

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
FEBRUARY 19, 2003

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, February 19, 2003, 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: Antonneau, Graves, Nicholson, Schmitt, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Excused: None

Total Present: 26 Total Excused: 0

No. 1 -- Adoption of agenda.

Prior to adoption of the agenda, the County Clerk announced the addition of 10f(i) "Ordinance amending Chapter 11 of the Brown County code entitled Private Sewage System" to tonight's agenda.

A motion was made by Supervisor Schmitt and seconded by Supervisor Watermolen to approve the agenda as revised. Vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of January 15, 2003.

A motion was made by Supervisor Watermolen and seconded by Supervisor Van Deurzen to approve. Supervisor Haefs stated on page 4 of the minutes the motion to refer by Supervisor Lund passed unanimously. Vote taken to adopt the minutes as amended by Supervisor Haefs. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors.

Supervisor Fleck announced that the NE Lions Club was sponsoring its Annual Pancake/Porkie Breakfast this Sunday, February 23rd, at the Spot Supper Club.

Supervisor Clancy mentioned the Bay Lakes Planning Commission has a Brochure regarding the N.E. Wisconsin Global Trade Conference, International Trade, hosted by Congressman Mark Green, on March 24, 2003. He encouraged everyone's attendance.

Supervisor Marquardt announced the Bellevue Business and Professional Association will hold a “get to Know Your County Executive Candidates Forum” on Thursday, March 6, at 7:00 p.m., at the Rite Place in Bellevue. She encouraged everyone to attend.

Supervisor Collins stated he attended the Legislative Session of the Counties Association. Shared revenue mandates were addressed and how the State cuts will affect Counties. He added the Fall Convention of the Counties Association will be held in La Crosse in September and encourages all supervisors to attend. Supervisor Collins stressed the importance of Brown County Supervisors to be represented.

Supervisor Haefs questioned why his referral regarding Triangle Hill wasn’t acted upon at the Education and Recreation Committee, which met the night following our January County Board Meeting. Supervisor Antonneau, Chair of Education and Recreation Committee, informed Supervisor Haefs that because of only one day’s notice, the City of Green Bay Park Director, Bill Landvatter, did not have adequate time to put together the necessary information. Supervisor Haefs continued to say this should have been on the agenda. The County Clerk informed the entire Board that Supervisor Haefs’ communication did not meet the 24 hour open meeting law and thus it would have been illegal to have it on the agenda.

Supervisor Nicholson announced St. Philip’s Parish, 312 Victoria Street, Green Bay, is sponsoring a Pancake and Porkie Breakfast March 2. He announced also, that St. Philip’s Parish is having its Annual “Fun Fair” this coming Sunday, February 23rd. He urged everyone to attend these events.

Supervisor Vander Leest expressed that he felt the last County Board Meeting started out so well because of a 5 minute recess, so he made a motion, seconded by Supervisor Nicholson to adjourn for five minutes. Voice vote taken. Motion failed.

No. 4 -- Communications. None.

No. 5 -- Late Communications.

No. 5a -- From Supervisor Jane Hansen regarding: after gathering information from difference places she is requesting a small study committee to review information for her New Patriotism Idea. She even received a civility proclamation from another State’s County Board.

Refer to Executive Committee.

No. 5b -- From Supervisor Kathy Johnson requesting a transfer signal light at Hazelwood and Packerland Drive.

Refer to Planning, Development and Transportation Committee.

No. 6 -- Appointments by the County Executive.

A motion was made by Supervisor Schmitt and seconded by Supervisor Watermolen to suspend the rules to take all appointments in one vote. Voice vote taken. Motion carried to take all appointments in one vote.

Motion by Supervisor Schmitt and seconded by Supervisor Watermolen to approve appointments 6a thru 6f. Voice vote taken. Motion passed.

No. 6a -- Appointment of Alma Ponce and reappointment of Dr. Jay Tibbetts to Board of Health.

Supervisor Evans abstained from 6a.

No. 6b -- Appointment of Jean Kiefer and reappointment of Dr. David Donarski to Aging Resource Center Board.

Supervisor Evans abstained from 6b.

No. 6c -- Appointment of Supervisor Keith Watermolen and Duane Swift to Neville Public Museum Board.

Supervisors Zima and Haefs voted no on the Duane Swift appointment.

No. 6d -- Appointment of Donsia Strong Hill and David Parsons and reappointment of Paul Kegel to Nicolet Federated Board.

No. 6e -- Appointment of Gary Wieczorek and Kim Chamberlin to Emergency Medical Services Council.

No. 6f -- Appointment of Alex Zacarias to Diversity Affairs Council.

No. 7a -- Report by County Executive.

The County Executive asked Supervisors to refer to the copy of the report from Moodys. The report reflects the second highest Bond Rating available.

She announced Brown County received a \$500,000 check from the Oneida Tribe of Indians for the "Fee for Services" agreement.

Nancy explained the recruiting and interviewing process, for key open positions in Brown County. She added she met with the Administration and Executive Committees and they did not express any objection in the process. She invited any Supervisor to contact her if they have any concerns with the process in place.

No. 7b -- Report by Board Chairman.

Chairman Simons extended good wishes to those who have recently had sons or daughters called to service.

He also congratulated Supervisors Fewell and Schmitt for their Primary Election wins. He also extended his condolences to Supervisor Moynihan for his loss in the Village of Ashwaubenon Presidential Primary.

Chairman Simons explained he would take three separate votes on three dates for the Board of Supervisors to meet with Bellin. At that meeting, Bellin will present its plan for the Mental Health Center. The three dates voted on were March 5th, March 12th and March 19th. The date of March 19th received the majority vote; that being the night of the regular County Board Meeting.

Chair Simons added he will inform the Board of Supervisors the time this meeting will begin. He also added that Bellin intends to conduct informational meetings for the public in places such as the libraries, etc.

A late communication from Supervisor Schadewald requesting that the County Board Chair schedule a “special” County Board meeting on March 5, 2003 to hear Bellin’s proposal was signed by the following Supervisors:

Mary Marquardt
Merlin Vanden Plas
Jane Hansen
William Clancy

Steven Fewell
Harold Kaye
Mike Fleck
Richard Schadewald
Keith Watermolen

Kevin Kuehn
Tom Lund
Kathy Johnson
Daniel Haefs
Guy Zima *

* NOTE: This communication later became void because Supervisor Zima removed his name from the late communication bringing the required number of signatures below the required 14.

7:25 – Supervisor Collins was excused at this time because he was called away on a family Medical Emergency.

Vote taken by the County Board on having a special meeting on “**March 5, 2003**”. The vote is as follows:

Ayes Miller, Haefs, Hansen, Kaye, Zima, Vanden Plas, Daul, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Lund, Fewell

Nays: Graves, Nicholson, Schmitt, Evans, Vander Leest, Kuehn, Marquardt, Van Deurzen, Simons

Excused: Collins

Did not Vote: Antonneau, Johnson

Total Ayes: 14 Total Nays: 9 Excused: 1 Did Not Vote: 2

Vote taken by the County Board on having a special meeting on “**March 12, 2003**”. The vote is as follows:

Ayes: Schmitt, Miller, Haefs, Hansen, Kaye, Zima, Marquardt, Daul, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons

Nays: Antonneau, Graves, Nicholson, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Van Deurzen, Lund, Fewell

Excused: Collins

Total Ayes: 14 Total Nays: 11 Excused: 1

Vote taken by the County Board on having the presentation at the regular scheduled County Board Meeting on “**March 19, 2003**”. The vote is as follows:

Ayes: Antonneau, Graves, Nicholson, Schmitt, Haefs, Hansen, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Marquardt, Van Deurzen, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Nays: Miller, Kaye, Zima, Daul, Fleck, Clancy

Total Ayes: 19 Total Nays: 6 Excused: 1

Based on the above choices the majority of the County Board requests that the Bellin proposal be presented at the next regularly scheduled County Board meeting on “**March 19, 2003**”.

No. 8 -- Other Reports. None.

No. 9 -- Standing Committee Reports:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF FEBRUARY 6, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on February 6, 2003, and recommends the following motions:

1. Review minutes of:
 - a. Facilities Master Plan Committee (1/16/03).
 - b. Housing Authority (1/20/03).Receive and place on file.
- 2.* Communication from Supervisor Nicholson re: Request our former Corporation Counsel Ken Bukowski not be hired as a legal consultant in any capacity whatsoever for the future. (Referred from January County Board.) Consensus of Committee that they have no jurisdiction over this matter, so no action was taken.
* **The County Board voted to approve Supervisor Nicholson's communication to not allow Ken Bukowski to represent Brown County in the future on 2/19/03.**
- 3.** Communication from Supervisor Miller re: Refrain from hiring new Corporation Counsel until new County Executive takes office in a matter of a couple of months. Have the County of Brown wait to hire a new Corporation Counsel until after April 1, 2003. Ayes: 2 (Miller, Graves); Nays: 3 (Schadewald, Marquardt, Hansen). Motion Failed.
** **Amend to show that the NEW County Executive will have at least 6 candidates to choose from was approved on 2/19/03.**
4. Communication from Supervisor Marquardt re: Requesting Interim Facility management Director, Dean Gazza, come to Administration Committee and report on the long-range plan for Facilities. Approve time line as presented by Dean Gazza.
5. Human Resources Monthly Committee Report (January 27, 2003). For Risk Management proceed in the matter discussed so that there is a resolution coming back to Administration Committee.
6. Human Resources/Risk Management – Resolution re: Reauthorization to Self-fund Worker's Compensation. (Referred to Executive Committee.) Committee approved. See Resolutions, Ordinances February County Board.
7. Dept. of Administration – Monthly Activities Report (December 23, 2002 through January 24, 2003). No action.
8. Dept. of Administration – 2002 Budget Transfer Log. Receive and place on file.
9. Dept. of Administration – Asset Maintenance Fund Request. No action.
10. Facilities Management – Report from Chuck Lamine on County Farm Property. Motion from Facilities Master Plan Committee: *Make a recommendation to the Administration*

Committee to 1) Find out if it is feasible to sell the property; 2) If it is feasible, go ahead with an appraisal. Postpone for one month.

