

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**APRIL 18, 2007**

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, April 18, 2007, at 6:30 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 6:30 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Warpinski, De Wane, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, Zabel, Scray, Hoeft, Lund, Fewell

Excused: De Cleene

Supervisor Vander Leest arrived at 6:58 p.m.; Supervisor Nicholson arrived at 7:00 p.m.

Total Present: 25 Total Excused: 1

**\*\* Please Note\*\***

**Starting time of meeting - 6:30 p.m.**

**Presentation by**

**Courtney Van Rossum, Denmark High School Top Volunteer in Wisconsin for 2007**

**State of County Address by Chair Tom Lund**

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

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

**No. 2a -- APPROVAL OF MINUTES OF COUNTY BOARD OF MARCH 21, 2007**

A motion was made by Supervisor Dantine and seconded by Supervisor De Wane **“to adopt the County Board Minutes of March 21, 2007”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 3 -- ANNOUNCEMENTS BY SUPERVISORS.**

Supervisor Haefs discussed the goals for the Park Department stating that the County should work with the City of Green Bay and other municipalities for a combined yard waste site.

Supervisor Haefs requested we resurrect the Diversity Affairs Committee and he suggested that the County Executive be the Chair of the Diversity Affairs Committee.

He also requested that the County Executive restore Orientation for Supervisors on the Saturday following the election. Supervisor Haefs explained how helpful the Orientation was for him when he was first elected. He feels all new County Board members should have that same learning opportunity.

Supervisor Haefs thanked the committee members that worked with the Oneidas. He is appreciative that we are moving in the right direction.

Supervisor De Wane announced that June 4<sup>th</sup> is the Green Bay Bullfrogs home opener game. Supervisor De Wane stated this is first class baseball team and he hopes the Community will support the Bullfrogs. Bring your family and friends.

Supervisor Erickson announced a Smelt Fry will be held on April 19<sup>th</sup> at 7:00 p.m. at the Stadium View. The cost is \$7.00 per person and is sponsored by the Great Lakes Area Sports Fishermen. He encouraged everyone to attend.

Supervisor Zeller acknowledged Tom Hinz and stated what a wonderful job he did on the “State of the Port” presentation.

Supervisor La Violette thanked Tom Lund for the outstanding State of the County address and mentioned the positive impact on the County.

Supervisor Zima discussed the election results, congratulated County Executive Tom Hinz, encouraged working together, and thanked Mr. Hinz for being there for Brown County residents.

Supervisor Kaster announced that Congressman Kagen presented a grant of \$60,000 that Supervisor Erickson found. Chair Lund will speak about it in his report.

Supervisor Krueger received an invitation from the Department of Transportation inviting every elected official in Brown County to the 1<sup>st</sup> Legislative Breakfast, on Tuesday, April 24<sup>th</sup> from 7:30 to 8:30 at the Radisson.

Supervisor Vander Leest wished County Executive Tom Hinz well and encouraged the County Board to work with Tom.

No. 4 -- LATE COMMUNICATIONS

No. 4a -- FROM SUPERVISOR DE WANE REGARDING: SEND BILLS S.406 (A BILL TO ENSURE LOCAL GOVERNMENTS HAVE THE FLEXIBILITY NEEDED TO ENHANCE DECISION-MAKING REGARDING CERTAIN MASS TRANSIT PROJECTS) AND H.R. 734 (A BILL TO AMEND TITLE 49, UNITED STATES CODE, TO ALLOW ADDITIONAL TRANSIT SYSTEMS GREATER FLEXIBILITY WITH CERTAIN PUBLIC TRANSPORTATION PROJECTS) TO THE LEGISLATIVE SUBCOMMITTEE FOR CONSIDERATION

Refer to Legislative Sub-Committee.

No. 4b -- FROM SUPERVISOR NICHOLSON REGARDING: TO REQUEST THAT LEGISLATIVE SUB-COMMITTEE CONSIDER LEGISLATION BE INTRODUCED AND ENACTED FOR DELEGATING STATUTORY AUTHORITY TO COUNTY GOVERNMENT TO REGULATE THE EMPLOYMENT OF UNDOCUMENTED WORKERS IN RESTAURANTS GOVERNED BY EXISTING STATE LICENSING AND REGULATORY PROVISIONS SET FORTH IN CH. 250 THROUGH 254 OF THE WISCONSIN STATUTES HFS 196, WIS. ADMINISTRATIVE CODE

Refer to Legislative Sub-Committee.

No. 4c -- FROM SUPERVISOR DANTINNE REGARDING: UPDATE ON ROAD DAMAGE BY SEWER INSTALLATION ON HURON ROAD

Refer to Planning, Development and Transportation Committee.

No. 4d -- FROM SUPERVISOR DANTINNE REGARDING: REQUEST FOR ROAD MAINTENANCE UPDATE AND HAVE A PRESENTATION ON VARIOUS PROCEDURES TO MAINTAIN ROADS MORE ECONOMICALLY BY PRIVATE CONTRACTOR, JOHN DELMORE

Refer to Planning, Development and Transportation Committee.

No. 4e -- FROM SUPERVISOR FEWELL REGARDING: UPDATE ON THE IMPLEMENTATION OF THE CRISIS CAPACITY TEAM AND FACILITY. THIS SHOULD INCLUDE A REPORT ON THE NUMBER OF ICF-MR CLIENTS WHO HAVE UTILIZED THIS FACILITY

Refer to Human Services Committee.

**No. 4f -- FROM SUPERVISOR FEWELL REGARDING: TO REVIEW THE COUNTY'S POLICY AS IT RELATES TO DISABILITY AND MEDICAL LEAVE. REQUEST A CLOSED SESSION TO ADDRESSES SPECIFIC ISSUES RELATED TO THE HANDLING OF MEDICAL LEAVE.**

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Refer to Administration Committee.

**No. 4g -- FROM SUPERVISOR VANDER LEEST REGARDING: REQUEST FOR THE DISTRICT ATTORNEY'S OFFICE TO TRACK THE BOND AMOUNTS REQUESTED BY THE DISTRICT ATTORNEY'S OFFICE ON CHILD SEX OFFENDER CASES VERSUS WHAT IS APPROVED BY BROWN COUNTY CIRCUIT COURT JUDGES AND COMMISSIONERS**

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Refer to Public Safety Committee.

**No. 5 -- APPOINTMENTS. None**

**No. 6a -- REPORT BY COUNTY EXECUTIVE.**

County Executive Hinz thanked everyone for their support and vote of confidence. Executive Hinz thanked Bill Clancy for singing Danny Boy at his swearing in ceremony. County Executive Hinz explained that in 1984 while at the FBI Academy he met and learned to admire President Ford for his four goals he set to move forward with and they are "communicate, compromise, conciliate and cooperate." County Executive Hinz went on to say that he will take those same four goals to work with the County Board and various County Departments. Executive Hinz also stated the budget time line will be met. He added that he will take time to fill the positions of Director of Administration and the Human Services Director. He wants the best individuals in those positions and he intends to take the time needed to do so. Executive Hinz presented a proclamation to the County Board Chair that declares April 22<sup>nd</sup> thru April 28<sup>th</sup> National County Government Week.

**No. 6b -- REPORT BY BOARD CHAIRMAN.**

Chair Lund thanked Nancy Anderson and Julie Knier for putting together his power point presentation this evening. Chair Lund stated that the Watershed Restoration was April 12<sup>th</sup> at Barkhausen. Mr. Lund read and presented to Bill Hafs and his staff the \$60,000 grant that Supervisor Bernie Erickson is responsible for obtaining for Village of Suamico Streams -- buffer strips for Northern Pike.

