

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
AUGUST 16, 2006

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, August 16, 2006, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

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

Total Present: 26

**PRESENTATION OF COMMENDATION
HONORING RICH NELSON
FOR HIS SERVICE TO BROWN COUNTY**

No. 1 -- Adoption of Agenda.

County Clerk Darlene Marcelle announced that Resolution 9b will be added to the agenda.

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

No. 2 -- Approval of minutes of County Board of July 19, 2006.

A motion was made by Supervisor Erickson and seconded by Supervisor Warpinski **“to adopt the minutes of the July 19, 2006 County Board Meeting”**.

Discussion followed with a motion by Supervisor Fewell and seconded by Supervisor Zima **“to remove the County Executive’s comments and have them included as a separate document”**. Vote taken.

Roll Call #2(1):

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

Nays: Zabel

Total Ayes: 25 Total Nays: 1

Motion carried.

After discussion, a motion was made by Supervisor Zima and seconded by Supervisor Nicholson **“to refer the approval of the minutes of July 19, 2006 to the Executive Committee”**. Vote taken. Roll

Call #2(2):

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

Nays: Haefs

Total Ayes: 25 Total Nays: 1

Motion carried.

No. 3 -- Announcements of Supervisors.

Supervisor Johnson announced the Brown County Fair starts August 16, 2006 thru Sunday, August 20th. She encouraged people to attend.

Supervisor Theisen stated that in an attempt to improve meeting procedure, we need proper "point of order" and requested Corporation Counsel to give proper direction to the County Board.

Supervisor Nicholson announced that Ss. Peter and Paul Parish's Church Picnic will be held on Sunday, August 20th, and invited all to attend.

Supervisor Evans announced that Annunciation Parish's Church Picnic will be held this Sunday. Annunciation is located at the intersection of Gray Street and Kellogg Street. He invited all to attend.

Supervisor Krueger announced that on Sunday, August 20, 2006, at 12:30 p.m., there will be a Veterans' presentation at the Brown County Fair. He invited all to attend.

Supervisor De Cleene requested a moment of silence in memory of the fallen City of Green Bay firefighter, who perished in a fire while on duty over the weekend.

No. 4 -- Communications. None.

No. 5 -- Appointments by County Executive.

No. 5a -- Appointment of Patty Hoeft to Human Services Board.

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

No. 5b -- Appointment of Alan Lasee and reappointment of Giles Tassoul and Margaret Jensen to Professional Football Stadium District.

A motion was made by Supervisor Dantine and seconded by Supervisor Van Deurzen **"to approve the above appointment and reappointments"**.

A motion was made by Supervisor Krueger and seconded by Supervisor Zima **"to hold items #5b & #5c for one month until we receive bio's on appointees"**. After discussion, Supervisor Krueger withdrew his motion.

A motion was made by Supervisor Zabel and seconded by Supervisor Evans **"requesting a separate vote on each appointment"**. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Haefs and seconded by Supervisor Theisen **"to approve the appointment of Alan Lasee to the Professional Football Stadium District"**. Voice vote taken. Motion carried with Supervisors Krueger and Fewell voting nay.

A motion was made by Supervisor Haefs and seconded by Supervisor Fewell **"to refer the Giles Tassoul and Margaret Jensen reappointments to the next County Board meeting"**. Voice vote taken. Motion carried with Supervisors Backmann and Dantine voting nay.

No. 5c -- Reappointment of Charles Rhyner and Mike Strenski and appointment of Fred Graves (for remainder of a term) to Solid Waste Management Board.

A motion was made by Supervisor Haefs and seconded by Supervisor Evans **“to refer Charles Rhyner and Mike Strenski reappointments to the next County Board meeting”**. Voice vote taken. Motion carried with Supervisors Backmann, Zabel, Dantine and Van Deurzen voting nay.

A motion was made by Supervisor Haefs and seconded by Supervisor Kaye **“to approve the appointment of Fred Graves to Solid Waste Management Board”**. Voice vote taken. Motion carried with Supervisors Krueger, Zima, Fleck, Dantine and Warpinski voting nay.

No. 6a -- Report by County Executive. (None)

No. 6b -- Report by Board Chairman.

Chairman Lund announced that Brown County Board Supervisors Erickson, Evans, Kaye, Johnson and Krueger would be attending services for Green Bay Fire Fighter Arnie Wolff, representing the Brown County Board.

Chairman Lund welcomed Supervisor La Violette back.

