

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
MAY 20, 2009

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, May 20, 2009, at 7:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Warpinski, De Wane, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Scray, Hoeft, Lund, Fewell

Excused: Haefs, Brunette, Johnson, Langan

Supervisor Nicholson arrived at 7:10 p.m.

Total Present: 22 Total Excused: 4

No. 1 -- Adoption of Agenda.

A motion was made by Supervisor Evans and seconded by Supervisor De Wane **“to take Executive Committee Special Report #9c(i), Item #1 -- Bonding Resolution; Executive Committee #9c, Item #16 -- Closed Session; and Education & Recreation Committee Report #9b out of order after item #1-Adoption of Agenda”**; and Supervisor Theisen **“requested that Resolution #10d -- Resolution requesting the State of Wisconsin Department of Transportation exclude roundabouts in that portion of the US-41 project involving roads in Brown County be taken after the above items”**.

A motion was made by Supervisor Krueger and seconded by Supervisor Lund **“to adopt the agenda as revised”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9c(i) -- REPORT OF "SPECIAL" EXECUTIVE COMMITTEE OF MAY 20, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in special session on May 20, 2009 and recommends the following motions:

- 1. Resolution re: Authorizing the Issuance and Sale of \$13,475,000.00 [Taxable] General Obligation Corporate Purpose Bonds, Series 2009A [(Build America Bonds – Direct Payment)]. To adopt. See Resolutions, Ordinances May County Board.

A motion was made by Supervisor Fleck and seconded by Supervisor Warpinski **“to adopt the resolution regarding authorizing the issuance and sale of \$13,475,000.00 (taxable) General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds - Direct Payment)”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ _____ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF MAY 11, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

- 16. Closed Session: Under 19.35(1)(c) for Purpose of Establishing Collective Bargaining Strategy. No action.

A motion was made by Supervisor La Violette and seconded by Supervisor Williams **“to take item #16 and go into Closed Session”**. Vote taken. Roll Call #9c(1):

Ayes: Warpinski, De Wane, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzels, Scray, Hoeft, Lund, Fewell

Nays: Nicholson

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 21 Total Nays: 1 Total Excused: 4

Motion carried.

A recommendation was made to receive the report of our Labor Negotiator and proceed as presented.

A motion was made by Supervisor Fewell and seconded by Supervisor Andrews **“to return to the regular order of business by returning to Open Session”**. Vote taken. Roll Call #9c(2):

Ayes: Warpinski, De Wane, Theisen, Nicholson, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Scray, Hoeft, Lund, Fewell

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 22 Total Excused: 4

Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 10d -- RESOLUTION REGARDING: REQUESTING THAT THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION EXCLUDE ROUNDABOUTS IN THAT PORTION OF THE US-41 PROJECT INVOLVING ROADS IN BROWN COUNTY

A motion was made by Supervisor Evans and seconded by Supervisor Clancy **“to adopt”**.

A motion was made by Supervisor Lund and seconded by Supervisor Fleck **“to suspend the rules to allow interested parties to address the County Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

1. Mike Berg, (D.O.T. Employee), 2660 Prairie Garden Terrace, Green Bay, submitted testimony in support of the roundabouts.

Supervisor Nicholson expressed his concern about a City of Green Bay Alderperson who voted against roundabouts at the City Council Meeting yet is being quoted tonight by the WI Department of Transportation as being in favor of the roundabouts. Supervisor Nicholson requested the County Clerk to make the flip-flop vote part of tonight’s meeting minutes.

2. Mary Steffens, (Trustee from the Village of Suamico) 3427 Forest Edge Dr., Green Bay, stated the Village of Suamico passed a Resolution stating that the Village of Suamico is in favor of the roundabouts.
3. Nelson Goubeau 3116 Summer Place, Green Bay, stated that he is in favor of the roundabouts.
4. Jim Sanderson, 417 Cambridge, Green Bay, stated that he is in favor of the roundabouts.

A motion was made by Supervisor De Wane and seconded by Supervisor Nicholson **“to return to the regular order of business”**.

A motion was made by Supervisor Evans and seconded by Supervisor Nicholson **“to adopt the resolution”**.

Sara Perrizo, Internal Auditor, presented a report regarding roundabouts in various areas, stating she spent approximately 8 hours gathering information for tonight's meeting.

A motion was made by Supervisor Knier and seconded by Supervisor Warpinski **“to table the resolution”**. Vote taken. Roll Call #10d(1):

Ayes: Warpinski, Theisen, La Violette, Knier, Fleck, Clancy, Hoeft, Fewell

Nays: De Wane, Nicholson, Krueger, Erickson, Zima, Evans, Vander Leest, Dantinne, Andrews, Kaster, Williams, Wetzel, Scray, Lund

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 8 Total Nays: 14 Excused: 4

Motion to table the Resolution was defeated.

A motion was made by Supervisor Kaster and seconded by Supervisor Knier **“to refer to the Planning, Development and Transportation Committee”**. After discussion, the vote was taken. Roll Call #10d(2):

Ayes: Warpinski, Theisen, Krueger, Erickson, Zima, Dantinne, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Hoeft, Lund, Fewell

Nays: De Wane, Nicholson, Evans, Vander Leest, Scray

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 17 Total Nays: 5 Total Excused: 4

Motion carried to refer item back to Committee.

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MAY 7, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on May 7, 2009 and recommends the following:

- 1) Communication from Supervisor Brunette re: The Parks Department develop a policy, ordinance or any other appropriate action to address the dog waste problem at the current County Dog Park facility and any other County owned park. (Referred from April County Board Meeting.) Refer to staff to work with Corporation Counsel and bring back.
- 2) Communication from Supervisor Brunette re: The County to explore the possibility of implementing an “Adopt a Park” program which will allow civic groups, neighborhood groups, etc. to contribute their time and resources towards the upkeep and litter control of all County Parks when appropriate. (Referred from April County Board Meeting.)

Refer to staff to work with Supervisor Brunette on further study and report back in three months.

- 3) Communication from Supervisor Vander Leest re: Request for County Park Staff to develop options for a new County Dog Park at an existing County Park with adequate parking and bathroom facility to be opened by May 15, 2009. (Referred back to Ed & Rec Cmte per April County Board.) Receive and place on file.
 - 4) Library - Budget Status Report for February 28, 2009 and March 31, 2009. Receive and place on file.
 - 5) Library - Director's Report. Receive and place on file.
 - 6) Resch Centre/Arena/Shopko Hall - March Attendance for the Brown County Veterans Memorial Complex. Receive and place on file.
 - 7) Golf Course - Budget Status Financial Report for March 31, 2009. Receive and place on file.
 - 8) Golf Course - Financial Statistics – April 19, 2009. Receive and place on file.
 - 9) Golf Course - Superintendent's Report. Receive and place on file.
 - 10) Zoo Monthly Activity Report.
 - a) Visitor Center Operation Reports:
 - i) Admissions Revenue Attendance 2008 Report. Receive and place on file.
 - ii) Gift Shop Concessions Revenue 2009 Report. Receive and place on file.
 - b) Curator's Report - Animal Collection Report April, 2009. Receive and place on file.
 - c) Education & Volunteer Programs Report March, 2009. Receive and place on file.
 - 11) NEW Zoo - Budget Status Financial Report for March 31, 2009. Receive and place on file.
 - 12) Museum - Attendance & Admission March, 2009. Receive and place on file.
 - 13) Museum - Budget Status Financial Report February 28, 2009 and March 31, 2009. Receive and place on file.
 - 14) ** Parks - Approval of Fonferek's Glen dog park plan. To support the dog park plan at Fonferek's Glen in the amount of \$33,000 to be taken from the Park Trust Fun with the following stipulations: Hours from 8am to sunset; County Parks phone number be placed on information sign at Kiosk; Signage be placed related to private parking; To take total \$33,000 from the Parks Special Revenue Fund. Ayes: 4 (Brunette, Johnson, Wetzels, Vander Leest); Nays: 1 (Warpinski).
 - 15) ** Parks - Discussion of existing Dog Park at Brown County Park. To direct staff to submit a letter to the Brown County Dog Park Association confirming that any funds they raise will go directly to the Parks Special Revenue Fund to be used for dog park projects and not for other uses.
- ** Items #14-#15 -- Motion failed to approve these two items as per the County Board on 5/20/2009.
- 16) Parks - Communication from American Red Cross with a request for a waiver of shelter rental fee for a blood drive on June 23 at the Reforestation Camp. To approve.

- 17) Parks - Update of Major Facility & Parks Projects. Receive and place on file.
- 18) Parks - Grant Application Review (#09-21): ARRA Stage 2 Transportation Enhancements –Fox River State Recreational Trail Commuter Enhancement. Receive and place on file.
- 19) Parks - Budget Status Financial Report for March 31, 2009. Receive and place on file.
- 20) Parks - Director’s Report for March 2009. Receive and place on file.
- 21) Audit of bills. Pay the bills.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Andrews **“to take items #14 and #15 separately”**. Voice vote taken. Motion carried unanimously with no abstentions.

Item #14 -- Parks - Approval of Fonferek’s Glen dog park plan. COMMITTEE ACTION: To support the dog park plan at Fonferek’s Glen in the amount of \$33,000 to be taken from the Park Trust Fund with the following stipulations: Hours from 8am. to sunset; County Parks phone number be placed on information sign at Kiosk; Signage be placed related to private parking; To take total \$33,000 from the Parks Special Revenue Fund. Ayes: 4 (Brunette, Johnson, Wetzell, Vander Leest); Nays: 1 (Warpinski).

Item #15 -- Parks - Discussion of existing Dog Park at Brown County Park. COMMITTEE ACTION: To direct staff to submit a letter to the Brown County Dog Park Association confirming that any funds they raise will go directly to the Parks Special Revenue Fund to be used for dog park projects and not for other uses.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Krueger **“to ask Mr. Doug Hartman, Brown County Park Manager, to address the Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Mr. Hartman presented various aspects of the Dog Parks and answered questions presented by the County Board.

A motion was made by Supervisor Fewell and seconded by Supervisor Andrews **“to suspend the rules to allow interested parties to address the County Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

1. Carol Waltman, 1445 Westmeath Ave., Green Bay, is representing a group of 45 citizens in favor of a dog park at Fonferek Glen Park.
2. Jeff Kaster, 3510 Hidden Valley Ln., Green Bay, WI spoke against the Fonferek Glen Dog Park stating that property is not policed as it should be. He added there is currently trespassing, littering and destruction of property at the Park.
3. Jane Laitinen, 3043 West Mason Street, Green Bay, WI spoke in favor of the Fonferek Dog Park and funding Brown County Dog Park improvements.
4. Julie Kirk, 1331 Bellevue St., Green Bay, WI is against dog parks. She detailed her concerns about the lack of thought about preserving the property for parkland.

5. Paul Krueger, 1809 Shawano Ave., #10, spoke in favor of Dog Parks.
6. Mark Vander Logt, 2879 Dutchman Rd., spoke against the Dog Parks.
7. Vince Cisler, 3706 Hidden Valley Ln., spoke on the Fonferek Glen Dog Park. Mr. Cisler said he wasn't here to speak for or against a dog park, however he wants the County Board to be aware of current problems existing at Fonferek Park.
8. La tisha Vanden Bush, 1010 Arthur Blvd., spoke on the Dog Parks within Brown County.

A motion was made by Supervisor Hoeft and seconded by Supervisor Lund **“to return to the regular order of business”**. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Fewell and seconded by Supervisor Lund **“to refer back to Education and Recreation Committee”**. After discussion a vote was taken. Roll Call #9b(1):

Ayes: Theisen, Zima, Knier, Fleck, Clancy, Hoeft, Lund, Fewell
 Nays: Warpinski, De Wane, Nicholson, Krueger, Erickson, Evans, Vander Leest, Dantine, La Violette, Andrews, Kaster, Williams, Wetzel, Scray
 Excused: Haefs, Brunette, Johnson, Langan
 Total Ayes: 8 Total Nays: 14 Total Excused: 4

Motion failed.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Krueger **“to approve item #14 contingent on rezoning with the Town of Ledgeview”**. Vote taken. Roll Call #9b(2):

Ayes: Krueger, Vander Leest, Wetzel
 Nays: Warpinski, De Wane, Nicholson, Theisen, Erickson, Zima, Evans, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Scray, Hoeft, Lund, Fewell
 Excused: Haefs, Brunette, Johnson, Langan
 Total Ayes: 3 Total Nays: 19 Total Excused: 4

Motion failed.

A motion was made by Supervisor Nicholson and seconded by Supervisor De Wane **“to adopt the remainder of the Education and Recreation Report as amended by the County Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 6/1/2009

No. 2 -- COMMENTS FROM THE PUBLIC REGARDING AGENDA ITEMS ONLY. None.

No. 3 -- APPROVAL OF MINUTES OF COUNTY BOARD OF APRIL 15, 2009

A motion was made by Supervisor La Violette and seconded by Supervisor Lund “**to approve the minutes of April 15, 2009.**” Motion carried unanimously with no abstentions.

No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.

Supervisor De Wane said he is very proud to announce that he became a grandpa to Sean Robert De Wane.

Supervisor Scray talked about Lean Training and thanked the Human Resources Department and Sheriff’s Staff. Supervisor Scray gave details on three days spent with the Sheriff’s Department and explained she felt a lot of benefits were derived from these efforts.

Supervisor Williams announced that “Celebrate De Pere” is being held this weekend at Voyager Park and invited all to attend the three-day celebration.

Supervisor Theisen announced that Sunday, June 7th is St. Mary of the Angels Picnic and invited all to attend. There will be games, desserts and booyah.

Supervisor Evans announced that Sunday, June 7th, St. Jude Parish will hold an Old Fashioned Picnic with a car show, booyah and games and invited all to attend.

Supervisor Andrews announced that Emergency Medical Services has a vacant position for a County Board member if anyone is interested in serving. Additionally, Supervisor Andrews reported Family Services put on a Mock Court and Supervisor Andrews thanked the teens for a fantastic job.

Supervisor Clancy stated the annual report from Bay Lakes is available for County Board members this evening.

