

**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, March 7, 2011 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

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**Present:** Mary Scray, Chair; Jesse Brunette, Tom DeWane, Bernie Erickson, Pat Evans, Tom Lund  
**Excused:** Guy Zima  
**Also Present:** Tom Hinz, Fred Mohr, John Luetscher, Debbie Klarkowski, Sara Perrizo, Sonny Archambault, Brian Lamers, Brian Shoup, Jenny Hoffman, Jeff Oudeans, Bob Heimann, Jason Beck, Bill Dowell, Supervisor Andrews, LaViolette, Other Interested Parties

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I. **Call Meeting to Order:**

The meeting was called to order Chair Mary Scray at 6:39 p.m.

II. **Approve/Modify Agenda:**

Agenda items taken out of order. Closed Session moved forward, followed by action on #'s 16 to 22.

**Motion made by Supervisor Lund, seconded by Supervisor DeWane to approve the agenda as modified. MOTION APPROVED UNANIMOUSLY**

III. **Approve/Modify Minutes of February 7, 2011 and Special Meeting of February 22, 2011:**

**Motion made by Supervisor Lund, seconded by Supervisor DeWane to approve. MOTION APPROVED UNANIMOUSLY**

1. **Review of Minutes:**

a) **Brown County Legislative Sub-Committee, January 25, 2011 and February 22, 2011:**

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

**Closed Session:**

23. **Closed Session pursuant to Wis. Stats 19.85 (\*1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Labor Negotiations):**

**Motion by Supervisor Erickson, seconded by Supervisor Lund to enter into Closed Session at 6:32 p.m. Roll Call: Present: Brunette, DeWane, Erickson, Evans, Lund, Scray Excused: Zima**  
**MOTION APPROVED UNANIMOUSLY**

**Motion by Supervisor DeWane, seconded by Supervisor Lund to return to regular order of business at 7:10 p.m. Roll Call: Present: Brunette, DeWane, Erickson, Evans, Lund, Scray Excused: Zima**  
**MOTION APPROVED UNANIMOUSLY**

*(Action on #'s 16-22 taken next)*

16. **Resolution re: Authority to Execute a 2010-2011 Labor Agreement with the Brown County Community Treatment Center Employees:**
17. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Community Treatment Center Registered Nurses:**
18. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Library Clerk Employees:**
19. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Library Para Professional Employees:**
20. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Library Professional Employees;**
21. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Public Health Nurses:**
22. **Resolution re: Authority to Executive a 2010-2011 Labor Agreement with the Brown County Shelter Care Employees:**

**Motion made by Supervisor DeWane, seconded by Supervisor Evans to suspend the rules and take action on #'s 16 to 22 together.**

**MOTION APPROVED UNANIMOUSLY**

**Motion made by Supervisor DeWane, seconded by Supervisor Evans to approve #'s 16, 17, 18, 19, 20, 21, & 22.**

**Ayes: DeWane, Erickson**

**Nays: Brunette, Evans, Lund, Scray**

**MOTION FAILS 4-2**

**Communications:**

2. **Communication from Supervisor VanVonderen re: To request that Internal Auditor, Sara Perrizo, and the appropriate Brown County staff do an audit of our buildings to determine 1) is there any space not being used efficiently, ex: storage for obsolete equipment; 2) are the direct charges for the uses accurate: Referred from February County Board:**

The Internal Auditor reported that she is addressing Supervisor VanVonderen's concerns regarding the efficient use of space. Although VanVonderen asked that Administration be involved in the review, Supervisor Andrews suggested that VanVonderen attend the Facilities Management Sub-Committee as they are discussing this issue.

The second concern, whether direct charges for the uses are accurate is being reviewed by Ms. Perrizo and the study group created by the County Executive

**Motion by Supervisor Lund, seconded by Supervisor DeWane to refer to the Internal Auditor to work with Supervisor VanVonderen and Facilities Management regarding efficient use of space for storage.**

**MOTION APPROVED UNANIMOUSLY**

3. **Communication from Supervisor Lund re: To have a report on LEAN study committee to see if any savings have been achieved. Referred from February County Board:**

County Executive Hinz reported that although it is difficult to put a specific dollar amount on savings, stated that using the LEAN process has resulted in a higher level of services with fewer staff. He concluded it has been very beneficial.

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

**Aging & Disability Resource Center:**

4. **Opinion of Corporation Counsel re: the legal status of ADRC and its legal authority in relation to the County Board:**

Corporation Counsel, John Luetscher, responded to the question of whether the ADRC actually needs the approval of the County Board to purchase real estate, stating that they do not. The ADRC was established as a non-stock private 501C3 Corporation governed by a Board of Directors. Although this Board is appointed by the County Executive and approved by the County Board, they would not have any legal responsibility financially or for maintenance.

5. **Resolution re: To authorize Aging & Disability Resource Center to purchase commercial building at 331 South Adams Street, Green Bay, Wisconsin:**

This Resolution authorizes the ADRC to purchase property at 300 South Adams Street, leasing space for packaging and delivery of meals for the Homebound Meal Program. Ms. Archambault indicated that the ADRC has planned for this expansion for several years and has sufficient funds to purchase the building.