**No. 7 -- OTHER REPORTS. None**

**No. 8 -- STANDING COMMITTEE REPORTS:**

**No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF MARCH 27, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on March 27, 2007, and recommends the following motions:

1. Review minutes of:
  - a. Housing Authority (2/19/07).
  - b. Facility master Plan Sub Committee (2/20/07).Receive & place on file items a-b.
2. Resolution re: Requesting the State of Wisconsin Fully Fund the State's Child Support Program. (Referred from Legislative Sub Committee and referred to Executive Committee.) Committee approved. See Resolutions, Ordinances April County Board.
3. Review & discussion on County Travel Policy. (From previous meeting.) Receive & place on file.
4. Communication from Supervisor Steve Fewell re: Resolutions. (Held from previous meeting.) Hold for one month.
5. Human Resources - Achievements & goals from Human Resources department. Receive & place on file.
6. Human Resources - Director determines the cost of a market analysis and report back to this committee. (From December 27, 2006 Administration Committee.) Ask Human Resources Director to bring back a report to this committee describing the problem we are trying to solve tonight, why it is a problem and some options for solving it. Ayes: 3 (Warpinski, Fewell, Hoeft); Nays: 2 (Zeller, Haefs). Motion Carried.
7. Human Resources - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
8. Human Resources - Monthly Committee Report for February 2007. Receive & place on file.
9. Report 8b#7, Human Resources Director determines the cost of a market analysis and report back to this committee. Approve market analysis not to exceed \$10,000 from carryover funds, if RFP not necessary. (Referred back to Administration Committee from March County Board.) (*See motion #6 above.*)
10. Dept of Administration - Achievements & goals from Department of Administration. Receive & place on file.
11. Dept of Administration - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
12. Dept of Administration - 2007 Budget Transfer Log. Receive & place on file.
13. Corporation Counsel - Achievements & goals from Corporation Counsel department. Receive & place on file.

14. Corporation Counsel - Review of Corporation Counsel & Child Support Agency budgets for 2006. (Held from previous meeting.) Receive & place on file.
15. Corporation Counsel - Budget Status Financial Report for Corporation Counsel & Child Support attached for December 31, 2006. Receive & place on file.
16. Facility Management - Achievements & goals from Facility Management department. Receive & place on file.
17. Facility Management - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
18. Facility Management - Update of major facility and park projects. Receive & place on file.
19. Facility Management - Update of Facility Management Survey. Receive & place on file.
20. County Clerk - Achievements & goals from County Clerk's department. Receive & place on file.
21. County Clerk - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
22. Treasurer - Achievements & goals from Treasurer's department. Receive & place on file.
23. Treasurer - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
24. Audit of bills. Pay the bills.

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: 4/25/2007

**No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF APRIL 5, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on April 5, 2007 and recommends the following:

1. Review minutes:
  - a) Library Board (1/30/07 & 2/15/07). Receive & place on file.
2. Arena/Expo Centre Resch Centre - Event Attendance January 2007. Receive & place on file.
3. Communication from Supervisor Steve Fewell re: Request a review of the resolutions that were passed in September 2006 regarding the Budget Transfer policy and the carryover policy as it relates to the Library Board. These policies should be reviewed and revised to include a more transparent reflection of how tax dollars are being budgeted, spent and reported. (Referred from March County Board.) Create a six-member sub committee (appointed by Chair Kathy Johnson) to address library board policies. Ayes: 3 (Johnson, Theisen, Van Deurzen); Nays: 1 (De Wane); Excused: 1 (De Cleene). Motion Carried.
4. Parks - Budget Status Financial Report for December 31, 2006. Receive & place on file.
5. Parks - Request to look at possible funding or grants for Cornerstone Community Ice Center (Follow up requested from previous meeting) Forward to Planning, Development & Transportation Committee with a request to report back to this committee.
6. Parks - Request from Brown County 4-H Horse Association for waiver of fees for use of the horse ring at the Brown County Fairgrounds for practices, a horse show and clinics. Approve.
7. Parks - Request for Bay Shore Bicycle Club for waiver of trail fees at the Reforestation

Camp for a bike race in September. Approve.

8. Parks - Discussion on clearing snow from the Fox River Trail. **\*\*Comments from Public are welcome\*\*** Direct Park Department to contact the municipalities along the Fox River Trail to see if they are interested in clearing their portion of snow in the winter months.
9. Parks - Update on Arena Roof replacement project. Receive & place on file.
10. Parks - Update on lawsuit for Arena roof (from previous meeting). Receive & bring back in one month.
11. Parks - Achievements and Goals for Park Department. No action.
12. Parks - Director's report. Receive & place on file.
13. Parks - Approval of Wisconsin Continuously Operating Reference Stations Network Cooperative Agreement between the State of Wisconsin, Department of Transportation and the County of Brown to be located at Brown County Fairgrounds. Approve.
14. Golf Course - Daily Financial & Attendance Report (February, 2007). Receive & place on file.
15. Golf Course - Achievements & goals for Golf Course. Approve & forward to County Board Chairman.
16. Golf Course - Brown County Golf Course Budget Status Financial Report for December 31, 2006. Receive & place on file.
17. Golf Course - Superintendent's Report. Receive & place on file.
18. Library - Budget Carryover Notice. Receive & place on file.
19. Library - Achievements & goals for Library. Receive & place on file.
20. Library - Budget Financial Status Report for December 31, 2006. Receive & place on file.
21. Library - report. Receive & place on file.
22. Museum - Achievements & goals for Museum. Receive & place on file.
23. Museum - Attendance & Admissions (February 2007). Receive & place on file.
24. Museum - Budget Status Financial Report for December 31, 2006. Receive & place on file.
25. Museum - Director's report. Receive & place on file.

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The EXECUTIVE COMMITTEE met in regular session on April 9, 2007 and recommends the following motions:

1. Review minutes of:
  - a) Legislative Sub Committee (3/26/07).  
Send this back to Legislative Sub Committee.
2. **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.
3. County Executive report.
  - a) Budget Status Financial Report for December 31, 2006.  
Receive & place on file.
4. Internal Auditor Report.
  - a) Budget Status Financial Report for February 28, 2007.  
Receive & place on file.
5. Communication from Supervisor Hoeft re: To develop an orientation and training program for board members. (Referred from March County Board.) Hold for one month.
6. Communication from Supervisor Erickson (8d Executive Committee Report: #'s 8a & 8b):
  - a) Update members as to the progress and status of negotiations with the Oneida Nation on a services agreement.
  - b) Schedule a closed session agenda item at the 2007 march County Board meeting so Executive Committee, Chair Krueger, can advise the Board of status. **(Referred back to Committee from March County Board.)**  
Receive & place on file items 8a & b.
7. Communication from Supervisor Fewell re: Proposed changes to County Ordinance 2.13(f), Meetings, Agendas. (Referred from March County Board.) Committee approved the change of adding the words "or board" to County Ordinance 2.13(f). See Resolutions, Ordinances April County Board.
8. Communication from Supervisor Fewell re: Asset maintenance fund. Require that any departments utilizing the Asset Maintenance fund shall use undesignated carryover funds to repay the Asset Maintenance fund at the end of the year.
9. Resolution re: Requesting the State of Wisconsin Fully Fund the State's Child Support Program. (Referred from Legislative Sub Committee & Administration Committee.) Committee approved. See Resolutions, Ordinances April County Board.
10. Resolution re: Wisconsin Department of Natural Resources Fishing Tournament Regulations and Fees. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances April County Board.

