

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
JANUARY 15, 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, January 15, 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.

Chairman Simons announced that Supervisor Schmitt asked to be excused for the opening roll call. However, he is expected to arrive approximately 15 minutes late.

Opening Roll Call:

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

Excused: Schmitt

Total Present: 25 Total Excused: 1

PRESENTATION OF A PLAQUE TO MIKE STRATMAN FOR HIS DEDICATED SERVICE

No. 1 -- Adoption of agenda.

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

No. 2 -- Approval of minutes of County Board Meeting of December 18, 2002.

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

No. 3 -- Announcements by Supervisors. None.

Supervisor Vander Leest read a portion of a letter from the Wisconsin State Golf Association requesting Brown County Golf Course host the WSGA State Amateur Championship in the year 2005. Supervisor Vander Leest stated this is the first time that a Public Golf Course in the State of Wisconsin will be used for a State Amateur Event. He added that Brown County should be proud of its Golf Course and the citizens should be proud of the recognition this event would bring to Brown County.

Supervisor Vander Leest's second announcement involved his thoughts that each supervisor is here to do the people's work. Additionally, he said we must rise above politics and restore respect and faith to County citizens.

Supervisor Vander Leest made a motion, seconded by Supervisor Nicholson, requesting the County Board take five minutes, after the invocation, before getting into the agenda, to shake hands with other Supervisors. Continuing, he said this adds positive spirit and reminds us that we are here for the people. A voice vote was taken and the motion passed unanimously with no abstentions. A five minute recess was taken at this time for that purpose.

Supervisor Schmitt arrived at this time.

No. 4 -- Communications. None.

No. 5 -- Late Communications.

No. 5a -- From Supervisor John Vander Leest requesting the County accept the Wisconsin State Golf Association's invitation to hold the 2005 Wisconsin State Amateur Championship on July 11-14, 2005.

Refer to Education and Recreation Committee.

No. 5b -- From Supervisor Nicholson requesting that our former Corporation Counsel, Ken Bukowski, not be hired as a legal consultant in any capacity whatsoever for the future.

Refer to Administration Committee.

No. 5c -- From Supervisor Collins requesting a review and update on the position description of the Internal Auditor. 1) Review the oversight of the Internal Auditor, including performance reviews; 2) Insure complete openness to all Supervisors. All activities and meetings attended by our Internal Auditor should be noticed to all Supervisors. All documents distributed to an individual or individuals should be made available to all Supervisors; 3) Decide who and/or what committees shall assign duties or make requests of the Internal Auditor. Priority should be given to assignments from the Board.

Refer to Executive Committee.

No. 6 -- Appointments by the County Executive.

No. 6a -- Appointment of Cal Lintz, Dawn Wolfcale and Robert Kiser to Emergency Medical Services Council.

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

No. 6b -- Appointment of Richard Nell to Board of Adjustments.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Daul to approve. Vote taken. Motion carried unanimously with no abstentions.

No. 6c -- Appointment of Toni Loch and reappointment of James Coates & Ka Youa Kong to Diversity Affairs Council.

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

No. 7a -- Report by County Executive.

County Executive Nusbaum began by saying most of her report relates to personnel issues.

The County Executive explained the process in place to replace the Human Resources Director and the recruitment has begun.

She added that this past weekend a confirmed hire occurred for the Curator of Art at the Library. This person has a pending start date of mid-February.

Additionally, ads were run to replace Corporation Counsel. The ads closed Friday, with 14 applications submitted. Ms. Nusbaum explained her process of selecting the interviewing panel for the Corporation Counsel position.

Nancy asked Board members to direct their attention to a magazine titled "City and County" that is on each supervisor's desk. This magazine contains an article citing an award to Brown, Outagamie and Winnebago Counties for innovation and creativity in government.

She was also noted that Brown County was again recognized with the highest rating possible for our financial position in Brown County.

No. 7b -- Report by Board Chairman.

Chairman Simons welcomed John Jacques as our Interim Corporation Counsel.

Additionally, he asked everyone to do their best to represent the Citizens of Brown County.

No. 8 -- Other Reports. None.

No. 9 -- Standing Committee Reports:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF JANUARY 2, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on January 2, 2003, and recommends the following motions:

2. Review minutes of:
 - a: Housing Authority (11/28/02 & 11/16/02).
Receive and place on file.
3. Treasurer – September 2002 Investment Report. Receive and place on file.
4. Human Resources – Human Resources Monthly Committee Report (December 2002).
Receive and place on file.
5. Department of Administration – Monthly Activities Report (November 25 through December 20, 2002). Receive and place on file.