No. 5 -- COMMUNICATIONS. NONE. LATE COMMUNICATIONS:

No. 5a -- FROM SUPERVISOR KNIER REGARDING: PARK DEPARTMENT TO LOOK INTO GETTING RE-ZONING ON THE FONFEREK PARK PROPERTY FOR THE DOG PARK.

Refer to Education and Recreation Committee and Park Department.

No. 5b -- FROM SUPERVISOR KNIER REGARDING: ASK SHERIFF TO REVIEW TRESPASSING ISSUES ON PRIVATE PROPERTY ADJACENT TO FONFEREK PARK.

Refer to Public Safety Committee.

No. 5c -- **FROM SUPERVISOR KNIER REGARDING: PARKS COMMITTEE TO IMPROVE SIGNAGE TO CLEARLY OUTLINE THE FONFEREK PROPERTY.**

Refer to Education and Recreation Committee.

No. 5d -- **FROM SUPERVISOR KNIER REGARDING: ASK PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE TO REVIEW THE CONDITION OF COUNTY MM AROUND FONFEREK PARK AND PROVIDE FOR ADEQUATE MAINTENANCE, IF NECESSARY, TO ACCOMMODATE TRAFFIC TO THE AREA.**

Refer to Planning, Development and Transportation Committee.

No. 5e -- **FROM SUPERVISOR CLANCY REGARDING: I WOULD LIKE THE PUBLIC SAFETY COMMITTEE AND THE FACILITY MASTER PLAN COMMITTEE TO EXPLORE THE FEASIBILITY OF REQUESTING BIDS FOR A 24,000 SQ. FT. BUILDING AND A 48,000 SQ. FT. BUILDING TO BE LOCATED ON THE COUNTY PROPERTY AT THE OLD MENTAL HEALTH SITE. THIS SHOULD HAVE THE FOLLOWING SPECS: 6" CONCRETE FLOOR WITH IN-FLOOR HEATING; 16 FT. SIDE WALLS AND FULLY INSULATED. THAT WOULD GIVE US A BASIC COST TO HOUSE ALL SHERIFF, DRUG, EMERGENCY BOMB SQUAD AND IMPOUND VEHICLES.**

Refer to Public Safety Committee and Facility Master Plan Committee.

No. 5f -- **FROM SUPERVISOR VANDER LEEST REGARDING: REQUEST TO FIND A MORE SUITABLE LOCATION FOR A DOG PARK IN BROWN COUNTY.**

Refer to Education and Recreation Committee.

No. 5g -- **FROM SUPERVISOR WARPINSKI REGARDING: REQUEST THAT INFORMATION SERVICES MAKE CAMPAIGN FINANCE REPORTS FILED WITH THE BROWN COUNTY CLERK AVAILABLE ON LINE.**

Refer to Administration Committee.

No. 5h -- **FROM SUPERVISOR ERICKSON REGARDING: IT HAS COME TO MY ATTENTION THAT IN SOME CASES OUR BID AWARDS HAVE TO BE LOOKED AT A LITTLE CLOSER. WITH BIDS OVER \$ (DOLLAR AMOUNT TO BE DECIDED) OUR BID FORMAT SHOULD INCLUDE MORE PERSONAL INFORMATION REGARDING TAXES AND LOANS AND IF ANY OF THESE PAYMENTS ARE IN ARREARS OR DEFAULT.**

ALSO, UPON OPENING AND CHOOSING A BIDDER, THAT INDIVIDUAL OR COMPANY SHOULD BE CHECKED OUT BY OUR BOARD ATTORNEY BEFORE MOVING THE AWARD FORWARD TO ANY BOARDS OR COMMITTEES.

Refer to Administration and Executive Committees.

No. 5i -- FROM SUPERVISOR WILLIAMS REGARDING: TO REVIEW THE POLICIES AND PROCEDURES OF THE CLERK OF COURTS OFFICE RELATING TO EMPLOYEES IN THAT OFFICE.

Refer to Public Safety and Administration Committees.

No. 5j -- FROM SUPERVISOR SCRAY REGARDING: IN THE SPIRIT IN TRUTH IN BUDGETING...DURING THE BUDGET PROCESS ADMINISTRATION (1) EXPLORE THE OPTION OF NOT DOING CHARGEBACKS -- GIVING FACILITIES, I.S., ADMINISTRATION (AND ANY OTHER DEPARTMENT THAT WORKS THROUGH CHARGEBACKS) THEIR OWN BUDGETS. (2) EVALUATE DEPARTMENTS THAT GIVE MONEY BACK AFTER BUDGET TO THE GENERAL FUND ON A REGULAR BASIS, POSSIBLY ADJUSTING THEIR LEVY AMOUNT TO REFLECT A 5-YEAR AVERAGE OF WHAT THEY HAVE GIVEN BACK PREVIOUSLY.

Refer to Administration Committee.

No. 5k -- FROM CHAIR ZIMA AND VICE CHAIR SCRAY REGARDING: RESPECTFULLY REQUEST THAT THE EXECUTIVE COMMITTEE AND THE COUNTY BOARD CONSIDER RECLASSIFYING THE POSITION OF INTERNAL AUDITOR TO A POSITION OF INTERNAL AUDITOR/BOARD RESEARCH ANALYST.

Refer to Executive Committee.

No. 6 -- APPOINTMENTS BY COUNTY EXECUTIVE.

No. 6a -- APPOINTMENT OF JOE VAN DEURZEN TO BOARD OF HEALTH

A motion was made by Supervisor Lund and seconded by Supervisor Dantine “to approve the above appointment”. Vote taken. Roll Call #6a(1):

Ayes: Warpinski, De Wane, Nicholson, Erickson, Zima, Evans, Vander Leest, Dantine, La Violette, Kaster, Williams, Fleck, Wetzal, Scray, Hoeft, Lund

Nays: Theisen, Krueger, Andrews, Knier, Clancy, Fewell

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 16 Total Nays: 6 Excused: 4

Motion carried.

No. 6b -- APPOINTMENT OF ROD RYAN TO NICOLET FEDERATED LIBRARY BOARD

A motion was made by Supervisor Lund and seconded by Supervisor Nicholson **“to approve the above appointment”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 6c -- APPOINTMENT OF SENATOR ROBERT COWLES TO PROFESSIONAL FOOTBALL STADIUM DISTRICT

A motion was made by Supervisor La Violette and seconded by Supervisor Andrews **“to approve the above appointment”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 7a -- REPORT BY COUNTY EXECUTIVE.

County Executive Hinz announced June 13th is the Bellin Run and Brown County has a Corporate Team. Last year Brown County had 180 people participate and he would like to see that number increase this year. County Executive Hinz announced that Syble Hopp students designed the t-shirts for the Bellin Run entries for Brown County Employees.

Executive Hinz stated the Lean Initiative Committee studied the process in lean and mapping the Sheriff's Department. He feels very positive about the process to study records processing.

Mr. Hinz commended the Brown County Health Department and Emergency Management on how hard they worked to control the Swine Flu.

No. 7b -- REPORT BY BOARD CHAIRMAN.

Chairman Zima complimented the Board Members for listening attentively. He added there have been times in the past that he has not been happy with some Supervisors talking when others were talking. He expressed his appreciation for the Supervisor's efforts.

Chairman Zima voiced his concerns about roundabouts and Department of Transportation powers. He advised the County Board to continue to be aware of the Department of Transportation Operations and lack of listening to the citizens.

No. 8 -- OTHER REPORTS. None.

No. 9 -- STANDING COMMITTEE REPORTS:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF APRIL 23, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on April 23, 2009, and recommends the following motions:

1. Communication from Supervisor Andy Nicholson re: To create a county policy to return unused Housing Vouchers. (Referred back from January Administration Committee meeting.) To send a letter to Rob Strong of the City of Green Bay Housing Authority, from the committee, requesting he be present at the next Admin Committee meeting to provide and present written information from Federal Authorities on if they can or cannot return unused vouchers to HUD and if they can or cannot return unused money and to supply the committee with the names and contact info for the people on the Federal Housing Authority.
2. Communication from Supervisor Johnson re: Have our Information Services (I.S.) Department set up the computer in the basement at Central Library and report back by next month to the Education and Recreation Committee. (Referred from April County Board.) To refer matter to the Library Board to determine the proper use of the computers.
3. Communication from Supervisor Andrews re: To look into the possibility of publicizing the taxes and fees passed on to the County by posting them on the County Website, or on the tax bills if room permits, along with phone numbers for our State Representatives. (Referred from April County Board.) To develop a subcommittee to work with Information Services Director, Bob Heimann, and bring back to committee.
4. Treasurer - Financial Report for the Month of December.
5. Treasurer - Budget Status Financial Reports for December, 2008; February, 2009 and March, 2009. Receive and place on file items 4 & 5.
6. Dept of Admin - Asset Maintenance Fund Expenditures. To approve.
7. Dept of Admin - 2009 Budget Transfer Log. To approve.
8. Dept of Admin - Grant Application Log. To approve.
9. Administration Budget Status Financial Report for February, 2009. To approve.
10. Dept of Admin - Information Services Budget Status Financial Report for February, 2009. To receive and place on file.
11. County Clerk - Budget Status Financial Report for March, 2009. To receive and place on file.
12. County Clerk - Update and Report on Status of Clerk 1/Bilingual Position. To fill the position. Ayes: 4 (Hoeft, Krueger, Williams, Lund); Nays: 1 (Theisen).

13. County Clerk - Update on Workspace/Possible Expansion in County Clerk's Office. To refer back to staff.
14. County Clerk - Proposal to Eliminate all Spring Elections/Proposal to Allow 17 year olds to Vote in Federal Elections. To refer to Corporation Counsel to draft a resolution with the help of the County Clerk to oppose.
15. Human Resources - Resolution Re: Opposing the Governor's Proposed Changes to Insurance Laws and 2009 Senate Bill 20. To oppose the Governor's proposed changes to insurance laws and Senate Bill 20. See Resolutions, Ordinances May County Board.
16. Human Resources - Activity Report for March 2009. To receive and place on file.
17. Human Resources - Budget Status Financial Report for March, 2009. To receive and place on file.
18. Facility & Park Mgmt - Budget Status Financial Report for February 2009. To receive and place on file.
19. Facility & Park Mgmt - Update on Courtroom Branch 8. To report back bi-monthly on a progress report.
20. Facility & Park Mgmt - Director's Report. To receive and place on file.

Child Support Agency – Budget Status Financial Report for March, 2009. No agenda items.
 Corporation Counsel – Budget Status Financial Reports for February, 2009 and March, 2009. No other agenda items.

County Clerk – Budget Status Financial Report for March, 2009. No other agenda items.

21. Audit of bills. To pay the bills.

A motion was made by Supervisor Nicholson and seconded by Supervisor Lund **“to adopt”**. Supervisor Warpinski requested item #12 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #12 -- County Clerk -- Update and Report on Status of Clerk 1/Bilingual Position.
COMMITTEE ACTION: To fill the position. Ayes: 4 (Hoeft, Krueger, Williams, Lund); Nays: 1 (Theisen)

Following discussion, a motion was made by Supervisor Evans and seconded by Supervisor Clancy **“to adopt item #12”**. Voice vote taken. Motion carried with Supervisor Warpinski voting nay.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 9b -- Taken previously after Item #1.

No. 9c -- **REPORT OF EXECUTIVE COMMITTEE OF MAY 11, 2009**

Item #16 approved previously after item #1.

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on May 11, 2009 and recommends the following motions:

1. Communication from Supervisor Knier re: Implement a policy that would require every ordinance or policy amendments proposals to identify current law and the proposed changes in the same document; similar to procedure/amendments made to state law. (Referred from April County Board.) Hold until June meeting.
- #1a Communication from Supervisor Nicholson re: Have Brian Leonhardt, FoxComm Fiscal Advisory Board Chairman, for questions and answers re: Brown County termination of FoxComm Agreement. To set the cap at \$3,000.
2. Review and Possible Action on Legal Bills to be paid. Deny payment of \$43.00, Invoice #3092967, dated 1/23/09 in the amount of \$43.
3. County Executive Report.
 - a. Budget Status Financial Report for February 28, 2009. Receive and place on file.
4. Internal Auditor Report.
 - a. Budget Status Financial Report for March 31, 2009. Receive and place on file.
 - b. Planning and Land Services Department Internal Controls Audit. To approve.
 - c. Other. No action.
5. Board Attorney Report.
 - a. Discussion re: the Department of Human Services.
 - b. Discussion re: Maximum Hours of Employee Work.
 - c. Uniform Allowance. To approve.
6. Discussion and Possible Action re: Waste Transfer Station Hauling Contract. To reject the award to Rick Tritt, Inc., and award to the lowest qualified bidder, Badgerland Express, per staff recommendations.
7. Update and Report on Status of Clerk 1/Bilingual Position (from Admin Cmte). To approve.
8. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Para-Professional Library Employees. To approve. See Resolutions, Ordinances May County Board.

9. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Mental Health Center Registered Nurses, Local 1091-E. To approve. See Resolutions, Ordinances May County Board.
10. Resolution re: Human Services Department Change to Table of Organization Delete (2.5) FTE Clerk/Typist II positions and create 2.5 FTE Clerk II positions. To approve. See Resolutions, Ordinances May County Board.
11. Resolution re: Requesting that the State of Wisconsin Department of Transportation exclude roundabouts in that portion of the US-41 project involving roads in Brown County. To approve. See Resolutions, Ordinances May County Board.
12. Resolution re: Oppose increases in fees assessed by the State of Wisconsin and collected by the County. To approve. See Resolutions, Ordinances May County Board.
13. Resolution re: To protect the property taxpayers of Wisconsin from investment losses in the Wisconsin Retirement System. To approve. Ayes:5 (Erickson, Lund, Nicholson, Vander Leest, Scray); Nays: 1 (Zima); Abstain: 1 (Evans). See Resolutions, Ordinances May County Board.
14. Resolution re: Opposition to 2009 Assembly Joint Resolution 39 Reducing the Voting age to 17. To approve opposition to Assembly Join Resolution 39. See Resolutions, Ordinances May County Board.
15. Resolution re: Opposition to Eliminating Spring Elections. To approve resolution opposing the elimination of Spring Elections. See Resolutions, Ordinances May County Board.
16. Closed Session: Under 19.35 (1)(c) for Purpose of Establishing Collective Bargaining Strategy. No action.
17. Closed Session: For the pursuant to 19.85(c) & (g) to discuss performance of an employee and to confer with legal counsel regarding threatened litigation." No action.