11. Resolution re; Support Increasing the Medicaid Reimbursement Rate for Dental Care. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances April County Board.
12. Resolution re: Requesting Change to State Formula for Boat Launch Fees. (Referred from Legislative Sub Committee.) Refer back to Legislative Sub Committee for more information.
13. Resolution re: Authority to Execute a 2007-2008 Labor Agreement with the Brown County Human Services Professional Employees. Committee approved. See Resolutions, Ordinances April County Board.
14. Resolution re: Sheriff’s Department / Public Safety Division Schedule Change for Communication Supervisors. (Referred from Public Safety Committee.) Deleted from agenda.
15. Resolution re: Approving Reclassification of Emergency Management Director Position. (Referred from Public Safety Committee.) Committee approved. See Resolutions, Ordinances April County Board.

A motion was made by Supervisor De Wane and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Supervisor La Violette requested item #8 be taken separately and Supervisor Hoeft requested item #6a be taken separately. Remainder of report passed unanimously with no abstentions.

Item #8 -- Communication from Supervisor Fewell re: Asset maintenance fund. COMMITTEE ACTION: Require that any departments utilizing the Asset Maintenance fund shall use undesignated carryover funds to repay the Asset Maintenance fund at the end of the year.

Supervisor La Violette explained she took #8 separately because she needs further clarification on the Asset Maintenance Fund. Following discussion, a motion was made by Supervisor La Violette and seconded by Supervisor Vander Leest **“to refer item #8 back to committee for further clarification”**.

After discussion a roll call vote was taken on the referral of item #8. Roll Call #8c8(1):

Ayes: Theisen, Haefs, Vander Leest, Johnson, Dantine, La Violette, Zeller, Van Deurzen, Zabel, Scray, Hoeft

Nays: Warpinski, De Wane, Nicholson, Krueger, Erickson, Kaye, Zima, Evans, Kaster, Backmann, Fleck, Clancy, Lund, Fewell

Excused: De Cleene

Total Ayes: 11                      Total Nays: 14                      Excused: 1

Motion failed **“to refer item #8”**.

Following discussion, a motion was made by Supervisor Fewell and seconded by Supervisor Van Deurzen **“to adopt item #8”**. Vote taken. Roll Call #8c8(2):

Ayes: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Kaster, Backmann, Van Deurzen, Fleck, Lund, Fewell

Nays: Vander Leest, Johnson, Dantine, La Violette, Zeller, Clancy, Zabel, Scray, Hoeft

Excused: De Cleene

Total Ayes: 16                      Total Nays: 9                      Excused: 1

Motion carried **“to adopt item #8”**.

Item #6a -- Communication from Supervisor Erickson a) Update members as to the progress and status of negotiations with the Oneida Nation on a services agreement. COMMITTEE ACTION: Receive and place on file.

In asking for this to be taken separately, Supervisor Hoeft asked the County Board to approach the Oneida Nation in a "regional" approach in negotiations. She has requested Congressman Kagen to work with them.

Following discussion, a motion was made by Supervisor Fewell and seconded by Supervisor Warpinski "to approve item #6a". Voice vote taken. Motion carried with Supervisor Hoeft abstaining.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 4/25/2007

**No. 8d -- REPORT OF "SPECIAL" EXECUTIVE COMMITTEE OF MARCH 19, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in special session on March 19, 2007 and recommends the following motions:

1. Review of Governor's Proposed Budget Information furnished by Interim Internal Auditor. Refer items 1-13 to the Legislative Sub Committee for their review and recommendation.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 4/25/2007

**No. 8e -- REPORT OF HUMAN SERVICES COMMITTEE OF APRIL 4, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on April 4, 2007, and recommends the following motions:

1. Review minutes of:
  - a) Board of Health (10/16/06 & 12/11/06).
  - b) Homeless Issues & Affordable Housing Sub Cmte (2/20/07 & 3/20/07).
  - c) Veterans' Recognition Sub Committee (3/13/07).
  - d) Children with Disabilities Education Board (2/14/07).
  - e) Community Options Program Planning Cmte (3/26/07).
  - f) Community Options Program Appeals Cmte (3/26/07).

Receive & place on file items a-f.
2. Homeless Issues & Affordable Housing Sub Committee's Vision for 2007 & to confirm sub committee members (Lee Meyer, Chair, Homeless Issues & Affordable Housing Sub Committee.) Receive & place on file.
3. Communication from Supervisor Patrick Evans re: To work collaboratively with Family Services Association to develop a Children's Advocacy Center within Brown County. (Referred from March 21, 2007 County Board meeting.) Support the concept of the development of the Children's Advocacy Center and encourage staff to work with Family Services as they develop that model.
4. Communication from Supervisor Patrick Evans re: To work collaboratively with Family Services Association to enhance their Ways to Work Program within Brown County. (Referred from March 21, 2007 County Board meeting.) Receive & place on file.
5. Communication from Supervisor Steve Fewell re: To explore the issues related to the high Unit 7 census and consider adding appropriate staff to address this increase in census. (Held from previous meeting.) Hold until June.
6. Communication from Supervisor Patrick Evans re: To refer to such time as a construction firm and architect/engineering firm have developed a preliminary final proposal for a new Mental Health Center. (Held from previous meeting.) Receive & place on file.
7. \*\* To approve RFP for Architectural and engineering design services for Brown County Mental Health Center (Project #1249).
  - a) Approve. (No vote taken.)
  - b) Motion by substitution to amend the RFP to read "The total project budget is not to exceed \$22,700.00." (No vote taken.)
  - c) Motion by substitution to amend RFP to read "The building construction and site development costs not to exceed \$19,700,000. (No vote taken.)
  - d) Amendment to motion to amend the RFP to read "*The building construction and site development costs not to exceed \$19,700,000*" **and** add as item E "*To include an operating budget for staffing based on industry standards for a facility of that size.*" Motion carried Unanimously.
  - e) Approve RFP as amended. Motion carried unanimously.

\*\* ITEM #7 RECEIVE AND PLACE ON FILE AS PER THE COUNTY BOARD ON 4/18/2007.

8. \*\* To bond for the architect/engineering fees and construction manager-at-risk fees. Approve bonding of \$2 million for the architect/engineering fees and construction manager-at-risk fees.

\*\* AMEND ITEM #8: “THAT THE COUNTY BOARD APPROVE #2 MILLION IN THE MAY 2007 COUNTY BOARD ISSUE FOR THE PURPOSE OF DEVELOPING A NEW MENTAL HEALTH CENTER NOT TO EXCEED \$20 MILLION TOTAL COST INCLUDING ALL FEES.” AMENDED AS PER THE COUNTY BOARD ON 4/18/2007.