No. 7 -- Other Reports. (None)

No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF JULY 25, 2006

**TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS**

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on July 25, 2006, and recommends the following motions:

1. Review minutes of:
 - a. Housing Authority (6/19/06).
Receive & place on file.
2. Review of policy of represented employees union dues check off. (Requested by Supervisor Jack Krueger.) Refer to Executive Committee.
3. Communication from Chair Tom Lund re: Request for Information from Facility Management re: Cost of moving & renovating the 5th floor for the Information Services department. (Referred from July County Board.) Hold for one month.
4. Communication from Supervisor Patrick Evans re: To instruct the Treasurer's Office to investigate the feasibility of creating a Delinquent Taxpayer's website, similar to that the State of Wisconsin has implemented. (Referred from July County Board) Hold for one month.
5. Communication from Supervisor Steve Fewell re: Request review on the Brown County Health Insurance provider contract. Include current progress and if there is a current RFP for 2007, review the approval and award process and request Administration Committee have the opportunity to review the provider contract and vote on the approval of the 2007 contract.
Receive & place on file.
6. Facility Management - Budget Status Financial Report (June 30, 2006). Receive & place on file.
7. Facility Management - Director's report. Receive & place on file.
8. Dept of Administration - Budget Status Financial Report (June 30, 2006). Hold for one month.
9. Dept of Administration - Government Financial Officers Association Award for 2006 Annual Budget. Hold for one month.

10. Dept of Administration - 2006 Budget Transfer Log. Hold for one month.
11. Human Resources - Budget Status Financial Report (June 30, 2006). Receive & place on file.
12. Human Resources - Monthly Committee Report (May 2006). Receive & place on file.
13. Clerk - Budget Status Financial Report (June 30, 2006). Receive & place on file.
14. Clerk's report. Receive & place on file.
15. Audit of bills. Approve the audit of the bills.

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 9/12/2006

No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF AUGUST 3, 2006

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on August 3, 2006 and recommends the following:

1. Review minutes:
 - a) Library Board -- Public Forum (6/22/06).
 - b) Library Board (6/15/06).
 - c) Museum Governing Board (7/17/06).Approve minutes.
2. Communication from Supervisor Tom De Wane re: To look into funding for equipment for an American Dream Field requested by Paul Legois making the park accessible for wheel chairs. (Paul Legois to be at meeting for presentation of his plan.) (Referred from July County Board.) Forward to Administration Committee to consider donation.
3. NEW ZOO - Budget Financial Status Report for June 30, 2006. Receive & place on file.
4. NEW Zoo - Monthly Activity Reports. Receive & place on file.
5. Golf Course - Golf Report (July 6, 2006). Receive & place on file.
6. Golf Course - Daily Financial & Attendance Report (July 16, 2006). Receive & place on file.
7. Golf Course - Budget Financial Status Report (June 30, 2006). Receive & place on file.
8. Golf Course - Commendation to Rich Nelson re: Organizer and promoter of Brown County Children's Charity Golf outing for past three years. Approve.
9. Golf Course - Superintendent's report. Receive & place on file.
10. Parks - Discussion on possible park closures, example, Way-Morr Park. (Requested by Supervisor Kathy Johnson.) Hold for one month.
11. Parks - Update on major projects. Receive & place on file.
12. Parks - Budget Status Financial Report for June 30, 2006. Receive & place on file.
13. Parks - Request for Budget Transfer (06-47): Increase in Expenditures with Offsetting Increase in Revenue: Request \$15,000 be utilized from the Cross County Special Revenue Account to replace track cleats on the trail grooming machine. Approve.
14. Parks - Update on budget initiative determination of "Shared Park Management." Hold for one month (#'s 10 & 14 taken together).
15. Parks - Request to establish a \$5 special permit fee for activities in the parks. Approve.