As County Board approval is not necessary, a recommendation was made to receive and place on file.

**Motion made by Supervisor Lund, seconded by Supervisor DeWane to take action on #s 4 & 5 together. MOTION APPROVED UNANIMOUSLY**

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

**Legal Bills:**

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

**Motion made by Supervisor Lund, seconded by Supervisor DeWane to approve. MOTION APPROVED UNANIMOUSLY**

7. **2010 Fox River Litigation Legal Fees/Michael Best payments and reimbursements:**

As previously requested, a list of the Fox River Litigation Legal Fees charged by Michael Best was included in packet material. Of the total charges \$82,453.40, \$11,946.32 was paid by Brown County in 2010. The rest of the charges were split between Wausau Insurance & Continental Casualty who have agreed to negotiate an hourly rate for insurance reimbursements. Executive Hinz stated he expects this matter to conclude in 2011. Hinz was asked to give a monthly update on the litigation and cost.

**Motion made by Supervisor Lund, seconded by Supervisor Evans to direct the County Executive to update the committee on Fox River Litigation Legal Fees/Michael Best payments and reimbursements monthly. MOTION APPROVED UNANIMOUSLY**

**Reports:**

8. **County Executive:**

a. **Update re: Old Mental Health Center Building (standing item):**

County Executive Hinz reported that a meeting is scheduled on March 23<sup>rd</sup> to discuss the possibility of using the MHC building as a transitional facility. An update will be forthcoming.

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

9. **Internal Auditor Report:**

Ms. Perrizo highlighted the following activities during the last reporting period:

- Research and analysis of the budget to find tangible ways for reduction. She will update the committee at the April meeting.
- Research being conducted on the radio project will be discussed with the County Board when completed.

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

b. **Other:** None

10. **Board Attorney Report:**

a. **Tentative Settlements:**

Settlement discussion was held during the Closed Session above.

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

**Ayes: Brunette, Erickson, Evans, Lund, Scray**

**Nays: DeWane**

**MOTION APPROVED 5-1**

b. **Impact of Walker's Budget Repair Bill:**

Attorney Fred Mohr indicated that under the Governor's repair bill, the only thing that will be able to be negotiated will be base rate salaries. It will be illegal to negotiate any other benefits in contracts. This will occur at the time of passage and publication of the bill or at the end of any existing labor agreements. The labor agreements that are now in place will expire at the end of 2011. Those affected people will then fall under the administrative rules and ordinances of the County. Review of the present code with HR Director, D. Klarkowski, has resulted in suggested revisions. At this time there is a provision in the Senate amendments that any determinations, disciplines, or safety issues have to be submitted to a grievance procedure. This grievance procedure has to include an unbiased third party, followed by a review by a governing body. Mohr stated there are presently 30 to 50 grievances per year.

In addition, the County will no longer collect union dues and employees will no longer be required to pay them. Unions will be required to be re-certified yearly. The impact of these requirements may reduce or eliminate the influence of unions, Mohr stated. If this occurs, County ordinances will govern all benefits and policies, i.e. vacation selection, how work will be assigned, seniority, overtime, etc. Mohr indicated that bumping rights will expire with the last contract.

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

c. **County Code:**

Per the discussion above, a motion was made for the Board Attorney to review County Code for possible revisions and report back.

**Motion made by Supervisor Lund, seconded by Supervisor Erickson to refer to the Board Attorney to review for revisions and bring back in 60 days. MOTION APPROVED UNANIMOUSLY**

d. **Recommendation to require Human Resource Approval of Individual Employment Contracts:**

Board Attorney Mohr explained that individual employment contracts, particularly that of a psychiatrist who was let go during the term of the contract was not originally reviewed by HR. Mohr asked that he bring back a resolution which would require any individual employment contracts first be reviewed by HR.

**Motion made by Supervisor Lund, seconded by Supervisor Erickson to direct the Board Attorney to come back with a Resolution as it relates to Human Resource approval of Individual Employment Contracts. MOTION APPROVED UNANIMOUSLY**

**Vacant Budgeted Positions (Request to Fill):**

11 **Clerk of Courts – Clerk Typist II (vacated 02/01/11):**

Jason Beck, Clerk of Circuit Court, explained that this position was recently vacated when the employee transferred to the Sheriff's Department. He explained that the position handles criminal traffic cases. If not filled, he stated that essential functions of the Clerk of Courts office would fall behind.

Supervisor Lund and Scray indicated they would like to hold the position open for 60 days to see how the work load goes, pointing out there may be layoffs in the next year. Other committee members indicated that the position is budgeted and they would prefer to deal with layoffs when and if they happen.

**Motion made by Supervisor DeWane, seconded by Supervisor Evans to approve.**

**Aye: Brunette, DeWane, Erickson, Evans**

**Nays: Lund, Scray**

**MOTION APPROVED 4-2**

12. **Facility & Park Management – Maintenance Worker II (vacated 12/22/10):**

Bill Dowell explained that the Maintenance Worker II provides facility and security services at the CTC on two shifts, seven days a week. In addition, they are responsible for mechanical and building system maintenance and repairs, trash removal, laundry pick up and delivery. The position was fully funded for 2011.

