within a certain period of time.

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to send this to Board Attorney to review ordinance and bring back in 60 days. MOTION APPROVED UNANIMOUSLY.**

2. **Communication from Supervisor Williams and Supervisor Knier – To adjust the Classification and Compensation Plan for Brown County Employees downward two steps. (Referred from December County Board.) *Motion at Administration Cmte: Hold until January meeting:***

**Motion made by Supervisor VanderLeest and seconded by Supervisor Erickson to hold for 1 month until after Administration Committee meeting. MOTION APPROVED UNANIMOUSLY.**

3. **Communication from Supervisor VanderLeest – Request for an audit of all countywide benefit programs and to report back to the Executive Committee with those findings and for any internal controls needed to protect the county taxpayer. (Referred from December County Board.):**

Supervisor VanderLeest stated that there were some issues raised during closed session that led him to believe that there might be a need for additional oversight of the benefit programs and wants to be certain that those programs are being effectively administered and monitored. He added that in the past there was a cost to the taxpayers in excess \$600,000.

Supervisor Lund asked Sara Perrizo, Internal Auditor, if the audit plan for 2010 included auditing Human Resources and the benefit programs. Ms. Perrizo stated that although that was not specified, there is an item to audit various departments within Brown County for internal control compliance.

**Motion made by Supervisor Lund and seconded by Supervisor VanderLeest to refer to Internal Auditor to audit all countywide benefits programs and report back to Executive Committee in 60 days. MOTION APPROVED UNANIMOUSLY.**

**Legal Bills:**

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

There was some general conversation regarding how much longer the services of Michael Best would be needed. It was agreed that it would be premature to terminate the agreement at this point, because of possible appeals that could be filed and the successful results thus far.

**Motion made by Supervisor Lund and seconded by Supervisor Erickson to pay the legal bills as in the Executive Committee agenda packet as of Monday, January 11, 2010. MOTION APPROVED UNANIMOUSLY.**

**Reports:**

5. **Internal Auditor Report:**
  - a. **2009 Audit Plan – Work Completed**

**Motion made by Supervisor Lund and seconded by Supervisor Erickson to receive and place on file. MOTION APPROVED UNANIMOUSLY.**

b. **Budget Status Financial Report for November 30, 2009:**

**Motion made by Supervisor Erickson and seconded by Supervisor VanderLeest to receive and place on file. MOTION APPROVED UNANIMOUSLY.**

c. **Other:**

Ms. Perrizo reported that she performed an analysis of fee-based operations in the County Clerk's office last week. She added that the information should be available at the next meeting.

**Motion made by Supervisor VanderLeest and seconded by Supervisor Lund to receive and place on file. MOTION APPROVED UNANIMOUSLY.**

6. **County Executive Report:**

a. **Budget Status Financial Report for November 30, 2009:**

Tom Hinz, County Executive, said Jim Nickel, Director of Public Safety Communication, is retiring as of March 5, 2010. He opined that Mr. Nickel has accomplished a lot for Brown County, such as the communication center and beginning the process for radio operability RFP's.

**Motion made by Supervisor Lund and seconded by Supervisor VanderLeest to receive and place on file. MOTION APPROVED UNANIMOUSLY.**

7. **Labor Negotiator Report: None.**

**Motion made by Supervisor VanderLeest and seconded by Supervisor Erickson to receive and place on file. MOTION APPROVED UNANIMOUSLY.**

8. **Board Attorney Report:**

a. **Hiring Freeze Policy**

Mr. Mohr stated that after the County Board passed the hiring freeze resolution, it was necessary to integrate and coordinate that with the existing policies. He said the procedure does not change anything in regard to the hiring freeze; it breaks it into two categories: (1) budgeted positions, which must go through standing committee and receive final approval from the Executive Committee; and (2) unbudgeted positions (or the creation of a new position) which must go through standing committee, be approved by the Executive Committee and receive final approval from the County Board.

**Motion made by Supervisor VanderLeest and seconded by Supervisor Erickson to approve the hiring freeze policy. MOTION APPROVED UNANIMOUSLY.**

**Standing Item:**

9. **Review Brown County requirements of ID when applying for any Social Services from the County:**

Chair Scray stated that the earlier, informational presentation by Veridocs was for the purpose of trying to determine if there was something that could be utilized by Human Services from what the Jail is in the process of obtaining. She said this is ongoing; and she has met with Bonnie DeBauche and Jenny Hoffman, who have been excellent to work with.

Supervisor VanderLeest said he had been on a police ride-along in 2006; and during a stop, it was discovered that the individual had 10 different identification cards. He said he wants to make sure Brown County is doing everything it can to prevent fraud, and added that he would like further investigation of the Veridocs system.

Supervisor Lund expressed agreement with Supervisor VanderLeest. He said, by making it known that ID's can be validated in 3 seconds, others might be discouraged from attempting to obtain funds fraudulently in Brown County.