16. Parks - Approval to purchase land adjoining Neshota Park for Parking lot renovation. Approve.
17. Parks - Director's report. Receive & place on file.
18. Arena Event Attendance (June 2006). Receive & place on file.
19. Arena - Update on necessary repairs on Arena roof and update on roof legal action. (Requested by Supervisor Kathy Johnson.) Receive & place on file.
20. Library - Proposals:
 - a) To add a clause to Section 3.14 "Budget Transfers" of the Brown County Code of Ordinances. To add a clause to Section 3.14 "Budget Transfers" of the Brown County Code of Ordinances stating that all transfer requests from the Brown County Library Board under Category 2 transfers and Category 3 transfers be made at the discretion of the Brown County Library Board, in compliance with s.43.58(1) of the Wisconsin Statutes. Referred to Administration Committee August 29, 2006 & to Executive Committee September 11, 2006.
 - b) To amend A-7 Budget Carryover of the Brown County Administrative Policies and Procedures. That budget carryover requests from the Brown County Library Board need not be approved through County Board action, nor be processed through the Administration Department in compliance with Chapter [s.43.58(1)] of Wisconsin Statutes. Referred to Administration Committee August 29, 2006 & to Executive Committee September 11, 2006.
21. Library - Budget Financial Status Report (June 30, 2006). Approve.
22. Library - report. Approve.
23. Museum - Attendance & Admissions (June 2006). Approve.
24. Museum - Budget Financial Status Report (June 30, 2006). Receive & place on file.
25. Museum - Director's report. Receive & place on file.
26. Audit of bills. Approve audit of bills.
27. Closed Session Authorized by Sec. 19.85(1)(e) of the Wisconsin Statutes for the purpose of deliberating, negotiating or conducting other specified public business, whenever, competitive or bargaining reasons require a closed session. (No Closed session held.)

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 9/12/2006

No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF AUGUST 7, 2006

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on August 7, 2006 and recommends the following motions:

1. Presentation by Exterior Auditors Clifton & Gundersen, re: 2005 CAFR. Hold for one month.
2. County Executive report. (No Report given.)
 - a) Budget Status Financial Report (June 30, 2006). Receive & place on file.
3. Internal Auditor Report.
 - a) Budget Status Financial Report (June 30, 2006).
 - b) Other.

- Hold for one month.
4. Review of policy of represented employees union dues check off. (Requested by Supervisor Jack Krueger.) Referred from Administration Committee. Hold for one month.
 5. Update from Human Resources Director, Mike Kwaterski, re: HIPPA inquiry. Receive & place on file.
 6. Communication from Supervisor Kathy Johnson re: Request to put on the September 12, 2006 ballot for a binding referendum for building a new or renovation of the Mental Health Center. (Held from previous meeting.) Hold for one month, change the word "binding" to "advisory" and possibly hold a special meeting on this, if necessary.
 7. Communication from Supervisor Bernie Erickson re: Approximately 18-24 months ago the County Board approved the services of a firm to audit the County phone bills for errors thus generating extra revenue for the County. Supervisor Erickson requests an update on the progress of this firm. (Held from previous meeting.) Hold for one month.
 8. Communication from Supervisor Steve Fewell re: Target Levy projections. To inform all department heads to report to their oversight committees in September what their target levy is and what their plan is to achieve that. Also, that any written information be submitted to the County Board for distribution to the Supervisors.
 9. Communication from Supervisor Steve Fewell re: Bills over \$5,000. Hold for one month.
 10. Communication from Supervisor Steve Fewell re: Brown County Code Violations. Have Corporation Counsel investigate and give a written opinion on all four County Code violations listed in Supervisor Fewell's communication (see attached).
 11. Communication from Supervisor Steve Fewell re: Bidding Process. Ask that we put the Provider Contract for Brown County Employee Self-funded Health Plan out for bid and that this be handled appropriately and brought back to Administration Committee and County Board for final approval.
 12. Communication from Supervisor Jack Krueger re: Communications mailed by County department heads to Board of Supervisors. Approve.
 13. Discussion re: Should County Board leadership hold monthly department meetings with county constitutional officers. Receive & place on file.
 14. **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. (No Closed Session held.)

A motion was made by Supervisor Kaye and seconded by Supervisor Van Deurzen **"to adopt"**.

Supervisor Evans requested Item #11 be taken separately.

Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #11 -- Communication from Supervisor Steve Fewell regarding: Bidding Process.
COMMITTEE ACTION: Ask that we put the Provider Contract for Brown County Employee Self-funded Health Plan out for bid and that this be handled appropriately and brought back to Administration Committee and County Board for final approval.

Mike Kwaterski, Brown County Human Resources Director, stated that the County Board is correct; they (the County Board) did not have the opportunity to vote on Aurora Contract. He stated it is a 5 year contract and can be broken by either party in a 90-day period.

A motion was made by Supervisor Evans and seconded by Supervisor Vander Leest **"to refer to the Administration Committee"**. Vote taken. Roll Call #8c11(1):

Ayes: Evans, Vander Leest, Johnson, Dantine, Scray

Nays: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, La Violette,

Zeller, Kaster, Backmann, Van Deurzen, Fleck, Clancy, De Cleene, Zabel, Hoeft, Lund, Fewell

Total Ayes: 5 Total Nays: 21

Motion “to refer item #11” failed.