6. Department of Administration – 2002 Budget Transfer Log. Receive and place on file.
7. Department of Administration – Director’s report. Receive and place on file.
8. Communication from Supervisor Dan Haefs re: Request for a budget transfer of \$18,000 for Triangle Hill Sports Area to fund operations. Transfer \$18,000 for operation of Triangle Hill Sports Area. Ayes: 3 (Hansen, Schadewald, Miller); Abstain: 1 (Marquardt); Excused: 1 (Graves). Motion Carried.
9. Audit of bills. (No bills present.)

A motion was made by Supervisor Marquardt and seconded by Supervisor Kuehn to adopt. Vote taken. Motion carried with Supervisor Zima abstaining from Item #2 of the report (Housing Authority Minutes).

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive Date: 1/29/2003

No. 9b -- NO REPORT OF REGULARLY SCHEDULED EDUCATION AND RECREATION COMMITTEE

No. 9c -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE OF JANUARY 10, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in “*special*” session on January 10, 2003, and recommends the following motions:

- ** #0. Communication from Supervisor Dan Haefs re: Request for a budget transfer of \$18,000 for Triangle Hill Sport Area to fund operations. (Referred from December County Board.) Approve.
- ** #0 ABOVE WAS REFERRED BACK TO EDUCATION AND RECREATION COMMITTEE AS PER THE COUNTY BOARD ON 1/15/2003.
- 1. **Closed Session.** Pursuant to Sec. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business since competitive and bargaining reasons required a closed session-lease agreement for use of County property – Nitschke Practice Field, Packer Drive, Ashwaubenon.
 - a. Enter into closed session.
 - b. Return to regular order of business.
 - c. No action taken.
- 2. Possible action on lease agreement for use of County property-Nitschke Practice Field, Packer Drive, Ashwaubenon. No action taken.

Supervisor Daul asked that item #0 on report "Communication from Supervisor Haefs to Request for a Budget Transfer of \$18,000 for Triangle Hill Sport Area to fund operations" be taken separately.

A motion was made by Supervisor Schmitt and seconded by Supervisor Johnson to approve remainder of report. Passed unanimously on voice vote with no abstentions.

Supervisor Daul made a motion, seconded by Supervisor Fleck to amend the above motion of \$18,000 to be transferred for improvements to the Brown County Fairgrounds.

A point of order raised by Supervisor Haefs was recognized by Chairman Simons. Supervisor Haefs stated that the Brown County Fair is not on tonight's agenda so Supervisor Daul's motion is not in order. Chairman Simons agreed and ruled the motion out of order.

After much discussion and questions, Supervisor Watermolen made a motion, seconded by Supervisor Lund, to refer this item back to the Education and Recreation Committee. Supervisor Watermolen explained we have many unanswered questions on this issue and by referring this back, the Committee can gather additional information. Vote on referral. Roll Call #9c:

Ayes: Kaye, Vanden Plas, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Nays: Antonneau, Graves, Nicholson, Schmitt, Miller, Haefs, Hansen, Zima, Evans, Vander Leest, Johnson, Kuehn

Total Ayes: 14 Total Nays: 12

Motion carried on referral.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 1/29/2003

No. 9d -- REPORT OF EXECUTIVE COMMITTEE OF JANUARY 6, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

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

1. Review minutes of:
 - a) Diversity Affairs Council (12/3/02).
 - b) Legislative Subcommittee (12/26/02).Receive and place on file items a-b.
2. Appointment of Toni Loch and reappointment of James Coates and Ka Youa Kong to Diversity Affairs Council. Committee approved. See Appointments January County Board.
3. Report by County Executive. (No report.)
4. Legislative Subcommittee report. (No report.)
5. Internal Auditor Report. No action.
6. Ordinance re: To Establish Sec. 3.18 of the Brown County Code entitled "Freedom from harassment Policy." (Referred from Legislative Subcommittee.) Committee approved. See Resolutions, Ordinances January County Board.

7. Resolution re: Diversity Affairs Council Mission Statement. Receive and place on file.
8. Ordinance re: To amend Section 3.06(5) of the Brown County Code Relative to Sale of Tax Delinquent Real Estate. (Referred back to Committee from December County Board.) Committee approved. See Resolutions, Ordinances January County Board.
9. Jackson County Resolution re: Support for State and Federal Funding for Teen Court Programs. (Referred from Legislative Subcommittee.) Approve, amending it to read Brown County in lieu of Jackson County.
10. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes.
 - a) Enter into closed session.
 - b) Return to regular order of business.
 - c) No action taken.