11. Audit of bills. (Audit of bills completed.)

A motion was made by Supervisor Marquardt and seconded by Supervisor Nicholson to adopt.

Supervisor Haefs requested that Items #2 and #3 be voted on separately.

Supervisor Zima abstained from Item #1. (Housing Authority Minutes)

Remainder of the report passed unanimously with no abstentions.

Item #2 -- Communication from Supervisor Nicholson re: Request our former Corporation Counsel Ken Bukowski not be hired as a legal consultant in any capacity whatsoever for the future. ACTION TAKEN: Consensus of the Committee is that they have no jurisdiction over this matter, so no action was taken.

A motion was made by Supervisor Kuehn and seconded by Supervisor Johnson to adopt item #2.

A motion was made by Supervisor Haefs: **“I move the Brown County Board of Supervisors advise our Brown County Executive that we prefer former Corporation Counsel Ken Bukowski not be hired as a consultant or to offer legal counsel of any manner to Brown County.”** Vote taken. Roll Call #9a(1):

Ayes: Antonneau, Graves, Nicholson, Miller, Haefs, Zima, Evans, Vander Leest, Daul, Van Deurzen, Moynihan, Simons, Lund

Nays: Schmitt, Hansen, Kaye, Johnson, Vanden Plas, Kuehn, Marquardt, Fleck, Clancy, Watermolen, Schadewald, Fewell

Excused: Collins

Total Ayes: 13 Total Nays: 12 Excused: 1

Motion carried.

Item #3 -- Communication from Supervisor Miller re: Refrain from hiring a new Corporation Counsel until new County Executive takes office in a matter of a couple of months. ACTION TAKEN: Have the County of Brown wait to hire a new Corporation Counsel until after April 1, 2003.

Explaining his communication, Supervisor Miller said the New County Executive must have input in the hiring of the new Corporation Counsel. Supervisor Miller expressed his support of Acting Corporation Counsel John Jacques to act as Interim Corporation Counsel.

A motion was made by Supervisor Miller and seconded by Supervisor Lund to refrain from hiring a new Corporation Counsel until the new County Executive takes office.

A friendly amendment (to Supervisor Miller’s motion) was made by Supervisor Vander Leest and seconded by Supervisor Johnson: **“That the County Board and the new County Executive will have at least 6 candidates to chose from for the selection process of the new Corporation Counsel.”** Vote taken. Roll Call #9a(2):

Ayes: Antonneau, Schmitt, Miller, Hansen, Kaye, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Nays: Graves, Nicholson, Haefs

Abstain: Zima

Attachment for Item #11
BID RECORDING

PROJECT: LILY LAKE PARKING LOT PROJECT #1027

DATE: DECEMBER 11, 2002 2:00 P.M.

<u>CONTRACTOR</u>	<u>Addendum</u>	<u>Bid Bond</u>	<u>Notation:</u>	<u>TOTAL BID AMOUNT</u>
Sievert Excavating, LLC	Yes	Yes		\$102,757.00
Peot Construction	Yes	Yes		\$104,547.00
De Groot, Inc.	Yes	Yes		\$113,718.90
Harold Tauscher Excavating	Yes	No		\$ 52,321.40
Ostrenga Excavating, Inc.	Yes	Yes		\$137,874.75
Tri County Asphalt, Inc.	Yes	Yes		\$ 50,278.80
Ed Gersek, Inc.	Yes	Yes		\$111,077.60
Mertens & Sons Construction, Inc.	Yes	Yes		\$110,697.80
Peters Concrete Company	Yes	Yes		\$100,541.00

A motion was made by Supervisor Kuehn and seconded by Supervisor Daul to adopt. Supervisor Haefs requested item #11 be taken separately. Remainder of the report adopted unanimously with no abstentions.

Item #11 – Parks approve bid for improvements at Lily Lake Park access road and parking areas. ACTION TAKEN: Accept the low bid from Peters Concrete Company for \$100,541.00.

Park Director, Mike McFarlane explained to Supervisor Haefs the bid process for the Lily Lake Park projects. Mr. McFarlane explained he bid the project both ways. The project consists of specifically excavating and surfacing. We had two low bids—one specifically for excavating and the other for surfacing. Mr. McFarlane was thanked for explaining the process used.

Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF FEBRUARY 10, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on February 10, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Diversity Affairs Council (1/7/03).
 - b) Legislative Subcommittee (12/26/02).Receive and place on file.
2. Appointment of Alex Zacarias to Diversity Affairs Council. Committee approved. See Appointments February County Board.

3. County Executive report. No action.
4. Legislative Subcommittee report. No action.
5. Communication from City of Green Bay re: Request from Common Council of Green Bay adopting a motion supporting a change in Wisconsin Constitution that would make the County Offices of District Attorney, County Clerk, Treasurer, Sheriff, Clerk of Courts and Register of Deeds non-partisan. Furthermore, Common Council requests Brown County Board schedule a countywide referendum on this issue in April 2003 or as early as possible thereafter. Refer to Legislative Subcommittee; let them come through with a resolution and bring back through this Committee in 60 days.
6. Communication from Supervisor Andy Nicholson re: Request our former Corporation Counsel Ken Bukowski, not be hired as a legal consultant in any capacity whatsoever in the future. (Referred from Administration Committee and January County Board.) Receive and place on file.
7. Communication from Supervisor Robert Miller re: Refrain from hiring a new Corporation Counsel until new County Executive takes office in a matter of a couple of months. (Referred from Administration Committee.) (Deleted from agenda.)
8. Communication from Supervisor Pat Collins re: Review and update the position description of Internal Auditor. (Referred from January County Board.) Hold for one month pending information from Wisconsin Counties Association.
9. Communication from Supervisor Nicholson re: Requesting monthly report for sheriff's department overtime. (Motion from Public Safety Committee: *Refer this to Executive Committee and have Sheriff's department come back with monthly updates about where Information Services is on this.*) Move this communication forward and give Director of Administration, Brendan Bruss, authority to do an analysis and bring this back to Administration Committee.
10. Communication from Supervisor Robert Miller re: Requesting that all photocopying fees with regard to open record requests made for records held by Brown County Wisconsin shall be waived for Brown County supervisors seeking information in their official capacities; all photocopying fees with regard to open records requests made to Brown County shall be waived for the first 30 copies requested by a citizen of Brown County each year. (From December meeting.) Hold for sixty days.
11. * Communication from Supervisor Jane Hansen re: Needing reform and change as to how we do business (1) Fair and honest county races with spending limits; (2) media acting in a fair & honest way; (3) meetings conducted in a civil fashion with free exchange of ideas in a positive way; (4) restore confidence in Brown County government for all constituents. (From December meeting.) Hold for one month.
- * **The County Board made a motion to delete this item from appearing on any future agendas on 2/19/03.**
12. Resolution re: Reauthorization to Self-Fund Worker's Compensation. (Referred from Administration Committee.) Committee approved. See Resolutions, Ordinances February County Board.
13. Ordinance re: To Establish Sec. 3.18 of the Brown County Code Entitled "Freedom from Harassment Policy". Refer to Legislative Subcommittee and report back in 60 days. (Referred back to Executive Committee from January County Board.) See Resolutions, Ordinances February County Board.

14. Resolution re: Authority to Execute a 2002-2003 Labor Agreement with the Electricians, Local 158. Committee approved. See Resolutions, Ordinances February County Board.
15. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons required 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 meeting law pursuant to 19.82(1) of the Wisconsin State Statutes.
- a) Enter into closed session.
 - b) Return to the regular order of business.
 - c) No action taken.

A motion was made by Supervisor Antonneau and seconded by Supervisor Moynihan to adopt. Supervisor Haefs requested item #11 be taken separately. Voice vote taken on remainder of the report. Motion carried unanimously with no abstentions.

Item #11 -- Communication from Supervisor Hansen re: Needing reform and changes as to how we do business (1) Fair and honest county races with spending limits; (2) media acting in a fair & honest way; (3) meetings conducted in a civil fashion with free exchange of ideas in a positive way; (4) restore confidence in Brown County government for all constituents. ACTION TAKEN: Hold for one month.

Supervisor Haefs expressed his feelings on this communication and stated he doesn't agree with Supervisor Hansen.

A motion was made by Supervisor Haefs and seconded by Supervisor Evans to **“delete this item from future agendas.”**

Discussion followed and Supervisor Haefs withdrew his motion and Supervisor Evans withdrew his second to the motion.

Motion by Supervisor Watermolen and seconded by Supervisor Kuehn to approve the Executive Committee. Motion passed with Supervisors Haefs and Evans requesting to be recorded “nay” on item #11. Motion carried.

Approved by: /s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 9d -- REPORT OF SPECIAL EXECUTIVE COMMITTEE OF FEBRUARY 19, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in **special** session on February 19, 2003 and recommends the following motions:

1. Resolution re: Awarding the sale of \$11,570,000 Taxable General Obligation Refunding Bonds, Series 2003, providing the form of the bonds; and levying a tax in connection therewith. Committee Approved. See Resolutions, Ordinances February County Board.

A motion was made by Supervisor Marquardt and seconded by Supervisor Watermolen to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 3/5/2003

No. 9e -- REPORT OF HUMAN SERVICES COMMITTEE OF JANUARY 15, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on January 15, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Homeless Issues and Affordable Housing Subcommittee (11/19/02).
 - b) Children with Disabilities Education Board (10/14/02, 11/18/02, 12/16/02).
 - c) Community Options Program Appeals Committee (11/25/02).
 - d) Community Options Program Planning Committee (11/25/02).
 - e) Aging Resource Center – Program Committee (11/19/02).
 - f) Aging Resource Center – Long Term Care (12/10/02).
 - g) Aging Resource Center Board Meeting (12/12/02).
 - h) Aging Resource Center – Finance Committee (12/12/02).
 - i) Human Services Board (12/5/02).