9. Human Services Dept. - Goals & objectives by Human Services Dept. Approve.
10. Human Services Dept. - Bellin Psychiatric Update (February 2007). Receive & place on file.
11. Human Services Dept. - Contract Update (standing item). Receive & place on file.
12. Human Services Dept. - Approval of non-continuous service providers. Approve.
13. Human Services Dept. - Approval of new contract vendors. Approve.
14. Human Services Dept. - Request for Budget Transfer (#07-20): Increase in Expenditures with Offsetting Increase in Revenue: Economic Support division in areas of Income Maintenance & Child Care contracts to support workload increases associated with citizenship verification and child care eligibility (\$110,105). Approve.
15. Human Services Dept. - Grant Approval & Financial Request Log. Receive & place on file.
16. Human Services Dept. - Department of Health & Family Services Reply to Request to retain ICF/MR beds. Receive & place on file.
17. Human Services Dept. - Mental Health Center Update and Statistics for February 2007. Receive & place on file.
18. Human Services Dept. - Discussion of out-patient clinic building size. Receive & place on file.
19. Human Services Dept. - Mental Health Center Admission of Consumers to Nursing Facility. Refer to next month.
20. Human Services Dept. - Budget Status Financial Report for Mental Health Center for December 31, 2006. Receive & place on file.
21. Health Department – Receive & place on file.
22. Aging & Disability Resource Center of Brown County – Receive & place on file.
23. Audit of bills. Pay the bills.

A motion was made by Supervisor De Wane and seconded by Supervisor Van Deurzen “**to adopt**”. Voice vote taken. Supervisor Vander Leest requested item #8 be taken separately. Remainder of report carried unanimously with no abstentions.

Item #8 -- To bond for the architect/engineering fees and construction manager-at-risk fees. COMMITTEE ACTION: Approve bonding of \$2 million for the architect/engineering fees and construction manager-at-risk fees.

Supervisor Vander Leest explained he had several concerns with the RFP's and expertise of companies doing the work.

After discussion, a motion was made by Supervisor Evans and seconded by Supervisor La Violette **“to adopt”**.

After discussion, a motion was made by Supervisor Zima and seconded by Supervisor Evans **“to amend item #8 -- That the County Board approve \$2 million in the May 2007 County Bond issue for the purpose of developing a new Mental Health Center not to exceed \$20 million total cost including all fees”**. Following discussion, a vote was taken on Supervisor Zima's motion. Roll Call #8e8(1):

Ayes: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantinne, La Violette, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, Zabel, Scray, Hoeft, Lund, Fewell

Excused: De Cleene

Total Ayes: 25 Excused: 1

Motion carried unanimously with no abstentions.

A motion was made by Supervisor Zima and seconded by Supervisor Kaye **“to reconsider item #7”**. Voice vote taken. Motion carried unanimously with no abstentions.

Item #7 -- To approve RFP for Architectural and engineering design services for Brown County Mental Health Center (Project #1249). COMMITTEE ACTION: a) Approve. (No vote taken.); b) Motion by substitution to amend the RFP to read “The total project budget is not to exceed \$22,700,00”. (No vote taken.); c) Motion by substitution to amend RFP to read “The building construction and site development costs not to exceed \$19,700.00. (No vote taken.); d) Amendment to motion to amend RFP to read “The building construction and site development costs not to exceed \$19,700,000” and add as item E “to include an operating budget for staffing based on industry standards for a facility of that size”. Motion carried Unanimously. e) Approve RFP as amended. Motion carried unanimously.

Discussion followed on the RFP for the MHC with many questions and answers.

A motion was made by Supervisor Zima and seconded by Supervisor Scray **“to receive and place on file item #7”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:           \s\ Tom Hinz, County Executive          

Date: 4/25/2007

**No. 8f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF MARCH 26, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE & LAND CONSERVATION SUB COMMITTEE met in regular session on March 26, 2007, and recommends the following motions.

**Land Conservation Subcommittee**

1. Achievements & goals for Land Conservation Department. (2007 Land Conservation Department Annual Work Plan.) No action.
2. Land application of "other wastes" impacts on nutrient management plans.
  - a) Land application of "other wastes" impacts on nutrient management plans: Approved sites for "other waste" from DNR.
  - b) Brown County Animal Waste Storage Facilities used to store "other wastes."
  - c) NRCS Waste Storage Facility standard code 313.Hold for one month.
3. Request for approval of Five-Star Restoration Challenge grant for \$20,000 for staff in West Shore Pike Project. Approve.
4. WLWCA letter request for Dues. That a letter be drafted to the WLWCA informing them Brown County is considering budgeting dues in 2008, and request their presence at one of the next two meeting.
5. Morrison well testing February 5, 2008 results from March 7, 2008 presentation by UWSP. Receive & place on file.
6. Director's report: Animal waste runoff problems Morrison and Humboldt. Receive & place on file.

**Planning, Development & Transportation Committee**

1. Review minutes of:
  - a) Harbor Commission (2/12/07). Refer minutes of the Harbor Commission of 2/12/07 back to staff for clarification.
  - b) Planning Commission Board of Directors (2/7/07) Receive & place on file.
2. Achievements & goals for each department that reports to Planning, Development & Transportation Committee. Approve.
3. Highway - Brown County Highway State Billing (2007). Receive & place on file.
4. Highway - Report (March 6, 2007) of Traffic Commission from City of Green Bay, Motion: Request to install blinking STOP signs at the 4-WAY STOP at Wood Lane and Hazelwood Lane be received and placed on file because Brown County has jurisdiction over the intersection STOP signs. (Referred from Green Bay City Council.) Refer to staff to develop options.
5. Communication from Supervisor Dave Kaster re: To develop a set of regulations related to the operation of electric vehicles within Brown County. (Referred from March County Board.) Receive & place on file.
6. Communication from Supervisor Dave Kaster re: to lower the speed limit on County "JJ" (Eaton Road) to 35 mph from the roundabout (Cottage Road) west to the present 35 mph speed limit ASAP. (Referred from March County Board.) Approve lowering the speed limit on County "JJ" to 45 mph while directing staff to continue to monitor the area.

7. Property Listing - Annual Report. Receive & place on file.
8. Property Listing - Budget Status Financial Report (December 31, 2006). Receive & place on file.
9. Planning Commission - Request for staff updates on recommendations and development options on the excess land east of the current jail site. (Standing item for every committee meeting.) Refer development of a master plan to staff for the excess land east of the County Jail, along with goals and objectives for 2007.
10. Planning Commission - Resolution re: Authorizing an Application for a Wisconsin Community Development Block Grant for Economic Development from the Wisconsin Dept of Commerce. To conditionally approve contingent on the development of Nutrient Management Plan with Land Conservation staff. See Resolutions, Ordinances April County Board.
11. Planning Commission - Budget Status Financial Report for December 31, 2006. Receive & place on file.
12. Airport - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
13. Zoning - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
14. Register of Deeds - Budget Status Financial Report attached for December 31, 2006. Receive & place on file.
15. UW-Extension - Budget Status Financial Report for December 31, 2006. Receive & place on file.
16. Audit of bills. Approve audit of bills.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 4/25/2007

**No. 8g -- REPORT OF PUBLIC SAFETY COMMITTEE OF APRIL 4, 2007**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:



The PUBLIC SAFETY COMMITTEE met in regular session on April 4, 2007, and recommends the following motions:

1. Review minutes/reports:
  - a) Criminal Justice Coordinating Board (2/27/07). Receive & place on file.
2. Discussion re: Location of Public Safety Center Communications Building. (Requested by “Nubs” De Cleene, President, Village of Ashwaubenon.) Receive & place on file.
3. Clerk of Courts - Update of internet payments for fines (Neil Basten). Receive & place on file.
4. Clerk of Courts - Achievements & goals for Clerk of Courts. Forward Clerk of Courts goals to County Board Chairman.
5. Clerk of Courts - Budget Status Financial Report for December 31, 2006. Receive & place on file.
6. Approve FoxComm RFP (Karen Carlson from FoxComm). Approve.
7. Communication from Supervisor Tony Theisen re: Request of Craig Coleman to address the Public Safety Committee regarding Juvenile Secure Detention. (Referred from March County Board.) Receive & place on file.
8. \*\* Communication from Supervisor John Vander Leest re; Request for the Brown County District Attorney provide a written memo detailing the policy changes on bond amounts for sex offenders and increased bond amounts for crimes committed by illegal immigrants. (Referred from March County Board.) Receive & place on file.

