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**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**MARCH 19, 2008**

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, March 19, 2008, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:17 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present:       Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Dantine, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, Wetzel, Zabel, Scray, Fewell

Excused:       Johnson, Hoeft, Lund

Total Present:       23                   Total Excused: 3

**No. 1 --       Adoption of Agenda.**

County Clerk, Darlene Marcelle, announced that item #10a be taken after item #2; that 9c(i) to be taken after item #7b; and item #10j to be taken after item #9c.

A motion was made by Supervisor Evans and seconded by Supervisor Warpinski **“to approve the agenda as amended.”** Voice vote taken. Motion carried unanimously with no abstentions.

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

**\*\* PRESENTATIONS \*\***

**Commendation to Paul Delfosse, Golf Course Superintendent**

**Commendation presentation to Brown County Supervisors  
Joe Backmann, Joe Van Deurzen, Christopher Zabel and Paul Zeller**

**No. 10a taken out of order.**

**No. 10a --       RESOLUTION REGARDING: HONORING BRETT FAVRE FROM THE GREEN BAY PACKERS**

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

Ladies and Gentlemen:

**WHEREAS**, the Green Bay Packers Stadium is located in Brown County and has an exceptional Green Bay Packer Quarterback, **BRETT FAVRE**, that the Brown County Board of Supervisors wants to congratulate, thank and honor;

**WHEREAS, BRETT FAVRE**, is the only three-time AP MVP (1995-97) in NFL history and has led the Green Bay Packers to two Super Bowls: a victory against the New England Patriots in Super Bowl XXXI and a loss to the Denver Broncos in Super Bowl XXXII.

**WHEREAS, BRETT FAVRE**, currently possesses most of the well-known NFL Career records for quarterbacks, including:

- 1) Most consecutive starts by a quarterback (253; 275 including playoffs)
- 2) Most wins by a starting quarterback (160)
- 3) Most career passing touchdowns (442)
- 4) Most career passing yards (61,655)
- 5) Most career pass completions (5,377)
- 6) Most career pass attempts (8,758)
- 7) Most career games with at least three touchdowns (63)

**WHEREAS, BRETT FAVRE**, established the “Brett Favre Fourward Foundation” in 1996, in conjunction with his annual golf tournament, celebrity softball game and fundraising dinners, the foundation has donated more than \$2 million to charities in his home state of Mississippi, as well as, to those in his adopted State of Wisconsin.

**THEREFORE, BE IT RESOLVED**, that the Brown County Board of Supervisors honors **BRETT FAVRE** for his contribution to our community and hereby expresses its’ gratitude for his accomplishments as a Green Bay Packer in Brown County

Respectfully submitted,

BROWN COUNTY BOARD OF SUPERVISORS

In Witness Whereof, I have hereunto set my hand and caused the Seal of the County of Brown to be affixed. Done at the City of Green Bay, this 19th day of March in the year 2008.

\s\ Thomas Hinz  
County Executive

\s\ Thomas Lund  
Chair

\s\ Darlene K. Marcelle  
County Clerk

\s\ Jack Krueger  
Vice Chair

After reading a commendation to Brett Favre a motion was made by Supervisor Warpinski and seconded by Supervisor Nicholson **“to approve”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: <u>\s\ Tom Hinz, County Executive</u>	Date: 3/19/2008
Approved by: <u>\s\ Darlene K. Marcelle, County Clerk</u>	Date: 3/19/2008
Approved by: <u>\s\ Thomas Lund, County Board Chair</u>	Date: 3/19/2008
Approved by: <u>\s\ Jack Krueger, County Board Vice Chair</u>	Date: 3/19/2008

**No. 3 -- APPROVAL OF MINUTES OF COUNTY BOARD OF FEBRUARY 20, 2008**

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Dantine **“to approve the minutes of February 20, 2008.”** Voice vote taken. Motion carried unanimously with no abstentions.

**No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.**

Supervisor Haefs was disappointed that the City of Green Bay stopped any action on the closure of Renard Island and wondered why the County Board didn’t review before it went to the City Council. Supervisor Haefs said he is the Supervisor for the Renard Island area and he is disappointed he wasn’t included in any discussions. Supervisor De Wane informed Supervisor Haefs a communication regarding Renard Island would be put in tonight to be taken up at the next Committee meeting.

Supervisor Erickson said he requested an update on Renard Island at Planning, Development and Transportation

meeting. His communication will include a request for a monthly update on progress of Renard Island. (He would like the Committee to know before they read about it in the news or hear it on TV). Chuck Larscheid, Director, Solid Waste Department, stated there is a memorandum of understanding on the Planning, Development and Transportation Committee agenda.

Supervisor Zima said City Council President, Chad Fradette, took this item separately at the City Council meeting, and pursued this on his own. On another note, Supervisor Zima thanked the 4 outgoing Board members and stated that these past few years were some of the best. The entire Board is to be commended for its hard work.

Supervisor Evans thanked the 4 Supervisors leaving, especially his best friend, Supervisor Chris Zabel. Supervisor Evans detailed how interesting it has been to serve on the Board and discuss issues with his best friend, Supervisor Zabel.

**No. 5 -- COMMUNICATIONS. None. LATE COMMUNICATIONS:**

**No. 5a -- FROM SUPERVISOR DE WANE REGARDING: THAT ALL M.O.U.'S MUST COME THROUGH THE BOARD OF SUPERVISORS AT ALL TIMES.**

Refer to County Executive.

**No. 5b -- FROM SUPERVISORS VANDER LEEST AND DE WANE REGARDING: REQUEST TO INVITE THE CITY OF GREEN BAY OFFICIALS TO THE PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE TO DISCUSS THE RENARD ISLAND CLOSURE PLAN.**

Refer to Planning, Development and Transportation Committee.

**No. 5c -- FROM SUPERVISOR SCRAY REGARDING: THE COUNTY LOOK TO CONTRACT WITH A PROFESSIONAL FUND RAISER TO RAISE MONEY/DONATIONS FOR THE FURNITURE AT THE NEW MENTAL HEALTH CARE CENTER.**

Refer to Human Services Committee.

**No. 5d -- FROM SUPERVISOR VAN DEURZEN REGARDING: (1) BECAUSE OF DECLINING NUMBERS IN ATTENDANCE DURING THE LAST YEARS, I REQUEST THAT A REPORT ON THE TOP 12 ATTENDANCE SHOWS DURING THE LAST SIX YEARS BE PRESENTED AT THE APRIL EDUCATION AND RECREATION COMMITTEE MEETING; AND (2) THAT THE BROWN COUNTY MUSEUM SEND OUT A QUESTIONNAIRE TO ALL THE SCHOOLS IN THE COUNTY ASKING WHAT SHOWS THEY WOULD BE INTERESTED IN SEEING FOR SCHOOL PARTICIPATION. THIS TO BE SENT OUT WITHIN THE NEXT TEN WORKING DAYS.**

Refer to Education and Recreation Committee.

**No. 5e -- FROM SUPERVISOR THEISEN REGARDING: REQUEST OF ALLOUEZ FIRE AND RESCUE TO DISCUSS EMERGENCY RESPONSE CONCERNS TO USERS OF THE FOX RIVER TRAIL.**

Refer to Education and Recreation Committee.

**No. 5f -- FROM SUPERVISOR ERICKSON REGARDING: REQUEST TO MONTHLY UPDATE ON PROGRESS OF RENARD ISLAND (BEFORE THE PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE READS ABOUT THE NEWS OR HEARS IT ON TV).**

Refer to Planning, Development and Transportation Committee.

Supervisor Fewell announced that the ground breaking for the new Mental Health Center will take place on March 26,

2008 at 3:30 p.m. He encouraged all staff and County Board members to attend.

**No. 6 -- APPOINTMENTS BY COUNTY EXECUTIVE. (None)**

**No. 7a -- COUNTY EXECUTIVE REPORT**

Jayne Sellen, Executive Assistant, on behalf of County Executive Tom Hinz, thanked the four Supervisors that are leaving, for serving on the Brown County Board. Serving takes time away from their families and County Executive Hinz wishes each one the very best.

Ms. Sellen also thanked Paul Delfosse for his years of service to the Brown County Golf Course. She cited what a beautiful Golf Course Brown County has and much of that credit goes to Paul’s leadership.

Regarding the fire at the Port Plaza Towers, many people were involved in helping and they did a great job in relocation of residents including Human Services and Emergency Management Departments. In particular, on behalf of County Executive Hinz, she wanted to thank Joan Groessl as Brown County’s contact and follow-thru with helping occupants.

Ms. Sellen stated that the Legislature is out of session and that any issues that were proposed and not acted upon are dead issues now. In addition, there is a special session for budget repair because of the budget deficit.

**No. 7b -- REPORT BY BOARD CHAIRMAN.**

Vice Chair, Jack Krueger, along with Chair Tom Lund, thanked everyone for allowing him to Chair on behalf of Chairman Lund, who is ill this evening. He thanked the Board, stating this has been a great County Board to work with. It has been a very respectful County Board and he feels they were able to accomplish a lot..

**(No. 9c(i) taken out of order.)**

**No. 9c(i) -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE REPORT OF MARCH 19, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in special session on March 19, 2008 and recommends the following motions:

1. Resolution re: Authorizing the Issuance and Sale of General Obligation Refunding Bonds, Series 2008C in an amount not to exceed \$16,000,000. Committee approved the bonds not to exceed \$14,950,000. See Resolutions, Ordinances March County Board.
2. Report from Lead Negotiator, Don Vander Kelen. Approve Lead Negotiator’s report and request that he give it to the full County Board.

A motion was made by Supervisor Evans and seconded by Supervisor Erickson **“to adopt the resolution authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2008C in an amount not to exceed \$14,950,000.”** Voice vote taken. Motion carried unanimously with no abstentions.