Approve items a-i.
2. Appointment of Alma Ponce and reappointment of Dr. Jay Tibbetts to Board of Health. Committees approved. Ayes: 5 (Clancy, Collins, Fewell, Fleck, Miller); Excused: 1 (Zima); Abstained: 1 (Evans). Motion Carried. See Appointments February County Board.
3. Appointment of Jean Kiefer & reappointment of Dr. David Donarski to Aging Resource Center Board. Committee approved. Ayes: 5 (Clancy, Collins, Fewell, Fleck, Miller); Excused: 1 (Zima); Abstained: 1 (Evans). Motion Carried. See Appointments February County Board.
4. Veterans' Dept. – Resolution re: Supporting VA Outpatient Clinic for Green Bay. Committee approved. See Resolutions, Ordinances February County Board.
5. Veterans' Dept. – Director's report. No action.
6. Health Dept. – Licensing program cost calculations 2003. No action.
7. Health Dept. – Director's report. No action.
8. Communication from Supervisor Lund re: Partner surrounding counties with Brown County to build a new psychiatric hospital. (Referred from December County Board.)

- a. Authorize Chair Fewell to either write a letter or meet with other counties to determine their interest in a regional facility.
- b. Friendly amendment to determine the legal ramifications.
- 9. Communication from Supervisor Van Deurzen re: Millennium Architects fees of \$79,502.70. (Referred from December County Board.) Have this item on the next agenda and that calculation be presented as to what County dollars have been spent since the committee authorized going to 90% of design.
- 10. Transfer \$25,000 from the general fund to Truancy Assessment Program. (Referred back to Human Services Committee from December County Board.) Transfer \$25,000 from within the Human Services budget to the Truancy Assessment Program.
- 11. Human Services Dept. – Financial Report (projected using November data through year end 2002). Approve the report.
- 12. Human Services Dept. – Change in pharmacy services. No action.
- 13. Marinette County Resolution No. 105 re: Supporting Continuation of Services at Brown County Mental Health Center. (Referred from Legislative Subcommittee.) Receive and place on file.
- 14. Audit of bills. Pay the bills.

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

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 9f -- REPORT OF SPECIAL HUMAN SERVICES COMMITTEE OF FEBRUARY 12, 2003

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in **special** session on February 12, 2003, and recommends the following motions:

- 1. Approval of \$170,000 of carryover funds for the purpose of entering into a contract with an independent vendor to review the Bellin Health Proposal to privatize the Brown County Mental Health Center.
 - a) Approve \$170,000 for carryover funds for the purpose of entering into a contract with an independent vendor to review the Bellin Health Proposal to privatize the Brown County Mental Health Center.
 - b) Friendly Amendment: Accept carryover funds for the Potential purpose of entering into a contract with the vendor.
- 2.* Recommend vendor, Ernst & Young, with terms and conditions of purchase of service agreement to be negotiated.
 - a) To Table. Ayes: 4 (Miller, Evans, Collins, Zima); Nays: 3 (Fleck, Fewell, Clancy). Motion Carried.

- b) Ask Bellin to make a presentation, insist on the importance of their presentation; to be followed by staff and Board members asking questions; to be followed by a vote on the agenda either up or down to go with Bellin or our own Mental Health Center; to be followed by #1 and #2 on our agenda (not necessarily having Ernst & Young as vendor). So move that we put that on the agenda for next Wednesday, February 19, 2003 County Board agenda. No vote taken.

Information as to what led up to the vote of the Challenge of the Chair.

Chair Fewell – Not properly noticed on this Human Services agenda.

Supervisor Zima – Challenged the chair that this motion was proper for us to request an informational meeting one week away from a County Board meeting, and it was not making a decision about anything other than gathering information.

- c) Vote taken on Challenge of the Chair: Ayes: 3 (Evans, Collins, Zima); Nays: 4 (Fewell, Miller, Clancy, Fleck). Challenge of the chair was sustained.

* **A motion was made by the County Board to refer Item #2 back to committee on 2/19/03.**

3. Late Communications: Communication from Supervisor Schadewald re: County Board Vote to Build a Mental Health Center. Receive and place on file.

A motion was made by Supervisor Marquardt and seconded by Supervisor Watermolen to adopt. Supervisor Miller requested Item #1 be voted on separately. Supervisor Fewell requested Item #2 be voted on separately. Supervisor Schadewald requested Item #3 be voted on separately.

Item #1 -- Approve \$170,000 for carryover funds for the purpose of entering into a contract with an independent vendor to review the Bellin Health proposal to privatize the Brown County Mental Health Center. ACTION TAKEN: a) Approve \$170,000 for carryover funds for the purpose of entering into a contract with an independent vendor to review the Bellin Health Proposal to privatize the Brown County Mental Health Center. b) friendly amendment: accept carryover funds for the potential purpose of entering into a contract with the vender.

A substitute motion was made by Supervisor Miller and seconded by Supervisor Graves that **“the Brown County Board of Supervisors approve the expenditure of \$75,000 (seventy-five thousand dollars) towards the services of a consultant to analyze the Bellin Hospital proposal. Before any of this money be spent, a majority of the Brown County Board of Supervisors must approve a consultant and the Brown County Executive must approve this resolution and a resolution naming the consultant.”**

Supervisor Miller explained his motion to the Board. After much discussion, an amendment to Supervisor Miller’s substitute motion was made by Supervisor Evans and seconded by Supervisor Antonneau to change the \$75,000 to \$115,000. (No written amendment was submitted by Supervisor Evans once Supervisor Zima asked for his Point of Order.)

Supervisor Zima requested a “point of order” for a substitution with a friendly amendment, seconded by Supervisor Schadewald **“that the County Board accept \$170,000 carryover funds from the Human Services 2002 Budget to the 2003 Budget for the potential purpose of entering into a contract with a vendor to be approved by the County Board.”**

A motion was made by Supervisor Johnson and seconded by Supervisor Kuehn to “**call the question**”.

Point of order by Supervisor Haefs requesting “**roll call on Supervisor Johnson’s calling the question**”. Vote taken to call question. Roll Call #9f(1):

Ayes: Antonneau, Graves, Kaye, Vander Leest, Johnson, Vanden Plas, Kuehn, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Watermolen, Simons, Lund, Fewell

Nays: Nicholson, Schmitt, Miller, Haefs, Hansen, Zima, Evans, Moynihan, Schadewald

Excused: Collins

Total Ayes: 16 Total Nays: 9 Excused: 1

Vote taken on Supervisor Zima’s substitute amendment. Roll Call #9f(2):

Ayes: Antonneau, Graves, Schmitt, Haefs, Hansen, Kaye, Zima, Vander Leest, Johnson, Vanden Plas, Kuehn, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Simons, Lund, Fewell

Nays: Nicholson, Miller, Evans

Abstain: Schadewald

Excused: Collins

Total Ayes: 21 Total Nays: 3 Abstained: 1 Excused: 1

Motion carried.

Item #2 -- Recommend vendor Ernst & Young, with terms and conditions of purchase of service agreement to be negotiated. ACTION TAKEN. a) To Table. Motion carried. b) Ask Bellin to make a presentation, insist on the importance of their presentation; followed by staff and board members asking questions; followed by a vote on the agenda either up or down to go with Bellin or our own Mental Health Center; followed by #1 on our agenda (not necessarily having Ernst and Young as Vendor). No Vote taken. c) Challenge to Chair taken. Vote taken on challenge and the challenge of the chair was sustained.

Chairman Simons explained that this item was tabled at committee level and it is not debatable tonight.

Supervisor Zima requested a “**point of order**” saying the County Board could act on this item if a majority agreed to do so. Supervisor Zima requested an opinion from Acting Corporation Counsel, John Jacques to clarify how to proceed.

Mr. Jacques stated that “an item tabled at committee level may be removed from the table and taken up by the County Board by a majority vote of its members.” Mr. Jacques added that one person from that committee may explain, but not debate, the actions of the committee.

Chairman Simons allowed Human Services Committee member Supervisor Zima to explain the committee’s action.

Human Services Committee Chairperson, Supervisor Fewell, “**asked for a point of order**”, saying it is his belief that the person putting this item on the agenda should be allowed to speak and provide the explanation.

Chairman Simons ruled that Supervisor Zima is a committee member and Supervisor Zima should proceed with his explanation.

Supervisor Fewell asked for a “**point of order**” to clarify the fact that Supervisor Zima gave incorrect information during his explanation.

Supervisor Zima apologized for the incorrect statement.

Supervisor Fewell asked Corporation Counsel, if a motion would be in order to vote to suspend any other rule.

Corporation Counsel Jacques, stated that a 2/3 vote of the County Board is required to suspend the rules for that purpose.

A motion was made by Supervisor Fewell and seconded by Supervisor Vanden Plas **“to suspend the rules for that purpose.”** Chairman Simons explained this motion requires a 2/3 vote. Vote taken. Roll Call #9f(3):

Ayes: Schmitt, Haefs, Hansen, Kaye, Johnson, Vanden Plas, Kuehn, Marquardt, Daul, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Fewell

Nays: Antonneau, Graves, Nicholson, Miller, Zima, Evans, Vander Leest, Van Deurzen, Simons, Lund

Excused: Collins

Total Ayes: 15 Total Nays: 10 Excused: 1

Motion failed for lack of a 2/3 vote.

A motion was made by Supervisor Clancy and seconded by Supervisor Vanden Plas **“to remove item #2 off the table by a majority vote of the Board”.** Vote taken. Roll Call #9f(4):

Ayes: Haefs, Hansen, Kaye, Johnson, Vanden Plas, Kuehn, Marquardt, Fleck, Clancy, Watermolen, Schadewald, Lund, Fewell

Nays: Antonneau, Graves, Nicholson, Schmitt, Miller, Zima, Evans, Vander Leest, Daul, Van Deurzen, Moynihan, Simons

Excused: Collins

Total Ayes: 13 Total Nays: 12 Excused: 1

Motion carried.

Discussion followed on the merits of Consultant Ernst & Young. Human Services Chairperson, Supervisor Fewell, asked the Board to consider the amount of time and energy the committee has devoted to this issue.

After much discussion by several Board members, Supervisor Lund made a motion, seconded by Supervisor Van Deurzen to **“refer Item #2 back to committee, which was tabled at the special session of the Human Services Committee of February 12, 2003, to get a clear recommendation from the Human Services Committee.”**

Discussion on Supervisor Lund’s motion to refer.