\*\* REFER ITEM #8 BACK TO COMMITTEE AS PER THE COUNTY BOARD ON 4/18/2007.

9. Communication from Supervisor John Vander Leest re: Request for the Sheriff to provide an update on the planned contribution to the Ashwaubenon Public Safety building. (Referred from March County Board.) Receive & place on file.
10. Volunteers in Probation - Monthly Statistics for end of February January 2007 (ending 1/31/07). Receive & place on file.
11. Teen Court - February 2007 Teen Court Stats. Receive & place on file.
12. District Attorney - Communication from Supervisor Guy Zima re: Request Public Safety Committee and County Board consider developing a web site to identify persons in our community who are convicted of using illegal drugs. (Held from previous meeting.) Hold for 30 days for a model and to invite the Drug Task Force to attend the next meeting.
13. District Attorney - Update on status of Supervisor Nicholson’s request for involvement with the VIP Program – District Attorney’s Office. (Held from previous meeting.) Receive & place on file.
14. District Attorney - Request for Budget Transfer (06-87): Interdepartmental Transfer (including contingency or general fund transfers): Request to transfer \$21,563 from general fund to cover 2006 deficit in District Attorney’s Office. (Held from previous meeting until final figure is received.). Hold for one month for audit completion, then approve payment of \$122,172.00.
15. District Attorney - Achievements & Goals for District Attorney. Receive & forward to County Board Chairman.
16. District Attorney - Budget Status Financial Report for December 31, 2006. Receive & place on file.
17. \*\* Emergency Government - Ordinance re: To Repeal, Recreate and Rename Chapter 7 of the Brown County Code entitled “Emergency Government.” (Held from previous month.) Committee approved. See Resolutions, Ordinances April County Board.

\*\* REFERRED ITEM #17 BACK TO COMMITTEE AS PER THE COUNTY BOARD ON 4/18/2007. (SEE ORDINANCE #9G.)

18. Emergency Government - Request for Budget Transfer (#07-18): Increase in Expenditures with Offsetting Increase in Revenue: Remainder of 2005-2006 Citizens Corps Grants (\$4,825.75) to continue education & training of Citizen Corps program. Remainder of 2005-2007 Pre-Disaster Mitigation Grant (\$22,475.47) to develop an All-Hazards Mitigation Plan to help County determine how to reduce or eliminate the loss of life & property damage resulting from natural & manmade hazards. Approve.
19. Emergency Government - Request for Budget Transfer (#07-19): Increase in Expenditures with Offsetting Increase in Revenue: Emergency Management has been awarded a FY 2005 OJA Homeland Security Grant in the amount of \$16,164.81 to purchase P25 compliant portable radios for Pulaski Tri-County Fire & Pulaski Police Department. Approve.
20. Emergency Government - Request for FY 2006 Homeland Security Grant Application: 2006 Citizen Corps Grant (\$6,000). Approve.
21. Emergency Government - Request for FY 2006 Homeland Security Grant Application: Civilian Emergency Response Team Training (\$2,500). Approve.
22. Emergency Government - Salary compensation for Emergency Management director. (Held for two months for completion of reclassification with understanding it will be retroactive.) Referred to Executive Committee. Committee approved. See Resolutions, Ordinances April County Board.
23. Sheriff - Information re: Training of local police officers re: ICE (Immigration & Customs Enforcement). Receive & place on file.
24. Sheriff - Key Factor Report 2006 with Jail Average Daily Population by month and Overtime Expenditures by Division/Section 2006. Receive & place on file.
25. Sheriff - Key Factor Report through February 2007 with Jail Average Daily Population by month and Overtime Expenditures. Receive & place on file.
26. Sheriff - Monthly Budget Financial Status Report for December 31, 2006. Receive & place on file.
27. Sheriff - Achievements & goals for Sheriff's department. Receive & forward to County Board Chairman.
28. Sheriff - report. Receive & place on file.
29. Public Safety Communications - Memo from Mike Kwaterski, Human Resources Director, re: Communications Supervisors – 12 hour shift. Hold for one month.

30. Public Safety Communications - Resolution re: Sheriff's Department/Public Safety Division Schedule Change for Communication Supervisors. (Referred to Executive Committee.) Hold for one month.
31. Public Safety Communications - Department Report of Accomplishments for 2006 and Goals for 2007. Receive & forward to County Board Chairman.
32. Public Safety Communications - Monthly Budget Financial Status Report for December 31, 2006. Receive & place on file.
33. Circuit Courts - Memo from Judge J. D. Mc Kay re: Achievements & Goals. Receive & forward to County Board Chairman.
34. Circuit Courts - Budget Status Financial Report for December 31, 2006. Receive & place on file.
35. Medical Examiner - Achievements & Goals for Medical Examiner. Receive & forward to County Board Chairman.
36. **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.)
37. Audit of bills. Approve audit of bills for payment.

A motion was made by Supervisor De Wane and seconded by Supervisor Warpinski **"to adopt"**. Voice vote taken. Supervisor Vander Leest requested item #8 be taken separately. Remainder of report carried unanimously with no abstentions.

Item #8 -- Communication from Supervisor John Vander Leest re: Request for the Brown County District Attorney provide a written memo detailing the policy changes on bond amounts for sex offenders and increased bond amounts for crimes committed by illegal immigrants. (Referred from March County Board.) COMMITTEE ACTION: Receive and place on file.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Warpinski **"to refer back to Public Safety Committee"**. Voice vote taken. Motion carried unanimously with no abstentions. County Board Chairman Lund urged Supervisors that, when they refer an item back to Committee, that they make every attempt to attend the meeting to address the item they referred.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 4/25/2007

**No. 9a -- RESOLUTION REGARDING: REQUESTING STATE OF WISCONSIN FULLY FUND THE STATE'S CHILD SUPPORT PROGRAM**

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

Ladies and Gentlemen:

WHEREAS, Wisconsin counties are mandated to administer Child Support Enforcement Programs on behalf of the State and Federal government, providing services to its residents including paternity establishment, obtaining child support and health insurance orders, and enforcing and modifying those orders; and

WHEREAS, Federal cost reimbursement covers 66% of administrative costs of the child support program, which means that the Federal Government matches local expenditures at a rate of roughly \$2 for every \$3 spent; and

WHEREAS, the Deficit Reduction Act of 2005, approved by Congress and signed by the President, reduces Child Support Enforcement funding by no longer allowing counties to use Federal Performance Incentive Funding as local match to offset the cost of operating their Child Support Enforcement Agencies; and

WHEREAS, this change goes into effect with the beginning of the Federal Fiscal Year on October 2, 2007; and

WHEREAS, the full impact of this change takes place in 2008 when the County would have to either make \$1,145,016 in program cuts to make up for the inability to claim incentive matching funds, or provide additional local tax levy of \$381,672 to maintain programs at 2007 levels; and

WHEREAS, Brown County believes it is the State's responsibility to fully fund its mandated programs, especially if it continues to place local governments under levy limits; and

WHEREAS, decreased Federal funding will mean reductions in Child Support Enforcement staff and services, reduced Child Support collections made on behalf of single-parent families, greater reliance on Income Maintenance Programs and will place an unfair burden on the taxpayers of Brown County.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby requests that the Governor place adequate funding in the State Budget in order to fully fund the reduction in Federal revenues.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, Members of the Legislature representing Brown County, the Secretary of the Wisconsin Department of Administration, and the Wisconsin Counties Association.