After discussion a motion was made by Supervisor Evans and seconded by Supervisor Erickson **“to adopt report from Lead Negotiator Don Vander Kelen”.** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:       /s\  Tom Hinz, County Executive       Date: 3/25/2008

**(No. 10j taken out of order.)**

**No. 10j -- RESOLUTION REGARDING: TO ESTABLISH A DRUG COURT STUDY SUB COMMITTEE UNDER THE CRIMINAL JUSTICE COORDINATING BOARD TO STUDY THE FEASIBILITY OF CREATING A DRUG COURT**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE

BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, on September 16, 1992, the Brown County Board of Supervisors passed a resolution establishing the Criminal Justice Coordinating Board; and

WHEREAS, among the duties and responsibilities of the Criminal Justice Coordinating Board listed in the September 16, 1992 resolution is to form technical work groups, composed of County agency staff and other relevant public and private sector persons, to develop and refine new policy/program initiatives; and

WHEREAS, establishing a subcommittee to study the feasibility of a drug court would be within the duties and responsibilities of the Criminal Justice Coordinating Board; and

WHEREAS, the Drug Court Study Subcommittee would consist of members of the Criminal Justice Coordinating Board and citizens within the community who would have valuable input into the study; and

WHEREAS, the recommended duties and responsibilities of the Drug Court Study Subcommittee is to study the feasibility of creating a drug court and creating new policy initiatives related to a drug court.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors hereby establishes a Drug Court Study Subcommittee, under the Criminal Justice Coordinating Board, with the membership, duties and responsibilities detailed above.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE

Fiscal Impact: Not applicable

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

Approved by:       /s/ Tom Hinz, County Executive                          Date: 3/25/2008

**No. 8 -- OTHER REPORTS.**

**No. 8a -- REPORT BY STANDING COMMITTEE CHAIRS OF THEIR COMMITTEES’ ACHIEVEMENTS OF 2007 AND GOALS FOR 2008**

Vice Chair Krueger explained all Committee Chairs reports weren’t in writing, some intended to do an oral report.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Nicholson **“to receive and place on file”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 9 -- STANDING COMMITTEE REPORTS:**

**No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF FEBRUARY 26, 2008**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on February 26, 2008, and recommends the following motions:

1. Review minutes of:
  - a. Housing Authority (2/18/08).
  - b. Facility master Plan Sub Committee (1/24/08 & 2/14/08).Receive & place on file items a-b.
2. Communication from Supervisor Mary Scray re: Update on the sale of land around the Mental Health Center from Facility Master Plan Sub Committee & Planning, Development & Transportation Committee. (Referred from Human Services Committee.) Receive & place on file.
3. Communication from Supervisor Andy Nicholson re: Review the whole administrative pay schedule. (Held from previous meeting.) Create a sub committee to review the Administrative Pay Schedule consisting of County Executive, Tom Hinz; Administration Committee Chair, Steve Fewell; Human Resources Manager, Debbie Klarkowski; Director of Administration, Lynn Vanden Langenberg; & Supervisor Andy Nicholson.
4. Request by Chair Tom Lund from Administration Committee:
  - a) Discussion of items/projects/initiatives accomplished by this committee over the last year
  - b) Discussion of suggested goals for the committee in the coming year.Items presented (No action.)
5. Carryover Funds - Administrative Services Division 2007 to 2008 Carryover Funds. Approve, with the caveat to hold \$28,000 for County Clerk/County Board Office expansion.
6. Request for Budget Transfer (#07-99) re: Outstanding WERC cases. (Hold for one month as per County Board.) Approve Budget Transfer #07-99 in the amount of \$507,040.
7. County Clerk - Update on Passport Agency Revenue. Forward to Corporation Counsel with a request to draft a resolution to reinstate Passport Acceptance Agent Fees to \$30 and forward to the Executive Committee and on to the County Board. See Resolutions, Ordinances March County Board.
8. County Clerk - Budget Status Financial Report for December 31, 2007. To hold.
9. Facility Management - 2008 Capital Project Update. (To be distributed at meeting.) Receive & place on file.
10. Facility Management - Budget Status Financial Report (not available). To hold.
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11. **\*\* Dept. of Administration - Information Services Request for Budget Transfer (#07-102): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: Transfer \$33,000 from equipment outlay to professional services for Keane, Inc. software upgrade which required custom reprogramming. Approve.**
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- \*\* As per the County Board, Item #11 failed to be approved by the County Board on 3/19/2008.**
12. Dept. of Administration - 2007 & 2008 Budget Transfer Log. Approve.
13. Human Resources - Budget Status Financial Report not available. To Hold.
14. Human Resources Monthly Committee Report for January 2008. Receive & place on file.
15. Corporation Counsel - Budget Status Financial Report for December 31, 2007. Hold for one month.
16. **Closed Session:** For the purpose of conferring with legal counsel for the governmental body who is rendering advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (liability claim filed by Frank Calaway) pursuant to Sec. 19.85 (1)(g) of the Wis. Stats.
  - a. Enter into Closed Session. Roll Call taken: Present: Fewell, Hoeft, Krueger (for Warpinski); Excused: Haefs, Zeller.
  - b. Return to regular order of business: Roll Call taken: Present: Fewell, Hoeft, Krueger (for Warpinski); Excused: Haefs, Zeller.
  - c. Action taken see #17 below.
17. Resolution re: Disallowance of Claim (Frank Calaway). (Held from previous meeting.) Approve resolution disallowing the claim by Frank Calaway. Ayes: Hoeft, Krueger (for Warpinski), Fewell; Nays: 0; Excused: 2 (Haefs, Keller). Motion Carried.
18. Audit of bills. Approve audit of bills.

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

Supervisor Evans requested item #11 be taken separately.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Scray **“to approve the remainder of the report”**. Voice vote taken. Motion carried unanimously with no abstentions.

Item #11 -- Dept. of Administration - Information Services Request for Budget Transfer (#07-102): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or

the transfer of Outlay funds to another major budget category: Transfer \$33,000 from equipment outlay to professional services for Keane, Inc. software upgrade which required custom reprogramming. COMMITTEE ACTION: Approve.

A motion was made by Supervisor Warpinski and seconded by Supervisor La Violette **“to adopt”**. Supervisor Evans requested that everyone vote no on item #11. Supervisor Evans explained his reason for this is because software purchased several years ago still isn’t working to its capacity. He doesn’t feel we should pay for this software until it is working properly. Voice vote taken. Supervisor Warpinski voted “aye” and the remainder of the Board voted “nay”. Ayes: 1; Nays: 22; Excused: 3. Motion **“failed to approve item #11”**.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MARCH 6, 2008**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on March 6, 2008 and recommends the following:

1. Review minutes:
  - a) Library Board (1/17/08). Receive & place on file.
2. Presentation, in concept, by City of Green Bay for utilization of room tax for Convention Center. (In other words, approving concept or idea.) Accept the concept & refer to staff.
3. Carryovers - Education, Culture & Recreation Division 2007 to 2008 Carryover Funds. Receive & place on file.
4. Brown County Veterans Memorial Complex - Arena Event Attendance for January 2008. Receive & place on file.
5. Museum - Achievements for 2007 & Goals for 2008. Receive & place on file.
6. Museum - Attendance & Admissions January 2008. Receive & place on file.
7. Museum - Budget Status Financial Report not available. No action.
8. Museum - Director’s report. Receive & place on file.
9. Parks - Achievements for 2007 & Goals for 2008. Receive & place on file.
10. Parks - Update of major Facility and Parks projects. No action.
11. Parks - Budget Status Financial Report (not available). No action.
12. Parks - Request from Brown County 4-H Horse Association for a waiver of fees for the use of the horse ring at the Brown County Fairgrounds for practices, a horse show and clinics. Approve.
13. Parks - Request by Village of Wrightstown for a waiver of grounds fees at the Wrightstown Boat Launch for the “*Taste of Wrightstown*” Festival on September 6, 2008. Approve.
14. Parks - Request for a waiver of fees from the Green Bay Duck Hunters Association to use Pamperin Park dance Hall on April 5, 2008. Approve.
15. Parks - Staff recommendation regarding the transfer of ownership of Wequiock Falls from the Wisconsin Department of Transportation to Brown County Facility & Park management. Refer to staff.
16. Parks - Request for Budget Transfer (#08-06): Increase in Expenditures with Offsetting Increase in Revenue: Devil’s River Trail Development -- Grant money to be received to develop 1.3 miles of abandoned railroad corridor into the Devils River State Trail (\$28,352). Approve.
17. Parks - Report 9b #6: Communication from Supervisor Patrick Evans re: To consider the feasibility of plowing the Fox River Train (Brown County portion). Referred back to Committee from February County Board.
  - a) Refer to staff.
  - b) Disapprove plowing the Brown County portion of the Fox River Trail.
18. Parks - Director’s report for January 2008. Receive & place on file.
19. NEW Zoo - Request for Budget Transfer (#08-13): Increase in Expenditures with Offsetting Increase in Revenue: Restricted donation received from Kahelski Enterprises (\$300) for purpose of purchasing animal enrichment. Approve.
20. NEW Zoo - Achievements for 2007 & Goals for 2008. Receive & place on file.

- 21. NEW Zoo - Budget Status Financial Report for December 31, 2007. Receive & place on file.
- 22. NEW Zoo - Monthly Activity Report.
  - a) Animal Collection Report. Receive & place on file.
  - b) Admissions Revenue Attendance 2008 Report. Receive & place on file.
- 23. NEW Zoo - Education & Volunteer Programs Report (February 2008). Receive & place on file.
- 24. Library - Achievements for 2007 & Goals for 2008. Receive & place on file.
- 25. Library - Budget Status Financial Report for December 31, 2007. Receive & place on file.
- 26. Library - Director's Report. Receive & place on file.
- 27. Golf Course - Achievements for 2007 & Goals for 2008. Receive & place on file.
- 28. Golf Course - December 31, 2007 Preliminary Budget Status Financial Report. Receive & place on file.
- 29. Golf Course - Daily Financial Report through February 17, 2008. Receive & place on file.
- 30. Golf Course - Approve change to reservation policy. Approve.
- 31. Golf Course - Superintendent's report. Receive & place on file.
- 32. Audit of bills. Approve audit of bills.

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

Approved by:           \s\ Tom Hinz, County Executive           Date: 3/25/2008

**No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF MARCH 10, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on March 10, 2008 and recommends the following motions:

- 1. County Executive report.
  - a) Budget Status Financial Report for December 31, 2007 (Preliminary). Receive & place on file.
- 2. Internal Auditor Report.
  - b) Budget Status Financial Report for December 31, 2007 (Preliminary).
  - c) Update on Mental Health Center accounts receivable report.
  - d) Other. Receive & place on file items a-c.
- 3. Resolution re: Authority to Execute a 2007-2008 Labor Agreement with the Brown County Medical Examiner Investigators, Local 1901. AFSCME, AFL-CIO. (Referred back to Committee from February County Board.)
  - a) Refer back to Negotiator with proper instructions.
  - b) Refer to Public Safety Committee.
- 4. Resolution re: Supporting Enactment of Legislation to Reinstate Passport Acceptance Agent Fees to \$30 for counties. (Referred from Administration Committee.) Committee approved. See Resolutions, Ordinances March County Board.
- 5. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Austin Straubel International Airport Employees. Committee approved. See Resolutions, Ordinances March County Board.
- 6. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Neville Public Museum Employees. Committee approved. See Resolutions, Ordinances March County Board.
- 7. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1) (e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82



(1) of the Wisconsin State Statutes.