A motion was made by Supervisor Johnson and seconded by Supervisor Van Deurzen “to adopt item #11”. Voice vote taken. Motion carried with Supervisor Evans voting nay.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 9/13/2006

ATTACHMENT TO ITEM 8C #10.

Steve Fewell

Brown County Supervisor - District 26

425 Blue Heron Drive, Pulaski WI 54162

(920)822-1221

To: Executive Committee
 From: Supervisor Steve Fewell
 Date: August 1, 2006
 Re: Brown County Code Violations

I am requesting that a fact finding investigation be completed regarding the following Brown County Code violations. It is also the intent of this communication to use this investigation to see that policies are developed and that appropriate steps are taken by the Brown County Board follow through on appropriate corrective actions.

1. The change in the Table of Organization that took place when the Finance Manager position was changed to the Finance Director. The position was re-graded to a higher level, a new job description was written, and a increase in salary but this change was never brought to the Brown County Board for approval.
2. The Brown County Health Plan was not approved by the County Board as required by County Code. This is a multi-million dollar contract without board approval.
3. That the MHC downsizing agreement was entered into with the State and neither the Human Services Committee or the County Board approve this specific change in policy.
4. That changes in the Table of Organization including employee layoffs that last longer than 90 days be approved by the Brown County Executive Committee and full County Board as stated in the Brown County Code.

A motion was made by Supervisor Zabel and seconded by Supervisor Krueger “to take Resolution #9a out of order”. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9a -- RESOLUTION REGARDING: AUTHORIZING FUND RAISING CAMPAIGN AND CONSTRUCTION OF A RESIDENTIAL HOUSING COMPLEX FOR USE BY SYBLE HOPP SCHOOL

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

Ladies and Gentlemen:

WHEREAS, the Brown County Children with Disabilities Education Board (BCCDEB), through its parent organization, has received an offer to engage in a campaign to be commenced and facilitated by the Weyers Foundation; and

WHEREAS, the BCCDEB in concert with the Weyers Foundation is willing to sponsor a fund raising effort to secure necessary materials which would be required to construct a residential housing complex and related facilities without requesting funds from Brown County.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby declares its support to the very worthwhile residential housing complex requested by the BCCDEB and its parent organization as facilitated by the Weyers Foundation and further supports donations from the community to complete this project and supports its construction.

Fiscal Impact: Not Applicable.

Respectfully submitted,
HUMAN SERVICES COMMITTEE

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 9/7/2006

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

No. 8d -- REPORT OF HUMAN SERVICES COMMITTEE OF AUGUST 2, 2006

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on August 2, 2006, and recommends the following motions:

1. Review minutes of:
 - a) Human Services Board (7/6/06).
 - b) Board of Health (3/20/06 & 4/24/06)
 - c) Children with Disabilities Education Board (6/14/06).
 - d) Community Options Program Appeals Cmte (7/24/06).
 Receive & place on file.
2. Informational - Brian Schoeneck from the Wisconsin Association of Homes & Services for the Aging to speak at Special Human Services Committee meeting on Wednesday, August 16, 2006 prior to County Board meeting at 5:00 p.m. No action.
3. Communication from Supervisor Steve Fewell re: Mental Health Center Downsizing Agreement. Direct Supervisor Fewell share this information with Chairman Lund and that Chairman Lund obtain an outside legal opinion on this.
4. Communication from Supervisor Guy Zima re: Human Services Committee to review staffing at the Brown County Mental Health Center in regard to allegations that the administration has ordered that replacement staff is not to be called into fill in for staff that are out on sick leave or

1. Presentation by Brian Schoeneck from the Wisconsin Association of Homes & Services for the Aging. No action.

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

Approved by: \s\ Carol Kelso, County Executive Date: 9/12/2006

No. 8f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUB COMMITTEE OF JULY 24, 2006

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 July 24, 2006, and recommends the following motions.

Land Conservation Subcommittee

1. Town of Morrison update. Receive & place on file.
2. Rock County well abandonment program. Forward to Corporation Counsel to rewrite for Brown County.
3. LCD Budget update (Budget Status Financial Report for June 30, 2006 & Estimate of Morrison Groundwater pollution expenses.) Receive & place on file.
4. ** Director’s Report. Refer to staff to develop a plan regarding reimbursement to Morrison for ground water expenses; that the \$40,000 previously designated be put in a separate special fund to be available for ground water issues in Brown County for three years, or through 2009.

