

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, May 11, 2020 virtually.

Present: Chair Sieber, Vice-Chair Buckley, Supervisor Brusky, Supervisor Deneys, Supervisor Landwehr, Supervisor Schadewald, Supervisor Van Dyck

Also Present: Corporation Counsel David Hemery, Director of Administration Chad Weinger, Other Interested Parties

I. Call meeting to order.

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

II. Approve/modify agenda.

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

III. Approve/modify Minutes of March 9, 2020.

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

Comments from the Public. None.

Resolutions, Ordinances

1. Resolution Extending Declaration of Emergency and Ratifying COVID-19 Actions Taken to Date Including Proclamation (Proclamation attached).

Corporation Counsel David Hemery informed this resolution would extend the declaration of emergency that was made by the County Board on March 18 so it would continue until the June County Board meeting. This resolution would also ratify the proclamation. Options available to the County Board with regard to the proclamation include ratifying it, modifying it or disapproving of it. Hemery explained the language in both the resolution and the proclamation to the committee.

Hemery continued that it is advantageous to have a state of emergency when it comes to receiving federal funding, in particular federal reimbursement which often covers 75% of the costs of responding to an emergency. The next County Board meeting has been moved up to stay within the timeframe of the local declaration of emergency.

Supervisor Van Dyck noted he does not have a problem with the federal/state reimbursement or staffing adjustments, but he is concerned that as this moves forward it seems likely this could become more of a county-by-county thing with regard to opening businesses. He has an issue with that authority resting solely with the County Executive and asked if that could be eliminated. Hemery responded that this would not necessarily give the power to the County Executive; the County Board retains full powers by resolution, ordinance and by the statutory emergency powers endowed on a County Board. The County Board still would have all of the powers they otherwise would have in an emergency, but the delegation that was done on March 18 allows the County Executive to also exercise certain powers. The power could be removed from the County Executive, but there are a lot of emergencies that come up every day that need to be addressed.

Van Dyck said he is referring more specifically to the ability to make a decision either to re-open or not re-open certain businesses. He does not want to give up the ability to make decisions as to what re-opens and

what does not. Hemery responded there are a lot of different entities that have the power to order businesses closed, but to date the County Board, County Executive of County Health Officer have not taken any actions to close businesses. Even if the authority to the County Executive was withdrawn the proclamation power exists for the County Executive to exercise as that is statutory and the proclamation power gives the County Executive the full powers of the County Board as it relates to responding to the emergency crisis.

Vice Chair Buckley shared Van Dyck's concerns regarding arbitrary dates being used that may not have a scientific reason behind them. He feels Brown County has done a great job with regard to this situation and he understands the authority, but unless something is an emergency, he would like further modifications or emergencies to come before the County Board so there is more of a combined effort rather than an arbitrary decision by one person. Hemery responded that the County Executive would likely be more than happy to share decisions with the County Board or would want the County Board as a body to make those decisions. The County Health Officer is set up to be isolated and insulated from politics so the Health Officer can make decisions based only on what is best for the County. If the County Executive were to say he is going to decide on his own and sign a proclamation to open or close the county, that is only in effect until the County Board next meets and the Board can call a meeting with 48 hours. Hemery reiterated nothing in the powers the County Board gave to the County Executive would allow him to do this and no one at the county level has taken any action regarding closing things or opening things.

Supervisor Landwehr questioned if an accounting is available with estimates as to how much the county has expended to date since the powers were given. Director of Administration Chad Weininger informed an itemized list was included in the Administration Committee packet. Hopefully 75% of the expenses will be covered by FEMA and there are also some expenses that will hopefully be 100% reimbursed through the state and federal government. The projection is that for every month this situation continues the expenditures will be about \$200,000.

Motion made by Supervisor Landwehr, seconded by Supervisor Schadewald to approve. Vote taken. Ayes: Sieber, Buckley, Brusky, Deneys, Landwehr, Schadewald Nay: Van Dyck MOTION CARRIED 6 TO 1

2. **Such other matters as authorized by law. None.**
3. **Adjourn.**

Motion made by Supervisor Buckley, seconded by Supervisor Deneys to adjourn at 6:04 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Administrative Specialist