- a) Enter into closed session.
- b) Return to regular order of business.
- c) No action taken.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 9c(i) taken out of order after Item #7b.**

**No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE OF MARCH 5, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on March 5, 2008, and recommends the following motions:

1. Review minutes of:
  - a) Human Services Board (1/24/08).
  - b) Aging & Disability Resource Center (1/24/08).
  - c) Veterans’ Recognition Sub Committee (1/28/08 & 2/12/08).
  - d) Community Options Program Planning Committee (1/28/08).
  - e) Community Options Program Appeals Committee (1/28/08).

Receive & place on file items a-e.
2. Achievements for 2007 & Goals for 2008 from departments (requested by Supervisor Patrick Evans.)
  - a) Aging & Disability Resource Center.
  - b) Syble Hopp School.
  - c) Human Services Dept.
  - d) Veterans Dept.
  - e) Health Dept.

Receive & place on file.
3. Aging & Disability Resource Center - Resolution re: Authorizing the Creation of the Brown County Transportation Coordinating Committee (TCC). Committee approved. See Resolutions, Ordinances March County Board.
4. Aging & Disability Resource Center - 2007 Program Report. Receive & place on file.
5. Aging & Disability Resource Center - Revenue & Expense report (1/31/08). Receive & place on file.
6. Communication from Supervisor Steve Fewell re: Have the County Board review the citation and update regarding the violation of the Brown County nuisance ordinance regarding odors. (Held from previous meeting.) Motion taken with #7 below.
7. Communication from Supervisor Steve Fewell re: Request that the Ordinance regarding odor be reviewed and amended to allow the Board of Health to impose fines until the problem is fixed. (From previous meeting.) Hold items # 6 & 7 until after the meeting with the Health Department on March 11, 2008.
8. Communication from Supervisor Mary Scray re: Update from Internal Auditor on Mental Health Center accounts receivable. (From previous meeting.) Hold until Internal Auditor has a report available for the committee.
9. Communication from Supervisor Tony Theisen re: Request to present the services offered to homeless veterans by the Veterans Services Office of Brown County. (From previous meeting.) Refer to Veterans’ Office with a request that Supervisor Theisen bring it back as he sees fit.
10. Communication from Supervisor Steve Fewell re: To evaluate the increase of suicides in Brown County and to develop a plan to address this issue with a suicide prevention program and awareness. (Held from previous meeting.) Hold until Supervisor Fewell is present.
11. Syble Hopp School - Director’s report. No action.
12. Human Services Dept. - Grants- PIE Drug Alliance Asset Mini Grant Approval for Shelter Care. Approve.
13. Human Services Dept. - Mental Health Center Statistics Update (January). Receive & place on file.

14. Human Services Dept. - Bellin Psychiatric Monthly Report (January). Receive & place on file.
15. Human Services Dept. - Approval for New Non-Continuous Vendor. Approve.
16. Human Services Dept. - Approval of New Contract Vendors. Approve.
17. Human Services Dept. - Monthly Contract Update. Approve.
18. Human Services Dept. - Budget Status Financial Report for Community Programs not available. No action.
19. Human Services Dept. - Budget Status Financial Report for Mental Health Center not available. No action.
20. Human Services Dept. - Naming Committee for new Mental Health Center. Receive & place on file.
21. Human Services Dept. - Director's Report.
  - a) WCHSA Executive Board Minutes of January  
Receive & place on file.
22. Audit of bills. Approve payment of 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: 3/25/2008

**No. 9e --        REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF FEBRUARY 25, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on February 25, 2008, and recommends the following motions.

1. Review minutes of:
  - c) Solid Waste Board (12/17/07 & 1/21/08).
  - d) Harbor Commission (1/14/08).
  - e) Planning Commission Board of Directors (1/2/08).Receive & place on file items a- c.
2. Request by Chair Tom Lund from Planning, Development & Transportation Committee:
  - a) Discussion of items/projects/initiatives accomplished by this committee over the last year
  - b) Discussion of suggested goals for the committee in the coming year.Receive & place on file items a-b.
3. Carryovers - Planning, Development & Transportation Division 2007 to 2008 Carryover Funds. Approve.
4. UW-Extension - Approve submission of a grant proposal for \$474,990 to the University of Wisconsin School of Medicine Wisconsin Partnership Program. Approve.
5. UW-Extension - Director's Report. Receive & place on file.
6. Register of Deeds - 2007 Annual Report for Register of Deeds. Receive & place on file.
7. Airport - Director's report. Receive & place on file.
8. Highway - Resolution re: Designating the Week of April 7<sup>th</sup> through April 11<sup>th</sup>, 2008 as Work Zone Safety Awareness Week.” Committee approved. See Resolutions, Ordinances March County Board.
9. Highway - Budget to Actual, 2007. Receive & place on file.
10. Highway - Budget to Actual, 2008. Receive & place on file.
11. Highway - Commissioner's Report. Receive & place on file.
12. Highway - Request for two Stop signs (one from each direction) at CTH “V” and Daly Street in the Village of Bellevue. (Requested by Supervisor Dave Kaster.) Hold for one month for more information.
13. Highway - Request update on salt supply. (Requested by Chair Tom Lund.) Receive & place on file.
14. Highway - Request study to be done on drainage on Lineville Road. (Requested by Tom Lund.) Refer to staff which will include the Highway Department, the Planning Department, the Land Conservation Department, the Parks Department and include the Village of Suamico to discuss and report back 60 days.
15. Communication from Supervisor Dantinne re: To have Brown County Highway review its' 2007-2008 snow plow rates charged to local municipalities. (Referred from February County Board.) Receive & place on file.
16. Port & Solid Waste - Resolution re: Approving Three-Year Statement of Intentions for Wisconsin Department

of Transportation's Harbor Assistance Program. Approve with the notation that these are estimated costs for 2008. See Resolutions, Ordinances March County Board.

- 17. Port & Solid Waste - Approval of First Amendment to Waste Swap and Disposal Agreement. Approve.
- 18. Port & Solid Waste - Request for Budget Transfer (#08-08): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: Capital Funding for Brown County Gas-to-Energy Project. (Request to approve funding three Cat. G3516A+ landfill gas generator sets at a cost of \$2,831,371. Funds to be borrowed internally from Port & Solid Waste Depts.' Capital Project Reserve Fund. Within 11 years of operation, the Project is estimated to return \$6M to Port & Solid Waste Reserve Funds after paying off the debt to the Capital reserve fund.) Approve.
- 19. Port & Solid Waste - Request for Budget Transfer (#08-09): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: Design and permitting the Landfill Gas to Energy Project (Estimated price \$411,000). Approve.
- 20. Port & Solid Waste - Municipal Recycling Agreement Amendment I – Request for Approval. Approve.
- 21. Port & Solid Waste - Report from Solid Waste Director re: Renard Island. Receive & place on file.
- 22. Zoning - Communication to Senators Herb Kohl & Russ Feingold and Representative Steve Kagen re: Floodplain Mapping in Brown County. Approve.
- 23. Zoning - FEMA update (from previous meeting). Receive & place on file.
- 24. Planning Commission - Request for staff updates on recommendations and development options on the excess land east of the current jail site. (Standing item.) (Combined with motion #25.)
- 25. Communication from Chair Tom Lund re: To look at the development of County land adjacent to the Mental Health Center; and its' affect on the surrounding community. Direct Chuck Lamine to hold an open house involving the Planning, Development & Transportation Committee in April and invite neighborhoods nearby.
- 26. Communication from Supervisor John Vander Leest re: Request to reorganize the Planning Department to create a position for Coordinating Economic Development for Brown County municipalities, villages and towns. Refer to staff and bring back next month.
- 27. Audit of bills. Pay the bills.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 9e(i) -- REPORT OF LAND CONSERVATION SUBCOMMITTEE OF FEBRUARY 25, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on February 25, 2008, and recommends the following motions.

- 1. Review of Land Conservation Past Achievements and 2008 Goals. Receive & place on file.
- 2. Approval of 2007 Annual Report and 2008 Annual Work Plan. Approve.
- 3. Director's report. Receive & place on file.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 9f -- REPORT OF PUBLIC SAFETY COMMITTEE OF MARCH 5, 2008**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on March 5, 2008, and recommends the following motions:

1. Review minutes/reports:
  - a) EMS Council (1/16/08).  
Receive & place on file.
2. Carryovers - Public Safety Division 2007 to 2008 Carryover Funds. Approve.
3. Resolution re: To Establish a Drug Court Study Sub Committee under the Criminal Justice Coordinating Board to Study the Feasibility of Creating a Drug Court. (Referred from Criminal Justice Coordinating Board.)  
Committee approved. See Resolutions, Ordinances March County Board.
4. Safe Streets Treatment Option Program (SSTOP) Summery (December 2006- December 2007). Approve.
5. Medical Examiner - Budget Financial Status Report for December 31, 2007. Receive & place on file.
6. Medical Examiner - Achievements for 2007 & Goals for 2008. Receive & place on file.
7. Medical Examiner - 2007 Medical Examiner Activity Spreadsheet. Refer to County Executive's Office for review and have the County Executive report back. Ayes: 4 (Kaye, Zima, Nicholson, Clancy); Nays: 1 (Backmann). Motion Carried.
8. Volunteers in Probation – Monthly Statistics for January 31, 2008. Receive & place on file.
9. Teen Court - Stats for January 2008. Receive & place on file.
10. Public Safety Communications - Achievements for 2007 & Goals for 2008. Receive & place on file.
11. Public Safety Communications - Budget Status Financial Report not available. No action.
12. Public Safety Communications - Request for Budget Transfer (#08-10): Increase in Expenditures with Offsetting Increase in Revenue: Emergency Management has been awarded a FY 2007 OJA Homeland Security Grant in the amount of \$2,554 to conduct 3 Incident Command System -400 courses at Green Bay Fire Department. Approve.
13. Public Safety Communications - Request for Budget Transfer (#08-11): Increase in Expenditures with Offsetting Increase in Revenue: Brown County Hazmat Tam was included in 2007 Homeland Security Grant awarded to City of Green Bay Police Department. Funds being used to purchase a camera system that will allow the team to remotely view situations without putting personnel in harm's way (\$11,311.79) Grant requires 25% match; \$3,770.84 will come out of Team's Reserve Fund. Total outlay equipment - \$15,082.63. Approve.
14. Public Safety Communications - Director's report. Receive & place on file.
15. Public Safety Communications - RFP for Commissioning (CX) Services of Brown County 911 Communications Center. Approve subject to County Board's approval (see attached.)
16. Sheriff - Communication from Supervisor Andy Nicholson re: Requesting an update on the progress of the immigration training with our Sheriff's department. (Referred from February County Board.) Receive & place on file.
17. Sheriff - Communication from Supervisor Bernie Erickson re: Determine a set monetary limit to the amount of damages an individual may receive in the event an officer has to shoot a dog to protect himself or members of the community. (Referred from February County Board.) Refer to Corporation Counsel to draft a proper resolution with a limit of \$50 and refer to Legislative Sub Committee for final drafting for the County Board.
18. Sheriff - Achievements for 2007 & Goals for 2008. Receive & place on file.
19. Sheriff - Request for Proposal (RFP) for Laundry Management Services, Brown County Sheriff's Department – Jail Division, Project #1286. Approve.
20. Sheriff - Budget Status Financial Report not available. No action.
21. Sheriff - Key Factor Report for March 2008 with Jail Average Daily Population by month and Overtime Expenditures. Receive & place on file.
22. Sheriff - Request for Budget Transfer (#08-12): Increase in Expenditures with Offsetting Increase in Revenue: 2008 County/Tribal Law Enforcement Grant. 2008 budget with County share estimated at \$14,100 but actual amount of County's share is \$17,642 (additional \$3,542). Additional money will allow an increase from the originally budgeted 3 in-squad video units to 4 units plus related accessories. Approve.
23. Sheriff - report. Receive & place on file.
24. Circuit Courts & Clerk of Courts - Achievements for 2007 & Goals for 2008. Budget Status Financial Report for December 2007. Receive & place on file.
25. District Attorney - Achievements for 2007 & Goals for 2008. Budget Status Financial Report for December 31, 2007. Receive & place on file.
26. Emergency Government - Budget Status Financial Report attached for December 31, 2007. Receive & place on file.
27. **Closed Session:** Pursuant to Sec. 19.85 (1) (c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises

responsibility. (No Closed Session held.)

28. Audit of bills. Pay the bills.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 9f(i) -- REPORT OF “SPECIAL” PUBLIC SAFETY COMMITTEE OF MARCH 19, 2008**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in special session on March 19, 2008, and recommends the following motions:

1. Approve a CMAR (Cost Manager at Risk) for the 911 Communications Center project. Accept the low bid of the Selmer Company. Ayes: 3 (Nicholson, Backmann, Zima); Nays: 2 (Kaye Clancy). Motion Carried.
2. Approve a commissioning agent contract for the 911 Communications Center building project. Refer back for rebidding.

A motion was made by Supervisor De Wane and seconded by Supervisor Kaye **“to adopt”**. Supervisor Zima requested item #1 of the report be taken separately.

Item #1 -- Approve a CMAR (Cost Manager at Risk) for the 911 Communications Center Project. COMMITTEE ACTION: Approve lowest bidder-Selmer Construction. Ayes: (3) Nicholson, Backmann, Zima. Nays: (2) Clancy, Kaye

Discussion followed.

A motion was made by Supervisor Warpinski and seconded by Supervisor Clancy **“to direct staff to negotiate with Miron Construction to reduce cost to half-way between them and Selmer Construction”**.

Following discussion, a vote was taken on Supervisor Warpinski’s motion. Roll Call #9fi(1):

Ayes: Warpinski, Krueger, Clancy

Nays: De Wane, Nicholson, Theisen, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Wetzal, Zabel, Scray

Abstained: Dantinne, Fewell

Excused: Johnson, Hoeft, Lund

Total Ayes: 3 Total Nays: 18 Total Abstained: 2 Total Excused: 3

Motion defeated.

A discussion returned to the original motion. Following discussion, a motion was made by Supervisor Vander Leest and seconded by Supervisor Fleck **“to accept the Selmer Company RFP at a cost not to exceed \$226,542”**. Vote taken. Roll Call #9fi(2)

Ayes: De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Zima, Vander Leest, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Wetzal, Zabel, Scray

Nays: Warpinski, Kaye, Evans, Clancy

Abstained: Dantinne, Fewell

Excused: Johnson, Hoeft, Lund

Total Ayes: 17 Total Nays: 4 Total Abstained: 2 Total Excused: 3

Motion carried.

A motion was made by Supervisor Zima and seconded by Supervisor Backmann **“to adopt the remainder of the report”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

(No. 10a taken out of order after Item #2.)

**No. 10b -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (FRANK CALAWAY)**

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

Ladies and Gentlemen:

WHEREAS, a claim was filed on October 19, 2007 in the Brown County Clerk's office; and

WHEREAS, said Claim alleges that Frank Calaway sustained damages, and alleges that said damages were caused by Brown County and officials and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Frank Calaway, be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Frank Calaway, as a notice of disallowance.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Backmann **"to adopt"**. Voice vote taken. Motion carried with Supervisor Zeller voting nay.

Approved by:           \s\ Tom Hinz, County Executive                              Date: 3/25/2008

**No. 10c -- RESOLUTION REGARDING: SUPPORTING ENACTMENT OF LEGISLATION TO REINSTATE PASSPORT ACCEPTANCE AGENT FEES TO \$30 FOR COUNTIES**

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

Ladies and Gentlemen:

WHEREAS, the recently enacted Federal budget enacted by the United States Congress, reduced the previous \$30 per applicant County fee for Passport Acceptance Fees from \$30 to \$25, which is the amount currently collected by the County Clerk and retained as Brown County's portion of the total fee and further, the State portion of the Passport Acceptance Fees was increased from \$67 to \$75 by the Budget Act; and

WHEREAS, the reduction in the County's portion of the Passport Acceptance Fees will negatively affect County revenue for the same service provided by the office of the County Clerk to applicants requesting passports from the County Clerk's office and the cost of providing the same passport issuance service by the County Clerk's office will increase in the next biennium and Brown County's revenue loss in 2008 could be \$10,000.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby requests that legislation be introduced and enacted to reinstate the County's portion of the Passport Acceptance Fees to \$30 per applicant in order to offset the actual costs incurred by County government to provide the passport issuance services by the County Clerk's office; and

BE IT FURTHER RESOLVED that the County Clerk shall provide a copy of this resolution to members of the United States Congress representing Wisconsin, State Legislators representing Brown County, the Wisconsin Counties Association and other Wisconsin counties.

Respectfully submitted,  
 EXECUTIVE COMMITTEE

Fiscal Impact: Not Applicable

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

Approved by: \_\_\_\_\_ \s/ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 10d -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY AUSTIN STRAUBEL INTERNATIONAL AIRPORT 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 Austin Straubel International Airport Employees for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

1. Change all references from Local 75 to Local 662.
2. ARTICLE 1. RECOGNITION – DUES CHECK OFF – FAIR SHARE  
 Add the following language beginning at Line 47.

The Employer agrees to deduct from the paycheck of all employees covered by this Agreement voluntary contributions to DRIVE (Democratic Republican Independent Voter Education). DRIVE shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from the employee’s paycheck on a bi- weekly basis for all weeks worked. The phrase “weeks worked” excludes any week other than week in which the employee earned a wage. The Employer shall transmit to DRIVE National Headquarters monthly, the total amount deducted along with the name of each employee on whose behalf a deduction is made, the employee’s clock number and the amount deducted from the employee’s paycheck.

3. ARTICLE 8. DISCIPLINE – GRIEVANCE PROCEDURE  
 Add the following language beginning Line 190:

Disciplinary letters for a specific incident shall remain in effect for nine (9) months.

4. ARTICLE 11. INSURANCE  
 Language no longer applicable will be deleted from the insurance article.

Delete any reference to HSP beginning Lines 227:

Effective with January 1, 2005, coverage, full time employees shall pay (7.5%) seven and on-half percent of the single or family premium per month for the PPO Plan, ~~HSP Plan~~, and dental plan. The County shall pay ninety-two and one-half percent (92.5%) of the single or family premium for the PPO Plan, ~~HSP Plan~~ and dental plan.

Delete Lines 232-237:

~~The following changes to the health Savings Plan design are effective midnight, December 31, 2006:~~

- ~~• Increase the individual annual deductible for \$100 to \$200~~
- ~~• Increase the family annual deductible from \$200 to \$600~~
- ~~• Increase the family out-of-pocket maximum from \$1200 to \$1800~~

- ~~Increase the prescription drug separate out-of-pocket per-person maximum from \$500 to \$1000~~
- ~~Increase the lifetime maximum benefit from \$1,000,000 to \$2,000,000~~

Delete Lines 255-256:

~~Based on the 2007 HSP enrollments, should the number fall below 10% of the total Brown County Airport employees, the HSP will discontinue effective January 1, 2008.~~

Modify the following beginning on Line 264:

There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any change to the provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the ~~open~~ ~~enrollment~~ annual option period before the change is implemented. If the County continues to offer this plan after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.

Maximum allowable fee ~~as used in the PPO~~ and Usual and Customary fee ~~as used in the Basic and HSP plans~~ are intended to be synonymous terms.

5. ARTICLE 12. WISCONSIN RETIREMENT SYSTEM

Maximum employer contributions will be increased commensurate with wage increases.

6. ARTICLE 19. BEREAVEMENT LEAVE

Modify the following beginning on Line 529:

Three (3) days leave shall be granted in the event of death of sibling (brother or sister), grandchild, or mother/father-in-law.

One (1) day leave shall be granted in the event of death of aunt/uncle of the employee or spouse, grandparent, ~~mother/father-in-law~~, spouse's grandparents, sister/brother-in-law, son/daughter-in-law.

7. ARTICLE 28. DURATION OF AGREEMENT

One year agreement - 2009.

8. SCHEDULE A

Revise to reflect:

- 1.5% increase effective December 28, 2008
- 1.5% increase effective June 28, 2009

9. MEMORANDUMS OF UNDERSTANDING

Field Inspections and Standby Pay	Resign
CDL Loss of License Policy	Resign
Alcohol and Substance Abuse Policy and Procedure Addendum	Resign
Direct Deposit	Incorporate into Article 14

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.

Respectfully submitted,  
EXECUTIVE COMMITTEE

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

Approved by:           \s\ Tom Hinz, County Executive           Date: 3/25/2008



**No. 10e -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY NEVILLE PUBLIC MUSEUM 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 Neville Public Museum for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

1. Change all references from Local 75 to Local 662.
2. ARTICLE 1. RECOGNITION – DUES CHECK OFF – FAIR SHARE  
Add the following language beginning at Line 55.

The Employer agrees to deduct from the paycheck of all employees covered by this Agreement voluntary contributions to DRIVE (Democratic Republican Independent Voter Education). DRIVE shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from the employee's paycheck on a bi-weekly basis for all weeks worked. The phrase "weeks worked" excludes any week other than week in which the employee earned a wage. The Employer shall transmit to DRIVE National Headquarters monthly, the total amount deducted along with the name of each employee on whose behalf a deduction is made, the employee's clock number and the amount deducted from the employee's paycheck.