Respectfully submitted,  
LEGISLATIVE SUB-COMMITTEE  
ADMINISTRATION COMMITTEE  
EXECUTIVE COMMITTEE

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

Approved by:           \s\ Tom Hinz, County Executive           Date: 4/25/2007

**No. 9b -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY HUMAN SERVICES PROFESSIONAL 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 two (2) year labor agreement on behalf of Brown County with the Brown County Human Services Professional Employees for the years 2007-2008 effective January 1, 2007, which agreement shall provide the following major changes from the 2004-2006 labor agreement.

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

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

1. ARTICLE 11.1 Health and Dental Insurance.

Based on the 2007 HSP enrollments should the number fall below 10% of total Brown County Human Services Professional Employees taking the health insurance plan, the HSP will discontinue on January 1, 2008.

Employees hired after May 1, 2007 be offered the PPO plan.

The following changes to the PPO plan are effective Midnight May 1, 2007.

- PPO ambulance usage for medically necessary events will be paid at 95%.
- There will be a ~~\$25~~ \$50 penalty charged for non-emergency use of the emergency room. Emergency (defined as): An acute, sudden onset of a sickness or bodily injury which is life threatening or will significantly worsen without immediate medical or surgical treatment. (Regardless of final diagnosis).

Effective May 1, 2007 a 3 - tier formulary will be followed for all prescriptions:

- A 3 – tier formulary will be followed for all prescriptions:
  - 20% Generic - 20% employee co-pay (no change)
  - 25% Preferred - 25% employee co-pay plus cost difference
  - 25% + \$15 Non-preferred surcharge – 25% employee co-pay + cost difference + \$15.00

The PPO out-of-network deductible will change effective 12/31/07 as follows:

Individual from \$200.00 to \$250.00  
 Family Aggregate from \$600 to \$700

2. ARTICLE 12. Wisconsin Retirement System.

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

3. ARTICLE 19. Long Term Disability  
Revise lines 457-460 as follows:

Long-term disability - Brown County’s Long Term Disability (LTD) Plan provides for eligible employees, employees who work ~~to~~ 17.5 hours or more per week, to receive two-thirds pay after 180 days of disability to age 65 with offsets for Social Security disability benefits, Wisconsin Retirement System Disability benefits, and Worker’s Compensation benefits.

1. ARTICLE 26. Seniority  
Add the following beginning line 594

If two or more employees are hired on the same day seniority shall be determined by the alphabetical order of the employee’s last name on the date of hire, from A-Z.”

2. ARTICLE 27: Job Posting  
Add the following beginning line 624

The County agrees to provide the H.S. Professionals President notice of all new hires, all retirements, and terminations of employment. The County Further agrees to notify the H.S. Professionals President of any temporary assignments of employees under Article 27.

ARTICLE 33. Duration of Agreement  
Modify the following beginning line 684

This Agreement shall become effective as of January 1, ~~2004~~ 2007 and shall remain in force and effect to and including December 31, ~~2006~~ 2008 and shall renew itself for additional one (1) year periods until and unless either party, prior to June 1, before the expiration of this Agreement and the expiration of any of its renewal dates, notifies the other party in writing that it desires to alter or amend the same at the end of the Agreement.

It is understood and agreed that if any article or portion of this Agreement is in conflict with the statutes of the State of Wisconsin governing municipalities, such article or portion shall be declared invalid and negotiations shall be instituted to adjust such article or portion.

SCHEDULE A.

Stand By Pay Correct line 823 to read as follows:

“... shall receive stand-by pay of \$60.00 ~~for a half day~~; for a half day holiday, the employee will receive stand-by ...”

**Wages**

Revise to reflect a 1.5% increase effective 12/31/06 and a 1.5% increase effective 7/01/07.  
Revise to reflect a 1.5% increase effective 12/30/07 and a 1.5% increase effective 06/29/08.

**MEMORANDUMS OF UNDERSTANDING:**

- a) Christmas Eve and New Year’s Eve - Re-sign.
- b) VEBA Account - Update and re-sign.
- c) Qualifications - New

Respectfully submitted,  
EXECUTIVE COMMITTEE

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

Approved by:           \s\ Tom Hinz, County Executive                                Date: 4/25/2007

**No. 9c --            ORDINANCE REGARDING: TO AMEND SEC. 1.23(F) OF THE BROWN COUNTY CODE ENTITLED “MEETINGS, AGENDAS”**

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

Ladies and Gentlemen:

The Brown County Board of Supervisors does ordain as follows.





WHEREAS, the fishing tournament/event fee proposal would have a direct negative impact on the tourism-based businesses in and around the tournament area, contrary to the information provided by the Wisconsin Department of Natural Resources information of no impact anticipated; and

WHEREAS, the fishing tournament/event fee proposal would have a direct negative effect on lake associations, communities, service organizations, and local businesses' ability to carry on traditional events, fundraising events, as well as the additional cost that would impact tourists' and the local population's decision whether or not to participate; and

WHEREAS, the proposed fishing tournament/event fee proposal could be construed as an additional tax or surcharge on a specific segment of the fishing community; and

WHEREAS, the Wisconsin Department of Natural Resources has not provided the public with any specific detail as to the allocation of funds collected via the fishing tournament/event fee proposal; and

WHEREAS, the Wisconsin Department of Natural Resources law enforcement presence has been minimal, at best, in the past fishing tournaments/events due to the great running best management practices by the organizers of the event; and

WHEREAS, event organizers have been diligent in enforcing the existing laws related to fishing in Wisconsin waters and in supervising their tournament/event participants.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it opposes any further regulation or fees on the well-regulated and administered practice of fishing tournaments.

BE IT FURTHER RESOLVED that any additional involvement of the Wisconsin Department of Natural Resources in these locally controlled events are a part of the statutory charge of the Legislature, in the tradition of the Public Trust Doctrine, which states that all the waters of Wisconsin belong to all the people of Wisconsin, and all cost for administration, regulation, enforcement or study should be covered by the \$1,000,000,000.00 plus budget already assessed and designated.

Respectfully submitted,  
LEGISLATIVE SUB-COMMITTEE  
EXECUTIVE COMMITTEE

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

Approved by:           \s\ Tom Hinz, County Executive          

Date: 4/25/2007



WHEREAS, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Planning, Development and Transportation committee has recommended that an application be submitted to the State of Wisconsin for the following project:

Country Aire Farms, LLC, loan of \$200,000 to purchase 700 cows.

To keep and maintain six (6) existing full time positions and to create up to six (6) new full time positions.

Over \$3.1 Million in new private investment.

\$6,000 in Administration funds will be provided to the Planning Development, and

WHEREAS, it is necessary for the Brown County Board of Supervisors to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the Brown County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

\*\* ADD THE FOLLOWING PARAGRAPH AS PER THE COUNTY BOARD ON 4/18/2007.