A motion was made by Supervisor 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: 1/29/2003

No. 9e -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE OF JANUARY 15, 2003

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in **special** session on January 15, 2003, and recommends the following motions:

1. Resolution re: Awarding the Sale of \$11,510,000 Taxable Note Anticipation Notes. Committee approved. See Resolutions, Ordinances January County Board.
2. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes.
 - a) Enter into Closed Session.
 - b) Return to regular order of business.
 - c) No action.

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

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 1/29/2003

No. 9f -- **NO REPORT OF REGULARLY SCHEDULED MEETING OF HUMAN SERVICES COMMITTEE FOR THE MONTH OF DECEMBER**

No. 9g -- **REPORT OF "SPECIAL" HUMAN SERVICES COMMITTEE OF DECEMBER 18, 2002**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in "special" session on December 18, 2002, and recommends the following motions:

1. Vendor Interviews will be conducted. No action.
2. **Closed Session:** Pursuant to Sec. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, since competitive or bargaining reasons require a closed session – hearing competitive proposals for Bellin Health Mental Health Center proposal analysis.
 - a. Enter into closed session.
 - b. Return to regular order of business.
 - c. No action.

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

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 1/29/2003

No. 9h -- **REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF JANUARY 9, 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 January 9, 2003, and recommends the following motions:

Land Conservation Subcommittee

1. Thursday Note dated December 12, 2002. Receive and place on file.
2. Resolution adopted at Wisconsin Land and Water Conservation Association Meeting Annual Conference in December. Receive and place on file.

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Land Information Office Committee (10/16/02).
 - b) Harbor Commission (10/7/02).
 - c) Solid Waste Board (10/21/02).Receive and place on file items a-c.
2. Zoning – Request to remove an area that is mapped as flood fringe based on the fact that the area has been filled two feet above the 100-year water surface elevation for the area. Approve the existing condition of Parcel #D827 in the Town of Ledgeview, Brown County, Wisconsin.
3. Appointment of Richard Nell to Board of Adjustment. Committee approved. See Appointments January County Board.
4. Communication from Supervisor Robert Miller re: Board of Supervisors shall review its continued participation in the Tri-County Waste Disposal Agreement. (Referred back to committee from December 18, 2002 County Board.) Receive and place on file.
5. Land Information Office – Request for approval of a grant “Year 2002-cycle Strategic Initiatives and Grants and Aids to Local Governments.” Approve.
6. Airport – Communication from Supervisor Haefs re: Request to review the policies and fees for advertisement and phone systems for the Lodging Association members. (Referred from December 18, 2002 County Board.) Hold for one month.
7. Airport – Director’s report. Receive and place on file.
8. UW-Extension – Request to approve acceptance of funds from Northeast UW-Extension District Resource Management Team in the amount of \$2,500 for a Brown County UW-Extension Horticulture Research Intern position. Approve.
9. UW-Extension – Request to approve acceptance of funds from UW-Extension in the amount of \$7,450 for the Brown County UW-Extension Revenue Account to UW-Extension Salaries Account (2002 budget). Approve.
10. UW-Extension – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Transfer \$3,448 from UW-Extension Revenue Account to UW-Extension Salaries Account (2002 budget). Approve.
11. UW-Extension – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Transfer \$14,010 from the UW-Extension Youth Development Revenue Account to UW-Extension Salaries and Youth Development Programming Accounts (2003 budget). Approve.
12. Port & Solid Waste – Update on construction, etc. and any possible action regarding the Transfer Station in Hobart. Receive and place on file.
13. Audit of bills. Accept the audit of the bills.