Supervisor Nicholson asked for a **“point of order”**, that being “he is requesting Supervisors to please have the courtesy to listen when another Supervisor is speaking on the floor.”

Vote taken on Supervisor Lund’s motion to refer. Roll Call #9f(5)

Ayes: Antonneau, Graves, Nicholson, Schmitt, Miller, Haefs, Zima, Evans, Vander Leest, Daul, Van Deurzen, Simons, Lund

Nays: Hansen, Kaye, Johnson, Vanden Plas, Kuehn, Marquardt, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Fewell

Excused: Collins

Total Ayes: 13 Total Nays: 12 Excused: 1

Motion carried to refer item #2 back to Human Services Committee.

Item #3 -- Late Communication from Supervisor Schadewald re: County Board vote to build Mental Health Center. ACTION TAKEN. Receive and place on file.

A motion was made by Supervisor Zima and seconded by Supervisor Schadewald to adopt. Discussion followed with Supervisor Schadewald explaining the delay by the Bellin Group and that was his reason for submitting item #9f(3).

A motion was made by Supervisor Antonneau and seconded by Supervisor Johnson to receive and place on file. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 9g -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF FEBRUARY 13, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on February 13, 2003, and recommends the following motions.

Land Conservation Subcommittee

1. Land Conservation 2002 Annual Report. Receive and place on file.
2. Land Conservation Committee Authority – Brown County Code, Chapter 92 State Statutes. Leave it as it is with the Chairman being the voting person at Lake Michigan's voting conference and if the chairman cannot make it, an appointed designee will attend.
3. Video of Wayside Dairy Animal Waste Storage Construction. Receive and place on file.
4. Director's report. Receive and place on file.

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Planning Commission Board of Directors, Elderly & Disabled Transportation Subcommittee (7/9/02).
 - b) Planning Commission Board of Directors (12/4/02).
 - c) Land Information Office Committee (12/18/02).Receive and place on file items a-c.
2. Port and Solid Waste – Resolution re: Approving Three-Year Statement of Intentions for Wisconsin Department of Transportation's Harbor Assistance Program. Committee approved the three-year statement of intentions for Wisconsin Department of Transportation's Harbor Assistance Program. See Resolutions, Ordinances February County Board.
3. Port and Solid Waste – Update re: Transfer Station in Town of Hobart. No action.

4. Port and Solid Waste – Request information re: possible PCBs being put in town of Holland landfills by way of pipeline. No action.
5. Highway – Discussion re: Snowplowing in rural areas. No action.
6. Highway – Update on highway laborer situation. (Item not addressed.)
7. Highway – Ordinance re: Dealing with Revision of Speed Zone on County Trunk Highway “D”, Town of Holland, Brown County, State of Wisconsin. Committee approved. See Resolutions, Ordinances February County Board.
8. Highway – Commissioner’s report. Receive and place on file.
9. Survey – Director’s report. Receive and place on file.
10. Zoning – Request minor amendments and/or additions to Brown County Code, Chapter 11 (Sanitary Ordinance). Committee approved the request for minor amendments and/or additions to Brown County Code, Chapter 11, Sanitary Ordinance. See Resolutions (#10fi), Ordinances February County Board.
11. Zoning – Recommended changes for Holding Tank Agreement and Servicing Contract. Approve the recommended changes for the holding tank agreement and servicing contract.
12. Airport – Communication from Supervisor Haefs re: Request to review the policies and fees for advertisement and phone systems for the Logging Association members. (Held from previous meeting.) Receive and place on file.
13. Airport – Director’s report. No action.
14. Planning Commission – Update regarding Brown County Comprehensive Plan. Receive and place on file.
15. Planning Commission – Update regarding Wisconsin Comprehensive Planning Grants and local community comprehensive plans. Receive and place on file.
16. Planning Commission – Potential application for Walk able Community Grant from the Wisconsin Department of Transportation. Receive and place on file.
17. UW-Extension – Communication from Supervisor Mary Marquardt re: Review Fairgrounds.
 - a) Address the Brown County Fair under the Planning, Development and Transportation Committee.
 - b) Have Facilities Plan Committee update the Facilities Master Plan to identify those parcels of land that are county-owned that could be used for possible future sites for the Brown County Fair.
18. UW-Extension – Request to approve acceptance of funds from Wal-Mart West in the amount of \$500 for the Brown County UW-Extension 4-H Ranger Program. Approve.
19. UW-Extension – Request to approve acceptance of funds from the commercial horticulture industry in the amount of \$2,500 for the Brown County UW-Extension Horticulture Research Intern position. Approve.
20. UW-Extension – Distribution of Brown County UW-Extension 2002 Annual Report. No action.
21. UW-Extension – Resolution re: Creating Additional Grant-Funded Positions in the Brown County University Extension Table of Organization. (Referred to March’s Executive Committee.) Committee approved.

22. UW-Extension – Request for Budget Transfer (#03-02); Increase in expenditures with offsetting increase in revenue:
- a) Transfer \$15,000 from UW-Extension Youth Development Program Revenue Account to UW-Extension Salaries Account. These funds are from the 21st Century Learning Center Grant and will be used for staffing of the 4-H After School Program.
 - b) Transfer \$4,500 from UW-Extension Revenue Account to UW-Extension Salaries (\$3,600), Travel (\$400), and Supplies and Expense (\$500). These funds are from donations from the horticulture industry in Brown County and will be used for a Horticulture Research Specialist position.
 - c) Transfer \$5,000 from UW-Extension Revenue Account to UW-Extension Salaries (\$4,000), Travel (\$475), and Supplies and Expense (\$525). These funds are from the UW-Extension Northeast District Resource Management Team (\$2,500) and donations from the horticulture industry in Brown County (\$2,500) and will be used for a Horticulture Research Intern position.
 - d) Transfer \$5,080 from UW-Extension Revenue Account to UW-Extension Salaries (\$3,600), Travel (\$300), Supplies and Expense (\$680), and Printing (\$500). These funds are from the UW-Extension Northeast District Resource Management Team and will be used for a Community Garden Intern position.
- Committee approved items a-d.
23. UW-Extension – Interest in attending the 2003 State WACEC Conference on April 1st in Madison to support Brown County UW-Extension programs. Receive and place on file.
24. Audit of bills. Pay the bills.

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Kuehn to adopt. Supervisor Haefs requested Item #12 be taken separately. Remainder of the report adopted unanimously with no abstentions.

Item #12 -- Communication from Supervisor Haefs re: Request to review the policies and fees for advertisement and phone systems for the Lodging Association members. ACTION TAKEN. Receive and place on file.

A motion was made by Supervisor Kuehn and seconded by Supervisor Nicholson to adopt. Supervisor Haefs explained why he is voting no on this item. He feels the Airport Director should have been able to figure out how to maximize dollars by offering advertising space to all those businesses willing to pay. Supervisor Haefs said he realizes the contracts have been signed but he wants to express his thoughts on the procedure, saying he would vote no on this item. Tom Miller, Airport Director, explained the process of RFPs on handling advertisements at the airport. He stated the RFPs for handling advertising at the Airport is part of his budgetary process. He explained the process in detail.

Voice vote taken. Motion carried with Supervisor Nicholson and Supervisor Haefs being recorded as voting nay.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 3/5/2003

No. 9h -- REPORT OF PUBLIC SAFETY COMMITTEE OF FEBRUARY 5, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on February 5, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Fire Investigation Task Force Board of Directors (11/14/02).
 - b) Fire Investigation Task Force General Membership (12/5/02).
 - c) EMS Council (1/15/03).
 - d) Local Emergency Planning Committee (1/14/03).Receive and place on file items a-d.
2. Appointment of Gary Wieczorek and Kim Chamberlin to Emergency Medical Services Council. Committee approved. See Appointments February County Board.
3. Update of Metro Services Study. Hold for one month.
4. Volunteers in Probation – Monthly Statistics (November 2002 ending 11/30/02). (Held from previous meeting.) Receive and place on file.
5. Volunteers in Probation – Annual Report 2002. Receive and place on file.
6. Public Safety Communications – Relocation costs for the Denmark Emergency Warning Siren. (Held from previous meeting to research removal and relocation costs and report back to committee.) Reimburse Village of Denmark for the \$750 cost to take the siren down. And if they want to put it up, it is their expense.
7. Public Safety Communications – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Request to increase printing (\$3,800) and postage (\$1,063) from donations received for an Emergency Management All Hazard brochure. Approve.
8. Public Safety Communications – FY 2002 Supplemental Planning Grant Application. Approve.
9. Public Safety Communications – Radio Communications System Needs Analysis. Refer to Dave Tellock, Public Safety Communications Director, for a report of needs assessment of the department and make a presentation within ninety days.
10. Public Safety Communications – Emergency Management Four-Year Disaster Exercise Plan. Receive and place on file.
11. Sheriff – Communication from Supervisor Dan Haefs re: Request to review fines and forfeitures and make recommendations for increases. Refer to staff to go through the fines and forfeitures and bring back a recommendation of where they should be, compared to other communities of like size.

12. Sheriff – Discussion of Ice Rescue (requested by Supervisor Pat Collins). Receive and place on file.
13. Sheriff – Communication from Supervisor Nicholson re: Request to review all 2002 cellular phone statements for the liaison officers from the Brown County Sheriff's department. (Held from previous meeting.) Hold for one month.
14. Sheriff – Communication from Supervisor Nicholson re: Requesting monthly report for Sheriff's Department overtime. Refer this to Executive Committee and have Sheriff's Department come back with monthly updates about where Information Services is on this.
15. Sheriff – Review and discuss jail medical and dental services. No action.
16. Sheriff – Brown County Community Traffic Team Year End Summary 2002. Receive and place on file.
17. Sheriff – Discussion re: Huber prisoners working at Brown County facilities, for example, NEW Zoo, Golf Course, etc. (Requested by Supervisor Pat Collins.) Held from previous meeting. (Hold for one month.)
18. Sheriff – Truck/traffic verses car traffic on Highway 41 north and south from Green Bay to County line. (Held from previous meeting.) Receive and place on file.
19. Sheriff – Jail Average Daily Population for the Calendar Year 2002. Receive and place on file.
20. Sheriff – Jail Population and Overtime Report (February 2003). Receive and place on file.
21. Sheriff's report. Receive and place on file.
22. Audit of bills. Approve the bills.