A motion was made by Supervisor Lund and seconded by Supervisor Andrews **“to approve the remainder of the Executive Committee Report”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 9c(i) -- Taken previously after Item #1.

No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE OF APRIL 22, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on April 22, 2009, and recommends the following motions:

1. Review minutes of:
 - a. Aging & Disability Resource Center Board (3/26/09).
 - b. Veterans' Recognition Subcommittee (4/14/09).
 - c. Homeless Issues & Affordable Housing Subcommittee (03/17/09)
Receive and place on file.
2. Communication from Supervisor Fewell Re: Request that a meeting be held of the Human Services Committee to immediately address the status of the psychiatrist at the Mental Health Center to avert a crisis situation for the Mental Health Services. (Referred from April County Board.) To refer to staff to move forward with the hiring of a psychiatrist for the Mental Health Center. To refer to Administration to investigate the discrepancy in pay between a full-time employee vs. a part-time contract psychiatrist.
3. Aging & Disability Resource Center - Revenue and Expense Report (3/31/09).
Receive and place on file.
4. Human Services Dept. - Mental Health Center Statistics for March, 2009.
Receive and place on file.
5. Human Services Dept. - Resolution Re: CHANGE TO TABLE OF ORGANIZATION Delete (2.5) FTE Clerk/Typist II positions and create 2.5 FTE Clerk II positions.
To approve. (See Resolutions, Ordinances May County Board.)
6. Human Services Dept. - Bellin Psychiatric Monthly Report for March, 2009.
To invite Denver Johnson to give an update regarding Bellin Psychiatric services at the May meeting. Receive and place on file.
7. Human Services Dept. - Approval for New Non-Continuous Vendor.
To approve.
8. Human Services Dept. - Request for New Vendor Contract. To approve.
9. Human Services Dept. - Monthly Contract Update. Receive and place on file.
10. Human Services Dept. - Budget Status Financial Report for Community Programs.
To approve.
11. Human Services Dept. - Budget Status Financial Report for Mental Health Center.
To approve.
12. Human Services Dept. - WCHSA Minutes (March 5, 2009).
13. Human Services Dept. - Financial Report. To receive and place on file #'s 12 & 13.
14. Human Services Dept. - Director's Report. To acknowledge Mark Quam's 12 years of service to Brown County Human Services.
15. Audit of bills. To approve.
16. 15a. **Closed Session** pursuant to sec.19.85(1)(c) involving consideration of a public employee's performance. No action.

A motion was made by Supervisor Nicholson and seconded by Supervisor Andrews "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____

Date: 6/1/2009

No. 9e -- **REPORT OF PLANNING, DEVELOPMENT & TRANSPORTATION
COMMITTEE OF APRIL 27, 2009**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on April 27, 2009, and recommends the following motions.

1. Review minutes of:
 - a) Harbor Commission (2/9/09).
 - b) Planning Commission Board of Directors (3/4/09).
Receive and place on file.
2. Communication from Supervisor Fewell re: Review procedures and policies related to the County's acquiring of land to complete County road projects. (Referred from April County Board.) Report back at the May meeting.
3. Communication from Supervisor Fewell re: Address the traffic congestion on County GV South of Hwy 172 and the need to upgrade that section of GV as the road has significantly deteriorated and is in need of repair. (Referred from April County Board.) Receive and place on file.
4. Highway - March 2009 Budget to Actual. Receive and place on file.
5. Highway - Director's Report. Receive and place on file.
6. Highway/Planning Commission - Updates on CTH GV (standing item).
Receive and place on file
7. Planning Commission - Budget Status Financial Reports for February 2009 and March 2009. Receive and place on file.
8. Planning Commission - "When Do I Need an Environmental Permit in Brown County?" Workshop. Receive and place on file.
9. Planning Commission - Summary of Annual Report submitted to WDNR related to Brown County Municipal Storm Sewer System (MS4) Permit. Receive and place on file.
10. Property Listing - Budget Status Financial Reports for February 2009 and March 2009. Receive and place on file.
11. Zoning - Budget Status Financial Reports for February 2009 and March 2009. Receive and place on file.
12. Zoning - Request from Dale Wall to Waive the After-the-Fact Fee for a Shoreland Permit. To deny the request of Dale Wall for waiver of fee.
13. Zoning - Update Regarding Private Onsite Wastewater Treatment System Mandatory Inventory and Maintenance. Receive and place on file.
14. Port & Solid Waste - Request for Approval re: NOAA Habitat Restoration Grant. Delete this item – same as #18 on the agenda.
15. Port & Solid Waste - Project #1352 Transfer Station Operation and Solid Waste Hauling Bid Award. To award the contract for solid waste hauling to the low bidder, Rick Tritt.

16. Port & Solid Waste - Economic Impact Report for the 2008 Port of Green Bay Shipping Season. Receive and place on file.
17. Port & Solid Waste - Wisconsin Ballast Water Rules Public Comment. Receive and place on file.
18. Port & Solid Waste - Grant Application Review (#09-24) re: Cat Island Restoration Project. To approve grant application.
19. Port & Solid Waste - Budget Status Financial Report for December 2008. Receive and place on file.
20. Port & Solid Waste - Budget Status Financial Reports for February 2009 and March 2009. Receive and place on file.
21. Port & Solid Waste - Director's Report. Receive and place on file.
22. Airport - Budget Status Financial Report for March 31, 2009. Receive and place on file.
23. Airport - Director's Report. Item deleted. Airport Director, Tom Miller, requested to be excused.
24. UW-Extension - Accept \$2,000 Donation from Farm Technology Days Executive for use by UW-Extension Staff for funding of Professional Development Opportunities. Receive and place on file.
25. UW-Extension - Grant Application Review (#09-20) re: \$5,000 Grant: SET Project Resources and Volunteer Training to Reach New Audiences. To approve.
26. UW-Extension - Grant Application Review re: \$2,000 Grant: Nutrient Management Student Intern. To approve.
27. UW-Extension - Financial Report for March 2009. Receive and place on file.
28. UW-Extension - Director's Report. Receive and place on file.

Land Information Office – No agenda items.

Register of Deeds – Budget Status Financial Reports for February 2009 & March 2009. No other agenda items. Receive and place on file Budget Report for Register of Deeds.

29. Audit of bills. To approve payment of bills

A motion was made by Supervisor De Wane and seconded by Supervisor Dantine “**to adopt.**” Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 9e(i) -- REPORT OF LAND CONSERVATION SUB COMMITTEE OF APRIL 27, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on April 27, 2009, and recommends the following motions.

7. Circuit Courts - Budget Status Financial Report for February, 2009 and March, 2009. Items 6 and 7 were taken together. Receive and place on file.
8. Circuit Courts - Request for Proposal for Interpreter Services. To approve.
9. Sheriff - Key Factor Report for May, 2009. Receive and place on file.
10. Sheriff - Jail Average Daily Population for 2009. Receive and place on file.
11. Sheriff - City of Kenosha Resolution re: Opposition to the Governor's Proposal to Require the Observation and Recordation of Racial Information Obtained through Traffic Stops. To approve and adopt. See Resolutions, Ordinances May County Board.
12. Sheriff - Resolution re: Request the Department of Corrections pay the County an Amount Approaching the Actual Cost of Housing the Department's Prisoners at the Brown County Jail. To approve. See Resolutions, Ordinances May County Board.
13. Sheriff - Budget Status Financial Report for March 31, 2009. Receive and place on file.
14. Sheriff's report. Receive and place on file.
15. Public Safety Communications - FoxComm Agreement. To hold for one month and instruct Public Safety Communications Director, Jim Nickel, to review the agreement with Board Attorney Fred Mohr and to bring it back at the earliest possible date.
16. Public Safety Communications - Grant Application Review (#09-22): Homeland Security-MARC Repeater Communications. To approve.
17. Public Safety Communications - Grant Application Review (09-23): Homeland Security-MABAS-WI Communications. To approve.
18. Public Safety Communications - Budget Status Financial Report for March 31, 2009. Receive and place on file.
19. Public Safety Communications - Director's report. Receive and place on file.

Clerk of Courts - No agenda items.

Medical Examiner - Budget Status Financial Report February, 2009 and March, 2009. No other agenda items. Receive and place on file.

20. Audit of bills. Pay the bills.

A motion was made by Supervisor De Wane and seconded by Supervisor Fleck "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 10 -- RESOLUTIONS, ORDINANCES:

No. 10a -- RESOLUTION REGARDING: OPPOSING THE GOVERNOR'S PROPOSED CHANGES TO INSURANCE LAWS AND 2009 SENATE BILL 20

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

Ladies and Gentlemen:

WHEREAS, Governor Jim Doyle's 2009 Executive Budget Bill (2009 Assembly Bill 75) contains several anti-tort reform proposals including, but not limited to:

- Changing comparative negligence laws to force a defendant to pay one hundred percent of the damages when they have as little as one percent of liability;
- Forcing individuals, companies and local governments to pay for higher levels of insurance by increasing mandatory minimum auto liability insurance limits;
- Changing the definition of an "underinsured motorist" in a way that increases insurance claims;
- Requiring insurance companies to cover "uninsured motorist" insurance claims when no contact was made between the insured's car and another car, thereby increasing the risk of fraudulent claims;
- Allowing "stacking" of coverage for "underinsured motorists" such that the coverage limits for an accident are not limited to the policy relating to the particular vehicle involved in the accident;
- Forcing excess or umbrella insurers to offer to cover certain claims when the coverage was not requested by the insured; and

WHEREAS, the aforementioned anti-tort reform proposals would significantly increase the cost of providing insurance in Wisconsin; and

WHEREAS, Brown County would see a substantial increase in its liability insurance premiums if the governor's anti-tort reform proposals are enacted; and

WHEREAS, 2009 Senate Bill 20 is currently pending before the Senate Labor, Election and Urban Affairs Committee; and

WHEREAS, Senate Bill 20 would have a dramatic financial impact on counties by changing employment discrimination laws as follows:

- Allowing claimants to collect unlimited punitive damages against counties contrary to current state and federal law;
- Forcing counties to pay a punitive 10% surcharge to the court system in addition to unlimited damages;
- Forcing counties to litigate issues of compensatory and punitive damages years after the initial discrimination complaint was filed.
- Creating an irrational and inefficient compliant process where both parties have an incentive to litigate claims to the fullest extent possible; and

WHEREAS, Brown County faces significant budgetary challenges related to the provision of critical state and county services at a time when state and federal financial support for such services is decreasing and the burden placed on Brown County taxpayers is growing; and

WHEREAS, addition new costs for counties and forcing counties to increase their tax levies during our current economic downturn would be devastating to property taxpayers who can ill afford increased taxes or increased insurance costs;

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby opposes the Governor's proposed changes to insurance laws included in this 2009 Executive Budget and the proposed changes to employment discrimination laws in 2009 Senate Bill 20 and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals and Senate Bill 20.

Respectfully submitted by,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Williams "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 10b -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY PARA-PROFESSIONAL LIBRARY EMPLOYEES

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

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to execute a one (1) year labor agreement on behalf of Brown County with the Brown County Para-Professional Library Employees for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

All items, with the exception of wages, or except as specifically provided otherwise will be prospective effective the date of signing of the agreement.

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.

1. ARTICLE 4. WAGES

C. WISCONSIN RETIREMENT SYSTEM

The WRS contribution will be increased commensurate with the wage increases.

2. ARTICLE 17. WORKERS COMPENSATION

Delete the following beginning on line 328:

~~All employees covered by this Agreement are entitled to Worker's Compensation coverage. An employee who is absent due to injury or illness caused during the course of h/er duties shall suffer no loss of compensation during such period of injury or illness. If the injury or illness is of the duration in which Worker's Compensation is paid to the employee, the employee shall endorse and turn over said check to the County Treasurer and receive h/er regular pay in turn.~~

3. ARTICLE 19. CASUAL DAY/DISABILITY PLAN

Amend the following beginning on line 419:

Casual days and banked sick leave may be used by an employee who is injured on the job to supplement his/her short term disability benefits in an amount which will equal regular pay. Such banked sick leave may be used ~~only after~~ while casual days are ~~exhausted~~ still available.

4. ARTICLE 25. GRIEVANCE PROCEDURE

Amend the following beginning on line 807:

Step 1. The aggrieved employee and/or the union steward or officer shall present the grievance, in writing, within ~~ten (10)~~ fourteen (14) days of knowledge of occurrence to the immediate supervisor.

5. ARTICLE 26. DISCIPLINE

Amend the following beginning on Line 859:

Any employee who has been discharged may use the grievance procedure by giving written notice to h/er steward and h/er supervisor within ~~ten (10) working~~ twelve (12) calendar days after dismissal.

6. ARTICLE 29. DURATION

One year agreement (2009).

7. APPENDIX A

Revise to reflect:

Effective December 21, 2008	1.5% wage increase
Effective June 21, 2009	1.5% wage increase

8. MEMORANDUMS OF UNDERSTANDING:

- Premium Pay – Revise as follows: Increase to \$10.00.
- Uniform Reimbursement – Revise as follows: Delete safety shoes and safety boots.