3. ARTICLE 10. WORK SCHEDULE  
Delete lines 214-215 and replace with the following:

~~When an employee has completed his/her regular shift for a given day, goes home and is recalled back to work, he/she shall be guaranteed three (3) hours work at the applicable rate.~~

In the event employees are called for work outside of their regular daily hours in effect at the time, they shall be given a minimum of three (3) hours work or pay at the prescribed rates, when said hours are not contiguous with the employee's regular shift.

4. ARTICLE 15. FUNERAL LEAVE  
Modify the following beginning on Line 404:

Three (3) days leave shall be granted in the event of death of sibling (brother or sister), grandchild, or mother/father-in-law.

One (1) day leave shall be granted in the event of death of aunt/uncle of the employee or spouse, grandparent, ~~mother/father-in-law~~, spouse's grandparents, sister/brother-in-law, son/daughter-in-law.

5. ARTICLE 16. HOLIDAYS  
Modify the following beginning Line 424:

The following are recognized paid holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, ~~three (3) personal holidays~~. Effective January 1, 2003, there will be four (4) personal holidays.

6. ARTICLE 20. UNIFORM ALLOWANCE  
Modify the following beginning on Line 518:

The Security Officer shall be granted a uniform allowance of ~~\$270.00 for 2007 and \$285.00 for 2008~~ \$300.00 for 2009.

Technicians will receive up to a maximum of two (2) coveralls or lab coats per year at employer cost.

~~Damaged or worn out coveralls or lab coats must be turned in to the Museum Director before replacements will be authorized. Effective January 1997, the Curator of Exhibits and Exhibits Technician will receive \$50 \$100 per year safety shoe allowance. Leather work gloves and safety goggles will be provided to the Museum Exhibits Technician and the Curator of Exhibits employees as needed.~~

7. ARTICLE 21. INSURANCE

Language no longer applicable will be deleted from the insurance article.

Update the following beginning on Line 568:

Based on the ~~2007~~ 2008 HSP enrollments should the number fall below 10% of total Brown County Museum employees, the HSP will discontinue effective January 1, ~~2008~~ 2009.

Modify the following beginning on Line 578:

There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any change to the provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the ~~open enrollment~~ annual option period before the change is implemented. If the County continues to offer this plan after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.

Maximum allowable fee ~~as used in the PPO~~ and Usual and Customary fee ~~as used in the Basic and HSP plans~~ are intended to be synonymous terms.

8. ARTICLE 24. DISCIPLINE

Add the following language beginning Line 746:

Disciplinary letters for a specific incident shall remain in effect for nine (9) months.

9. ARTICLE 25. WISCONSIN RETIREMENT SYSTEM

Maximum employer contributions will be increased commensurate with wage increases.

10. ARTICLE 28. DURATION OF AGREEMENT

One year agreement - 2009.

12. APPENDIX A

Revise to reflect:

1.5% increase effective December 28, 2008

1.5% increase effective June 28, 2009

13. MEMORANDUMS OF UNDERSTANDING

Rotating Sunday Work Schedule	Resign
Advancement Procedure	Resign
Compensatory Time	Resign
Work Week	Resign
Long-Term Care	Resign
Direct Deposit	Incorporate into Article 8

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.

Respectfully submitted,  
EXECUTIVE COMMITTEE

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

Approved by:           \s\ Tom Hinz, County Executive          

Date: 3/25/2008

**No. 10f -- RESOLUTION REGARDING: AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008C IN AN AMOUNT NOT TO EXCEED \$14,950,000**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**BROWN COUNTY, WISCONSIN**

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**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$14,950,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008C**

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WHEREAS, Brown County, Wisconsin (the “County”), is in need of funds aggregating \$14,950,000 for public purposes, including but not limited to refunding the County’s outstanding (i) General Obligation Corporate Purpose Bonds, Series 1999, dated August 15, 1999 (the “Series 1999 Bonds”), and (ii) General Obligation Corporate Purpose Bonds, Series 2000A, dated November 1, 2000 (the “Series 2000 Bonds” and together with the Series 1999 Bonds, the “Prior Obligations”), and issuance expenses (collectively, the “Public Purpose”); and

WHEREAS, the Series 1999 Bonds maturing November 1, 2010 through November 1, 2018 are not subject to optional redemption prior to November 1, 2009, but may be defeased in advance of maturity by irrevocably depositing into a defeasance escrow fund held by an escrow agent, funds in the amount sufficient to pay (i) the redemption price of the Series 1999 Bonds maturing on and after November 1, 2010 (the “Series 1999 Defeased Bonds”) on the earliest call date, and (ii) all interest on the Series 1999 Defeased Bonds until they are redeemed; and

WHEREAS, the Series 2000 Bonds maturing November 1, 2011 through November 1, 2015 are not subject to optional redemption prior to November 1, 2010, but may be defeased in advance of maturity by irrevocably depositing into a defeasance escrow fund held by an escrow agent, funds in the amount sufficient to pay (i) the redemption price of the Series 2000 Bonds maturing on and after November 1, 2011 (the “Series 2000 Defeased Bonds”) on the earliest call date, and (ii) all interest on the Series 2000 Defeased Bonds until they are redeemed; and

WHEREAS, the Governing Body has determined that advance refunding a portion of the Prior Obligations in advance of their maturity dates is necessary and desirable and that restructuring the debt service on the Prior Obligations is in the best interests of the County; and

WHEREAS, for the purpose of providing funds to advance refund a portion of the Prior Obligations, the County has determined that it is necessary and desirable to authorize and sell its \$14,950,000 Brown County, Wisconsin, General Obligation Refunding Bonds, Series 2008C (the “Series 2008C Bonds”); 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 the Series 2008C 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 refunding bonds of the County for the Public Purpose; and

WHEREAS, the County has prepared and distributed a Preliminary Official Statement dated March 11, 2008 (the “Preliminary Official Statement”) describing the Series 2008C Bonds and the security therefor; and

WHEREAS, in accordance with the Official Notice of Sale for the Series 2008C Bonds (the “Official Notice of Sale”), a copy of which is attached hereto as Exhibit A, written bids for the sale of the Series 2008C Bonds were received and delivered to the County Board of Supervisors (the “Governing Body”) at its meeting on March 19, 2008;

and

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

WHEREAS, the Governing Body has considered all of the bids received and hereby finds and determines that Hutchinson, Schockey, Erley & Co. (the "Purchaser"), bidding the price of \$15,126,638.54 (\$14,950,000.00 principal amount of the Series 2008C Bonds, plus reoffering premium of \$222,167.65, plus accrued interest from April 1, 2008 through April 9, 2008 of \$11,663.61, less Underwriter's discount of \$57,192.72) for the entire issue of Series 2008C Bonds (the "Purchase Price"), to bear interest at the rates shown herein for Series 2008C 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, it is now expedient and necessary for the County to issue and sell its General Obligation Refunding Bonds in the amount of \$14,950,000 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;

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

"County" shall mean Brown County, Wisconsin;

"Dated Date" shall mean April 1, 2008;

"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;

"Escrow Account" shall mean the account established by the County with the Escrow Agent pursuant to the Escrow Agreement and this Resolution;

"Escrow Agent" shall mean Associated Trust Company, National Association, Green Bay Wisconsin;

"Escrow Agreement" shall mean the agreement between the County and the Escrow Agent, a copy of which is attached as Exhibit F hereto;

"Financial Officer" shall mean the Treasurer of the County;

"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;

"Bond Registrar" shall mean the Fiscal Agent;

"Prior Obligations" shall mean the County's outstanding (i) General Obligation Corporate Purpose Bonds, Series 1999, dated August 15, 1999 and (ii) General Obligation Corporate Purpose Bonds, Series 2000A, dated November 1, 2000.

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

"Purchase Price" shall mean \$15,126,638.54 (\$14,950,000.00 principal amount of Series 2008C Bonds, plus

reoffering premium of \$222,167.65, less Underwriter’s discount of \$57,192.72, plus accrued interest of \$11,663.61 from April 1, 2008 through April 9, 2008);

“Purchaser” shall mean Hutchinson, Schockey, Erley & Co.;

“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;

“Series 1999 Bonds” shall mean the County’s outstanding General Obligation Corporate Purpose Bonds, Series 1999, dated August 15, 1999;

“Series 1999 Defeased Bonds” shall mean the Series 1999 Bonds maturing November 1, 2010 through November 1, 2018;

“Series 2000 Bonds” shall mean the County’s General Obligation Corporate Purpose Bonds, Series 2000, dated November 1, 2000;

“Series 2000 Defeased Bonds” shall mean the Series 2000 Bonds maturing November 1, 2011 through November 1, 2015; and

“Series 2008C Bonds” shall mean the County’s \$14,950,000 General Obligation Refunding Bonds, Series 2008C.

Section 2. Authorization of the Series 2008C 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 \$14,950,000; and fully registered General Obligation Refunding Bonds of the County are authorized to be issued in evidence thereof.

Section 3. Sale of the Series 2008C 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, general obligation refunding bonds in the aggregate principal amount of \$14,950,000 for the Purchase Price.

Section 4. Terms of the Series 2008C Bonds. The Series 2008C Bonds shall be designated “General Obligation Refunding Bonds, Series 2008C”; 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 2008C Bonds shall accrue from the Dated Date on a 30-day month, 360-day year basis, and shall be payable commencing on November 1, 2008 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>
2009	\$ 300,000	3.250%
2010	1,225,000	3.250%
2011	1,790,000	3.250%
2012	1,860,000	3.250%
2013	1,930,000	3.250%
2014	1,840,000	3.500%
2015	1,910,000	3.625%
2016	1,395,000	3.750%
2017	1,455,000	4.000%
2018	1,245,000	4.000%

The Series 2008C Bonds maturing November 1, 2017 and thereafter are subject to call and prior redemption on November 1, 2016 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 2008C Bonds are in book-entry-only form, and less than all of a particular maturity of the Series 2008C Bonds is to be redeemed, selection of the beneficial owners of the Series 2008C 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 2008C Bonds are not in book-entry-only form, and less than all of a particular maturity of the Series 2008C Bonds is to be redeemed, selection shall be by lot.

So long as the Series 2008C Bonds are in book-entry-only form, notice of the redemption of any of the Series 2008C 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 2008C Bonds are not in book-entry-only form, (i) a notice of the redemption of any of the Series 2008C 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 2008C 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 2008C 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 2008C 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 2008C 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 2008C Bonds. The Series 2008C Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Series 2008C 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 2008C Bonds shall be paid by the Fiscal Agent.