A motion was made by Supervisor Schmitt and seconded by Supervisor Watermolen to adopt. Supervisor Nicholson requested Item #13 be taken separately. Remainder of the report adopted unanimously with no abstentions.

Item #13 -- Communication from Supervisor Nicholson re: Request to review all 2002 cellular phone statements for the liaison officers from the Brown County Sheriff's department.

Supervisor Nicholson explained he asked that item #13 be taken separately only to ask the Sheriff an informational question. He asked Sheriff Kocken if the information requested on this communication will be available next month?

Sheriff Kocken replied, yes, the information would be here.

A motion was made by Supervisor Watermolen and seconded by Supervisor Schmitt to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 10 RESOLUTIONS, ORDINANCES

**No. 10a -- RESOLUTION REGARDING: REAUTHORIZATION TO SELF-FUND
WORKER'S COMPENSATION**

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

Ladies and Gentlemen:

WHEREAS, Brown County is a qualified political subdivision of the State of Wisconsin;
and

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-funded) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-fund worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, the Brown County Board of Supervisors at its February 19, 2003 board meeting approved the continuation of the self-funded worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

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

- (1) Provide for the continuation of a self-funded workers' compensation program that is currently in effect.
- (2) Authorize the County Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Respectfully submitted,
ADMINISTRATION COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Nicholson and seconded by Supervisor Schmitt to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____

Date: 3/5/2003

No. 10b -- RESOLUTION REGARDING: AUTHORIZING THE ISSUANCE AND AWARDING THE SALE OF \$11,565,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS; PROVIDING THE FORM OF THE BONDS; AND LEVYING A TAX IN CONNECTION THEREWITH

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

Ladies and Gentlemen:

WHEREAS, it is necessary that funds be raised by Brown County, Wisconsin (the "County") for the purpose of paying the cost of refinancing certain of its outstanding obligations, to wit: the County's \$11,510,000 Taxable Note Anticipation Notes, dated January 29, 2003 (the "Prior Issue") (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board deems it to be necessary, desirable and in the best interest of the County to refund the Prior Issue for the purpose of providing permanent financing for the unfunded prior service liability owed to the Wisconsin Retirement System; and,

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to issue general obligation refunding bonds to refinance their outstanding obligations.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of ELEVEN MILLION FIVE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$11,565,000) from Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin (the "Purchaser"), in accordance with the terms and conditions of its purchase proposal attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. Sale of the Bonds. To evidence such indebtedness, the County Board Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation refunding bonds aggregating the principal amount of ELEVEN MILLION FIVE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$11,565,000) (the "Bonds"), for the sum of ELEVEN MILLION FOUR HUNDRED SEVENTY-THREE THOUSAND SEVEN HUNDRED SEVENTEEN DOLLARS (\$11,473,717), plus accrued interest to the date of delivery.

Section 3. Terms of the Bonds. The Bonds shall be designated "Taxable General Obligation Refunding Bonds"; shall be dated March 28, 2003; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature both serially and in term maturities on November 1 of each year, in the years and principal amounts as follows:

<u>Year of Maturity</u>	<u>Serial Bonds</u> <u>Principal Amount</u>	<u>Interest Rate</u>
2004	\$40,000	3.500%
2005	75,000	3.500
2006	115,000	3.625
2007	160,000	4.000
2008	205,000	4.250
2009	255,000	4.500
2010	310,000	4.700
2011	370,000	4.875
2012	435,000	5.125
2013	510,000	5.250
2014	590,000	5.200
2015	675,000	5.200
2016	765,000	5.250
	<u>Term Bonds</u>	
2022	\$7,060,000	5.550%

Interest is payable commencing on November 1, 2003 and semi-annually thereafter on May 1 and November 1 of each year.

Section 4. Designation of Purchaser as Agent. The County hereby designates the Purchaser as its agent for purposes of distributing the Final Official Statement relating to the Bonds to any participating underwriter in compliance with Rule 15c2-12 of the Securities and Exchange Commission.

Section 5A. Optional Redemption Provisions. At the option of the County, the Bonds maturing on November 1, 2014, and thereafter shall be subject to redemption prior to maturity on November 1, 2013 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5B. Mandatory Redemption Provisions. The Bonds maturing on November 1, 2022 (the "Term Bonds") are also subject to mandatory sinking fund redemption, in part, on November 1 of each of the years and in the amounts set forth below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date. As and for a sinking fund for the redemption of the Term Bonds, the County shall cause to be deposited in the Debt Service Fund Account (created below) a sum which is sufficient to redeem the following principal amounts of such Term Bonds, plus accrued interest to the redemption date:

2022 Term Bonds

<u>Year</u>	<u>Amount</u>
2017	\$ 870,000
2018	980,000
2019	1,100,000
2020	1,225,000
2021	1,365,000
2022 (maturity)	1,520,000

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged and a direct annual irrepealable tax sufficient for that purpose is hereby levied upon all taxable property of the County. Said direct annual irrepealable tax shall be levied in the years and in the amounts as follows:

<u>Levy Year</u>	<u>Amount</u>	<u>Levy Year</u>	<u>Amount</u>
2003	\$654,230.00	2013	\$1,087,772.50
2004	687,830.00	2014	1,142,092.50
2005	725,205.00	2015	1,196,992.50
2006	766,036.26	2016	1,261,830.00
2007	804,636.26	2017	1,323,545.00
2008	845,923.76	2018	1,389,155.00
2009	889,448.76	2019	1,453,105.00
2010	934,878.76	2020	1,525,117.50
2011	981,841.26	2021	1,604,360.00
2012	1,034,547.50		

The direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 8 hereof.

The County will use funds on hand in the amount of \$363,419.42, which have been earmarked to pay prior service liability obligations, to pay interest coming due on the Bonds on November 1, 2003. Said sums shall be irrevocably deposited into the segregated Debt Service Fund Account for the Bonds created below.

Section 7. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as **Exhibit B** and incorporated herein by this reference.

Section 8. Debt Service Fund Account. There is hereby established a fund account separate and distinct from every other County Fund or account to be designated “Debt Service Fund Account for \$11,565,000 Brown County Taxable General Obligation Refunding Bonds, dated March 28, 2003”. There shall be deposited in said fund account any premium plus accrued interest paid on the Bonds at the time of delivery to the Purchaser, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay interest on the Bonds when the same shall become due and to retire the Bonds at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 9. Refunding Fund. The whole proceeds of the Bonds (the “Bond Proceeds”) herein provided for (other than any premium and accrued interest which must be paid at the time of delivery of the Bonds into the Debt Service Fund Account created in Section 8 hereof) shall be segregated in a special fund upon receipt and shall be used solely for the purposes for which borrowed or for the payment of the principal of and interest on the Bonds.

Section 10. Persons Treated as Owners; Transfer of Bonds. The fiscal agent appointed in Section 13 hereof shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of said fiscal agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, said fiscal agent shall deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and said fiscal agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. Said fiscal agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the County Board Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County maintained by said fiscal agent at the close of business on the corresponding record date.

Section 11. Utilization of The Depository Trust Company Book-Entry-Only-System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York (“DTC”), the County has heretofore agreed to the applicable provisions set

forth in the DTC Blanket Issuer Letter of Representation and the County Clerk has executed such Letter of Representation and delivered it to the DTC on behalf of the County.

Section 12. Execution of the Bonds. The Bonds shall be issued in typewritten form, one Bond for each maturity, executed on behalf of the County by the manual or facsimile signatures of the County Board Chairperson and County Clerk (except that one of the foregoing signatures shall be manual), sealed with its official or corporate seal, if any, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 13. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 14. Continuing Disclosure. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate which the County Clerk will execute and deliver on the Closing Date. Any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section.

Section 15. Redemption of the Prior Issue. The County hereby calls the Prior Issue for redemption on March 28, 2003. The County Clerk is hereby authorized to provide a notice of the redemption, in substantially the form attached hereto as Exhibit D, by mailing said notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) nor more than sixty (60) days prior to the redemption date.

Section 16. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County or any parts thereof in conflict with the provisions hereof shall be and the same are hereby rescinded insofar as they may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 19th day of February, 2003.

Respectfully submitted,
EXECUTIVE COMMITTEE

EXHIBIT A

February 19, 2003
Ms. Nancy J. Nusbaum, County Executive
And Members of the County Board of Supervisors
Brown County
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

BAIRD/

Dear Ms. Nusbaum and Members of the County Board of Supervisors:

For all or none of your issue of \$11,565,000.00 Taxable General Obligation Refunding Bonds, dated March 28, 2003, we offer to pay \$11,473,717.00 plus accrued interest from the dated date to the date of delivery. The purchase price equals par amount of \$11,565,000.00 *plus* reoffering premium of \$1,237.00, *less* underwriter's discount of \$92,250.00. Interest, on said Bonds will be payable commencing November 1, 2003 and semi-annually thereafter on May 1 and November 1 of each year. The Bonds will mature on November 1 as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2004	\$40,000	3.50%	2011	\$370,000	4.875%
2005	75,000	3.50	2012	435,000	5.125
2006	115,000	3.625	2013	510,000	5.25
2007	160,000	4.00	2014	590,000	5.20
2008	205,000	4.25	2015	675,000	5.20
2009	255,000	4.50	2016	765,000	5.25
2010	310,000	4.70	*2022	7,060,000	5.55

*** Term Bond 2002**

<u>Year</u>	<u>Amount</u>
2017	\$870,000
2018	980,000
2019	1,100,000
2020	1,225,000
2021	1,365,000
2022	1,520,000

*** Mandatory Redemption on November 1**

The Bonds maturing November 1, 2014 and thereafter are subject to call and prior redemption on November 1, 2013 or any date thereafter, in whole or in part, from maturities selected by the County, and by lot within each maturity at par plus accrued interest to the date of redemption.

This offer is subject to the receipt of the unqualified legal opinion of Godfrey & Kahn, S.C., Milwaukee, Wisconsin, Bond Counsel. The Purchaser will retain \$1,000.00 for the Printing and Distribution of the Official Statement. The Issuer shall pay all other costs of issuance.