- Casual Day/Disability Plan Enrollment Periods – RESIGN
- Parking – DELETE
- U & C Settlement – DELETE
- Medically Necessary Disputes – DELETE
-

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Kaster and seconded by Supervisor Nicholson “to adopt”.
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ _____ Tom Hinz, County Executive _____ Date: 6/1/2009

ATTACHMENT TO RESOLUTION #10B

**BROWN COUNTY LIBRARY PARA-PROFESSIONALS
TOTAL PACKAGE COSTING**

36.49 FTE'S	<u>2008</u>		<u>2009</u>
WAGES	\$1,204,333.10	1.50%	\$1,222,398.10
Effective 6/21/09		1.50%	\$9,167.99
LONGEVITY	<u>\$8,440.64</u>		<u>\$8,440.64</u>
TOTAL WAGES:	<u>\$1,212,773.74</u>		<u>\$1,240,006.72</u>
		\$ INCREASE	\$27,232.98
		% INCREASE	2.25%
<u>TOTAL WAGES:</u>			
HEALTH/PPO	(annual) \$490,356.96	\$ 490,356.96	0.00% \$ 490,356.96
DENTAL	\$ 35,847.96	\$ 35,847.96	0.00% \$ 35,847.96
LIFE	\$ 2,941.68	\$ 2,941.68	0.00% \$ 2,941.68
FICA	7.65%	\$ 92,777.19	7.65% \$ 94,860.51
WRS	10.60%	<u>\$ 128,554.02</u>	10.40% <u>\$ 128,960.70</u>
<u>TOTAL PACKAGE:</u>		<u>\$1,963,251.55</u>	<u>\$1,992,974.54</u>
		\$ INCREASE	\$ 29,722.99
		% INCREASE	1.51%
		<u>TOTAL COST:</u>	<u>1.51%</u>

No. 10c -- **RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY MENTAL HEALTH CENTER REGISTERED NURSES, LOCAL 1091-E**

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

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to execute a one (1) year labor agreement on behalf of Brown County with the Brown County Mental Health Center Registered Nurses, Local 1901-E, for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

All items, with the exception of wages, or except as specifically provided otherwise will be prospective effective the date of signing of the agreement.

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.

1. ARTICLE 4. WAGES
C. WISCONSIN RETIREMENT SYSTEM

The WRS contribution will be increased commensurate with the wage increases.

2. ARTICLE 12. TIME OFF FOR BEREAVEMENT
Modify the following beginning at line 256:

Immediate family is defined as: Husband, wife, children, grandchildren, parents, brother, sister, mother-in-law, father-in-law, step parents, step children, guardians.

Add the following beginning at line 264:

In the case of the death of a member of the immediate family of a regular part-time employee, the employee will be granted an excused absence to attend the funeral of up to three (3) calendar days starting on the day of death or the day following the death through the next day after internment. If, during this leave, the employee has scheduled work days, the employee will be paid for those scheduled work days to a maximum of three (3). The employee will not be paid for any of the three days which are non-scheduled work days. The immediate family is defined the same as above. Should any death occur during an employee's vacation, he/she shall receive additional time off with pay for any scheduled work day affected at a time to be mutually agreed upon.

3. ARTICLE 19. CASUAL DAYS / SHORT TERM DISABILITY LEAVE / BANKED SICK LEAVE / LONG TERM DISABILITY

Amend the following beginning on line 434:

Casual days and banked sick leave may be used by an employee who is injured on the job to supplement his/her short term disability benefits in an amount which will equal regular pay. Such banked sick leave may be used ~~only after~~ **while** casual days are ~~exhausted~~ **still available**.

Amend the following beginning on line 499:

Employees may use banked sick days to supplement the above coverage and such days may be used ~~only after~~ **while** casual days are ~~exhausted~~ **still available**.

4. ARTICLE 26. EDUCATIONAL ASSISTANCE

Amend the following beginning on line 1024:

The County will pay seventy five percent (75%) of tuition only up to ~~\$375.00~~ **\$750.00** per semester of fulltime and part-time Registered Nurses for credits toward obtaining a Bachelor of Science in Nursing Degree.

5. ARTICLE 29. DURATION

One year contract (2009).

6. APPENDIX A

Effective December 27, 2008 1.5% wage increase

Effective June 27, 2009 1.5% wage increase

7. EXISTING MEMORANDUMS

Resign the following memorandums:

- On-Call Employees
- Parking **and Car Expenses** – Add the following language:
Employees who are regularly required to use their personal vehicle for County business shall be reimbursed at the IRS rate. Such amount will be subject to verification on monthly expense vouchers.
- Payout of Shift Differential
- 2 Hour Sick Leave Notification
- Enrollment Periods

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Evans and seconded by Supervisor Nicholson **“to adopt”**.
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____

Date: 6/1/2009

- 3) Repeal of the sunset of increase in fee for vital records.
- 4) Increase in the work permit fee from \$5 to \$10.
- 5) Increase in Justice Information Surcharge from \$12 to \$18.
- 6) Increase in the Crime Laboratories and Drug Law Enforcement Surcharge from \$8 to \$13; and

WHEREAS, requiring counties to collect fees for the state limits a county's ability to generate revenue for the county and gives the erroneous impression the county sets the fee amount and receives the fee; and

WHEREAS, the counties responsibility to collect these fees for the State increases with each budget cycle; and

WHEREAS, the same proposed budget contains severe reductions in State contributions to mandated programs operated by counties.

NOW, THEREFORE, BE IT RESOLVED the Brown County Board of Supervisors deplores the State's practice of assessing fees to generate revenue while drastically cutting aid to counties and then requiring counties to collect the fees assessed by the State.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Dantine **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ _____ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 10f -- RESOLUTION REGARDING: TO PROTECT THE PROPERTY TAXPAYERS OF WISCONSIN FROM INVESTMENT LOSSES IN THE WISCONSIN RETIREMENT SYSTEM

A motion was made by Supervisor Theisen and seconded by Supervisor Vander Leest **"to adopt"**.

Attorney Fred Mohr, Corporation Counsel for County Board explained his thoughts that he feels this resolution is worded improperly. Attorney Mohr recommended this resolution be looked at again for proper wording.

A motion was made by Supervisor Fewell and seconded by Supervisor Krueger **"to refer the resolution to Attorney Mohr for proper wording"**.

Discussion followed on Supervisor Fewell's motion.

Chair Zima asked Supervisor Theisen to meet with Attorney Mohr to reword the resolution. Supervisor Theisen agreed to do so.

Voice vote taken **“on motion to refer to Attorney Mohr for proper wording”**. Motion carried unanimously with no abstentions.

No. 10g -- RESOLUTION REGARDING: OPPOSITION TO 2009 ASSEMBLY JOINT RESOLUTION 39 REDUCING THE VOTING AGE TO 17

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

Ladies and Gentlemen:

WHEREAS, section 1 of Article III of the Wisconsin State Constitution sets the minimum age for an elector at the age of 18; and

WHEREAS, Assembly Joint Resolution 39 would amend the state constitution to lower the age requirement for a qualified elector from 18 to 17; and

WHEREAS, this bill would be in conflict with the constitution of the United States of America that provides the right to vote to United States citizens who are 18 years or older; and

WHEREAS, in Wisconsin and 30 other states 18 years of age is the fixed age of majority to be an adult granting legal rights and legal responsibilities; this bill would be in conflict with age of majority; and

WHEREAS, this bill doesn't state whether this law would apply to nonpartisan (spring), partisan (fall) or both elections; nor state if 17 years can vote for federal, state, county, municipal and school contests; and

WHEREAS, address verification requirements for 17 year olds to register to vote would be another unfunded mandate and be costly and difficult to administer.

NOW THEREFORE BE IT RESOLVED, the Brown County Board of Supervisors opposes the reduction of the voting age requirement to 17; and

BE IT FURTHER RESOLVED, a copy of this resolution is forwarded to all legislators representing Brown County, Governor Doyle and the Wisconsin Counties Association.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Nicholson and seconded by Supervisor Kaster **“to adopt”**. Vote taken. Roll Call #10g(1):

Ayes: Nicholson, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine, Kaster, Williams, Fleck, Wetzel, Scray, Hoeft, Lund, Fewell

Nays: Warpinski, De Wane, La Violette, Andrews, Knier, Clancy

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 16 Total Nays: 6 Excused: 4

Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive Date: 6/1/2009

No. 10h -- RESOLUTION REGARDING: OPPOSITION TO 2009 ASSEMBLY JOINT RESOLUTION 2 ELIMINATING SPRING ELECTIONS

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

Ladies and Gentlemen:

WHEREAS, section 23 of Article IV of the Wisconsin State Constitution requires elections for nonpartisan offices be held in the spring and elections for partisan offices be held in the fall; and

WHEREAS, Assembly Joint Resolution 2 would amend the state constitution to eliminate spring elections so that all regularly scheduled elections be held in November; and

WHEREAS, combining the spring election with the fall will clutter and lengthen ballots resulting in lower participation for contests toward the end of the ballot (under votes); and

WHEREAS, the ballot order is federal, state, county, municipal, school offices and referendum which place local contests and candidates in less visible areas of the ballot; and

WHEREAS, a minimal decrease in election expense would be realized since additional ballot styles would be needed, longer length ballots and/or multiple ballot pages would increase ballot production costs, additional election help would be needed, longer legal notices would be required to be published and service agreement costs would not decrease; and

WHEREAS, candidates running for a nonpartisan office (spring) and a partisan office (fall) would need to run for more than one office in a given election cycle causing voter confusion and errors in candidate filing requirements; and

WHEREAS, local issues will get lost in the mass volume of campaign information distributed by state and federal campaigns; and

WHEREAS, electors may be unsure as to the partisanship or nonpartisanship of elections while deliberating the options on their ballot; and

WHEREAS, ballots could be multiple pages in length causing confusion for electors, longer lines and delays at polling locations; and

WHEREAS, partisan and nonpartisan elected officials after the effective date of the 2009-11 amendment shall expire on the first Monday of the first odd-numbered year beginning after that date which will deprive the incumbent of serving their full term of office as provided by State law.

NOW THEREFORE BE IT RESOLVED, the Brown County Board of Supervisors opposes the elimination of the spring election.

BE IT FURTHER RESOLVED, a copy of this resolution is forwarded to all legislators representing Brown County, Governor Doyle and the Wisconsin Counties Association.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Clancy and seconded by Supervisor Andrews **“to adopt”**.
Vote taken. Roll Call #10h(1):

Ayes: De Wane, Nicholson, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine,
Andrews, Kaster, Williams, Clancy, Wetzel, Scray, Hoefl, Lund, Fewell

Nays: Warpinski, La Violette, Knier, Fleck

Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 18 Total Nays: 4 Excused: 4

Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 10i -- **RESOLUTION REGARDING: AUTHORIZING THE ISSUANCE AND SALE OF \$13,475,000 [TAXABLE] GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2009A [BUILD AMERICA BONDS - DIRECT PAYMENT]**

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

Ladies and Gentlemen:

**RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF \$13,475,000 TAXABLE GENERAL OBLIGATION
CORPORATE PURPOSE BONDS, SERIES 2009A (BUILD
AMERICA BONDS – DIRECT PAYMENT)**

WHEREAS, Brown County, Wisconsin (the “County”), is in need of funds aggregating \$13,475,000 for public purposes, including paying the costs of all or a portion of the projects listed in the “INITIAL RESOLUTIONS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$29,940,000 CORPORATE PURPOSE GENERAL OBLIGATION BONDS OF BROWN COUNTY, WISCONSIN IN ONE OR MORE SERIES AT ONE OR MORE TIMES” adopted by the County on May 16, 2007, and “INITIAL RESOLUTIONS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,260,000 CORPORATE PURPOSE GENERAL OBLIGATION BONDS OF BROWN COUNTY, WISCONSIN IN ONE OR MORE SERIES AT ONE OR MORE TIMES” adopted by the County on March 18, 2009, consisting of:

(a) \$3,375,000 for the purpose of paying the cost of information systems infrastructure, including an additional amount for fiber optics, voice over internet protocol infrastructure, county-wide video sound recorder system, disaster recovery and library integrated software upgrade;

(b) \$660,000 for a portion of the cost of building systems improvements, including central library facility improvements, clerk of courts offices and courthouse hearing rooms;

(c) \$5,995,000 for the purpose of paying the cost of highway improvements including the CTH “AAA” (Oneida Street) New Bridge Structure, CTH “NN”, CTH “KK”, CTH “X”, CTH “KB”, CTH “G” (Fernando Drive), CTH “V” (Lime Kiln Road Reconstruction), CTH “V” (Lime Kiln Road Reconditioning), and CTH “EB” (Cardinal Lane at Woodale Avenue roundabout);

(d) \$1,370,000 for the purpose of paying the costs of constructing and equipping the public safety building, which are in addition to the amount previously authorized;

(e) \$1,925,000 for the purpose of paying the costs of upgrading the emergency communications (911) system, including CAD upgrade and Radio – Phase I; and

(f) \$150,000 for the purpose of paying the cost of a constructing a Mayan Food Court and ticket booth at the County Zoo, which is in addition to the amount previously authorized;

(collectively, the “Public Purpose”); and

WHEREAS, the Director of Administration of the County and the County’s financial advisor, Public Financial Management, Inc., have caused fair and appropriate notice to be given of the sale of \$13,475,000 Brown County, Wisconsin, Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment) (the “Series 2009A Bonds”), which action is hereby in all respects ratified and confirmed; and

WHEREAS, pursuant to Chapter 67 of the Wisconsin Statutes, as amended, the County is authorized to issue general obligation corporate purpose bonds of the County for the Public Purpose; and

WHEREAS, the County has prepared and distributed a Preliminary Official Statement dated May 12, 2009 (the "Preliminary Official Statement") describing the Series 2009A Bonds and the security therefor; and

WHEREAS, in accordance with the Official Notice of Sale for the Series 2009A Bonds (the "Official Notice of Sale"), a copy of which is attached hereto as Exhibit A, written bids for the sale of the Series 2009A Bonds were received and delivered to the County Board of Supervisors (the "Governing Body") at its meeting on May 20, 2009; and

WHEREAS, sealed bid proposals were received as summarized in Exhibit B attached hereto; and

WHEREAS, the Governing Body has considered all of the bids received and hereby finds and determines that Morgan Keegan & Co., Inc. (hereinafter referred to as the "Purchaser"), bidding the price of \$13,364,614.58 (\$13,475,000.00 principal amount of the Series 2009A Bonds, less original issue discount of \$31,134.35, plus accrued interest from June 1, 2009 to June 10, 2009 of \$15,452.69, less underwriter's discount of \$94,703.76) for the entire issue of Series 2009A Bonds (the "Purchase Price"), to bear interest at the rates shown herein for Series 2009A Bonds maturing on November 1 in the respective years stated herein, was the most advantageous bid in accordance with the Official Notice of Sale, which bid is attached hereto as Exhibit C and incorporated herein by reference; and