Both the principal of and interest on the Series 2008C 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 2008C Bonds will be payable upon presentation and surrender of the Series 2008C Bonds to the Fiscal Agent. Payment of principal on the Series 2008C Bonds (except the final maturity) and each installment of interest shall be made to the registered owner of each Series 2008C 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. Bond Proceeds. The sale proceeds of the Series 2008C Bonds (exclusive of accrued interest and any premium received) shall, forthwith upon receipt, be placed in and kept by the Fiscal Agent as a separate fund to be known as the "General Obligation Refunding Bonds, Series 2008C, Borrowed Money Fund" (hereinafter referred to as the "Borrowed Money Fund"). Moneys in the Borrowed Money Fund shall be used solely for the purposes for which borrowed or for transfer to the Debt Service Fund Account as provided by law.

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 2008C 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 2008 in the amount of \$824,862.50, being the sum of:

\$262,431.25 for interest due on May 1, 2009;  
 \$300,000.00 for principal due on November 1, 2009; and  
 \$262,431.25 for interest due on November 1, 2009.

(b) Levy for the year 2009 in the amount of \$1,740,112.50, being the sum of:

\$257,556.25 for interest due on May 1, 2010;  
 \$1,225,000.00 for principal due on November 1, 2010; and  
 \$257,556.25 for interest due on November 1, 2010.

(c) Levy for the year 2010 in the amount of \$2,265,300.00, being the sum of:

\$237,650.00 for interest due on May 1, 2011;  
 \$1,790,000.00 for principal due on November 1, 2011; and  
 \$237,650.00 for interest due on November 1, 2011.

(d) Levy for the year 2011 in the amount of \$2,277,125.00, being the sum of:

\$208,562.50 for interest due on May 1, 2012;  
 \$1,860,000.00 for principal due on November 1, 2012; and  
 \$208,562.50 for interest due on November 1, 2012.

(e) Levy for the year 2012 in the amount of \$2,286,675.00, being the sum of:

\$178,337.50 for interest due on May 1, 2013;  
 \$1,930,000.00 for principal due on November 1, 2013; and  
 \$178,337.50 for interest due on November 1, 2013.

(f) Levy for the year 2013 in the amount of \$2,133,950.00, being the sum of:

\$146,975.00 for interest due on May 1, 2014;  
 \$1,840,000.00 for principal due on November 1, 2014; and  
 \$146,975.00 for interest due on November 1, 2014.

(g) Levy for the year 2014 in the amount of \$2,139,550.00, being the sum of:

\$114,775.00 for interest due on May 1, 2015;  
 \$1,910,000.00 for principal due on November 1, 2015; and  
 \$114,775.00 for interest due on November 1, 2015.

(h) Levy for the year 2015 in the amount of \$1,555,312.50, being the sum of:

\$80,156.25 for interest due on May 1, 2016;  
 \$1,395,000.00 for principal due on November 1, 2016; and  
 \$80,156.25 for interest due on November 1, 2016.

(i) Levy for the year 2016 in the amount of \$1,563,000.00, being the sum of:

\$54,000.00 for interest due on May 1, 2017;  
 \$1,455,000.00 for principal due on November 1, 2017; and  
 \$54,000.00 for interest due on November 1, 2017.

(j) Levy for the year 2017 in the amount of \$1,294,800.00, being the sum of:

\$24,900.00 for interest due on May 1, 2018;  
 \$1,245,000.00 for principal due on November 1, 2018; and  
 \$24,900.00 for interest due on November 1, 2018.

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 2008C 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 2008C 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 2008C 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.

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 \$14,950,000 General Obligation Refunding Bonds, Series 2008C" (hereinafter referred to as the "Debt Service Fund Account"), and such fund shall be maintained until the indebtedness evidenced by the Series 2008C 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 2008C Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Series 2008C Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Series 2008C Bonds when due; and (iv) such further deposits as may be required by Section 67.11 of the Wisconsin Statutes.

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 2008C 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 2008C 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 2008C 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 2008C 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 2008C 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 2008C 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 2008C 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 2008C 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 2008C Bonds. The terms, conditions and provisions of the Series 2008C Bonds are, in all respects, authorized and approved. The Series 2008C 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 March 11, 2008, and the Official Statement dated March 19, 2008, 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 2008C Bonds to the Purchaser, as soon after adoption of this Resolution as is convenient.

Section 11. Book-Entry-Only Bonds. The Series 2008C Bonds shall be transferable as follows:



(a) Each maturity of Series 2008C 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 2008C Bonds. During the term of the Series 2008C 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 2008C Bonds (a "Beneficial Owner") shall receive Bond certificates representing their respective interest in the Series 2008C 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 2008C 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 2008C 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 2008C 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 2008C Bonds, the registered Series 2008C Bondowner may make a notation of such redemption on the panel of the Series 2008C Bond, stating the amount so redeemed, or may return the Series 2008C Bond to the County for exchange for a new Series 2008C Bond in a proper principal amount. Such notation, if made by the Series 2008C 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 2008C Bond outstanding, unless the Bond Registrar initialed the notation on the panel.

(c) Immediately upon delivery of the Series 2008C Bonds to the purchasers thereof on the delivery date, such purchasers shall deposit the Bond certificates representing all of the Series 2008C Bonds with the Securities Depository. The Securities Depository, or its nominee, will be the sole owner of the Series 2008C Bonds, and no investor or other party purchasing, selling or otherwise transferring ownership of any Series 2008C Bonds will receive, hold or deliver any Bond certificates as long as the Securities Depository holds the Series 2008C Bonds immobilized from circulation.

(d) The Series 2008C 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 2008C 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 2008C 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 2008C Bondowner other than the Securities Depository (or its nominee) is no longer in the best interest of the Beneficial Owners of the Series 2008C Bonds.

(e) The Depository Trust Company, New York, New York, is hereby appointed the Securities Depository for the Series 2008C Bonds.

## Section 12. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the Public Purpose financed by the Series 2008C Bonds and their ownership, management and use will not cause the Series 2008C 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 tax-exempt status of the interest on the Series 2008C 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 2008C Bonds, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Series 2008C Bonds and the laws of Wisconsin, and to the extent there is a reasonable period of time in which to comply.

Section 13. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Series 2008C 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 2008C 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 2008C 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 2008C Bonds and shall make such records available upon reasonable request therefor.

Section 14. Defeasance. When all Series 2008C 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 2008C 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 2008C Bond to its maturity or, at the County's option, if said Series 2008C 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 2008C Bond at maturity, or at the County's option, if said Series 2008C 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 2008C 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 2008C Bonds, and after issuance of any of the Series 2008C 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 2008C Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Series 2008C 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 2008C 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 2008C 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 2008C Bonds.

Section 18. Non-Bank Qualified. The Series 2008C Bonds have not been designated as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Code.

Section 19. Amendment to Resolution. After the issuance of any of the Series 2008C Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Series 2008C Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the County may, from time to time, amend this Resolution without the consent of any of the owners of the Series 2008C 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 2008C 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 2008C Bond issued hereunder, or a reduction in the rate of interest on any Series 2008C 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 2008C 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 2008C Bond to which the change is applicable.

Section 20. Illegal or Invalid Provisions. In case any one or more of the provisions of this Resolution or any of the Series 2008C 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 2008C Bonds.

Section 21. Escrow Agent; Defeasance Escrow Agreement.

The sale proceeds of the Series 2008C Bonds (exclusive of any accrued interest and any premium received) shall, forthwith upon receipt, be used solely for the purposes for which borrowed. Sale proceeds of the Series 2008C Bonds in an amount sufficient to pay (i) the redemption price of the Series 1999 Defeased Bonds and the Series 2000 Defeased Bonds on the earliest call dates, and (ii) all interest on the Series 1999 Defeased Bonds and the Series 2000 Defeased Bonds until they are redeemed, forthwith upon receipt, shall be placed in the defeasance escrow fund and kept by the Escrow Agent pursuant to the Defeasance Escrow Agreement (the “Escrow Agreement”), which form of Escrow Agreement is set forth on Exhibit F attached hereto, to be used solely for the purposes which borrowed. No investment shall be treated in a manner as would cause the Series 2008C Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or the Regulations of the Commissioner of the Internal Revenue thereunder. The County, 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 2008C Bonds are not “arbitrage bonds” under Section 148 of the Internal Revenue Code of 1986, as amended, or the Regulations of the Commissioner of Internal Revenue thereunder.

The Chairperson and County Clerk are hereby authorized and directed to execute an Escrow Agreement for the Series 1999 Defeased Bonds and the Series 2000 Defeased Bonds with Associated Trust Company, Green Bay, Wisconsin substantially in the form attached hereto as Exhibit F (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County of any such modifications), with the Escrow Agent, for the purpose of effecting the provisions of this Resolution.

Section 22. Redemption of the Series 1999 Defeased Bonds and the Series 2000 Defeased Bonds. The County hereby calls the Series 1999 Defeased Bonds for redemption on November 1, 2009, and the Series 2000 Defeased Bonds for redemption on November 1, 2010. The County hereby directs the Fiscal Agent for the Series 1999 Defeased Bonds and the Series 2000 Defeased Bonds to cause a notice of redemption to be prepared and delivered promptly to The Depository Trust Company, New York, New York, a Notice of Redemption for the Series 1999 Defeased Bonds be redeemed on November 1, 2009 and the Series 2000 Defeased Bonds to be redeemed on November 1, 2010. The County hereby directs the Escrow Agent to cause a notice of redemption, in substantially the form attached to the Escrow Agreement, to be provided at the times and in the manner provided therein.

Section 23. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Series 2008C 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 24. 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: March 19, 2008.  
Approved by:  
      /s/ Thomas J. Hinz        
Thomas J. Hinz  
Brown County Executive  
Date Signed:       3/25/2008      

EXHIBIT A

NOTICE OF SALE

[SEE APPENDIX D OF PRELIMINARY OFFICIAL STATEMENT]

EXHIBIT B

SUMMARY OF BIDS

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Clancy "to adopt". Voice vote taken. Motion carried unanimously with no abstentions (23 ayes; 3 excused).

Approved by:       /s/ Tom Hinz, County Executive       Date: 3/25/2008

**No. 10g -- RESOLUTION REGARDING: AUTHORIZING THE CREATION OF THE BROWN COUNTY TRANSPORTATION COORDINATING COMMITTEE (TCC)**

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

Ladies and Gentlemen:

WHEREAS, Brown County desires to continue to obtain financial assistance from the State of Wisconsin to provide specialized transportation services for the transportation disadvantaged residents of the Brown County community under Wisconsin State Statutes Sections 85.21 and 85.22; and

WHEREAS, pursuant to Wisconsin Administrative Code, Sec. Trans 2.10, a prerequisite to obtaining aid or assistance under Wisconsin State Statutes Sections 85.21 and 85.22 is for the County Board of Supervisors to establish a County Transportation Coordinating Committee (TCC) with the composition and duties identified under that Administrative Code provision; and

WHEREAS, the Transportation Coordinating Committee to be established by this resolution of the County

Board of Supervisors, is to be designated as the coordinator of specialized transportation services for the transportation disadvantaged residents of Brown County.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby does ordain as follows:

That a “BROWN COUNTY TRANSPORTATION COORDINATING COMMITTEE” is hereby created and established as follows:

Sec. 1. CREATION OF COMMITTEE. Pursuant to Wisconsin Administrative Code, Trans Sec. 2.10, there is hereby created a committee to be called the “Brown County Transportation Coordinating Committee” for the purposes of coordinating Brown County’s specialized transportation services for the transportation disadvantaged residents of Brown County.