**Motion made by Supervisor Evans, seconded by Supervisor DeWane to approve.**

**Ayes: Brunette, DeWane, Erickson, Evans, Lund**

**Nays: Scray**

**MOTION APPROVED 5-1**

13. **Highway Department – Highway Laborer (3 vacancies) (vacated dates 01/17/11 & 03/01/11x2):**

Commissioner, Brian Lamers, explained that the Highway Laborer position is related to essential services, noting that a portion of these positions are funded by outside sources

(Wis DOT). Complicating the issue is the fact that he expects another three vacancies in the next few months due to retirements and a long term disability.

**Motion made by Supervisor DeWane, seconded by Supervisor Erickson to approve.**

**Ayes: Brunette, DeWane, Erickson, Evans, Lund**

**Nays: Scray**

**MOTION APPROVED 5-1**

**Resolutions/Ordinances:**

14. **Resolution re: Change in Table of Organization Human Services Department (delete Welfare Fraud Investigator) Sheriff's Department (add Sergeant):**

Supervisor Lund asked that there be a press release that would inform the public of the savings with this transfer and its outcome. Director of Human Services, Brian Shoup, indicated that he planned to that, not only with the local newspaper, but also with TV, radio, etc.

**Motion made by Supervisor Erickson, seconded by Supervisor DeWane to approve.**

**MOTION APPROVED UNANIMOUSLY**

15. **Resolution re: Change in Table of Organization Information Services Department (Addition of Limited Term Position):**

Corporation Counsel, John Luetscher, indicated that the resolution included in packet material was not correct and an updated draft was distributed (attached). This resolution deals with the selection of a vendor for the purchase, installation, implementation, training and support for several software systems. HS Director, Deb Klarkowski, along with Bob Heimann, Information Services Director, explained the plan to add a FTE Limited Term Project Manager to the Information Services Table of Organization for the duration of the project. Funds are available for the position.

**Motion made by Supervisor Lund, seconded by Supervisor Erickson to approve.**

**MOTION APPROVED UNANIMOUSLY**

**Other:**

24. **Such Other Matters as Authorized by Law:**  
**An Executive Committee meeting will be held on Monday, March 14, 2011 at 6:15 p.m. to address the following:**
- 2011 Brown County Board of Supervisors Redistricting
  - Initial Resolution authorizing the issuance of Not to Exceed \$15,750,000 Corporate Purpose General Obligation Bonds or Notes of Brown County, Wisconsin in one or more series at one or more times.

**Motion made by Supervisor Evans and seconded by Supervisor Lund to adjourn at 8:35 p.m. MOTION APPROVED UNANIMOUSLY**

Respectfully submitted,

Rae G. Knippel  
Recording Secretary

March 16, 2011  
\*\* Amended \*\*

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

RESOLUTION REGARDING CHANGE IN TABLE OF ORGANIZATION  
INFORMATION SERVICES DEPARTMENT  
(Addition of Limited Term Position)

WHEREAS, the County is presently selecting a vendor or vendors for the purchase, installation, implementation, training and support for the following software systems at the Community Treatment Center:

- Qualified Electronic Health Records (EHR) for Outpatient
- Qualified EHR for Inpatient
- Qualified EHR for Skilled Nursing Facility
- Lab Information System
- Patient Billing System for Outpatient, Inpatient, Skilled Nursing Facility and Lab Services Department; and

WHEREAS, this project is large, complex and will involve almost all operations of the Community Treatment Center; and

WHEREAS, the federal government has set deadlines in 2012 for completion of conversion to an EHR System, and failure to comply with the deadline will have a substantial financial impact on the Community Treatment Center; and

WHEREAS, the Information Services Department and the Human Services Department will need to cooperate and work closely with the vendor or vendors selected; and

WHEREAS, after a thorough review by the Human Resources Department in conjunction with the Information Services Department and the Human Services Department, it recommends the addition of 1.0 FTE Limited Term Project Manager to the Information Services Table of Organization to insure the successful and timely completion of this project. This Limited Term position would be hired for the duration of the EHR project; and

WHEREAS, the Department of Human Services budget includes funds allocated for the completion of this project that can be used to fund a Limited Term Project Manager position with benefits.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby approves the addition of 1.0 FTE Limited Term Project Manager position to the Information Services Table of Organization for the duration of the EHR project.

BE IT FURTHER RESOLVED that the funds to cover the costs resulting from the adoption of this resolution shall be made available from funds budgeted for this purpose.

**Fiscal Impact:**

Position Title	FTE	Grade/Step	Addition/ Deletion	Salary	Fringe	Total
Project Manager (LTE)	1.0	Grade 20 Step 5	Addition	\$64,496	\$30,184	\$94,680

This resolution does not require an appropriation from the General Fund, since the position will be funded with EHR project funds.

Respectfully submitted,

ADMINISTRATION COMMITTEE  
EXECUTIVE COMMITTEE