** ITEM #4 -- REFER BACK TO COMMITTEE TO DRAW UP A RESOLUTION HAVING PARAMETERS ON HOW MONEY SHOULD BE USED, AS PER THE COUNTY BOARD ON 8/16/2006.

Planning, Development & Transportation Committee

1. UW-Extension - Permission to apply for USDA Risk Management Funds in the amount of \$5,200 for the purpose of educating Hmong farmers. Approve.
2. UW-Extension - Director’s report. Receive & place on file.
3. Planning Commission - Communication from Supervisor Bernie Erickson re: Request for staff updates on recommendations and development options on the excess land east of the current jail site. Refer to staff to identify what land is available for sale, to develop an RFP within six months, with action in nine months, beginning with developing a strategy regarding select cut of pine trees and location of sand source.
4. Planning Commission - Budget Status Financial Report attached. Receive & place on file.
5. Highway - Budget Status Financial Report. Receive & place on file.
6. Highway - Discussion re: Condition regarding Highway “G” & “W” in Town of Morrison. Request staff work with Corporation Counsel and come back with a plan regarding weight restrictions on County Roads.

7. Property Listing - Budget Status Financial Report. Receive & place on file.
8. Property Listing - Highway 172 survey project report. Receive & place on file.
9. Port & Solid Waste - Budget Status Financial Report. Receive & place on file.
10. Port & Solid Waste - Request for Budget Transfer (#06-41): Increase in Expenditures with Offsetting Increase in Revenue: Two Gas Flow Meters (\$30,000). Approve.
11. Port & Solid Waste - Request for Budget Transfer (#06-43): Increase in Expenditures with Offsetting Increase in Revenue: Waste Transfer station transfer compactor replacement for \$130,000). Approve.
12. Port & Solid Waste - Director's report. Receive & place on file.
13. Audit of bills. Approve payment of bills.

A motion was made by Supervisor Erickson and seconded by Supervisor Fleck **“to adopt”**. Supervisor Warpinski requested item #4 of the Land Conservation Subcommittee report be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #4 -- Director's Report. COMMITTEE ACTION: Refer to staff to develop a plan regarding reimbursement to Morrison for ground water expenses; that the \$40,000 previously designated be put in a separate special fund to be available for ground water issues in Brown County for three years, or through 2009.

A motion was made by Supervisor Warpinski and seconded by Supervisor De Wane **“to refer back to Committee to draw up a resolution having parameters on how money should be used”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 9/12/2006

No. 8g -- REPORT OF PUBLIC SAFETY COMMITTEE OF AUGUST 2, 2006

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on August 2, 2006, and recommends the following motions:

1. Review minutes/reports:
 - a) County Fire Investigation Task Force General Membership (6/1/06).
 - b) County Fire Investigation Task Force Board of Directors (5/18/06).
 - c) Report of Circuit Courts Security Committee (2nd Quarter of 2006).
 - d) Criminal Justice Coordinating Board (6/27/06).
 - e) LEPC (7/11/06).Receive & place on file items a-e.
2. * Communication from Supervisor Dan Haefs re: Request that the position of psychiatrist nurse, that was approved by the November 2005 County Board, be filled. (Referred from July County Board.) Receive & place on file.

* ITEM #2 -- REFER BACK TO COMMITTEE AS PER THE COUNTY BOARD ON 8/16/2006.

3. Volunteers in Probation – Monthly Statistics ending June 30, 2006.

- a) Receive & place on file.
- b) Have the VIP Monthly Statistics and Teen Court Statistics on the agenda as needed.
- 4. Teen Court Statistics (June 2006).
 - a) Receive & place on file.
 - b) Have the VIP Monthly Statistics and Teen Court Statistics on the agenda as needed.
- 5. **** Public Safety Communications - Discussion re: Communications Center air conditioning and cleaning (requested by Supervisor Harold Kaye). Whenever there is a problem with cleaning or air conditioning that it be taken care of and taken off the rent.**

**** ITEM #5 -- REFER BACK TO COMMITTEE TO AMEND THE AGREEMENT, AS PER THE COUNTY BOARD ON 8/16/2006.**

- 6. Public Safety Communications - Policy on Center Overtime Charges. (From previous meeting with motion: *Authorize Chairman Kaye to meet with Ms. Nackers of Public Safety Communications, and Ms. Perrizo, Internal Auditor, to discuss development of a policy and report back.*) Hold until next month.
- 7. Public Safety Communications - Director's report.
 - a) ***** Update on Issue of UPS batteries charge increase. Public Safety Committee direct the Interim Operations Manager to see that the money is deducted from the quarterly rent.**