WHEREAS, the Governing Body hereby finds that the Purchaser is responsible and that its bid complies with all terms of the Official Notice of Sale; and

WHEREAS, although the Series 2009A Bonds would qualify for tax-exempt status under the Internal Revenue Code of 1986, as amended, the Governing Body has determined to issue the Series 2009A Bonds as taxable bonds which qualify as Build America Bonds (Direct Pay) under Section 54AA of the Internal Revenue Code and Notice 2009-26 issued by the Internal Revenue Service with respect thereto; and

WHEREAS, it is now expedient and necessary for the County to issue and sell its Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment) in the amount of \$13,475,000 for the Public Purpose.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County as follows:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

"Act" shall mean Chapter 67 of the Wisconsin Statutes, as amended;

"Bond Registrar" shall mean the Fiscal Agent;

“Code” shall mean the Internal Revenue Code of 1986, as amended;

“County” shall mean Brown County, Wisconsin;

“Dated Date” shall mean June 1, 2009;

“Debt Service Fund Account” shall mean the Debt Service Fund Account of the County, which shall be the “special redemption fund” as such term is defined in the Act;

“Fiscal Agency Agreement” shall mean the agreement between the County and the Fiscal Agent, a copy of which is attached hereto as Exhibit E;

“Fiscal Agent” shall mean Associated Trust Company, National Association, Green Bay Wisconsin;

“Governing Body” shall mean the County Board of Supervisors of the County, or such other body as may hereafter be the chief legislative body of the County;

“Public Purpose” shall mean the public purpose described in the preamble to this Resolution;

“Purchase Price” shall mean \$13,364,614.58 (\$13,475,000.00 principal amount of the Series 2009A Bonds, less original issue discount of \$31,134.35, plus accrued interest from June 1, 2009 to June 10, 2009 of \$15,452.69, less underwriter’s discount of \$94,703.76);

“Purchaser” shall mean Morgan Keegan & Co., Inc.;

“Record Date” shall mean the close of business on the 15th day of the calendar month next preceding any principal or interest payment date;

“Securities Depository” shall mean The Depository Trust Company, New York, New York, or its nominee; and

“Series 2009A Bonds” shall mean the County’s \$13,475,000 Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment).

Section 2. Authorization of the Series 2009A Bonds. For the purpose of financing the Public Purpose, there shall be borrowed on the full faith and credit of the County the sum of \$13,475,000; and fully registered Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment) of the County are authorized to be issued in evidence thereof.

Section 3. Sale of the Series 2009A Bonds. To evidence such indebtedness, the Chairperson and County Clerk of the County are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment) in the aggregate principal amount of \$13,475,000 for the Purchase Price.

Section 4. Terms of the Series 2009A Bonds. The Series 2009A Bonds shall be designated “Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment)”; shall be dated the Dated Date; shall be numbered R-1 and upward; shall bear interest as shown on the Maturity Schedule below; shall be issued in denominations of \$5,000 or any integral multiple thereof; and shall mature on November 1 in the years and in the amounts as set forth below. Interest on the Series 2009A Bonds shall accrue from the Dated Date on a 30-day month, 360-day year basis, and shall be payable commencing on November 1, 2009 and semi-annually thereafter on May 1 and November 1 of each year.

MATURITY SCHEDULE

<u>Maturity Date</u> <u>(November 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2010	\$ 425,000	1.750%
2011	595,000	2.000
2012	440,000	2.500
2013	120,000	2.875
2014	430,000	3.250
2015	100,000	3.600
2016	485,000	3.950
2017	325,000	4.250
2018	660,000	4.500
2019	1,750,000	4.500
2020	745,000	4.750
2021	700,000	5.000
2022	700,000	5.000
2023	1,250,000	5.125
2024	1,150,000	5.250
2025	1,050,000	5.375
2026	950,000	5.375
2027	850,000	5.500
2028	750,000	5.500

The Series 2009A Bonds maturing November 1, 2020 and thereafter are subject to call and prior redemption on November 1, 2019 or any date thereafter, in whole or in part, from maturities selected by the County, and by lot within each maturity at par plus accrued interest to the date of redemption.

If the Series 2009A Bonds are in book-entry-only form, and less than all of a particular maturity of the Series 2009A Bonds is to be redeemed, selection of the beneficial owners of the Series 2009A Bonds affected thereby shall be made solely by the Securities Depository and its direct and indirect participants in accordance with their then-prevailing rules. If the Series 2009A Bonds are not in book-entry-only form, and less than all of a particular maturity of the Series 2009A Bonds is to be redeemed, selection shall be by lot.

So long as the Series 2009A Bonds are in book-entry-only form, notice of the redemption of any of the Series 2009A Bonds shall be sent to the Securities Depository, in the manner required by the Securities Depository, not less than 30 and not more than 60 days prior to the proposed

redemption date. A notice of redemption may be revoked by sending notice to the Securities Depository, in the manner required by the Securities Depository, not less than 15 days prior to the proposed redemption date. If the Series 2009A Bonds are not in book-entry-only form, (i) a notice of the redemption of any of the Series 2009A Bonds shall be mailed, postage prepaid, not less than 30 and not more than 60 days before the redemption date to the registered owners of any Series 2009A Bonds to be redeemed (provided, however, that failure to give any such notice by mail or any defect therein shall not affect the validity of any proceedings for the redemption of the Series 2009A Bonds if notice thereof has been published at least once not less than 30 and not more than 45 days prior to the date of redemption in a financial journal or newspaper published or circulated in New York, New York), and (ii) a notice of redemption may be revoked by the mailing of a notice, postage prepaid, not less than 15 days prior to the proposed redemption date to the registered owners of any Series 2009A Bonds which were to have been redeemed (provided, however, that failure to mail any such notice shall not affect the validity of such revocation if notice thereof has been published at least once not less than 15 days prior to the proposed redemption date in a financial journal or newspaper published or circulated in New York, New York).

Interest on any Series 2009A Bond so called for prior redemption shall cease to accrue on the redemption date, provided that payment thereof has been duly made or provided for.

Section 5. Form, Execution, Registration and Payment of the Series 2009A Bonds. The Series 2009A Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Series 2009A Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson and County Clerk (except that one of the foregoing signatures shall be manual), and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Series 2009A Bonds shall be paid by the Fiscal Agent.

Both the principal of and interest on the Series 2009A Bonds shall be payable in lawful money of the United States of America by the Fiscal Agent. Payment of principal of the final maturity on the Series 2009A Bonds will be payable upon presentation and surrender of the Series 2009A Bonds to the Fiscal Agent. Payment of principal on the Series 2009A Bonds (except the final maturity) and each installment of interest shall be made to the registered owner of each Series 2009A Bond who shall appear on the registration books of the County, maintained by the Bond Registrar, on the Record Date and shall be paid by check or draft by the Fiscal Agent and mailed to such registered owner at the address appearing on such registration books or at such other address may be furnished in writing to such registered owner to the Bond Registrar.

Section 6. Construction Fund. The sale proceeds of the Series 2009A Bonds herein provided for (other than any premium and accrued interest paid at the time of delivery which must be paid into the Debt Service Fund Account created below) shall be segregated in a special fund upon receipt and shall be used solely for the purposes for which borrowed or for the payment of the principal of and interest on the Series 2009A Bonds.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax sufficient in amount to pay and for the express purpose of paying the interest on the Series 2009A

Bonds as it falls due and also to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property in the County, in addition to all other taxes, a nonrepealable, direct, annual tax in an amount sufficient for that purpose. This tax shall be from year to year carried into the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time. Said tax is to be for the following years and in the following minimum amounts:

(a) Levy for the year 2009 in the amount of \$1,043,107.50, being the sum of:

\$309,053.75 for interest due on May 1, 2010;
\$425,000.00 for principal due on November 1, 2010; and
\$309,053.75 for interest due on November 1, 2010.

(b) Levy for the year 2010 in the amount of \$1,205,670.00, being the sum of:

\$305,335.00 for interest due on May 1, 2011;
\$595,000.00 for principal due on November 1, 2011; and
\$305,335.00 for interest due on November 1, 2011.

(c) Levy for the year 2011 in the amount of \$1,038,770.00, being the sum of:

\$299,385.00 for interest due on May 1, 2012;
\$440,000.00 for principal due on November 1, 2012; and
\$299,385.00 for interest due on November 1, 2012.

(d) Levy for the year 2012 in the amount of \$707,770.00, being the sum of:

\$293,885.00 for interest due on May 1, 2013;
\$120,000.00 for principal due on November 1, 2013; and
\$293,885.00 for interest due on November 1, 2013.

(e) Levy for the year 2013 in the amount of \$1,014,320.00, being the sum of:

\$292,160.00 for interest due on May 1, 2014;
\$430,000.00 for principal due on November 1, 2014; and
\$292,160.00 for interest due on November 1, 2014.

(f) Levy for the year 2014 in the amount of \$670,345.00, being the sum of:

\$285,172.50 for interest due on May 1, 2015;
\$100,000.00 for principal due on November 1, 2015; and
\$285,172.50 for interest due on November 1, 2015.

(g) Levy for the year 2015 in the amount of \$1,051,745.00, being the sum of:

\$283,372.50 for interest due on May 1, 2016;
\$485,000.00 for principal due on November 1, 2016; and
\$283,372.50 for interest due on November 1, 2016.

- (h) Levy for the year 2016 in the amount of \$872,587.50, being the sum of:
- \$273,793.75 for interest due on May 1, 2017;
 - \$325,000.00 for principal due on November 1, 2017; and
 - \$273,793.75 for interest due on November 1, 2017.
- (i) Levy for the year 2017 in the amount of \$1,193,775.00, being the sum of:
- \$266,887.50 for interest due on May 1, 2018;
 - \$660,000.00 for principal due on November 1, 2018; and
 - \$266,887.50 for interest due on November 1, 2018.
- (j) Levy for the year 2018 in the amount of \$2,254,075.00, being the sum of:
- \$252,037.50 for interest due on May 1, 2019;
 - \$1,750,000.00 for principal due on November 1, 2019; and
 - \$252,037.50 for interest due on November 1, 2019.
- (k) Levy for the year 2019 in the amount of \$1,170,325.00, being the sum of:
- \$212,662.50 for interest due on May 1, 2020;
 - \$745,000.00 for principal due on November 1, 2020; and
 - \$212,662.50 for interest due on November 1, 2020.
- (l) Levy for the year 2020 in the amount of \$1,089,937.50, being the sum of:
- \$194,968.75 for interest due on May 1, 2021;
 - \$700,000.00 for principal due on November 1, 2021; and
 - \$194,968.75 for interest due on November 1, 2021.

- (m) Levy for the year 2021 in the amount of \$1,054,937.50, being the sum of:
 - \$177,468.75 for interest due on May 1, 2022;
 - \$700,000.00 for principal due on November 1, 2022; and
 - \$177,468.75 for interest due on November 1, 2022.

- (n) Levy for the year 2022 in the amount of \$1,569,937.50, being the sum of:
 - \$159,968.75 for interest due on May 1, 2023;
 - \$1,250,000.00 for principal due on November 1, 2023; and
 - \$159,968.75 for interest due on November 1, 2023.
- (o) Levy for the year 2023 in the amount of \$1,405,875.00, being the sum of:
 - \$127,937.50 for interest due on May 1, 2024;
 - \$1,150,000.00 for principal due on November 1, 2024; and
 - \$127,937.50 for interest due on November 1, 2024.

- (p) Levy for the year 2024 in the amount of \$1,245,500.00, being the sum of:
 - \$97,750.00 for interest due on May 1, 2025;
 - \$1,050,000.00 for principal due on November 1, 2025; and
 - \$97,750.00 for interest due on November 1, 2025.

- (q) Levy for the year 2025 in the amount of \$1,089,062.50, being the sum of:
 - \$69,531.25 for interest due on May 1, 2026;
 - \$950,000.00 for principal due on November 1, 2026; and
 - \$69,531.25 for interest due on November 1, 2026.

- (r) Levy for the year 2026 in the amount of \$938,000.00, being the sum of:
 - \$44,000.00 for interest due on May 1, 2027;
 - \$850,000.00 for principal due on November 1, 2027; and
 - \$44,000.00 for interest due on November 1, 2027.

- (s) Levy for the year 2027 in the amount of \$791,250.00, being the sum of:
 - \$20,625.00 for interest due on May 1, 2028;
 - \$750,000.00 for principal due on November 1, 2028; and
 - \$20,625.00 for interest due on November 1, 2028.

The County shall be and continue without power to repeal such levies or obstruct the collection of said taxes until all such payments have been made or provided for. After the issuance of the Series 2009A Bonds, said taxes shall be carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls with respect to the Series 2009A Bonds may be reduced by the amount of any surplus money in the Debt Service Fund Account created pursuant to Section 8 hereof.

If there shall be insufficient funds from the tax levy to pay the principal of or interest on the Series 2009A Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

Debt service funds on hand in the amount of \$257,544.79 are hereby appropriated to the Debt Service Fund Account for the Bonds created below. Said sum shall be irrevocably deposited in said Debt Service Fund Account and shall be used solely to pay interest on the Series 2009A Bonds on November 1, 2009.

Section 8. Debt Service Fund Account. Within the debt service fund previously established within the treasury of the County, there be and there hereby is established a separate and distinct fund account designated as the “Debt Service Fund Account for \$13,475,000 Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment)” (hereinafter referred to as the “Debt Service Fund Account”), and such fund shall be maintained until the indebtedness evidenced by the Series 2009A Bonds is fully paid or otherwise extinguished. There shall be deposited in such Debt Service Fund (i) all accrued interest received by the County at the time of delivery of and payment for the Series 2009A Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Series 2009A Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Series 2009A Bonds when due; and (iv) such further deposits as may be required by Section 67.11 of the Wisconsin Statutes, including without limitation the premium for which the Series 2009A Bonds were sold above par value.