Continuing Disclosure. This offer to purchase is subject to the Issuer's covenant and agreement to take all steps necessary to assist us in complying with SEC Rule 15c2-12, as amended (the "Rule") (subject to any applicable exemptions in the Rule).

It is intended that the Bonds will be exchanged for the purchase price on March 28, 2003.

Sincerely,

John A. Mehan
Managing Director
Robert W. Baird & co.
(800) 792-2473 ext. 3719

The foregoing offer is hereby accepted on this 19th day of February, 2003, by Brown County and by Members of the County Board of Supervisors in recognition therefore is signed by the officers empowered and authorized to make such acceptance.

 /s/ Nancy J. Nusbaum
County Executive

EXHIBIT B

(Form of Bond)

**REGISTERED
NO. R- _____**

**UNITED STATES OF AMERICA
STATE OF WISCONSIN
BROWN COUNTY
TAXABLE GENERAL OBLIGATION
REFUNDING BOND**

ORIGINAL DATE

MATURITY DATE: OF ISSUE: INTEREST RATE: CUSIP:
NOVEMBER 1, 20 _____ MARCH 28, 2003 ____% 11511 _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS
(\$ _____)

KNOW ALL MEN BY THESE PRESENTS, that Brown County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable commencing on November 1,

2003 and semi-annually thereafter on May 1 and November 1 of each year until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable in lawful money of the United States by Associated Trust Company, National Association, Green Bay, Wisconsin, the fiscal agent appointed by the County pursuant to the provisions of Section 67.10(2), Wisconsin Statutes, to act as bond registrar and paying agent (the "Bond Registrar"). The principal of this Bond shall be payable only upon presentation and surrender of the Bond at the office of the Bond Registrar. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date").

The County does not intend or represent that the interest on this Bond, or the issue of Bonds of which this Bond is a part, will be excluded from gross income for federal income tax purposes under Section 103(a) of the Internal Revenue Code of 1986, as amended, and the County is not obligated to take any action to attempt to secure any such exclusion.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$11,565,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Chapter 67, Wisconsin Statutes for the purpose of paying the cost of refinancing certain of its outstanding obligations, to wit: the County's \$11,510,000 Taxable Note Anticipation Notes, dated January 29, 2003 all as authorized by a resolution of the County's governing body duly adopted by said governing body at a regular meeting held on February 19, 2003. Said resolution is recorded in the official minutes of said governing body for said date.

At the option of the County, the Bonds maturing on November 1, 2014 and thereafter are subject to redemption prior to maturity on November 1, 2013 or on any date thereafter. Said Bonds are redeemable as a whole or in part, from maturities selected by the County and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

The term bonds maturing November 1, 2022 are subject to mandatory sinking fund redemption, in part, on November 1 of each of the years and in the amounts set forth below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date:

<u>2022 Term Bonds</u>	
<u>Year</u>	<u>Amount</u>
2017	\$870,000

2018	980,000
2019	1,100,000
2020	1,225,000
2021	1,365,000
2022(maturity)	1,520,000

Before the redemption (whether mandatory or optional) of the Bonds, as long as the Bonds are in book-entry-only form, the County shall direct the Bond Registrar to give official notice of the redemption by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Depository receives the notice. The Bonds shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

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

This Bond is transferable only upon the books of the County kept for that purpose at the office of the Bond Registrar. In the event that the Depository does not continue to act as depository for the Bonds, and the County appoints another depository, new fully registered Bonds in the same aggregate principal amount shall be issued to the new depository upon surrender of the Bonds to the Bond Registrar, in exchange therefore and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Bond Registrar shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, Brown County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the signatures of its duly qualified County

Board Chairperson and County Clerk; and to be sealed with its official or corporate seal, all as of the 28th day of March, 2003.

BROWN COUNTY, WISCONSIN

By: \s\ Kenneth J. Simons
County Board Chairperson

(SEAL)

By: \s\ Darlene K. Marcelle
County Clerk

ASSIGNMENT

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

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights there under and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company or Securities Firm)

(Depository or its Nominee Name)

(Authorized Officer)

NOTICE: The above-named Depository or its Nominee Name must correspond with the name as it appears upon the face of the with in Bond in every particular, without alteration or enlargement or any change whatever.

EXHIBIT C

FISCAL AGENCY AGREEMENT

THIS AGREEMENT is made and entered into the _____ day of March, 2003, by and between Brown County, Wisconsin (the "County"), and Associated Trust Company, National Association, a national banking association with trust powers located in Green Bay, Wisconsin (the "Agent").

WITNESSETH:

WHEREAS, the County has authorized the borrowing of the sum of ELEVEN MILLION FIVE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$11,565,000) pursuant to Section

67.05, Wisconsin Statutes, and a resolution adopted by the County Board on February 19, 2003 and has authorized the issuance and sale of \$11,565,000 principal amount of taxable general obligation refunding bonds to evidence such indebtedness (the "Obligations"). The Obligations shall be designated "Taxable General Obligation Refunding Bonds"; shall be dated March 28, 2003; shall bear interest at the rates set forth below; and shall mature serially and as term bonds on November 1 of each year, in the years and principal amounts as follows:

<u>Year of Maturity</u>	<u>Serial Bonds</u> <u>Principal Amount</u>	<u>Interest Rate</u>
2004	\$40,000	
2005	75,000	
2006	115,000	
2007	160,000	
2008	205,000	
2009	255,000	
2010	310,000	
2011	370,000	
2012	435,000	
2013	510,000	
2014	590,000	
2015	675,000	
2016	765,000	
	<u>Term Bonds</u>	
2022	7,060,000	

Interest shall be payable commencing on November 1, 2003 and semi-annually thereafter on May 1 and November 1 of each year until the principal of the Obligations is paid in full or discharged;

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

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

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

I. APPOINTMENT

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

II. INVESTMENT RESPONSIBILITY

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

III. PAYMENTS

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

IV. CANCELLATION

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

V. REGISTRATION BOOK

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

VI. INTEREST PAYMENT

Payment of each installment of interest shall be made to the registered owner who shall appear on the Registration Book at the close of business on the 15th day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal Agent

mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

VII. PAYMENT OF PRINCIPAL

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

VIII. REDEMPTION NOTICE

In the event the County exercises its option to redeem the Bonds prior to maturity, as long as the Bonds are in book-entry-only form, the County shall direct the Bond Registrar to give official notice of the redemption by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Depository receives the notice. The Bonds shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

IX. MANDATORY REDEMPTION OF TERM BONDS

The Obligations maturing on November 1, 2022 (the "Term Bonds") are subject to mandatory sinking fund redemption, in part, on November 1 of each of the years and in the amounts set forth below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date:

	<u>2022 Term Bonds</u>	
<u>Year</u>		<u>Amount</u>
2017		\$ 870,000
2018		980,000
2019		1,100,000
2020		1,225,000
2021		1,365,000
2022 (maturity)		1,520,000

The Fiscal Agent is hereby directed to give notice of said redemption to the Depository in the same manner as is required for optional redemptions under Section VIII hereof.

X. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

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

XI. TRANSFER AND EXCHANGE OF OBLIGATIONS

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

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

XII. STATEMENTS

The County agrees to pay the Fiscal Agent fees in accordance with the fee schedule provided by the Fiscal Agent which is attached hereto as Exhibit B-1 and incorporated herein by this reference until the final principal payment (or redemption date in the event the County exercises its option, if any, to redeem the Obligations). Such fees are payable on the dates principal is due or pursuant to statements provided to the County by the Fiscal Agent. In the event the County exercises its option, if any, to redeem the Obligations, the Fiscal Agent shall be reimbursed for mailing costs related therewith.

XIV. MISCELLANEOUS

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

(b) Resignations; Successor Fiscal Agent. Fiscal Agent may at any time resign by giving not less than sixty days written notice to County. Upon receiving such notice of resignation, the County shall promptly appoint a successor Fiscal Agent by an instrument in writing executed by order of its governing body. If no successor Fiscal Agent shall have been so appointed and have accepted appointment within sixty days after such notice of resignation, the

resigning Fiscal Agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent.

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

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

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

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

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

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

(SEAL)

BROWN COUNTY, WISCONSIN

By: \s\ Kenneth J. Simons
County Board Chairperson

And: \s\ Darlene K. Marcelle
County Clerk

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION
GREEN BAY, WISCONSIN

(SEAL)

By: _____

And: _____

EXHIBIT D

NOTICE OF REDEMPTION*

BROWN COUNTY, WISCONSIN

\$11,510,000 TAXABLE NOTE ANTICIPATION NOTES

CUSIP NO. 115511J99

DATED JANUARY 29, 2003

NOTICE IS HEREBY GIVEN that the above-referenced issue has been called for prior payment on March 28, 2003 (the "Redemption Date").

The Depository Trust Company, New York, New York, is the securities depository for said Notes. The holders of said Notes will be paid the principal amount of the Notes plus accrued interest to the Redemption Date.

Said Notes will cease to bear interest on March 28, 2003.

By Order of the County Board

Darlene K. Marcelle, County Clerk

Dated February 19, 2003

* To be sent to The Depository Trust Company, Call Notification Department, Muni Reorganization Manager, 711 Stewart Avenue, Garden City, New York 11530, the securities depository for the Notes, not less than thirty (30) days nor more than sixty (60) days prior to the Redemption Date by registered or certified mail, or overnight express delivery.

A motion was made by Supervisor Antonneau and seconded by Supervisor Graves to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 3/5/2003

No. 10c -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2002-2003 LABOR AGREEMENT WITH THE ELECTRICIANS, LOCAL 158

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 Electricians, Local 158 for the years 2002 and 2003, effective January 1, 2002, which agreement shall provide the following major changes from the 1999, 2000, 2001 labor agreement.

The County proposes the predecessor contract with the following changes:

1. ARTICLE 12. INSURANCE (Changes effective 1/1/03)

Effective January 1, 2003, the employee shall pay five percent (5%) of the premium per month on all health and dental plans

The Basic Plan shall continue to be offered through the term of this agreement. The union will not object to the use of the plan being subject to acknowledgement by the employee that they have read and understood the limitations of the plan.