*WHEREAS, the Brown County Board of Supervisors approve the grant on the condition that a nutrient management plan be developed that includes additional animal units. The Planning Department has agreed to hold the check from the Wisconsin Community Development Block Grant for Bud Gerrits until Land Conservation Department receives a Nutrient Management Plan that accounts for additional Animal Units and the land needed for safe land application."*

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named project; and the County Executive is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Brown County Planning Department to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

**Fiscal Impact:** Not Applicable

Respectfully submitted,  
PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Fleck and seconded by Supervisor Erickson **"to adopt"**.

A motion was made by Supervisor Erickson and seconded by Supervisor Dantine "to amend by adding -- Approve the grant on the condition that a nutrient management plan be developed that includes additional animal units. The Planning Department has agreed to hold the check from the Wisconsin Community Development Block Grant for Bud Gerrits until Land Conservation Department receives a Nutrient Management Plan that accounts for additional Animal Units and the land needed for safe land application". Voice vote taken. Motion carried with Supervisor Clancy abstaining from the vote.

Approved by: \s\ Tom Hinz, County Executive Date: 4/25/2007

**ATTACHMENT TO RESOLUTION #9F**

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**GRANT APPLICATION REVIEW**

Date: 3/19/07 Grant # (if applicable):  
Grant Title: Milk Volume Production/Community Development Block Grant for Economic Development (MVP-E)  
Granting Agency: Wisconsin Department of Commerce  
Grant Period: 5/07 to 12/07

**Brief Description of Activities/Items Proposed Under Grant:**

I have attached a letter that I have received from Chris Schiffner of the Wisconsin Department of Commerce informing Brown County of a preliminary commitment to Country Aire Farms, LLC for a Milk Volume Production/Community Development Block Grant for Economic Development. The project will include a grant to Brown county for \$206,000. These funds will be used to provide a \$200,000 loan to country Aire Farms, LLC to purchase 700 cows for their dairy farm located in Greenleaf, WI (Town of Holland) and \$6,000 to the Brown County Planning Commission for administrative expenses associated with the grant.

\$ Amount of Grant (in each year): \$206,000 Term of Grant: Single Project in 2007  
This is a new grant or a continuation of an existing grant: X New X Continuation  
If a continuation, how long have we received the grant? New project but we've received grants since 1984.  
Are the activities funded under the grant consistent with Executive/Board priorities and intent? Yes  
No  
Are the activities proposed under the grant mandated or statutorily required? Yes No  
Will the grant fund new or existing positions? Yes No If yes, explain (Note: grant-funded positions are limited-term staff):

Are matching resources required? Yes No If so, what is the amount of the match and how will the requirement be met? Country Aire Farms, LLC will patch the grant with \$3.1 Million in private investments.

Explain any ongoing cost to be assumed by the County (i.e., maintenance costs, software licenses, etc.): Loan repayment and job creation monitoring. The grant includes \$6,000 to cover administrative expenses associated with the grant program.

Explain any maintenance of efforts once the grant ends: Loan repayment and job creation monitoring. The grant includes \$6,000 to cover administrative expenses associated with the grant program.

**APPROVALS**

\s\ Charles Lamine  
*(Signature of Department Head)*

\s\ Lynn A. Vanden Langenberg  
*(Signature of Director of Administration)*

Date: 3/19/07

Date: 3/20/07

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**LETTER FROM WISCONSIN DEPARTMENT OF COMMERCE  
TO CHUCK LAMINE, BROWN COUNTY PLANNING AND LAND SERVICES**

March 15, 2007

Chuck Lamine  
Brown County  
305 E. Walnut Street, Room 320  
PO Box 23600  
Green Bay, WI 54301

Dear Chuck:

I have been working with Country Aire Farms, LLC on its economic development project in your community. The project has received a preliminary commitment from the Department of Commerce. A copy of this commitment letter, which details the terms and conditions of Commerce's financing, is enclosed.

In order to keep this project on schedule, I have also enclosed information which will need to be completed by the community as soon as feasible. Specifically, I have included information on:

- 1.) Environmental Review Record
- 2.) Citizen Participation Plan (CPP)
- 3.) Application Manual
- 4.) Revolving Loan Fund (RLF) Manual
- 5.) Award Implementation Handbook

6.) Depository Certification and Financial Management Designation

This information will give you an understanding of the items that need to be completed by your community for the applicant and implementation of this Community Development Block Grant for Economic Development (CDBG-ED) project. Also, keep in mind that Brown County will receive \$6,000 to assist with the administrative costs of the project if the project is awarded. If the community chooses to hire an outside consultant to assist it with the administration of this project, other than a Regional Planning Commission, it must seek a minimum of three quotes or follow its procurement policy if it is more restrictive than this. Administrative activities occurring prior to the date of the enclosed commitment letter are not eligible for reimbursement from the CDBG-ED award.

I am available to answer any questions you have regarding this project. Please feel free to contact me at 608/267-2425.

Sincerely,  
Chris Schiffner  
Business Finance Specialist

RECEIVED: March 19, 2007  
Brown County Planning and  
Land Services

**LETTER FROM WISCONSIN DEPARTMENT OF COMMERCE  
TO MICHAEL GERRITS, COUNTRY AIRE FARMS, LLC**

March 2, 2007

Michael Gerrits  
Country Aire Farms, LLC  
1751 Hill Road  
Greenleaf WI 54126

Dear Mr. Gerrits:

On behalf of Governor Jim Doyle and Secretary Mary Burke, thank you for the opportunity to review your proposed project. Based upon the information provided to my staff, it is my understanding that Country Aire Farms, LLC is proposing to invest approximately \$3.1 million to expand its dairy farm. Furthermore, in addition to increasing milk production in the state of Wisconsin, the Project is expected to create up to Six (6) new positions with an average wage of \$8.83 per hour in Greenleaf, Wisconsin.

To assist with this project, the Wisconsin Department of Commerce (Commerce) proposes to provide the following:

**I. MILK VOLUME PRODUCTION/COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT (MVP-E)**

**BORROWER:** Country Aire Farms, LLC  
**LOAN AMOUNT:** Up to Two Hundred Thousand and 00/100 Dollars (\$200,000.00)

The loan would be provided through a grant to Country Aire Farms, LLC (“Municipality”), which, in turn, would loan the funds to the Borrower. The Municipality would also receive \$6,000 to administer the loan.

**USE:** Purchase 700 cows.

**INTEREST RATE:** Two (2) percent.

**REPAYMENT:** The loan shall be for a term of seven years with payments of principal and interest deferred for the first year, followed by interest only payments during the second year. All principal and accrued interest will be amortized over five years with equal monthly payments of principal and interest to begin the third year.

**COLLATERAL:** A subordinate position Farm Security Agreement on all assets now owned or hereinafter acquired.

**GUARANTOR(S):** The Unlimited Personal guaranty of Tom and Michael Gerrits, and any other shareholder with 20% or more ownership interest.

**JOBS:**

- (1.) **Job Retention and Creation:** The Borrower will be required to:
  - (a.) Keep and maintain Six (6) existing Full Time positions that the Borrower has in Greenleaf, Wisconsin through December 31, 2009, which shall be the threshold for determining the Borrower’s compliance with the job creation requirement below.
  - (b.) Create Six (6) new Full Time positions with an average wage of \$8.83 per hour in Greenleaf, Wisconsin by December 31, 2007 and, thereafter, maintain each of these new positions until December 31, 2009.
- (2.) **LMI Requirement:** The Borrower will be required to ensure that at least 51 percent of all new positions are made available to persons with low to moderate income. The phrase “made available to persons with low to moderate income” means that the Borrower will be required to post position openings with the Wisconsin Department of Workforce Development ([www.dwd.state.wi.us/dws/directory](http://www.dwd.state.wi.us/dws/directory)), the local Job Service Office or the local Private Industry Council. Should the Borrower fail to post these positions with one of the above agencies the Borrower shall pay a penalty of \$1,000.00.