No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Series 2009A Bonds until all such principal and interest has been paid in full and cancelled; provided (i) the funds to provide for each payment of principal of and interest on the Series 2009A Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Series 2009A Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Series 2009A Bonds as permitted by and subject to Section 67.11(2)(a) of the Wisconsin Statutes in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue as a part of the Debt Service Fund Account.

When all of the Series 2009A Bonds have been paid in full and cancelled, and all permitted investments disposed of, any money remaining in the Debt Service Fund Account shall be deposited in the general fund of the County, unless the Governing Body directs otherwise.

Section 9. Deposits and Investments. The Debt Service Fund Account shall be kept apart from moneys in the other funds and accounts of the County and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Series 2009A Bonds as the same becomes due and payable. All moneys therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34 of the Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Sections 66.0603(1m) and 67.10(3) of the Wisconsin Statutes. All income derived from such investments shall be regarded as revenues of the County. No such investment shall be in such a manner as

would cause the Series 2009A Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

The Chairperson shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Series 2009A Bonds are not “arbitrage bonds” under Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

Section 10. Sale of Series 2009A Bonds. The terms, conditions and provisions of the Series 2009A Bonds are, in all respects, authorized and approved. The Series 2009A Bonds shall be sold and delivered to the Purchaser in the manner, at the Purchase Price, and pursuant to the terms and conditions set forth in the Official Notice of Sale.

The preparation of the Preliminary Official Statement dated May 12, 2009 and the Official Statement dated May 20, 2009, are hereby approved. The Preliminary Official Statement is “deemed final” as of its date, except for omissions or subsequent modifications permitted under Rule 15c2-12 of the Securities and Exchange Commission. The Chairperson and County Clerk of the County are authorized and directed to do any and all acts necessary to conclude delivery of the Series 2009A Bonds to the Purchaser, as soon after adoption of this Resolution as is convenient.

Section 11. Book-Entry-Only Bonds. The Series 2009A Bonds shall be transferable as follows:

(a) Each maturity of Series 2009A Bonds will be issued as a single Bond in the name of the Securities Depository, or its nominee, which will act as depository for the Series 2009A Bonds. During the term of the Series 2009A Bonds, ownership and subsequent transfers of ownership will be reflected by book entry on the records of the Securities Depository and those financial institutions for whom the Securities Depository effects book entry transfers (collectively, the “Participants”). No person for whom a Participant has an interest in Series 2009A Bonds (a “Beneficial Owner”) shall receive Bond certificates representing their respective interest in the Series 2009A Bonds except in the event that the Securities Depository or the County shall determine, at its option, to terminate the book-entry system described in this section. Payment of principal of, and interest on, the Series 2009A Bonds will be made by the Fiscal Agent to the Securities Depository which will in turn remit such payment of principal and interest to its Participants which will in turn remit such principal and interest to the Beneficial Owners of the Series 2009A Bonds until and unless the Securities Depository or the County elect to terminate the book entry system, whereupon the County shall deliver Bond certificates to the Beneficial Owners of the Series 2009A Bonds or their nominees. Bond certificates issued under this section may not be transferred or exchanged except as provided in this section.

(b) Upon the reduction of the principal amount of any maturity of Series 2009A Bonds, the registered Series 2009A Bondowner may make a notation of such redemption on the panel of the Series 2009A Bond, stating the amount so redeemed, or may return the Series 2009A Bond to the County for exchange for a new Series 2009A Bond in a proper principal amount. Such notation, if made by the Series 2009A Bondowner, may be made for reference only, and may not be relied upon by any other person as being in any way determinative of the principal amount of such Series 2009A Bond outstanding, unless the Bond Registrar initialed the notation on the panel.

(c) Immediately upon delivery of the Series 2009A Bonds to the purchasers thereof on the delivery date, such purchasers shall deposit the Bond certificates representing all of the Series 2009A Bonds with the Securities Depository. The Securities Depository, or its nominee, will be the sole owner of the Series 2009A Bonds, and no investor or other party purchasing, selling or otherwise transferring ownership of any Series 2009A Bonds will receive, hold or deliver any Bond certificates as long as the Securities Depository holds the Series 2009A Bonds immobilized from circulation.

(d) The Series 2009A Bonds may not be transferred or exchanged except:

(1) To any successor of the Securities Depository (or its nominee) or any substitute depository (“Substitute Depository”) designated pursuant to (ii) below, provided that any successor of the Securities Depository or any Substitute Depository must be a qualified and registered “clearing agency” as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(2) To a Substitute Depository designated by or acceptable to the County upon (a) the determination by the Securities Depository that the Series 2009A Bonds shall no longer be eligible for depository services or (b) a determination by the County that the Securities Depository is no longer able to carry out its functions, provided that any such Substitute Depository must be qualified to act as such, as provided in subsection (1) above; or

(3) To those persons to whom transfer is requested in written transfer instructions in the event that:

(i) The Securities Depository shall resign or discontinue its services for the Series 2009A Bonds and, only if the County is unable to locate a qualified successor within two months following the resignation or determination of noneligibility, or

(ii) Upon a determination by the County that the continuation of the book entry system described herein, which precludes the issuance of certificates to any Series 2009A Bondowner other than the Securities Depository (or its nominee) is no longer in the best interest of the Beneficial Owners of the Series 2009A Bonds.

(e) The Depository Trust Company, New York, New York, is hereby appointed the Securities Depository for the Series 2009A Bonds.

Section 12. Compliance with Federal Tax Laws; Build America Bond Status.

(a) The County represents and covenants that the Public Purpose financed by the Series 2009A Bonds and their ownership, management and use will not cause the Series 2009A Bonds to be “private activity bonds” within the meaning of Section 141 of the Code, and the County shall comply with the provisions of the Code to the extent necessary to maintain the direct federal tax subsidy on the interest on the Series 2009A Bonds.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the

Series 2009A Bonds, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Series 2009A Bonds and the laws of Wisconsin, and to the extent there is a reasonable period of time in which to comply.

(c) The County hereby makes an irrevocable election to have Section 54AA(d) of the Internal Revenue Code apply to the Series 2009A Bonds, and to take all action so that the Series 2009A Bonds qualify as “Build America Bonds (Direct Pay)” as such term is defined in Notice 2009-26 issued by the Internal Revenue Service thereunder.

Section 13. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Series 2009A Bonds are outstanding, a separate account to be known as the “Rebate Fund” for the purpose of complying with the rebate requirements of Section 148(f) of the Code. The Rebate Fund is for the sole purpose of paying rebate to the United States of America, if any, on amounts of Series 2009A Bond proceeds held by the County. The County hereby covenants and agrees that it shall pay from the Rebate Fund the rebate amounts as determined herein to the United States of America.

The County may engage the services of accountants, attorneys, or other consultants necessary to assist it in determining rebate amounts. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Series 2009A Bonds and may only be used to pay amounts to the United States. The County shall maintain or cause to be maintained records of such determinations until six (6) years after payment in full of the Series 2009A Bonds and shall make such records available upon reasonable request therefor.

The County anticipates that it will qualify for the construction expenditure exemption from the rebate requirements of the Code. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, with respect to said exemption from the rebate requirements, and said County Clerk or other officer is hereby authorized to make any election on behalf of the County in order to comply with the rebate requirements of the Code. If, for any reason, the County did not qualify for any exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 14. Defeasance. When all Series 2009A Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The County may discharge all Series 2009A Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government (“Government Obligations”), or of securities wholly and irrevocably secured as to principal and interest by Government Obligations and rated in the highest rating category of a nationally recognized rating service, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Series 2009A Bond to its maturity or, at the County’s option, if said Series 2009A Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Series 2009A Bond at maturity, or at the County’s option, if said Series 2009A Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Series 2009A Bonds on such date has been duly given or provided for.

Section 15. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the County and the owner or owners of the Series 2009A Bonds, and after issuance of any of the Series 2009A Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 19 hereof, until all of the Series 2009A Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Series 2009A Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the County, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the County, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 16. General Authorizations. The Chairperson, County Clerk, Treasurer and Controller of the County and the appropriate deputies and officials of the County in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution and to comply with and perform the obligations of the County under the Series 2009A Bonds. The execution or written approval of any document by the Chairperson, County Clerk, Treasurer, Director of Administration or Finance Director of the County herein authorized shall be conclusive evidence of the approval by the County of such document in accordance with the terms hereof.

In the event that said officers shall be unable by reason of death, disability, absence or vacancy of office to perform in timely fashion any of the duties specified herein (such as the execution of Series 2009A Bonds), such duties shall be performed by the officer or official succeeding to such duties in accordance with law and the rules of the County.

Any actions taken by the Chairperson, County Clerk, Treasurer, Director of Administration or Finance Director of the County consistent with this Resolution are hereby ratified and confirmed.

Section 17. Employment of Counsel. The County hereby employs the law firm of Whyte Hirschboeck Dudek S.C., Milwaukee, Wisconsin, pursuant to Section 67.10(7) of the Wisconsin Statutes, and directs the County Clerk of the County to certify to such law firm a copy of all proceedings preliminary to the issuance of the Series 2009A Bonds.

Section 18. Amendment to Resolution. After the issuance of any of the Series 2009A Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Series 2009A Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the County may, from to time, amend this Resolution without the consent of any of the owners of the Series 2009A Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Series 2009A Bonds then outstanding; provided, however, that no amendment shall permit any change in the pledge of tax revenues of the County or the maturity of any Series 2009A Bond issued hereunder, or a reduction in the rate of interest on any Series 2009A Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Series 2009A Bonds may be redeemed or make any other modification in the terms

of the payment of such principal or interest without the written consent of the owner of each such Series 2009A Bond to which the change is applicable.

Section 19. Illegal or Invalid Provisions. In case any one or more of the provisions of this Resolution or any of the Series 2009A Bonds shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution or of the Series 2009A Bonds.

Section 20. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 21. Municipal Bond Insurance. If the purchaser of the Series 2009A Bonds obtains municipal bond insurance with respect to the Series 2009A Bonds, the Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of bond proceeds, the rights of the bond insurer in the event of default and payment of the Series 2009A Bonds by the bond insurer and notices to be given and information to be provided to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Series 2009A Bond provided herein.

Section 22. Section 893.77 Notice. Notice of sale of the Bonds, in the form attached hereto as Exhibit E, shall be published in the official newspaper of the County as a class 1 notice under Chapter 985 of the Wisconsin Statutes.

Section 23. Conflicting Resolutions. All ordinances, resolutions, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Adopted: May 20, 2009.

Approved by:

\S\ Thomas J. Hinz
Thomas J. Hinz
Brown County Executive
Date Signed: 5/28/2009

EXHIBIT A

OFFICIAL NOTICE OF SALE

[See Appendix D of Preliminary Official Statement]

EXHIBIT B

SUMMARY OF BIDS

[See Attached]



The PFM Group
 Public Financial Management, Inc.
 PFM Asset Management LLC
 PFM Advisors

115 South 84th Street
 Suite 100
 Milwaukee, WI 53214

414 771-2700
 414 771-1041 fax
 www.pfm.com

TABULATION OF BIDS

\$13,475,000

**Taxable General Obligation Corporate Purpose Bonds, Series 2009A
 (Build America Bonds)
 Brown County, Wisconsin**

AWARD:

Morgan Keegan & Co., Inc.

Sale Date: May 20, 2009

Dated: June 1, 2009

Due: November 1, 2010/2028

Rating: Moody's "Aa1"

Insured: No

<u>BIDDERS</u>	<u>Address</u>	<u>Year</u>	<u>Rate</u>	<u>Yield</u>	
Morgan Keegan & Co., Inc.	Memphis, TN	2010	1.750	1.600	
		2011	2.000	1.900	<u>Price</u>
		2012	2.500	2.400	\$13,349,161.89
		2013	2.875	2.650	
		2014	3.250	3.000	<u>NIC</u>
		2015	3.600	3.350	\$8,315,372.90
		2016	3.950	3.700	
		2017	4.250	4.000	<u>TIC</u>
		2018	4.500	4.250	5.042620%
		2019	4.500	4.550	
		2020	4.750	4.800	
		2021	5.000	5.000	<u>Net of BABs</u>
		2022	5.000	5.100	<u>Credit</u>
		2023	5.125	5.200	<u>NIC</u>
		2024	5.250	5.350	\$5,449,035.72
		2025	5.375	5.400	
		2026	5.375	5.500	<u>TIC</u>
		2027	5.500	5.550	3.315687%
		2028	5.500	5.600	

EXHIBIT C

BID FORM

[See Attached]

BID FORM
\$13,475,000
General Obligation Corporate Purpose Bonds, Series 2009A (TAXABLE)
Brown County, Wisconsin

(Electronic bids are also accepted via Parity® – See Official Notice of Sale)

Green Lake County, Wisconsin
c/o Public Financial Management, Inc. (Fax: 414/771-1041)

Sale Date: May 20, 2009

For all or none of the principal amount of the County's \$13,475,000 General Obligation Corporate Purpose Bonds, Series 2009A legally issued and as described in the Official Notice of Sale, we will pay the County the purchase price of \$13,349,161.89 plus accrued interest, if any, on the total principal amount of the Bonds to date of delivery, provided the Bonds bear the following interest rates:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2010	\$ 425,000	1.750%	2020	\$ 745,000	4.750%
2011	595,000	2.000%	2021	700,000	5.000%
2012	440,000	2.500%	2022	700,000	5.000%
2013	120,000	2.875%	2023	1,250,000	5.125%
2014	430,000	3.250%	2024	1,150,000	5.250%
2015	100,000	3.600%	2025	1,050,000	5.375%
2016	485,000	3.950%	2026	950,000	5.375%
2017	325,000	4.250%	2027	850,000	5.500%
2018	660,000	4.500%	2028	750,000	5.500%
2019	1,750,000	4.500%			

The Bonds mature on November 1 in each of the years as indicated above and interest is payable May 1 and November 1 of each year, commencing November 1, 2009. The Bonds maturing on November 1, 2020 and thereafter are subject to prior redemption at the option of the County on November 1, 2019 and any date thereafter at a price of par plus accrued interest.