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

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

Date: 1/29/2003

No. 9i -- REPORT OF PUBLIC SAFETY COMMITTEE OF JANUARY 2, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on January 2, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Emergency Medical Services Council (12/4/02).
Receive and place on file.
2. Appointment of Cal Lintz, Dawn Wolfcale, and Robert Kiser to Emergency Medical Services Council. Committee approved. See Appointments January County Board.
3. Communication from Supervisor Nicholson re: Request to review all 2002 cellular phone statements for the liaison officers from the Brown County Sheriff's department. (Referred from December County Board meeting.) (Hold for next month.)
4. State of Wisconsin Department of Military Affairs Wisconsin Emergency management re: Review of East Central Regional Office of Emergency Management. (Held from previous meeting.) Receive and place on file.
5. Public Safety Communications – Relocation costs for the Denmark Emergency Warning Siren. (Research removal and relocation costs and report back to Committee next month.)
6. Public Safety Communications – Office of Domestic Preparedness Equipment Grant Application. Approve.
7. Public Safety Communications – Addendum to the FoxComm Intergovernmental Agreement. Approve.
8. District Attorney – District Attorney providing information pertaining to rates for paper service. (Held from previous meeting.) Approve 2003 process work and create a policy for bidding and electing the process servers starting July 1st of this year.
9. Sheriff – Discussion of credit card purchases. (Hold this item for ongoing discussion.)
10. Sheriff – Truck/traffic verses car traffic on Highway 41 north and south from Green Bay to County Line. (As requested by Supervisor Collins.) Hold for one month.
11. Sheriff – Previous Public Safety Committee meeting re: Change in “clause” in Resolution. Receive and place on file.
12. Sheriff – Jail Average Daily Population beginning from January 2002. Hold for one month.
13. Sheriff – Jail Population & Overtime Report. Hold for one month.
14. Sheriff's report. Hold for one month.
15. **Closed Session:** Pursuant to Sec. 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No Closed Session held.)
16. Audit of bills. Pay the bills.

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

Approved by: _____\s\ Nancy J. Nusbaum, County Executive _____ Date: 1/29/2003

No. 10 -- RESOLUTIONS, ORDINANCES

No. 10a -- ORDINANCE REGARDING: TO AMEND SECTION 3.06 OF THE BROWN COUNTY CODE RELATIVE TO SALE OF TAX DELINQUENT REAL ESTATE

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Section 3.06(5) of the Brown County Code of Ordinances is hereby amended to read as follows:

(5)(a) Sale of Tax Delinquent Real Estate. (a) Supervising authority of the purchase and sale of tax delinquent real estate is hereby vested in the County Board Executive Committee. Pursuant to Sections 75.69 and 75.35(2), Wisconsin Statutes, the Executive Committee shall insure that no tax delinquent real estate acquired by Brown County shall be sold unless the sale and appraised value of such real estate has first been advertised by publication of a Class 3 notice under Chapter 985 Wisconsin Statutes, which requires three insertions in the appropriate publication. The County Board Administration Committee may accept the bid most advantageous to the county, but every bid less than the appraised value of the property shall be rejected. ~~The County Treasurer, in behalf of Brown County, is authorized to sell for an amount equal to or above the appraised value without readvertising any land previously advertised for sale.~~

(b) The ~~Administration Committee~~ County Board or County Treasurer is hereby authorized to engage licensed real estate brokers and salesmen to assist in selling such lands and to pay the commission for such services.

(c) Preference to Former Owner. The ~~Administration Committee~~ County Board shall, at its option, provide that in the sale of tax dedeed lands, the former owner who lost his title through delinquent tax collection enforcement procedure, or his heirs, may be given such preference in the right to purchase such lands as determined by the ~~Administration Committee~~ County Board. Such sales shall be exempted from any or all provisions of Section 75.69 Wisconsin Statutes. This paragraph shall not apply to tax dedeed lands which have been improved or dedicated to a public use by such municipality subsequent to its acquisition.

Section 2 - This ordinance shall become effective upon passage and publication.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Schmitt and seconded by Supervisor Antonneau to adopt. Vote taken. Roll Call #10a:

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

Nays: Van Deurzen

Total Ayes: 25 Total Nays: 1

Motion carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 1/29/2003

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 1/30/2003

Approved by: \s\ Kenneth J. Simons, Board Chairman Date: 2/03/2003

No. 10b -- RESOLUTION REGARDING: AWARDING THE SALE OF \$11,510,000 TAXABLE NOTE ANTICIPATION NOTES

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 the County's unfunded prior service liability owed to the Wisconsin Retirement System (the "PSL Repayment") and there are insufficient funds on hand to pay said costs;

WHEREAS, the County has, by resolution adopted on December 18, 2002 (the "Initial Resolution"), authorized the issuance of general obligation promissory notes (the "Securities") to provide permanent financing for the PSL Repayment;

WHEREAS, the Initial Resolution also authorized the issuance and sale of taxable note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the Securities in order to provide an interim source of financing for the PSL Repayment; and

WHEREAS, it is the finding of the County Board that it is now necessary, desirable and in the best interest of the County to provide for the issuance and sale of taxable note anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes, in order to provide the funds necessary to make the PSL Repayment.