Sec. 2. MEMBERSHIP REQUIREMENT. According to Wisconsin Administrative Code Sec. Trans 2.10, the Brown County Transportation Coordinating Committee shall consist of at least seven members, including:

- One County Board member
- One County aging unit representative
- One County department of social services or human services representative
- One transportation provider – public, proprietary, or non profit
- One or more elderly and disabled citizen advocates
- One or more consumer and agency advocates

Sec. 3. MEMBERSHIP COMPOSITION. The Brown County Transportation Coordinating Committee shall consist of the following members:

- One member of the Brown County Board of Supervisors
- One representative of the Brown County Executive
- One member of the Brown County Aging and Disability Resource Center staff
- One member of the Brown County Aging and Disability Resource Center Board
- Two members of the Brown County Department of Human Services staff
- One member of the American Red Cross – Lakeland Chapter staff
- One member of the Options for Independent Living staff
- One member of the ASPIRO staff
- One member of the Syble Hopp School staff
- One member of the Cerebral Palsy (CP) Center staff
- One member of the Curative Rehabilitation Center staff
- One member of the Green Bay Metro staff
- One member of the Green Bay Transit Commission
- One member of the Wisconsin Department of Transportation staff
- One member of the Brown County Planning Commission staff
- One member from the Oneida Tribal Government
- Two citizen members
- One local private transportation provider

Sec. 4. APPOINTMENT. Appointments to the Brown County Transportation Coordinating Committee shall be made by the Brown County Executive, subject to confirmation by the County Board of Supervisors.

Sec. 5. TERM. The initial term of office for committee members shall begin on March 1, 2008 and thereafter appointments shall be for two years expiring on February 28th of each even numbered year.

Sec. 6. DUTIES. The Brown County Transportation Coordinating Committee shall have such duties as are prescribed in Wisconsin Administrative Code, Sec. Trans 2.10, relating to coordination of the specialized transportation needs of the transportation disadvantaged residents of Brown County.

Respectfully submitted,  
HUMAN SERVICES COMMITTEE

Fiscal Impact: Not Applicable

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 10h -- RESOLUTION REGARDING: DESIGNATING THE WEEK OF APRIL 7<sup>TH</sup> THROUGH APRIL 11<sup>TH</sup> AS “WORK ZONE SAFETY AWARENESS WEEK” IN BROWN COUNTY IN 2008**

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

Ladies and Gentlemen:

WHEREAS, in 1999, the Federal Highway Administration (FHWA) partnered with the American Association of State Highway Officials (AASHTO) to create the National Work Zone Safety Awareness Week campaign, held annually in April prior to the construction season in much of the nation; and

WHEREAS, in a typical year, over one thousand people are killed in work zones nationwide, either as drivers, passengers, or pedestrians, and in the past five years there have been an average of two thousand crashes in work zones annually in Wisconsin, resulting in an average of eleven fatalities; and

WHEREAS, through their enforcement activities and other participation, the Brown County Sheriff’s Department has committed in 2008 to enhance ongoing enforcement activities and work jointly with the Highway Department to make Work Zone Safety Awareness Week a success; and

WHEREAS, the Federal Highway Administration has designated April 7, 2008, through April 11, 2008, as National Work Zone Safety Awareness Week;

NOW THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the week of April 7, 2008, through April 11, 2008, be designated “Work Zone Safety Awareness Week” in Brown County.

Fiscal Impact: Not Applicable

Respectfully Submitted,  
PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 3/25/2008

**No. 10i -- RESOLUTION REGARDING: APPROVING THREE-YEAR STATEMENT OF INTENTIONS FOR WISCONSIN DEPARTMENT OF TRANSPORTATION’S HARBOR ASSISTANCE PROGRAM**

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

Ladies and Gentlemen:

WHEREAS, the attached Three-Year Harbor Development Statement of Intentions describes proposed improvements which are in the best interest of the Port of Green Bay; and

WHEREAS, the Wisconsin Department of Transportation, in accordance with state statute, requires a statement of project intentions from local units of government intending to apply for federal and/or state aid related to harbor work of benefit to commercial transportation within the next three years; and

**WHEREAS**, the Harbor Commission and the Planning, Development and Transportation Committee have carefully reviewed the estimated project costs, funding sources, physical locations and alternatives to the proposed projects; and

**WHEREAS**, the total local matching funds required for the projects indicated as being funded through the Wisconsin Department of Transportation's Harbor Assistance Program range from twenty (20%) percent to fifty (50%) percent; and

**WHEREAS**, this Three-Year Harbor Development Statement of Intentions is used by the Wisconsin Department of Transportation for planning purposes only and is not a petition for federal and/or state aid.

**NOW THEREFORE, BE IT RESOLVED** by the Brown County Board of Supervisors that it hereby approves the attached Harbor Development Statement of Intentions.

Respectfully submitted,  
PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE

Approved by:

\_\_\_\_\_\s\ Thomas J. Hinz\_\_\_\_\_  
COUNTY EXECUTIVE  
Date Signed: 3/25/2008  
Draft Approved of by Corporation Counsel

CERTIFICATION

I, Darlene Marcelle, Clerk of Brown County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a County Board Meeting of the County Board Supervisors on March 19, 2008, adopted by a majority vote, and recorded in the minutes of said meeting.

\_\_\_\_\_\s\ Darlene K. Marcelle\_\_\_\_\_  
Darlene K. Marcelle  
County Clerk

A motion was made by Supervisor Backmann and seconded by Supervisor Clancy **"to adopt"**. Voice vote taken. Motion carried with Supervisor Zabel abstaining.

Approved by: \_\_\_\_\_\s\ Tom Hinz, County Executive\_\_\_\_\_ Date: 3/25/2008

**ATTACHMENTS TO RESOLUTION #10I**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008**

Send To: WisDOT

Bureau of Railroads & Harbors  
P.O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvement Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

**Project Name: Leicht Transfer & Storage State Street Dock Wall**

Replacement of the existing Wakefield wall on the State St. facility, to include replacement of dock face, 380 feet of replacement sheet piling, replacing sheet anchors, and replacing outside bumper guards to facilitate across dock loading and unloading of commercial bulk product. In addition, a 380-foot long by 50-foot wide structural pad with support piles would be installed on the existing portion of the slip wall currently not requiring replacement. Bollards and wood fender system would also be added along entire face of the dock.

This project would require the channel to be dredged, 35,000 cubic yards.

PART II Project Resources		PART III Rank and Probability
<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project of <b>1st</b> priority to the applicant.
(a) <b>WI DOT HAP (80%)</b>	<b>\$1,356,000</b>	
(b) <b>Brown County (20%) (Terminal Operators)</b>	<b>\$339,000</b>	(b) The estimated probability of this project being started in the year noted above is:
(c)		(Circle One) <b>High</b>
(d)		Medium
	<b>\$1,695,000</b>	Low
	Total	
		Prepared By: <b>Carol L. Jamrosz,</b> <b>Leicht Transfer &amp; Storage</b>
		Date: <b>1/30/2008</b>



**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send To: WisDOT**

Bureau of Railroads & Harbors  
P.O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvement Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

**PART I Project Description and Objective(s)**

**Project Name: Leicht Transfer & Storage State Street Dock Wall**

Replacement of the existing Wakefield wall on the State St. facility slip, to include replacement of dock face, feet of replacement sheet piling, replacing sheet anchors, and replacing outside bumper guards to facilitate across dock loading and unloading of commercial bulk product. In addition, a 553-foot long by 50-foot wide structural pad with support piles would be installed on the existing portion of the slip wall currently not requiring replacement. Bollards and wood fender system would also be added along entire face of slip.

This project would also include 62,000 cubic yards dredged in the slip.

**PART II Project Resources**

**PART III Rank and Probability**

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) <b>WI DOT HAP (80%)</b>	<b>\$1,903,600</b>
(b) <b>Brown County (20%) (RGL Holdings)</b>	<b>\$ 475,900</b>
(e)	
(f)	
	<b><u>\$2,379,500</u></b>
	Total

(a) Of the projects listed for the year noted above, this of **2nd** priority to the applicant.

(b) The estimated probability of this project being started in the year noted above is:  
(Circle One) **High**  
Medium  
Low

Prepared By: **Carol L. Jamrosz**  
**Leicht Transfer & Storage**  
Date: **1/30/2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County (Brown County Port & Solid Waste Department)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2007, 2008 and 2009. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

**Project Name: Dredge North Dock for KK Integrated Logistics, Inc.**

KK Integrated Logistics, Inc. utilizes Western Lime's North Dock warehousing property for delivery of forest products. The area needs to be dredged to its authorized depth of 24' LWD. An estimated 1,200 cy needs to dredged at a cost of \$25/cy for a total cost of \$30,000.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the
(a) <b>Wisconsin DOT HAP (80%)</b>	<b>\$ 24,000</b>	year noted above, this project is of <u>3rd</u> priority to the applicant.
(b) <b>Brown County (20%)</b> (KK Integrated Logistics, Inc.)	<b>\$ 6,000</b>	(b) The estimated probability of this project being started in year noted above is:
(c)		(Circle One) High
(d)	<u><b>\$ 30,000</b></u>	Medium
	Total	Low

Prepared By: **Dean Haen, Port Manager**  
**Tom Kuber, KK Integrated Logistics, Inc.**

Date: **January 30, 2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2007  
Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2010**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

**Project Name: West Shore Public Port Terminal**

Purchase river front property along Fox River, presently owned by U.S. Oil Company and Mobil Company for creation of a public terminal facility that would be available for new port operations. The project would include acquisition (\$7M), constructing a dock wall (\$10M) at the bulkhead line and filling behind.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>3rd</u> priority to the applicant.	(b) The estimated probability of this project being started in year noted above is:
(a) <b>WIDOT HAP (80%)</b>	<b>\$13,600,000</b>		
(b) <b>Brown County (20%) (Green Bay)</b>	<b>\$ 3,400,000</b>		
(c)			
(d)		(Circle One) <b>High</b>	<b>Medium</b>
	Total	<b>\$17,000,000</b>	Low

Prepared By: **Dean Haen, Port Manager**  
Date: **January 30,**

**2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

**Project Name: Western Lime Corporation's North Dock Wall**

Rehabilitation of existing dock wall, to include major repairs to dock face, 920 feet of renewed sheet piling, replacing sheet anchors, replacing outside bumper guards, and installing new pavement between the dock wall and the new warehouse facility to facilitate across dock loading and unloading of commercial bulk product.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>6th</u> priority to the applicant.
(a) <b>WIDOT HAP (80%)</b>	<b>\$856,000</b>	
(b) <b>Brown County (20%) (Western Lime Co.)</b>	<b>\$214,000</b>	(b) The estimated probability of this project being started in year noted above is: (Circle One) High Medium Low
(c)		
(d)		
Total	<b><u>\$1,070,000</u></b>	

Prepared By: **Dean Haen, Port Manager**  
**Fred Nast, Western Lime Co.**  
Date: **January 30, 2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008**  
**Send to: WisDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County (Port and Solid Waste Department)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

**Project Name: US Oil Marine Vapor Recover Unit**

US Oil would like to install a Marine Vapor Recovery Unit (possibly a Flare) to allow for the barging of ethanol from Wisconsin to the East Coast along with gasoline and diesel fuel to other American and Canadian ports. Estimated volume would be as much as 60,000,000 million gallons of ethanol and 50,000,000 gallons of diesel/gasoline. A recovery unit is necessary to ensure that vapors do not escape into the atmosphere. This project would benefit Wisconsin's agriculture industry.