In making this offer, we accept the terms and conditions as defined in the Official Notice of Sale published in the Preliminary Official Statement dated May 12, 2009. All blank spaces of this offer are intentional and are not to be construed as an omission. Our good faith deposit in the amount of \$134,750 will be wired in federal funds to the County within two hours after verbal award is made according to the Official Notice of Sale.

<p>NOT PART OF THE BID</p> <p>Explanatory Note: According to our computation this bid involves the following:</p> <p><u>\$ 8,315,372.90</u></p> <p>Net Interest Cost</p> <p><u>5.042620%</u></p> <p>True Interest Rate (TIC)</p>

Respectfully submitted,

Morgan Keegan & Co., Inc.
Account Manager

Barbara Druey 1st VP

The foregoing offer is hereby accepted by and on behalf of Brown County, Wisconsin, this 20th day of May, 2009.

Guy Zima, Chairperson

Darlene K. Marcelle, County Clerk

EXHIBIT D

FORM OF SERIES 2009A BOND

REGISTERED
NO. R-_____

UNITED STATES OF AMERICA
STATE OF WISCONSIN

REGISTERED
\$_____

BROWN COUNTY, WISCONSIN,
TAXABLE GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2009A
(BUILD AMERICA BONDS – DIRECT PAYMENT)

<u>Interest</u> <u>Rate</u>	<u>Maturity Date</u>	<u>Dated Date</u>	<u>Principal</u> <u>Amount</u>	<u>CUSIP</u>
_____ %	November 1, _____	June 1, 2009	\$_____	_____

FOR VALUE RECEIVED, Brown County, Wisconsin, promises to pay to Cede & Co., or registered assigns, the principal amount specified above on the maturity date specified above, together with interest thereon from the Dated Date or the most recent payment date to which interest has been paid, unless the date of registration of this Series 2009A Bond is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable commencing on November 1, 2009 and semi-annually thereafter on May 1 and November 1 of each year.

The Bonds maturing November 1, 2020 and thereafter are subject to call and prior redemption on November 1, 2019 or any date thereafter, in whole or in part, from maturities selected by the County, and by lot within each maturity at par plus accrued interest to the date of redemption.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America by Associated Trust Company, National Association, Green Bay, Wisconsin the fiscal agent appointed by the County pursuant to the provisions of Section 67.10(2), Wisconsin Statutes, to act as bond registrar and paying agent (the "Bond Registrar"). For the prompt payment of this Series 2009A Bond with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged. The principal of this Series 2009A Bond shall be payable only upon presentation and surrender of this Series 2009A Bond to the Fiscal Agent at the principal office of the Fiscal Agent. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Bond Registrar to the person in whose name this Series 2009A Bond is registered at the close of business on the 15th day of the calendar month next preceding each interest payment date.

This Series 2009A Bond is transferable only upon the books of the County kept for that purpose by the at the office of the Bond Registrar, by the registered owner in person or his duly authorized attorney, upon surrender of this Series 2009A Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new Series 2009A Bond of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County may deem and treat the person in whose name this Series 2009A Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Series 2009A Bonds are issuable solely as negotiable, fully registered Series 2009A Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Series 2009A Bond is one of an issue aggregating \$13,475,000 issued pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, for public purposes, including paying all or a portion of the costs of the projects listed in the “INITIAL RESOLUTIONS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$29,940,000 CORPORATE PURPOSE GENERAL OBLIGATION BONDS OF BROWN COUNTY, WISCONSIN IN ONE OR MORE SERIES AT ONE OR MORE TIMES” adopted by the County on May 16, 2007, and “INITIAL RESOLUTIONS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,260,000 CORPORATE PURPOSE GENERAL OBLIGATION BONDS OF BROWN COUNTY, WISCONSIN IN ONE OR MORE SERIES AT ONE OR MORE TIMES” adopted by the County on March 18, 2009, consisting of:

- (a) \$3,375,000 for the purpose of paying the cost of information systems infrastructure, including an additional amount for fiber optics, voice over internet protocol infrastructure, county-wide video sound recorder system, disaster recovery and library integrated software upgrade;
- (b) \$660,000 for a portion of the cost of building systems improvements, including central library facility improvements, clerk of courts offices and courthouse hearing rooms;
- (c) \$5,995,000 for the purpose of paying the cost of highway improvements including the CTH “AAA” (Oneida Street) New Bridge Structure, CTH “NN”, CTH “KK”, CTH “X”, CTH “KB”, CTH “G” (Fernando Drive), CTH “V” (Lime Kiln Road Reconstruction), CTH “V” (Lime Kiln Road Reconditioning), and CTH “EB” (Cardinal Lane at Woodale Avenue roundabout);
- (d) \$1,370,000 for the purpose of paying the costs of constructing and equipping the public safety building, which are in addition to the amount previously authorized;
- (e) \$1,925,000 for the purpose of paying the costs of upgrading the emergency communications (911) system, including CAD upgrade and Radio – Phase I; and
- (f) \$150,000 for the purpose of paying the cost of a constructing a Mayan Food Court and ticket booth at the County Zoo, which is in addition to the amount previously authorized.

This Series 2009A Bond is authorized by a resolution of the County Board of Supervisors of the County, duly adopted by said County Board of Supervisors at its meeting duly convened on March 20, 2009, which resolution is recorded in the official book of its minutes for said date.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Series 2009A Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Series 2009A Bond and others authorized simultaneously herewith, does not exceed any limitations imposed by law or the Constitution of the State of Wisconsin; and that the County has levied a direct, annual irrepealable tax sufficient to pay this Series 2009A Bond, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the County Board of Supervisors of Brown County, Wisconsin, has caused this Series 2009A Bond to be signed on behalf of said County by its duly qualified and acting Chairperson and County Clerk, and its official or corporate seal to be impressed hereon, all as of the date of original issue specified above.

BROWN COUNTY, WISCONSIN

[SEAL]

By: \ s \ Guy Zima
Guy Zima, Chairperson

Attest: \ s \ Darlene K. Marcelle
Darlene K. Marcelle, County Clerk

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address,
including zip code, of Assignee)

(Please print or typewrite Social Security or
other identifying number of Assignee)

the within Series 2009A Bond and all rights thereunder, hereby irrevocably constituting and appointing

(Please print or typewrite name of Attorney)

attorney to transfer said Series 2009A Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Series 2009A Bond in every particular without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

EXHIBIT E

FISCAL AGENCY AGREEMENT

\$13,475,000

Brown County, Wisconsin

**Taxable General Obligation Corporate Purpose Bonds, Series 2009A
(Build America Bonds - Direct Payment)**

FISCAL AGENCY AGREEMENT

THIS AGREEMENT is made and entered into June 10, 2009, by and between Brown County, Wisconsin (the "County"), and Associated Trust Company, National Association, Green Bay, Wisconsin (the "Agent").

WITNESSETH:

WHEREAS, the County has authorized the borrowing of the sum of THIRTEEN MILLION FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$13,475,000) pursuant to Section 67.05, Wisconsin Statutes, and resolutions adopted by the County Board on May 16, 2007, March 18, 2009 and May 20, 2009, and has authorized the issuance and sale of \$13,475,000 principal amount of Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment) to evidence such indebtedness (the "Obligations"). The Obligations shall be designated "Taxable General Obligation Corporate Purpose Bonds, Series 2009A (Build America Bonds – Direct Payment)"; shall be dated June 1, 2009; shall bear interest at the rates set forth below; and shall mature on November 1 of each year, in the years and principal amounts as follows:

MATURITY SCHEDULE

<u>Maturity Date</u> <u>(November 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2010	\$ 425,000	1.750%
2011	595,000	2.000
2012	440,000	2.500
2013	120,000	2.875

2014	430,000	3.250
2015	100,000	3.600
2016	485,000	3.950
2017	325,000	4.250
2018	660,000	4.500
2019	1,750,000	4.500
2020	745,000	4.750
2021	700,000	5.000
2022	700,000	5.000
2023	1,250,000	5.125
2024	1,150,000	5.250
2025	1,050,000	5.375
2026	950,000	5.375
2027	850,000	5.500
2028	750,000	5.500

Interest shall be payable commencing on November 1, 2009 and semi-annually thereafter on May 1 and November 1 of each year until the principal of the Obligations is paid in full or discharged;

WHEREAS, the County is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and any applicable income tax regulations; and,

WHEREAS, pursuant to the aforesaid resolution or resolutions and Section 67.10(2), Wisconsin Statutes, the County Board of the County has authorized the appointment of the Agent as Fiscal Agent of the County for the purpose of performing any or all of the following functions with respect to the Obligations: paying the principal of and interest on the Obligations; accounting for such payments; registering, authenticating, transferring, and canceling the Obligations; and maintaining a registration book in addition to other applicable responsibilities all in accordance with the provisions of Section 67.10(2), Wisconsin Statutes.

NOW, THEREFORE, the County and the Agent do hereby agree as follows:

APPOINTMENT

The Agent is hereby appointed Fiscal Agent of the County with respect to the Obligations for the purpose of performing such of the responsibilities stated in Section 67.10(2)(a), Wisconsin Statutes, as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the County.

INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

PAYMENTS

At least one (1) business day before each semi-annual interest payment date (commencing with the first interest payment date and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the County agrees to and shall pay to the Fiscal Agent, in immediately available funds, a sum equal to the amount payable as principal of and the premium, if any, and interest on the Obligations on such semi-annual interest payment date. Said semi-annual interest and/or principal payment dates and amounts are set forth in Exhibit A which is attached hereto and incorporated herein by this reference.

CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the County a certificate regarding such cancellation, setting forth an accurate description of the Obligation, specifying its number, date, purpose, amount, rate of interest, and payment date and stating the date and amount of each payment of principal or interest thereon. The Fiscal Agent shall also cancel and destroy Obligations presented for transfer or exchange and deliver a certificate with respect to such transfer or exchange to the County. The Fiscal Agent shall be permitted to microfilm, or otherwise photocopy and record said canceled Obligations.

REGISTRATION BOOK

Fiscal Agent shall maintain in the name of the County a Registration Book containing the names and addresses of all registered owners of the Obligations. The Fiscal Agent shall keep confidential said information in accordance with applicable banking and governmental regulations.

INTEREST PAYMENT

Payment of each installment of interest shall be made to the registered owner who shall appear on the Registration Book at the close of business on the 15th day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

PAYMENT OF PRINCIPAL

Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity or redemption date.

REDEMPTION NOTICE

In the event the County exercises its option to redeem the Obligations prior to maturity, as long as the Obligations are in book-entry-only form, the County shall direct the Fiscal Agent to give official notice of the redemption by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all the Obligations of a maturity are to be called for redemption, the Obligations of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Obligations called for

redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Depository receives the notice. The Obligations shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Obligations shall no longer be deemed to be outstanding.

UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only system is to be utilized for the Obligations. The Fiscal Agent agrees to comply with the provisions of the Blanket Issuer Letter of Representation which has been executed and delivered to The Depository Trust Company by the County.

TRANSFER AND EXCHANGE OF OBLIGATIONS

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized legal representative. Upon such transfer, a new registered Obligation of authorized denomination or denominations in the same aggregate principal amount shall be issued to the transferee in exchange thereof, and the name of such transferee shall be entered as the new registered owner in the Registration Book. Upon request of the registered owner, the Fiscal Agent shall exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity in authorized whole integral multiples of \$5,000.

The Obligations shall be numbered 1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

STATEMENTS

The Fiscal Agent shall furnish the County with an accounting of payments received and made and funds on hand annually.

FEES

The County agrees to pay the Fiscal Agent fees in accordance with the fee schedule provided by the Fiscal Agent which is attached hereto as Exhibit B and incorporated herein by this reference until the final principal payment (or redemption date in the event the County exercises its option, if any, to redeem the Obligations). Such fees are payable on the dates principal is due or pursuant to statements provided to the County by the Fiscal Agent. In the event the County exercises its option, if any, to redeem the Obligations, the Fiscal Agent shall be reimbursed for mailing costs related therewith.

MISCELLANEOUS

Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within six years of its date, then the monies representing such nonpayment shall be returned to the County or to such board, officer or body as may then be entitled by law to receive the same, together with the name of the registered owner of the Obligation and the last mailing address of record. Thereafter, the Fiscal Agent shall not be responsible for the payment of such check or draft.

Resignations; Successor Fiscal Agent. Fiscal Agent may at any time resign by giving not less than sixty days written notice to County. Upon receiving such notice of resignation, the County shall promptly appoint a successor Fiscal Agent by an instrument in writing executed by order of its governing body. If no successor Fiscal Agent shall have been so appointed and have accepted appointment within sixty days after such notice of resignation, the resigning Fiscal Agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent.

Any successor fiscal agent shall be qualified to act pursuant to Section 67.10(2), Wisconsin Statutes, as amended.

Any successor fiscal agent shall execute, acknowledge and deliver to the County and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of County, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers, and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, the County shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the County.

Termination. This Agreement shall terminate six years after the last principal payment on the Obligations is due whether by maturity or earlier redemption or the final discharge of the County's responsibilities for payment of the Obligations, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall be turned over to the County after deduction of any unpaid fees and disbursements of Fiscal Agent. Termination of this Agreement shall not, of itself, have any effect on County's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

Execution. This Agreement shall be executed on behalf of the County and the Agent by their duly authorized officers. This Agreement may be executed in several counter-parts, each of which shall be an original and all of which shall constitute but one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

BROWN COUNTY, WISCONSIN

[SEAL]

By: \s\ Guy Zima

Guy Zima, Chairperson

By: \s\ Darlene K. Marcelle

Darlene K. Marcelle, County Clerk

**ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION**

By: _____
Name: _____
Title: _____

EXHIBIT A

DEBT SERVICE SCHEDULE

\$13,475,000

Brown County, Wisconsin

**Taxable General Obligation Corporate Purpose Bonds, Series 2009A
(Build America Bonds – Direct Payment)**

[See Attached]

BOND DEBT SERVICE

Brown County, WI
 \$13,475,000 G.O. Bonds, Series 2009A
 Taxable Build America Bonds
 Final - Based on Bid by Morgan Keegan & Co.