***** ITEM #7a -- REFER BACK TO COMMITTEE TO AMEND THE AGREEMENT, AS PER THE COUNTY BOARD ON 8/16/2006.**

- b) ****** Message switch/server upgrade. That the money come out of the Undesignated General Fund for the AVL Message Switch/Server upgrade.**

****** ITEM #7b -- TO AMEND THE ORIGINAL MOTION BY ADDING "THAT THE MONEY COME OUT OF THE UNDESIGNATED GENERAL FUND FOR THE A.V.L. MESSAGE SWITCH/SERVER UPGRADE NOT TO EXCEED \$4,000".", AS PER THE COUNTY BOARD ON 8/16/2006.**

- 8. Medical Examiner - Intergovernmental Agreement re: Providing Services of the Brown County Medical Examiner to Oconto County under provisions of Wisconsin Statutes sec. 59.34 and 59.38. Approve the Resolution from Oconto County.
- 9. Medical Examiner - Monthly Budget Financial Status Report for June 30, 2006. Receive & place on file.
- 10. Medical Examiner - Director's Report. (No Report.)
- 11. Sheriff - Communication from Supervisor Andy Nicholson re: Review the Brown County Sheriff department policy on transporting prisoners. (Referred from July County Board.) Receive & place on file.
- 12. Sheriff - Request to apply for Grant re: Digital Recordings of Custodial Interrogations for Calendar Year 2006. Approve.
- 13. Sheriff - Key Factor Report 2006 with Jail Average Daily Population by month and Overtime Expenditures by Division/Section 2006 – thru July 24, 2006 Receive & place on file.
- 14. Sheriff - Monthly Budget Financial Status Report (June 30, 2006). Receive & place on file.
- 15. Sheriff's report. Receive & place on file.
- 29. **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.)
- 30. Audit of bills. Pay the bills.

A motion was made by Supervisor Warpinski and seconded by Supervisor De Wane **“to adopt”**. Supervisor Haefs requested items #2, #5 and #7a be taken separately; and Supervisor Krueger requested item #7b be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #2 -- Communication from Supervisor Dan Haefs re: request that the position of psychiatrist nurse, that was approved by the November 2005 County Board, be filled. (Referred from July County Board.) COMMITTEE ACTION: Receive and place on file.

A motion was made by Supervisor Haefs and seconded by Supervisor Fewell **“to refer back to Committee”**. Voice vote taken. Motion carried with Supervisors Backmann, Zeller, Scray, Johnson and Vander Leest voting nay.

Item #5 -- Public Safety Communications - Discussion re: Communications Center air conditioning and cleaning (requested by Supervisor Harold Kaye). COMMITTEE ACTION: Whenever there is a problem with cleaning or air conditioning that it be taken care of and taken off the rent.

Discussion followed with a motion by Supervisor Haefs and seconded by Supervisor Evans **“to refer back to Committee to amend the agreement”**. Voice vote taken. Motion carried unanimously with no abstentions.

Item #7a -- Public Safety Communications - Director’s Report. Update on Issue of UPS batteries charge increase. COMMITTEE ACTION: Public Safety Committee direct the Interim Operations Manager to see that the money is deducted from the quarterly rent.

Discussion followed with a motion by Supervisor Haefs and seconded by Supervisor Kaye **“to refer back to Committee to amend the agreement”**. Voice vote taken. Motion carried unanimously with no abstentions.

Item #7b -- Public Safety Communications - Director’s Report. Message switch/server upgrade. COMMITTEE ACTION: That the money come out of the Undesignated General Fund for the AVL Message Switch/Server Upgrade.

Discussion followed with a motion by Supervisor Krueger and seconded by Supervisor Lund **“to refer back to Committee to take \$3,750 from the Salaries portion of their budget not Undesignated General Fund”**.

A motion was made by Supervisor Fewell and seconded by Supervisor Backmann **“to amend the original motion by adding “that the money come out of the Undesignated General Fund for the AVL Message Switch/Server upgrade not to exceed \$4,000”.”**

Chairman Lund ruled these dollars must come from the “Salaries” portion of the Public Safety Budget. Supervisor Fewell, disagreeing with Chairman Lund’s ruling, made a motion **“to challenge the Chair to spend the money on item #7b”**. Vote taken. Roll Call #8g7b(1):

Ayes: De Wane, Theisen, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Kaster, Backmann, Fleck, Clancy, De Cleene, Scray, Hoeft, Fewell

Nays: Warpinski, Nicholson, Krueger, Haefs, La Violette, Zeller, Van Deurzen, Zabel, Lund

Total Ayes: 17 Total Nays: 9

Motion carried **“to challenge the Chair”**.