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

Section 1. Covenant to Issue the Securities. The County hereby declares its intention and covenants to issue the Securities, as authorized by the Initial Resolution, pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, in an amount sufficient to retire any outstanding taxable note anticipation notes issued to provide the funds necessary to make the PSL Repayment.

Section 2. Award of the Notes. For the purpose of providing the funds necessary to make the PSL Repayment, there shall be borrowed pursuant to Section 67.12(1)(b) of the Wisconsin Statutes, the principal sum of ELEVEN MILLION FIVE HUNDRED TEN THOUSAND DOLLARS (\$11,510,000) from Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin (the "Purchaser"), in accordance with the terms of its purchase proposal attached hereto as Exhibit A and incorporated herein by this reference. To evidence such indebtedness, the County Board Chairperson and the 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, note anticipation notes aggregating the principal amount of ELEVEN MILLION FIVE HUNDRED TEN THOUSAND DOLLARS (\$11,510,000)(the "Notes") for the sum of _____ DOLLARS (\$_____).

Section 3. Terms of the Notes. The Notes shall be designated "Taxable Note Anticipation Notes"; shall be dated January 28, 2003; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rate of _____% per annum; and shall mature on July 28, 2003. Interest is payable at maturity.

Section 4. Redemption Provisions. At the option of the County, the Notes shall be subject to redemption prior to maturity on March 28, 2003, or on any date thereafter. Said Notes shall be redeemable as a whole or in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes 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 6. Security. The Notes shall in no event be a general obligation of the County and do not constitute an indebtedness of the County nor a charge against its general credit or taxing power. The Notes shall be payable only from (a) any proceeds of the Notes or other County funds set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a Special Trust Fund to be held by the County and expended solely for the payment of the principal of and interest on the Notes. The County hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the County will pay such deficiency out of its tax levy or other available funds of the County; provided, however, that such payment shall be subject to annual budgetary appropriations therefore; and provided further, that neither this resolution nor any such payment shall be construed as constituting an obligation of the County to make any such appropriation or any further payment.

Section 7. Covenants of the County. The County hereby covenants with the holders of the Notes that:

- (a) It shall issue and sell the Securities as soon as practicable;

(b) It shall segregate the proceeds derived from the sale of the Securities into the Special Trust Fund created by this Resolution and constituted herein as a Special Trust Fund and shall permit the Special Trust Fund to be used for no purpose other than the payment of the principal of and interest on the Notes until paid; and,

(c) The County covenants that it will maintain a debt limit capacity such that the combined outstanding principal amount of general obligation bonds and notes of the County and the \$11,510,000 authorized for the issuance of the Securities shall at no time exceed the constitutional debt limit of the County.

Section 8. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from every other County fund or account to be designated "Debt Service Fund Account for \$11,510,000 Taxable Note Anticipation Notes dated January 28, 2003", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund (i) all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser; (ii) any proceeds of the Notes representing capitalized interest on the Notes; (iii) proceeds of the Securities to the extent necessary to pay principal of or interest on the Notes; (iv) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the County Board for that purpose; and (v) surplus monies in the Borrowed Money Fund as specified in Section 9 hereof. Said fund shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 9. Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which it was borrowed or for the payment for the principal of and the interest on the Notes.

Section 10. Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note 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 Note 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 Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the Office of the County Clerk 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, the County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note 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 Note or Notes 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 Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County 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 Notes 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 a representative of the County has executed such Letter of Representation and delivered it to the DTC on behalf of the County.

Section 12. Execution of the Notes. The Notes shall be issued in typewritten form, one Note 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, 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 Notes shall cease to be such officers before the delivery of the Notes, 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. 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 reasons 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 15th day of January, 2003.

Respectfully submitted,

EXECUTIVE COMMITTEE

EXHIBIT A

January 15, 2003

Ms. Nancy J. Nusbaum, County Executive
and Members of the County Board of Supervisors
Brown County
305 E. Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

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

For all or none of your issue of \$11,510,000.00 Taxable Note Anticipation Notes, dated January 29, 2003, we offer to pay \$11,510,943.00 plus accrued interest from the dated date to the date of delivery. The purchase price equals par amount of \$11,510,000.00, *less* underwriter's discount of \$8,057.00. Interest on said Notes will be payable at maturity. The Notes will mature on July 28 as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2003	\$11,510,000.00	1.53%

The Notes shall be subject to call and prior redemption on March 28, 2003 or any date thereafter, in whole or in part by lot, 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 Notes will be exchanged for the purchase price on January 29, 2003.