As of January 1, 2003, the HSP plan's Nervous and Mental Coverage shall be upgraded to that of the PPO plan.

Also effective January 1, 2003, the following changes will be made to all plans:

- 1) the requirement for pre-certification for the first ten outpatient therapies shall be eliminated;
- 2) a \$25.00 penalty will be charged for non-emergency use of the emergency room;
- 3) a three-tier formulary will be followed for all prescriptions (20%, 20%, 20% + \$15.00)

2. ARTICLE 13. WRS

Increase amounts commensurate with the wage increases.

3. ARTICLE 23. HOLIDAYS

Personal leave day effective 1/1/03

4. ARTICLE 29. DURATION OF AGREEMENT

Amend the dates referenced in lines 639 to 640 to read as follows:

This agreement shall become effective January 1, 2002, and shall remain in force and effect to and including December 31, 2003.

5. SCHEDULE A

Increase all positions on the Schedule 3% for each year

6. MEMORANDUM OF UNDERSTANDING

<u>ADA</u>	Resign
<u>Insurance</u>	Delete
<u>Disability Leave</u>	Resign
<u>Long-term Care</u>	Delete
<u>Dental Insurance</u>	Delete
<u>Retiree Insurance</u>	Delete
<u>Vision Insurance</u>	Delete
<u>Electrical Apprentice</u>	Delete
<u>PPO</u>	Amend

7. NEW MEMORANDUM

Call-In Pay

The following agreement has been reached between Brown County and the International Brotherhood of Electrical Workers Union, Local No. 158, representing the Electricians.

Notwithstanding Schedule A, lines 725 & 726 the parties agree to the following:

Employees called in for emergency work shall receive a minimum of three (3) hours pay at the prescribed rate (the prescribed rate is intended to mean time and one half except on Sundays or holidays when the premium would be double time).

This memorandum shall not apply to scheduled overtime. Scheduled overtime is overtime scheduled more than seventy-two (72) hours before the time the work is performed.

This memorandum shall remain in effect until 12/31/03.

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

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Watermolen and seconded by Supervisor Nicholson to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 3/5/2003

No. 10d -- RESOLUTION REGARDING: SUPPORTING VA OUTPATIENT CLINIC FOR GREEN BAY

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

Ladies and Gentlemen:

WHEREAS, the Capital Asset Realignment for Enhanced Services (CARES) study of 2001-2002 for Veterans Integrated Service Network (VISN) 12, proposed that a Community Based Outpatient Clinic (CBOC) be located in the Green Bay area for veterans; and

WHEREAS, Rep. Mark Green announced through a press release on February 8, 2002 confirming this proposal; and

WHEREAS, the veterans and veterans organizations of Brown County have shown overwhelming support and need for this CBOC in the Green Bay area; and

WHEREAS, veterans from the Brown County area who enroll for VA care at the Fox Valley Clinic must wait a minimum of one year for a new patient appointment; and

WHEREAS, the Brown County Veterans Service office completes an average of 100 new applications per month for veterans wishing to enroll for VA care.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors hereby requests Secretary of Veterans Affairs, Anthony J. Principi to place the "highest priority" on the opening of this CBOC in the Green Bay area to better serve the high demand for VA care for Brown County veterans and veterans residing in other parts of Northeast Wisconsin.

Respectfully submitted,
HUMAN SERVICES COMMITTEE

A motion was made by Supervisor Marquardt and seconded by Supervisor Watermolen to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 3/5/2003

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

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

Ladies and Gentlemen:

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

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

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

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

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

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

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

CERTIFICATION

I, Darlene Marcelle, Clerk of Brown County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a County Board meeting of the County Board of Supervisors on February 19, 2003, adopted by a majority vote, and recorded in the minutes of said meeting.

 /s/ Darlene K. Marcelle
Brown County Clerk

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

Due: April 1, 2003
Send to: WDOT
Bureau of Railroads
& Harbors
P.O. Box 7914
Madison, WI 53707-7914

Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2003**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Green Bay's New Leichts Park Development

This project will consist of extending the existing dock wall at north end of property approximately 150' to the south. Dock wall will need to be dredged to 24' depth. The work will include sheet pile, sheet anchors, bumper guards, excavation and filling. Surface paving adjacent to the new wall to facilitate access to and from the vessels will also be constructed. The existing site is a run-down rip-rap shoreline. The facility will be used for docking various types of ships ranging from commercial cruise, military, and tall ships, etc. The purpose of the dock will be to provide public education and recreation relating to various types of seagoing ships as well as access to Downtown Green Bay for passenger vessels.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (80%)	\$800,000
(b) Brown County (20%) (City of Green Bay)	\$200,000
(c)	
(d)	
	<u>\$ 1,000,000</u>
	Total

(a) Of the projects listed for the year noted above, this project is of 1st priority to the applicant.

(b) The estimated probability of this project being started in year noted above is:

(Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager**
Bill Landvatter (City of GB)

Date: **January 18, 2003**

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

Due: April 1, 2003
Send to: WDOT
Bureau of Railroads
& Harbors
P.O. Box 7914
Madison, WI 53707-7914

Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2003**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Dredging and Pipeline Improvements at US Oil Company Quincy St. Facility

This project will involve dredging and pipeline improvements to increase cost efficiencies. The project will consist dredging an area 500' x 50' x 4' deep at \$20/cy for a cost of \$74,000. Repair existing 4 support piers at \$25,000/each for a cost of \$100,000. The project will also repair or replace pipeline supports to lift pipeline off ground at cost of \$40,000.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (80%)	\$171,200
(b) Brown County (20%) (City of Green Bay)	\$ 42,800
(c)	
(d)	
	<u>\$214, 000</u>
	Total

PART III Rank & Probability

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

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

Prepared by: **Dean Haen, Port Manager**
Bill Landvatter (City of GB)

Date: **January 18, 2003**

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

Due: April 1, 2003
Send to: WDOT
 Bureau of Railroads
 & Harbors
 P.O. Box 7914
 Madison, WI 53707-7914

Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government
 (County, City, Village or Town)

Improvements Proposed in Calendar Year **2003**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

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

The US Oil Company has purchased BP Amoco's Broadway facility that has approximately 400' dock wall unutilized for the waterborne delivery of petroleum products for many years. The project consists of installing a pipeline from the dock wall to the main manifold at the rack to facilitate the delivery of product for themselves and other customer's liquid products at a cost of \$125,000.

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

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (80%)	\$120,000
(b) Brown County (20%) (City of Green Bay)	\$ 30,000
(c)	
(d)	
	<u>\$ 150,000</u>
	Total

(a) Of the projects listed for the year noted above, this project is of 3rd priority to the applicant.

(b) The estimated probability of this project being started in year noted above is:

(Circle One)	High
	<u>Medium</u>
	Low

Prepared by: **Dean Haen, Port Manager**
Mike Koel, US Oil Company
 Date: **January 18, 2003**

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STATEMENT OF INTENTIONS**

Due: April 1, 2003
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 Harbor Name

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Improvements Proposed in Calendar Year **2004**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Cat Island Chair Restoration

Restoration of the Cat Island chain using outer harbor (sandy) dredge material from the navigational channel. The original three Cat Islands were destroyed during high water and storm events in the 1970s. The islands served ecological and environmental benefits to lower Green Bay. Under Section 204 of the Water Resources Development Act of 1992, the United States Army Corps of Engineers conducted a Ecosystem Restoration Report and Draft Environmental Assessment in November 1999 and are willing to pay 75% of the project cost with the remaining cost being local. The initial local cost of reconstructing one of the three islands is \$850,000. This project is supported by U.S. Fish & Wildlife Service, WI Department of Natural Resources, UW-Sea Grant Institute, and other agencies and local environmental groups. Assuming the outer channel generates 80,000 cy of dredge material when dredged, the construction of the first island would take 24 years to construct and use 1,300,000 cy of sandy dredge material, thus extending the disposal capacity of Bay Port.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (50%)	\$425,000
(b) Brown County (50%) (City of Green Bay)	\$425,000
(c)	

PART III Rank & Probability

- (a) Of the projects listed for the year noted above, this project is of 1st priority to the applicant.
- (b) The estimated probability of this project being started in year noted above is:

(d)

\$ 850,000
Total

(Circle One)

High
Medium
Low

Prepared by: Dean Haen, Port Manager

Date: January 18, 2003

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Madison, WI 53707-7914

Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government

(County, City, Village or Town)

Improvements Proposed in Calendar Year **2004**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Development of new Bay Port Slip for the Expansion of Port Facilities and Relocation of C. Reiss Coal Co.

The City of Green Bay is interested in relocating C. Reiss Coal Co. from their 40-acre site to a larger site in the Bay Port Industrial Park. Relocating C. Reiss Coal Co. would also expand port operations by making available over 80 acres for port purposes. Western Lime has indicated a need for a larger facility in Green Bay or relocation to another port. This project would create port property, owned by the port and under the control of the port. The expansion would have to be designed not to adversely impact the bay's west shore shallow water habitat. The project would include a double-walled slip of over 4,000lf and dredging out the slip to 26'. The project would also require a double geo-synthetic liner and granular blankets to stabilize and strengthen the existing soils to hold bulk commodities.

PART II Project Resources

PART III Rank & Probability

Expected Funding Sources (All types)

Amount

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

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

\$16,000,000

(b) **Brown County (20%)** **\$ 4,000,000**
(City of Green Bay)

(b) The estimated probability of this project being started in year noted above is:

(c)
(d)

(Circle One) High
Medium
Low

\$ 20,000,000
Total

Prepared by: Dean Haen, Port Manager
Date: January 18, 2003

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Port of Green Bay
Harbor Name

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

Improvements Proposed in Calendar Year **2004**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit **COMMERCIAL TRANSPORTATION**. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Leicht's Transfer & Storage's State Street Dock Wall

Replacement of existing wakefield wall on Fox River slip facility, to include replacement of dock face, 300 feet of replacement sheet piling, replacing sheet anchors, and replacing outside bumper guards to facilitate across dock loading and unloading of commercial bulk product. In addition, a 300 foot long by 50 foot wide structural pad with support piles would be installed on the existing portion of the slip wall currently not requiring replacement. Bollards and a wood fender system would also be added along the entire face of the slip.