Vote taken on Supervisor Fewell’s original motion **“to amend the original motion by adding “that the money come out of the Undesignated General Fund for the AVL Message Switch/Server upgrade not to exceed \$4,000”.”** Roll Call #8g7b(2):

Ayes: De Wane, Nicholson, Theisen, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Kaster, Backmann, Van Deurzen, Fleck, Clancy, De Cleene, Scray, Hoeft, Fewell

Nays: Krueger, La Violette, Zeller

Abstain: Warpinski, Haefs, Zabel, Lund

Total Ayes: 19 Total Nays: 3 Total Abstain: 4
 Motion carried.

Approved by: \s\ Carol Kelso, County Executive Date: 9/12/2006

No. 9a -- TAKEN OUT OF ORDER. SEE AFTER AGENDA ITEM #8C

No. 9b -- RESOLUTION REGARDING: AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH OCONTO COUNTY TO PROVIDE MEDICAL EXAMINER SERVICES

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

Ladies and Gentlemen:

WHEREAS, Brown County and Oconto County have adopted medical examiner systems in their respective counties; and

WHEREAS, Brown County and Oconto County desire to enter into an intergovernmental cooperation agreement between said counties to provide that Brown County medical examiner services be supplied to Oconto County, with the appointment of deputy medical examiners in Oconto County, such as the Oconto County Board may authorize and according to the terms and conditions set forth in the attached proposed intergovernmental cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED BE IT RESOLVED by the Brown County Board of Supervisors that it hereby does give approval for Brown County to enter into an intergovernmental cooperation agreement with Oconto County pursuant to Sec. 66.0301, Stats., according to the terms and conditions set forth in the attached intergovernmental cooperation agreement; and

BE IT FURTHER RESOLVED that the appropriate County officials are hereby authorized to execute the necessary documents to implement said agreement.

Fiscal Impact: Estimated Revenue - \$30,900 Annually
 Estimated Expense - \$11,000 Annually
 Net LEM Savings - \$19,900 Annually

Respectfully submitted,
 PUBLIC SAFETY COMMITTEE

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

Approved by: \s\ Carol Kelso, County Executive Date: 9/7/2006

ATTACHMENT TO ITEM #9B

INTERGOVERNMENTAL AGREEMENT

The County of Oconto, Wisconsin, abolished by ordinance number 1569, the office of coroner and established the medical examiner system effective January 2, 2007.

Both the County of Oconto and the County of Brown desire to enter into this agreement to provide the services of the Brown County Medical Examiner to Oconto County under provisions of Wisconsin Statutes sec. 59.34 and 59.38.

The terms of this agreement are as follows:

1. The Brown County Medical Examiner will oversee all death investigations and coordinate all autopsies for Oconto County.
2. All autopsies performed by a pathologist at the request of the Brown County Medical Examiner's Office for Oconto County will be reimbursed to Brown County at the current established rate. This rate is to include the services of the pathologist and transcription of autopsy report. Oconto County will be responsible for paying for the autopsy assistant and any charges billed by the hospital for additional services such as lab tests, x-rays or facility usage. Oconto County will be responsible for payment for any services beyond those customary for a usual case, such as consultation fees by specialists and laboratory services beyond those provided by the State of Wisconsin Laboratory of Hygiene or AIT Laboratory.
3. The Brown County Medical Examiner's Office shall provide transcription services for all Deputy Medical Examiner reports. Such transcription services will be paid for by Oconto County. Brown County will provide storage in a secure facility for all records pertaining to death investigations in Oconto County. These records remain the property of Oconto County.
4. The Brown County Medical Examiner will appoint, supervise, and direct the Oconto County Deputy Medical Examiners who shall act with the same authority as the Medical Examiner. All Oconto County Deputy Medical Examiners are to be confirmed by the Oconto County Law Enforcement/Judiciary Committee. The number of Deputies shall not be less than four (4) of which one will be named "Chief Deputy".
5. Oconto County Deputy Medical Examiners shall be employees of Oconto County and paid by Oconto County. Oconto County Deputy Medical Examiners will submit a pay sheet monthly to the Brown County Medical Examiner for approval, which in turn will be forwarded to the Oconto County payroll department for disbursement of funds per the Oconto County payroll procedures. The pay sheet will include mileage request to be paid at the mileage rate established by the Oconto County Board of Supervisors. Oconto County will agree to maintain adequate annual funding to cover the wage package established by the Oconto County Board of Supervisors. This wage package will be periodically reviewed for potential wage adjustment.
6. When Brown County Deputy Medical Examiners are used for duties pertaining to Oconto County, they will be compensated according to their collective bargaining agreement with Brown County. They will also receive mileage reimbursement according to the rate established by Brown County. That rate will apply from the point that the investigator responds to a call to the point they return. Oconto County shall reimburse Brown County for Deputy Medical Examiners compensation and mileage for services performed for Oconto County.