Sincerely,

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

The foregoing offer is hereby accepted on this 15th day of January, 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 Note)

UNITED STATES OF AMERICA, STATE OF WISCONSIN, BROWN COUNTY
TAXABLE NOTE ANTICIPATION NOTE

REGISTERED

NO. R - _____

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
July 28, 2003 January 28, 2003 ____% 115511_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: ELEVEN MILLION FIVE HUNDRED TEN THOUSAND
DOLLARS (\$11,510,000)

KNOW ALL MEN BY THESE PRESENTS, that the 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 at maturity. Both the principal of and interest on this Note are payable in lawful money of the United States. The principal of this Note shall be payable only upon presentation and surrender of the Note at the office of the County Clerk or Treasurer. Interest, payable at maturity, shall be paid by wire transfer to the Depository in whose name this Note is registered on the Note Register maintained by the County Clerk or Treasurer at the close of business on the last day of the calendar month next preceding said interest payment date (the "Record Date").

The County does not intend or represent that the interest on this Note, or the issue of Notes of which this Note is a part, will be excluded from gross income for the 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.

This Note is issued by the County pursuant to the provisions of Section 67.12(1)(b), Wisconsin Statutes, for the purpose of paying the cost of the County's unfunded prior service liability owed to the Wisconsin Retirement System all as authorized by resolutions of the County Board duly adopted by said governing body at meetings held on December 18, 2002 (the "Initial Resolution") and January 15, 2003 (the "Note Resolution"). Said resolutions are recorded in the official minutes of the County Board for said dates.

This Note is payable only from the proceeds to be received from the issuance and sale of general obligation promissory notes (the "Securities"). The County has authorized the issuance of the Securities in the Initial Resolution and covenanted to issue the Securities in the Note

Resolution. Proceeds of the Securities shall be set aside as a special trust fund and expended solely for the purpose of paying the principal of and interest on this Note. This Note does not constitute an indebtedness of the County within the meaning of any constitutional or statutory limitation or provision.

At the option of the County, the Notes shall be subject to redemption prior to maturity on March 28, 2003 or on any date thereafter. Said Notes are redeemable as a whole or in part, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the County exercises its option to redeem the Notes prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given 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. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes 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 Notes 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 Notes 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 Note have been done, have existed and have been performed in due form and time.

This Note is transferable only upon the books of the County kept for that purpose at the office of the County Clerk or Treasurer. In the event that the Depository does not continue to act as depository for the Notes, and the County Board appoints another depository, new fully registered Notes in the same aggregate principal amount shall be issued to the new depository upon surrender of the Notes to the County Clerk or Treasurer, 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 County Clerk or Treasurer shall not be obligated to make any transfer of the Notes (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 Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, Brown County, Wisconsin, by its governing body, has caused the Note 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 January, 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 thereunder 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)

(Authorized Officer)

(Depository or its Nominee Name)

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

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

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 1/29/2003

No. 10c -- ORDINANCE REGARDING: TO ESTABLISH SECTION 3.18 OF THE BROWN COUNTY CODE ENTITLED "FREEDOM FROM HARASSMENT POLICY"

A motion was made by Supervisor Collins and seconded by Supervisor Clancy to adopt.

A motion was made by Supervisor Miller and seconded by Supervisor Schmitt to refer back to the Executive Committee. Vote taken. Roll Call #10c:

Ayes: Antonneau, Graves, Nicholson, Schmitt, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Van Deurzen, Clancy, Watermolen, Schadewald, Simons

Nays: Collins, Marquardt, Daul, Fleck, Moynihan, Lund, Fewell

Total Ayes: 19 Total Nays: 7
Motion carried to refer back to Executive Committee.

No. 11 -- Such other matters as authorized by law. None.

No. 12 -- Bills over \$10,000 for period ending January 2, 2003.

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

No. 13 -- Closing Roll Call:

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

Total Present: 26

No. 14 -- ADJOURNMENT TO WEDNESDAY, FEBRUARY 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 Johnson and seconded by Supervisor Collins to adjourn to the above date and time. Vote taken. Motion carried unanimously with no abstentions.

Darlene K. Marcelle
Brown County Clerk