**DAIRY HEARD MAINTENANCE:**

(1.) **Dairy Herd Maintenance Guaranty:**

(a.) The Borrower shall keep and maintain One Thousand Sixty Five (1,065) existing cows that the Borrower has in Greenleaf, Wisconsin by December 31, 2009, which shall be the threshold for determining the Borrower's compliance with the paragraph below.

(b.) The Borrower shall purchase Seven Hundred (700) additional cows in Greenleaf, Wisconsin by December 31, 2007, and thereafter shall maintain One Thousand Seven Hundred Sixty Five (1,765) cows in Greenleaf, Wisconsin until December 31, 2009.

(2.) **Dairy Herd Maintenance Penalty (Interest Escalation):**

If Commerce in its reasonable discretion, determines that the Borrower has failed to add at least Seven Hundred (700) additional cows in Greenleaf, Wisconsin, then for each additional cow that the Borrower fails to purchase, keep or maintain, whichever the case may be, the annual interest rate charged on Commerce's loan shall be increased retroactive to the date of distribution .57 basis points within thirty days of Commerce's determination on nonperformance. The term basis point shall mean one-hundredth of one percent. One hundred basis points shall mean one percent. The maximum penalty under this section shall be Four (4.0) percent.

**II. OTHER CONDITIONS**

The loan would be subject to the following:

(1.) The approval of the application by Commerce and any applicable Board.

(2.) The execution and delivery of all standard documents as required by Commerce.

(3.) The Borrower receiving a firm commitment for all its other financing needs, including working capital.

(4.) The Borrower agreeing that, in accordance with §560.075(2), the Project will not be relocated outside of Wisconsin for a minimum of five years from the date of the award.

(5.) There being no material adverse change in the Project between now and the funding of the award.

(6.) This commitment represents the extent of Commerce's participation in the project. Any future requests to Commerce regarding assistance for this project will take into account the participation identified above.



(7.) In signing this document, you agree to consult Commerce before seeking publicity for the project in the news media, or conducting an event to publicize the project. Please contact Tony Hozeny, Commerce's Communications Director, at (608)267-9661 on any issues related to publicity. **Note:** This restriction does not apply to the publication of notices for hearings required for projects funded by the Community Development Block Grant Program.

**III. EXPIRATION DATE:** Commerce's proposal will expire automatically unless it is accepted by signing below and faxing it back to Commerce at 608/267-2829, attention: Chris Schiffner by noon, March 30, 2007.

In closing, Governor Doyle and Secretary Burke are firmly committed to doing everything possible to expedite the processing and awarding of this incentive package. Should you have any questions about Commerce's proposal, please contact Chris Schiffner at 608/267-2425.

Sincerely,  
\_\_\_\_\_  
\s\ Pamela Christenson  
Acting Division Administrator

cc: Jim Doyle, Governor

**ACCEPTANCE OF TERMS AND CONDITIONS:**

I have read and agree to the terms and conditions in this letter dated March 2, 2007:

\_\_\_\_\_  
\s\ Michael J. Gerrits (Partner)  
(Signature and Title)

\_\_\_\_\_  
March 10<sup>th</sup>, 2007  
(Date)

\_\_\_\_\_  
Michael J. Gerrits Partner  
(Type or Print Name and Title Signed Above)

**No. 9g -- ORDINANCE REGARDING: TO REPEAL, RECREATE AND RENAME CHAPTER 7 OF THE BROWN COUNTY CODE ENTITLED "EMERGENCY GOVERNMENT"**

A motion was made by Supervisor Kaye and seconded by Supervisor De Wane "to refer to Public Safety Committee". After discussion a voice vote was taken. Motion carried unanimously with no abstentions.

**No. 9h -- RESOLUTION REGARDING: APPROVING RECLASSIFICATION OF EMERGENCY MANAGEMENT DIRECTOR POSITION**

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

Ladies and Gentlemen:

WHEREAS, a request for reclassification was submitted in January, 2007 by the Emergency Management Director for a review of his position due to a significant change in job duties being performed;

WHEREAS, a study of the Emergency Management Director position was completed by the Human Resources Department, and it was determined that the Emergency Management Director has had a significant change in job duties which include the following: writing, administering and overseeing grants; providing technical assistance to local fire, police, EMS and non-governmental organizations on the planning and implementation of the National Incident Management Systems; developing, coordinating and facilitating Homeland Security exercise evaluation reports for homeland security tabletop functional and full scale exercises; and

WHEREAS, the Human Resources Department after conducting a thorough study of the job duties of the Emergency Management Director recommends that the position be moved from pay grade 18 to pay grade 20.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Emergency Management Director position be reclassified from pay grade 18 to pay grade 20, step 2, \$56,342 and with an effective date of January 15, 2007 when the request was received in the Human Resources Department.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE  
EXECUTIVE COMMITTEE

**Fiscal Impact Salary & Fringe benefits**

	<u>Current</u>	<u>Proposed</u>	<u>Difference</u>
Emergency Management Director Salary	\$49,329	\$56,342	\$7,013
Fringe	\$25,700	\$27,270	\$1,570
			\$8,583

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

Approved by:           \s\ Tom Hinz, County Executive           Date: 4/25/2007

**No. 10 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW. None.**

**No. 11 -- BILLS OVER \$5,000 FOR:**

- a) **PERIOD ENDING FEBRUARY 28, 2007 (last month’s County Board agenda had bills from wrong year.)**

**b) PERIOD ENDING MARCH 31, 2007**

A motion was made by Supervisor Johnson and seconded by Supervisor Backmann **“to take 11a and 11b together”**. Voice vote taken. Motion carried unanimously to pay the bills over \$5,000.

**No. 12 -- CLOSED SESSION**

A motion was made by Supervisor Haefs and seconded by Supervisor Kaster **“to go into closed session”**. Supervisor Hoeft asked to be excused from the closed session. Vote taken. Roll Call #12(1):

Ayes: Warpinski, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Dantinne, Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, Zabel, Scray, Lund, Fewell

Nays: De Wane, Nicholson, Johnson, La Violette

Abstain: Hoeft

Excused: De Cleene

Total Ayes: 20      Total Nays: 4      Abstained: 1      Excused: 1

Motion carried to enter into Closed Session.

The County Board, except Supervisors De Cleene and Hoeft went into closed session along with Darlene Marcelle, County Clerk; Sandy Juno, Chief Deputy County Clerk; County Executive Tom Hinz and Corporation Counsel, John Jacques.

A motion was made by Supervisor La Violette and seconded by Supervisor Backmann **“to return to the regular order of business”**. Voice vote taken. Motion carried with Ayes: 23; Nays: 0; Abstain: Nicholson and Excused: Hoeft and De Cleene.

After returning to Open Session, Supervisor Hoeft took her seat.

**No. 12 -- CLOSING ROLL CALL:**

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

Excused: De Cleene

Total Present: 25                      Total Excused: 1

**No. 13 -- ADJOURNMENT TO WEDNESDAY, MAY 16, 2007 AT 7:00 P.M., LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.**

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

Meeting adjourned at 10:10 p.m.

          /s/ DARLENE K. MARCELLE  
Brown County Clerk