Supervisor Erickson said Brian Shoup, Director of Human Services, had plans to follow up on this. Supervisor Erickson added that he would like to obtain feedback concerning the Jail's success with this system and ways to fund this. Supervisor Erickson also asked that Bob Heimann, Director of Information Services, work with Mr. Shoup on this.

Supervisor VanderLeest opined that it would be wise to find out if there was a way Human Services could work with the Jail's program and also to learn if there are any concerns with the program.

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to have Brian Shoup and Bob Heimann look into this and report back within 60 days with the benefits it (Veridocs) would provide to Human Services. MOTION APPROVED UNANIMOUSLY.**

**Request to Fill Positions:**

10. **Request to fill Vacancy: 1<sup>st</sup> Mechanic – Highway Department. *Motion at PD&T Cmte: To approve:***

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to approve. MOTION APPROVED UNANIMOUSLY.**

11. **Request to fill Vacancy: Sanitary Inspector. *Motion at PD&T Cmte: To refer to Human Resources to work with staff to eliminate the Sanitary Inspector position and create a new administrative position and bring back to committee in January:***

**Motion made by Supervisor Erickson and seconded by Supervisor VanderLeest to hold until February. MOTION APPROVED UNANIMOUSLY.**

12. **Request to fill the following Vacancies:**
- a. **AODA II, Social Worker/Case Manager (Long-term Support for Elderly & Physically Disabled Services)**
  - b. **AODA Clinical Supervisor**
  - c. **MDS (Minimum Data Set) RN**
  - d. **Nursing Home Administrator**

**Motion made by Supervisor Lund and seconded by Supervisor Erickson to suspend the rules and take Items Nos. 12a—d together. MOTION APPROVED UNANIMOUSLY.**

**Motion made by Supervisor VanderLeest and seconded by Supervisor Lund to approve Items Nos. 12a—d. MOTION APPROVED UNANIMOUSLY.**

**Resolutions/Ordinances:**

13. **Ordinance re: To Create Sec. 30.08 of the Brown County Code Entitled "Pawn Brokers and Secondhand Article and Jewelry Dealers." *Held for one month:***

Supervisor VanderLeest said he wanted to make sure Brown County is doing the same thing as the City of Green Bay.

Mr. Mohr explained that this ordinance requires electronic reporting; and pawn brokers are in favor of this, because it relieves them of the paperwork currently being completed. He said this will help law enforcement, and it will be cost-effective for the pawn brokers.

Mr. Hinz added that this system is expanding throughout Wisconsin; and he said he would not be surprised if this was statewide in a year.

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to approve. MOTION APPROVED UNANIMOUSLY.**

14. **Ordinance re: To Create Sec. 30.09 of the Brown County Code Entitled "Purchase and Sale of Scrap Metal." *Held for one month:***

Based on conversation with John Leutscher, Corporation Counsel, Mr. Mohr asked that this be held for 1 month in order to make a revision.

**Motion made by Supervisor VanderLeest and seconded by Supervisor Lund to hold for 1 month. MOTION APPROVED UNANIMOUSLY.**

**Closed Session**

15. **A closed session pursuant to Sec. 19.85(1)(c), Stats., to discuss strategy for labor negotiations regarding furloughs:**

**Motion made by Supervisor Erickson and seconded by Supervisor VanderLeest to enter into closed session at 7:17 p.m. MOTION APPROVED UNANIMOUSLY.**

**Roll Call: Erickson, Lund, Scray, VanderLeest.**

*Recording Secretary excused at 7:17 p.m.*

**Motion made by Supervisor Erickson and seconded by Supervisor Lund to return to regular order of business. MOTION APPROVED UNANIMOUSLY.**

**Roll Call: Erickson, Lund, Scray, VanderLeest.**

16. **Such Other Matters as Authorized by Law: None.**

**Motion made by Supervisor Lund and seconded by Supervisor Erickson to adjourn at 7:41 p.m. MOTION APPROVED UNANIMOUSLY.**

Respectfully submitted,

Lisa M. Alexander  
Recording Secretary

AN ORDINANCE TO CREATE SEC. 30.08 OF THE BROWN  
COUNTY CODE ENTITLED "PAWN BROKERS AND  
SECONDHAND ARTICLE AND JEWELRY DEALERS"

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 -

Sec. 30.08 of the Brown County Code entitled "PAWN BROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS" is hereby created to read as follows:

- (1) **PURPOSE AND STATUTORY AUTHORITY.** Section 134.71, Wis. Stats., is hereby adopted and, by reference, made a part of this chapter with the same force and effect as though fully set out herein notwithstanding the below Subsections. Failure to comply with any of the provisions of this ordinance shall constitute a violation of this chapter, punishable according to the penalties set forth in §1.07 of the Brown County Code of Ordinances.
- (2) **DEFINITIONS:**
  - (a) **Article.** Any item of value, excluding only motor vehicles, large appliances, furniture, books, and clothing other than furs.
  - (b) **Reportable Transaction.** Every transaction conducted by a pawnbroker, secondhand article and jewelry dealers in which an article or articles are received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, and is reportable except:
    - (1) The bulk purchase or consignment of new or used articles from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker must maintain a record of such purchase or consignment that describes each item, and must mark each item in a manner that relates it to that transaction record.
    - (2) Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(c) Secondhand article dealer. Any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles, with exceptions as stated in Wis. Stats. Sec. 134.71 (1) (g).