7. Oconto County will provide 24-hour, 7-day-per-week coverage by Oconto County Deputy Medical Examiners and agree to have coverage available with suitable backup coverage at all times during the period of this agreement. Scheduling will be coordinated by the Brown County Medical Examiner. The Brown County Medical Examiner or Deputy Medical Examiners will attempt to be available for additional forensic investigations to assist the Oconto County Deputy Medical Examiners in those situations in which the Brown County Medical Examiner determines that such assistance is warranted or in the event that simultaneous death investigations occur in Oconto County
8. The Brown County Medical Examiner's Office shall issue such standards, directives, protocols, and procedures for the Oconto County Deputy Medical Examiners.
9. The Brown County Medical Examiner's Office shall charge the Brown County rates for:
 - a. Copies of records.
 - b. Death certificates.
 - c. Autopsy reports.
 - d. Laboratory reports.
 - e. Deputy Medical Examiner reports.
 - f. Cremation permits.
 - g. Disinterment permits.
 - h. Expert witness testimony.

Such charges shall be collected and retained by the Brown County Medical Examiner's Office. These charges are generally received from insurance companies, private investigative companies and families through their funeral homes for permits and certificates requested. Oconto County will not be billed for documents requested for the purposes of law enforcement investigation or litigation by the District Attorneys' Office.

10. The Brown County Medical Examiner shall perform the duties set forth in Wis. Statutes. Sections 59.34, 59.38, 69.18, and Chapter 979.
11. Oconto County will provide liability insurance for the appointed Oconto County Deputy Medical Examiners. Brown County will provide liability insurance for the any Brown County employees while performing services for Oconto County.
12. All cremations will require the attendance of a Deputy Medical Examiner, an appropriate investigation, and the issuance of a permit. By Statute the Deputy performing the investigation and issuance of the permit will receive \$25.00 paid through the Oconto County payroll system.
13. The annual compensation for the Brown County Medical Examiner's Department, for services to Oconto County, will be \$13,650 for the year 2007. Such compensation is in addition to charges set forth in Paragraphs (2), (5), (6), and (9).
14. It is the desire of the Brown County Medical Examiner to participate in the budgetary process in order to assure proper funds are available specific to the functions of the office. Once the budget is approved by the Oconto County Board of Supervisors the Brown (Oconto) County Medical Examiner will have the latitude to approve bills for payment from that fund under the guidelines of the Oconto County Financial Management Policy.
15. This agreement may be terminated by Oconto County if there is a change in the Brown County Medical Examiner or County Executive position provided a three (3) months prior written notice is given

home and a 28 bed psychiatric unit and 2) a budget for a 72 bed nursing home and a 28 bed psychiatric unit.

Refer to Human Services Committee.

No. 10d -- From Supervisor Fewell regarding: A request that Human Services Committee explore with the State options regarding the downsizing agreement by having Chuck Wilhelm and Dave Lund attend a special Human Services Committee meeting.

Refer to Human Services Committee.

No. 10e -- From Supervisor Dantine regarding: A request that Brown County Education and Recreation Committee look in to putting some playground equipment at the Lily Lake Park facility.

Refer to Education and Recreation Committee.

No. 10f -- From Supervisor Krueger regarding: A request to have the Executive Committee consider amending the Brown County Code (Section 2.03), to read “The Brown County Executive will present the Executive Budget to the Brown County Board no later than October 1st of the current calendar year”.

Refer to Executive Committee.

No. 11 -- Bills over \$10,000 for period ending August 7, 2006.

A motion was made by Supervisor Vander Leest and seconded by Supervisor De Wane **“to pay the bills over \$10,000 for period ending August 7, 2006”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 12 -- Closing Roll Call:

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

Total Present: 26

No. 13 -- ADJOURNMENT TO WEDNESDAY, SEPTEMBER 20, 2006, AT 7:00 P.M., LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

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

\s/ DARLENE K. MARCELLE
Brown County Clerk