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/01/2009			257,544.79	257,544.79	257,544.79
05/01/2010			309,053.75	309,053.75	
11/01/2010	425,000	1.750%	309,053.75	734,053.75	1,043,107.50
05/01/2011			305,335.00	305,335.00	
11/01/2011	595,000	2.000%	305,335.00	900,335.00	1,205,670.00
05/01/2012			299,385.00	299,385.00	
11/01/2012	440,000	2.500%	299,385.00	739,385.00	1,038,770.00
05/01/2013			293,885.00	293,885.00	
11/01/2013	120,000	2.875%	293,885.00	413,885.00	707,770.00
05/01/2014			292,160.00	292,160.00	
11/01/2014	430,000	3.250%	292,160.00	722,160.00	1,014,320.00
05/01/2015			285,172.50	285,172.50	
11/01/2015	100,000	3.600%	285,172.50	385,172.50	670,345.00
05/01/2016			283,372.50	283,372.50	
11/01/2016	485,000	3.950%	283,372.50	768,372.50	1,051,745.00
05/01/2017			273,793.75	273,793.75	
11/01/2017	325,000	4.250%	273,793.75	598,793.75	872,587.50
05/01/2018			266,887.50	266,887.50	
11/01/2018	660,000	4.500%	266,887.50	926,887.50	1,193,775.00
05/01/2019			252,037.50	252,037.50	
11/01/2019	1,750,000	4.500%	252,037.50	2,002,037.50	2,254,075.00
05/01/2020			212,662.50	212,662.50	
11/01/2020	745,000	4.750%	212,662.50	957,662.50	1,170,325.00
05/01/2021			194,968.75	194,968.75	
11/01/2021	700,000	5.000%	194,968.75	894,968.75	1,089,937.50
05/01/2022			177,468.75	177,468.75	
11/01/2022	700,000	5.000%	177,468.75	877,468.75	1,054,937.50
05/01/2023			159,968.75	159,968.75	
11/01/2023	1,250,000	5.125%	159,968.75	1,409,968.75	1,569,937.50
05/01/2024			127,937.50	127,937.50	
11/01/2024	1,150,000	5.250%	127,937.50	1,277,937.50	1,405,875.00
05/01/2025			97,750.00	97,750.00	
11/01/2025	1,050,000	5.375%	97,750.00	1,147,750.00	1,245,500.00
05/01/2026			69,531.25	69,531.25	
11/01/2026	950,000	5.375%	69,531.25	1,019,531.25	1,089,062.50
05/01/2027			44,000.00	44,000.00	
11/01/2027	850,000	5.500%	44,000.00	894,000.00	938,000.00
05/01/2028			20,625.00	20,625.00	
11/01/2028	750,000	5.500%	20,625.00	770,625.00	791,250.00
	13,475,000		8,189,534.79	21,664,534.79	21,664,534.79

WHEREAS, the Brown County Human Services Department and Human Resources Department have done an analysis of the current duties performed by this position as well as the needs and changes in the department; and

WHEREAS, the Brown County Human Resources Department has reviewed the department needs and level and scope of those needs and determined them to be those of a Clerk II; and

NOW, THEREFORE BE IT RESOLVED by the Brown County Board of Supervisors that it approves and authorizes a change in the Human Services Department table of organization to delete (2.5) FTE Clerk/Typist II positions and add to the table of organization 2.5 FTE Clerk II positions, for a total of 3.5 FTE Clerk II positions.

Fiscal Impact: NONE

Respectfully submitted,
HUMAN SERVICES COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Andrews **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Tom Hinz, County Executive Date: 6/1/2009

ATTACHMENT TO RESOLUTION #10J

MEMO

TO: Debbie Klarkowski
 HR Manager
FROM: Deb Seidel, HR Analyst
RE: Recommendation to change the Mental Health Center table of organization
DATE: April 14, 2009

I. Introduction:

The Brown County Mental Health Center is recommending changes to the Mental Health Center’s Table of Organization. They request it to delete 2.5 FTE Typist/Clerk II and to add 2.5 FTE to the Clerk II, for a total of 3.5 FTE.

II. Research Completed:

- A. Review of Mental Health Center’s Table of Organization
- B. Review of Clerk/Typist Ii Position Description and actual responsibilities begin

Performed (1.0 FTE in the Inpatient Services Division reporting to the Health Information Services Manager and 1.5 FTE in the Business Operations Division reporting to the ABC Supervisor).

C. Review of current Clerk II Position Description.

III. Current Situation/Structure:

With a retirement in early 2009, the job description for the Clerk/Typist II was evaluated. The work has evolved over the last couple of years due to technology advancements and the elimination of two positions. The duties of those positions were absorbed into the other positions.

The Mental Health Center's Table of Organization includes another 1.5 FTE Clerk/Typist II positions. After further review, it was determined that the work of the other Clerk/Typist II positions had changed as well, and that the current duties and responsibilities of the Clerk/Typist II positions are similar to the Clerk II positions.

IV. Proposed changes:

The knowledge, skills, and abilities of the Clerk/Typist II and Clerk II positions are similar; therefore the Human Resource Department is recommending consolidating the duties into the Clerk II position. This recommendation would remove the 2.5 FTE Typist/Clerk II from the table of organization and increase 1 FTE Clerk by 2.5 FTE for a total of 3.5 FTE.

This change would allow more flexibility and sharing of resources to get the work completed during peak times and/or coverage due to employees being out of the office.

V. Fiscal Impact:

The Clerk/Typist II and Clerk II positions are in the same pay classification in the MHC 1901 bargaining unit contract, therefore there is no fiscal impact.

FISCAL IMPACT: NONE

No. 10k -- RESOLUTION REGARDING: TO REQUEST THE DEPARTMENT OF CORRECTIONS PAY THE COUNTY AN AMOUNT APPROACHING THE ACTUAL COST OF HOUSING THE DEPARTMENT'S PRISONERS AT THE BROWN COUNTY JAIL

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

Ladies and Gentlemen:

WHEREAS, §302.33 (2)(q) 3 Wisconsin Statutes requires the Department of Corrections pay counties for the maintenance of its prisoners at the rate of \$40.00 per day unless insufficient funds are appropriated by the State in any fiscal year; and

WHEREAS, in fiscal year 2006 the State paid reimbursement of \$32.00 per prisoner per day, and in fiscal year 2007 the State paid \$29.18 per prisoner per day; and

WHEREAS, in calendar year 2007 it cost Brown County (conservatively calculated) \$42.50 per prisoner per day to house a Dept. of Corrections prisoner, and the cost increased to \$43.49 per prisoner per day in calendar year 2008; and

WHEREAS, the Brown County Jail in 2009 has housed on average 42 prisoners per day for the Department of Corrections; and

WHEREAS, using the average number of Dept. of Corrections prisoners per day to date in 2009, it will cost Brown County \$219,372.30 to house prisoners for the Department of Corrections this year and even more if the reimbursement rate drops below \$29.18 per prisoner per day.

NOW, THEREFORE, be it resolved the Brown County Board of Supervisors respectfully requests the Department of Corrections pay an amount equaling the actual cost to the County of maintaining the Department's prisoners.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor De Wane and seconded by Supervisor Andrews "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 101 -- **RESOLUTION REGARDING: OPPOSITION TO THE GOVERNOR'S PROPOSAL TO REQUIRE THE OBSERVATION AND RECORDATION OF RACIAL INFORMATION OBTAINED THROUGH TRAFFIC STOPS**

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

Ladies and Gentlemen:

WHEREAS, the 2009-2011 State Budget proposed by Governor James E. Doyle as embodied in 2009 Assembly Bill 75, includes a provision that would require law enforcement offices from the eleven largest counties of Wisconsin's seventy-two (72) counties to collect and report: the name, address, gender, and race of every motorist; the make and year of the vehicle driven; the reason for the stop; the date, time, and location of the stop; the name, address, gender,

and race of every passenger involved in a traffic stop who is subject to a search; and, the officer's name and badge number; and,

WHEREAS, The County of Brown is one of those eleven counties subject to this burden of collecting and reporting; and,

WHEREAS, such proposal is ostensibly to study racial profiling (which has been defined as the inclusion of racial characteristics in determining whether a person is considered more likely to commit an illegal act) in the context of traffic stops; and,

WHEREAS, racial profiling is offensive when used in the context of face-to-face observation by law enforcement officers prior to the initiation of a stop (*e.g.*, of pedestrians in neighborhoods, of attendees of entertainment events, or of passengers of airlines); and,

WHEREAS, the vast majority of traffic stops are initiated upon law enforcement officers' observations of driving behavior (*e.g.*, speeding, weaving, sign violations, tailgating) or observations of equipment violations, under conditions where most often initiation of the stop is without law enforcement officer observation of the driver of the vehicle, such that a racial profiling is not at issue; and,

WHEREAS, racial determinations based upon observation are at best subjective; and,

WHEREAS, racial determinations based upon documentation of ethnicity, which often is mixed, can be arbitrary; and,

WHEREAS, racial determination of drivers of motor vehicles based upon questions posted to the drivers is potentially offensive, and tends to erode the confidence of the driver in the law enforcement system; and,

WHEREAS, asking passengers of motor vehicles stopped for traffic offenses, for which stop the passenger was not responsible, as to their race is unnecessarily intrusive, offensive, and tends to erode the confidence of the passenger in the law enforcement system; and,

WHEREAS, the Brown County Sheriff's Department conducted over 13,000 traffic stops in 2008, such that the requirements of the proposal to collect and report information on such a volume of traffic stops places additional workload and responsibility on law enforcement officers that is burdensomely time consuming; and

WHEREAS, by attempting to create two separate enforcement procedures, one applicable to passengers in sixty-one counties, and the other, more intrusive procedure applicable to passengers in eleven counties, the state has potentially implicated Constitutional Equal Protection considerations; and,

WHEREAS, by requiring law enforcement officers in the eleven counties to obtain identifying information not previously or otherwise Constitutionally required of passengers, the

state is potentially subjecting the ~~City~~ **County** ** claims at law for allegations of Civil Rights violations with respect to the Fourth, Fifth, and/or Fourteenth Amendments to the United States Constitution; and,

** Corrected as per the County Board on 5/20/2009.

WHEREAS, and by ignoring the sixty-one least populated counties, the statistical analysis of the proposed statewide study is skewed.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of Brown County, Wisconsin, registers its opposition to the provision in 2009 Assembly Bill 75 that would require law enforcement officers from the eleven largest counties of Wisconsin's seventy-two (72) counties to collect and report the name, address, gender, and race of every motorist; the make and year of the vehicle driven; the reason for the stop; the date, time, and location of the stop; the name, address, gender, and race of every passenger involved in a traffic stop who is subject to a search; and, the officer's name and badge number; and

BE IT FURTHER RESOLVED that the Brown County Board of Supervisors hereby directed to send a copy of this Resolution to Governor James E. Doyle, our State Legislative Representatives, and to the eleven (11) counties of Wisconsin affected by 2000 Assembly Bill 75.

Adopted this 20th day of May, 2009.

Respectfully submitted by,
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor De Wane **“to adopt”**

Supervisor Hoeft expressed concern on the resolution. She made a motion and seconded by Supervisor La Violette **“to refer back to Public Safety Committee”**.

After discussion, a technical error was brought to the attention of the County Board by Supervisor Warpinski that in the third line of the second to last ‘Whereas’ that the word “city” should be changed to “County”. County Board Chair Zima approved the change.

A vote was taken on Supervisor Hoeft's motion **“to refer back to Public Safety Committee”**.
Roll Call #101(1):

Following discussion on Supervisor Hoeft's motion a vote was taken.

Ayes: Warpinski, Evans, La Violette, Knier, Fleck, Clancy, Hoeft, Fewell

Nays: De Wane, Nicholson, Theisen, Krueger, Erickson, Zima, Vander Leest, Dantine, Andrews, Kaster, Williams, Wetzel, Scray, Lund

Excused: Haefs, Brunette, Johnson, Langan
Total Ayes: 8 Total Nays: 14 Excused: 4

Motion failed.

A motion was made by Supervisor Nicholson and seconded by Supervisor De Wane “**to adopt the resolution as corrected**”. Vote taken. Roll Call #101(2):

Ayes: De Wane, Nicholson, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine,
Andrews, Kaster, Williams, Wetzell, Scray, Lund, Fewell
Nays: Warpinski, La Violette, Knier, Fleck, Clancy, Hoeft
Excused: Haefs, Brunette, Johnson, Langan

Total Ayes: 16 Total Nays: 6 Excused: 4

Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 6/1/2009

No. 11 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW.

Late Communications.

No. 11a -- FROM SUPERVISOR VANDER LEEST REGARDING: REQUEST TO DEVELOP A PARKING PASS PROGRAM FOR VOLUNTEERS AT DOWNTOWN LIBRARY TO AVOID VOLUNTEERS TO HAVE TO PLUG METERS EVERY FEW HOURS DURING VOLUNTEER PROGRAMS FOR THE BROWN COUNTY LIBRARY

Refer to Education and Recreation Committee.

No. 11b -- FROM SUPERVISOR VANDER LEEST REGARDING: REQUEST TO REQUIRE THAT ALL PARK TRUST FUND RECORDS BE KEPT TO SHOW THE AMOUNT IN THE FUND FOR EACH PROGRAM

Refer to Education and Recreation Committee.

No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING APRIL 30, 2009

A motion was made by Supervisor Fleck and seconded by Supervisor Clancy “**to pay the bills over \$5,000 for period ending April 30, 2009**”. Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- CLOSING ROLL CALL:

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Erickson, Zima, Evans, Vander Leest, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Scray, Hoeft, Lund, Fewell

Excused: Haefs, Brunette, Johnson, Langan

Total Present: 22 Total Excused: 4

No. 14 -- ADJOURNMENT TO WEDNESDAY, JUNE 17, 2009, AT 7:00 P.M. LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Warpinski and seconded by Supervisor Dantine “**to adjourn to the above date and time**”. Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 12:16 a.m.

|s| DARLENE K. MARCELLE
Brown County Clerk