PART II Project Resources

PART III Rank & Probability

Expected Funding Sources (All types)

Amount

(a) Of the projects listed for the year noted above, this project

(a) **Wisconsin DOT HAP 80%**

**\$800,000**

is of **5th** priority to the applicant.

(b) **Brown County (20%)  
(US Oil Company)**

**\$200,000**

(b) The estimated probability of

(c)

this project being started in year noted above is:

(d)

(Circle One) High

**\$1,000,000**

Medium

Total

Low

Prepared By: **Dean Haen, Port Manager**  
**Mike Koel, US Oil Company**

Date: **January 30, 2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County (Brown County Port & Solid Waste Department)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2008**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

**PART I Project Description and Objective(s)**

**Project Name: Pipeline Installation to Utilize US Oil Company's Broadway Dock Facility**

The US Oil Company has approximately 400' of dock wall that was historically used for the waterborne delivery of petroleum products. This rehabilitation project consists of installing a pipeline from the dock wall to the main manifold at the rack to facilitate the delivery of product for themselves and other customer's liquid products at a cost of \$125,000.

Replace and upgrade dock wall supports at 1124 N. Broadway to hold barges or ships at a cost of \$25,000.

**PART II Project Resources**

**PART III Rank & Probability**

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>4th</u> priority to the applicant.
(a) <b>Wisconsin DOT HAP (80%)</b>	<b>\$120,000</b>	(b) The estimated probability of this project being started in year noted above is:
(b) <b>Brown County (20%) (US Oil Company)</b>	<b>\$ 30,000</b>	
(c)		(Circle One) High Medium Low
(d)	<u><b>\$150,000</b></u> Total	

Prepared By: **Dean Haen, Port Manager**  
**Mike Koel, US Oil Company**  
Date: **January 30, 2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send to: WDOT**

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**Port of Green Bay**  
Harbor Name

**Brown County (Brown County Port & Solid Waste Department)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2010**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

**PART I Project Description and Objective(s)**

**Project Name: Green Bay Harbor Navigational Channel Deepening Project**

Deepen federal navigational channel from Grassy Island to the East River Turning basin to St. Lawrence Seaway specification of 26'3". Presently the channel is 26' to Grassy Island then shallows to 24' until the Main St. Bridge and 22' beyond. The channel would need to be dredged a distance of 4 miles. The U.S. Army Corps of Engineers may then be authorized to conduct a Feasibility Study consisting of a cost/benefit analysis to determine if deepening the whole federal channel is warranted. The port would benefit by decreasing shipping costs and expanding cargoes presently not received because the cargoes are transported on ocean-going ships requiring the necessary seaway draft. The total quantity of material to be dredged from the navigational channel is an est. 870,369 cy at a cost of \$25.00/cy or \$21,759,225.

**PART II Project Resources**

**PART III Rank & Probability**

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>1st</u> priority to the applicant.
(a) <b>Wisconsin DOT HAP (50%)</b>	<b>\$10,879,612</b>	
(b) <b>Brown County (50%) (Terminal Operators)</b>	<b>\$10,879,612</b>	(b) The estimated probability of this project being started in year noted above is:
(c)		(Circle One) High Medium Low
(d) <b>Total</b>	<b>\$21,759,225</b>	

Prepared By: **Dean Haen, Port Manager**

Date:

**January 30, 2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008**  
**Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County (Brown County Port & Solid Waste Department)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2009**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

**PART I Project Description and Objective(s)**

**Project Name: Cat Island Chain Restoration**

This project involves the restoration of the historic Cat Island chain using outer harbor (sandy) dredge material from the navigational channel. The original three Cat Islands were destroyed during high water and storm events in the 1970s. The islands served ecological and environmental benefits to the lower Green Bay. Under Section 204 of the Water Resources Development Act of 1992, the United States Army Corps of Engineers conducted an Ecosystem Restoration Report and Draft Environmental Assessment in November 1999 and are willing to pay 75% of the project cost with the remaining cost being local. The western most island was projected to cost \$5 million (\$3.75 M federal and \$1.25 M local cost share). Brown County has banked \$800,000 from the Natural Resources Damage Assessment for the Fox River Clean-up as part of our local share. Wisconsin Department of Transportation's grant programs will be pursued for additional local funding. The remaining local share of reconstructing the western most island is \$450,000. This project is supported by U.S. Fish & Wildlife Service, WI Department of Natural Resources, UW-Sea Grant Institute, and other agencies and local environmental groups. Assuming the outer channel generates 80,000 cy of dredge material when dredged, the construction of a first island would take 24 years to construct and use 1.3M cy of sandy dredge material, thus extending the disposal capacity of Bay Port.

**PART II Project Resources**

**PART III Rank & Probability**

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>1st</u> priority to the applicant.
(a) <b>Wisconsin DOT HAP (36%)</b>	<b>\$450,000</b>	(b) The estimated probability of this project being started in year noted above is:
(b) <b>Brown County (64%) (Fox River Group/NRDA funds)</b>	<b>\$800,000</b>	
(c)		
(d)	<b>\$1,250,000</b>	(Circle One) High
	Total	Medium
		Low

Prepared By: **Dean Haen, Port Manager**

**January 30, 2008**

Date:

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008**  
**Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2010**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.



PART I Project Description and Objective(s)

**Project Name: Port of Green Bay Slip and Dock Wall Deepening Project**

Dredge the necessary slips and dock walls to St. Lawrence Seaway specification of 26'3". Presently the slips are approximately 24'. The Fox River Dock slip would need to be dredged at an estimated cost of \$600,000. The Western Lime Company dock wall would need to be dredged at an estimated cost of \$300,000. WPS, Flint Hills Resources, Sanamax, St. Mary's Cement, RGL Holdings, C. Reiss Coal, LaFarge, NE Asphalt and Georgia-Pacific would also have to be dredged. Estimated dredging cost of an additional \$2.5 million.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project	
(a) <b>WI DOT HAP (80%)</b>	<b>\$ 2,720,000</b>	is of <u>2nd</u> priority to the applicant.	
(b) <b>Brown County (20%) (Terminal Operators)</b>	<b>\$ 680,000</b>	(b) The estimated probability of this project being started in	
(c)		year noted above is:	
(d)		(Circle One) High	
		<b>\$ 3,400,000</b>	Medium
	Total	Low	

Prepared By: **Dean Haen, Port Manager**

Date: **January 30,**

**2008**

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS**

**Due: April 1, 2008  
Send to: WDOT**

Bureau of Railroads & Harbors  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

**Port of Green Bay**  
Harbor Name

**Brown County Port & Solid Waste Department (Brown County)**  
Responsible Local Unit of Government  
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2009**

Instructions: Complete one of these sheets for each project contemplated in calendar 2008, 2009 and 2010. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

**PART I Project Description and Objective(s)**

**Project Name: East Shore Public Port Terminal**

Purchase river front property 300' x 1600' along Fox River, presently owned by Green Bay Packaging, Inc., Proctor & Gamble, and Georgia-Pacific for creation of a public terminal facility. Construction of 1,000 lf of dock wall along Green Bay Packaging, Inc., including major dock face, sheet piling, anchors, bumper guards. Construction of an access road from the river front to Quincy Avenue along Interstate Highway 43 through Green Bay Packaging, Inc., property. Relocate Georgia-Pacific intake clarifier. Remove old railroad tracks and prepare property for port commerce.

**PART II Project Resources**

**PART III Rank & Probability**

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a) Of the projects listed for the year noted above, this project is of <u>2<sup>nd</sup></u> priority to the applicant.	(b) The estimated probability of this project being started in year noted above is:
(a) <b>WI DOT HAP (80%)</b>	<b>\$8,000,000</b>		
(b) <b>Brown County (20%) (Green Bay)</b>	<b>\$2,000,000</b>		
(d)			
(d)		(Circle One) High	Medium
		<b>\$10,000,000</b>	
	Total	Low	

Prepared By: **Dean Haen, Port Manager**  
Date: **January 30,**

**2008**

(No. 10j taken out of order after 9c(i).)

No. 11 -- **SUCH OTHER MATTERS AS AUTHORIZED BY LAW. None. LATE COMMUNICATIONS.**

No. 11a -- **FROM SUPERVISOR ZIMA REGARDING: THAT THE EXECUTIVE COMMITTEE CONSIDER CHANGING THE COUNTY POLICY/ORDINANCE TO ALLOW THE BROWN COUNTY BOARD THE OPTION OF ELECTING ITS CHAIRMAN AND VICE CHAIRMAN BY CLOSED BALLOT.**

Refer to Executive Committee.

**No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING MARCH 3, 2008**

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Fleck **“to pay the bills over \$5,000 for period ending March 3, 2008”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 13 -- CLOSING ROLL CALL:**

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Dantine, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, Wetzell, Zabel, Scray, Fewell

Excused: Johnson, Hoeft, Lund

Total Present: 23 Total Excused: 3

**No. 14 -- ADJOURNMENT TO TUESDAY, APRIL 15, 2008 AT 9:30 A.M. LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.**

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

Meeting adjourned at 9:40 p.m.

                  /s/ DARLENE K. MARCELLE                    
Brown County Clerk