PART II Project Resources

PART III Rank & Probability

Expected Funding Sources (All types) Amount

(a) Of the projects listed for the year noted above, this project is of 3rd priority to the applicant.

(a) **Wisconsin DOT HAP (80%)** **\$560,000**

(b) **Brown County (20%)** **\$140,000**
(Leicht's Transfer & Storage)

(c)

(d)

\$ 700,000
Total

(a) The estimated probability of this project being started in year noted above is:

(Circle One) High
Medium
Low

Prepared by: **Dean Haen, Port Manager**
Carol Jamrosz, Leichts

Date: **January 18, 2003**

**THREE-YEAR HARBOR DEVELOPMENT
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Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government

(County, City, Village or Town)

Improvements Proposed in Calendar Year **2004**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Leicht's Transfer & Storage's North Dock Wall

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

PART II Project Resources

PART III Rank & Probability

Expected Funding Sources (All types)

Amount

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

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

\$856,000

4th priority to the applicant.

(b) **Brown County (20%)** **\$214,000**
(Leicht's Transfer & Storage

(c)

(d)

\$ 1,070,000
Total

(b) The estimated probability of this project being started in year noted above is:

(Circle One) High
Medium
Low

Prepared by: **Dean Haen, Port Manager**
Carol Jamrosz, Leichts

Date: **January 18, 2003**

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

Due: April 1, 2003

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Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government

(County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Green Bay Federal Navigational Channel Deepening Project

Deepen federal navigational channel to the East River turning basin to St. Lawrence Seaway specification of 26'3". Presently the channel is 26' to Grassy Island then shallows to 24' until the Main St. Bridge and 22' beyond. The channel would need to be dredged a distance of 4 miles. The U.S. Army Corps of Engineers is authorized to conduct a Great Lakes Navigational Study consisting of a cost/benefit analysis to determine if a specific project is warranted. The port would benefit by decreasing shipping costs and expanding cargoes presently not received because the cargoes are transported on ocean-going ships requiring the necessary seaway draft. Assuming the cost/benefit study determines a benefit, the USACE is willing to fund the project at 75% with local sponsorship 25%. The total quantity of material to be dredged from the navigational channel is 870,369 cy at a cost of \$9.00 per yard or \$7,833,320 not including disposal. The non-federal financial responsibility would be \$1,958,330.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (50%)	\$979,165
(b) Brown County (50%) (City of Green Bay)	\$979,165
(c)	
(d)	
	\$ <u>1,958,330</u>
	Total

PART III Rank & Probability

(a) Of the projects listed for the year noted above, this project is of 1st priority to the applicant.

(b) The estimated probability of this project being started in year noted above is:

(Circle One) High
 Medium
 Low

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

Date: **January 18, 2003**

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

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Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government

(County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

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

Dredge the necessary slips and dock walls to St. Lawrence Seaway specification of 26'3". Presently the slips are approximately 24'. The Fox River Dock slip would need to be dredged at an estimated cost of \$600,000. The Western Line Company dock wall would need to be dredged at an estimated cost of \$300,000.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources (All types)</u>	<u>Amount</u>
(a) Wisconsin DOT HAP (80%)	\$720,000
(b) Brown County (20%) (City of Green Bay)	\$180,000
(c)	
(d)	
	\$ <u>900,000</u>
	Total

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

(b) The estimated probability of this project being started in year noted above is:

(Circle One) High
 Medium
 Low

Prepared by: Dean Haen, Port Manager
 Date: January 18, 2003

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Port of Green Bay
 Harbor Name

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Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Public Terminal Facility

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

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
(a) Wisconsin DOT HAP (80%)	\$ 8,000,000
(b) Brown County (20%) (City of Green Bay)	2,000,000
(c)	
(d)	
	<u>\$ 10,000,000</u>
	Total

(a) Of the projects listed for the year noted above, this project is of 3rd priority to the applicant.

(b) The estimated probability of this project being started in year noted above is:

- (Circle One) High
 Medium
 Low

Prepared by: Dean Haen, Port Manager
Date: January 18, 2003

**THREE-YEAR HARBOR DEVELOPMENT
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Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government
(County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2003, 2004 and 2005. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Green Bay Brownfield Public Dock Wall Construction Project

Rehabilitation of 2,300 lf of dock wall, including major repairs to dock face, new sheet piling, anchors, bumper guards and dredging 32,260 cy of dredge material out of slip to approximately 24' draft to facilitate loading and unloading passenger cruise ships and visiting tour ships.

PART II Project Resources

PART III Rank & Probability

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>
---	---------------

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

- | | | | |
|-----|---|----------------------------|---|
| (a) | Wisconsin DOT HAP (80%) | \$ 4,000,000 | <u>4</u> th priority to the applicant. |
| (b) | Brown County (20%)
(City of Green Bay) | \$ 1,000,000 | (b) The estimated probability of this project being started in year noted above is: |
| (c) | | | (Circle One) High |
| (d) | | <u>\$ 5,000,000</u> | Medium |
| | Total | | <u>Low</u> |
- Prepared by: Dean Haen, Port Manager
Date: January 18, 2003

A motion was made by Supervisor Daul and seconded by Supervisor Marquardt to adopt. Vote taken. Motion carried unanimously with no abstentions.
Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

No. 10f -- ORDINANCE REGARDING: DEALING WITH REVISION OF SPEED ZONE ON COUNTY TRUNK HIGHWAY "D", TOWN OF HOLLAND, BROWN COUNTY, STATE OF WISCONSIN

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1: A traffic and engineering investigation having been made on the following described highway, the maximum permissible speed at which vehicles may be operated on said highway, which speed herewith established as reasonable and safe pursuant to Section 349.11, Wisconsin Statutes, shall be as set forth within, and upon the erection of standard signs giving notices thereof.

Section 2: Section 340.0003, Schedule A of the Brown County Code is hereby amended as follows:

County Trunk Highway "D", Town of Holland:

Remove: Thirty miles per hour from a point 0.02 of a mile south of its intersection with County Trunk Highway "CE", in the unincorporated place known as Holland, northerly for a distance of 0.38 of a mile.

Add: Thirty miles per hour from a point 0.18 of a mile south of its intersection with Van Street, in the unincorporated place known as Holland, northerly for a distance of 0.68 of a mile.

Section 3: This ordinance shall take effect upon passage and publication. Adopted this 19th day of February, 2003.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Daul to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 3/5/2003

Approved by: \s\ Kenneth J. Simons, Board Chairman Date: 3/5/2003

No. 10f(i) -- ORDINANCE AMENDING CHAPTER 11 OF THE BROWN COUNTY CODE ENTITLED "PRIVATE SEWAGE SYSTEM"

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Subsection (5)(c) of Section 11.073 of the Brown County Code is hereby created to read as follows:

- (c) All POWTS installed on or after 7-1-00 shall be maintained and serviced in accordance with the approved management plan on file with the Zoning Office.

Section 2 - Subsection (3) of Section 11.074 of the Brown County Code is amended to read as follows:

- (3) A ~~maintenance agreement~~ Maintenance Contract furnished by the Zoning Office must ~~recorded with the Register of Deeds~~ be submitted prior to issuance of a sanitary permit that includes:
- (a) The ~~notarized~~ signature of the owner and contracted POWTS Maintainer.
- (b) ~~A schedule of maintenance prescribed by the manufacturer of any system component and/or installer.~~ A reference to the maintenance required to be completed by the POWTS Maintainer as part of the approved management plan.

Section 3 - Subsection (2)(c) of Section 11.21 of the Brown County Code is hereby amended by being renumbered to Subsection (3) of Sec. 11.21 of the Brown County Code.

Section 4 - Subsection (2)(d) of Section 11.21 of the Brown County Code is hereby amended to being renumbered to be subsection (4) of Sec. 11.21 of the Brown County Code.

Section 5 - Subsection (5) of Section 11.21 of the Brown County Code is hereby created to read as follows:

- (5) Once an existing system inspection report is received, the Zoning Office may issue orders to correct violations and the system shall be placed on the Maintenance Program specified under Ch. 11.073(5)(a).

A motion was made by Supervisor Daul and seconded by Supervisor Vanden Plas to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 3/5/2003

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 3/5/2003

Approved by: \s\ Kenneth J. Simons, Board Chairman Date: 3/5/2003

No. 11 -- Such other matters as authorized by law.

A motion was made by Supervisor Marquardt and seconded by Supervisor Clancy to suspend the rules to allow for a late communication from Supervisor Marquardt: **“To require the County Board to hold a mandatory one hour session on Robert’s Rules of Order so the Board has on understanding of the impact of a passed motion on future discussion of this Board.”**

Voice vote taken. Motion carried unanimously with no abstentions.

Chairman Simons directed this communication to the Executive Committee.

Supervisor Schadewald submitted a late communication requesting a special meeting of the County Board for the purpose of hearing the proposal from Bellin.

Chairman Simons ruled Supervisor Schadewald’s late communication a moot point because a vote was taken earlier in this evening’s meeting to determine a meeting date. The majority vote for March 19th is the date he will accept.

At this time Supervisor Zima removed his name from the late communication submitted by Supervisor Schadewald requesting that the County Board Chair schedule a “special” County Board meeting.

No. 12 -- Bills over \$10,000 for the period ending February 3, 2003.

A motion was made by Supervisor Watermolen and seconded by Supervisor Kuehn to pay the bills. Vote taken. Motion carried unanimously with no abstentions.

No. 13 -- Closing Roll Call.

Present: Antonneau, Graves, Nicholson, Schmitt, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Excused: Collins

Total Present: 25

Total Excused: 1

**No. 14 -- ADJOURNMENT TO WEDNESDAY, MARCH 19, 2003, AT 7:00 P.M.,
LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON
STREET, GREEN BAY, WISCONSIN**

A motion was made by Supervisor Nicholson and seconded by Supervisor Kuehn to adjourn to the above date and time. Vote taken. Motion carried unanimously with no abstentions.

DARLENE K. MARCELLE
Brown County Clerk