(d) Responsible Law Enforcement Agency.  
The Responsible Law Enforcement Agency (RLEA) is the entity with the responsibility to collect the data to be furnished by the pawnbroker, secondhand article or jewelry dealer pursuant to this ordinance. The sheriff shall notify pawnbrokers and dealers subject to this ordinance if the RLEA changes in the future.

(3) WHEN DIGITAL PHOTOS ARE REQUIRED.

(a) Pawnbrokers, secondhand article dealers and secondhand jewelry dealers must take a color, digitized photograph of every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed, excluding only electronic media. One group photo shall suffice for mass items such as several coins acquired in one transaction. If a photograph is taken, it must be at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the RLEA upon request. Items photographed must be accurately depicted and submitted as digital images, in a format specified by the issuing authority, electronically cross-referenced to the reportable transaction they are associated with. Entries of required digital images shall be retained a minimum of ninety (90) days.

(4) DAILY REPORTS TO RESPONSIBLE LAW ENFORCEMENT AGENCY.

(a) Pawnbrokers and secondhand article and jewelry dealers must submit every reportable transaction to the Responsible Law Enforcement Agency (RLEA) daily in the following manner. Pawnbrokers and secondhand article and jewelry dealers must provide to the RLEA all required information pursuant to State Statute, by transferring it from their computer to the web server via modem designated by the RLEA. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures



established by the RLEA using procedures that address security concerns of the pawnbroker or secondhand article and jewelry dealer and the RLEA. The pawnbroker or secondhand article and jewelry dealer must display a sign of sufficient size in a conspicuous place on the premises, which informs all patrons that all transactions are reported daily to the RLEA.

- (b) If a pawnbroker or secondhand article and jewelry dealer is unable to successfully transfer the required reports by modem, the pawnbroker or secondhand article and jewelry dealer must provide the RLEA with printed copies of all reportable transactions by 12:00 noon the next business day.
- (c) If a problem is determined to be in the pawnbroker's or secondhand article and jewelry dealer's system and is not corrected by the close of the first business day following the failure, the pawnbroker or secondhand article and jewelry dealer must provide the required reports as detailed in State Statute, and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected, or, if the problem is determined to be outside the pawnbroker's or secondhand article and jewelry dealer's system, then the pawnbroker or secondhand articles and jewelry dealer must provide the required reports pursuant to State Statute and resubmit all such transactions via modem when the error is corrected.
- (d) Regardless of the cause or origin of the technical problems that prevented the pawnbroker or secondhand article and jewelry dealer from uploading, the pawnbroker or secondhand article and jewelry dealer shall upload every reportable transaction from every business day the problem has existed.
- (e) The provisions of this section notwithstanding, the RLEA may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.
- (f) This subsection (4) shall not apply to businesses that did not have 200 reportable transactions in the past calendar year. However, any such pawnbroker or secondhand article and jewelry dealer must follow the daily reporting procedure for each reportable transaction by submitting a written transaction form approved by the RLEA to the RLEA on the business day following the date of the reportable transaction.

- (5) SEVERABILITY. If any section of this ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

Section 2 - This ordinance shall become effective upon passage and publication.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Approved By:

\_\_\_\_\_  
COUNTY EXECUTIVE (Date)

\_\_\_\_\_  
COUNTY CLERK (Date)

\_\_\_\_\_  
COUNTY BOARD CHAIR (Date)

Final Draft of Revised Ordinance Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # \_\_\_\_\_

Motion made by Supervisor \_\_\_\_\_

Seconded by Supervisor \_\_\_\_\_

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
WARPINSKI	1			
DE WANE	2			
NICHOLSON	3			
THEISEN	4			
KRUEGER	5			
HAEFS	6			
ERICKSON	7			
BRUNETTE	8			
ZIMA	9			
EVANS	10			
VANDER LEEST	11			
JOHNSON	12			
DANTINNE, JR	13			

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
LA VIOLETTE	14			
ANDREWS	15			
KASTER	16			
KNIER	17			
WILLIAMS	18			
FLECK	19			
CLANCY	20			
WETZEL	21			
MOYNIHAN	22			
SCRAY	23			
HOEFT	24			
LUND	25			
FEWELL	26			

Total Votes Cast \_\_\_\_\_

Motion:      Adopted      Defeated      Tabled \_\_\_\_\_



