

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS

JULY 21, 2010

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, July 21, 2010, at 7:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Tumpach, De Wane, Theisen, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Buckley, Dantine, La Violette, Andrews, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Scray, Carpenter, Lund, Fewell

Excused: Krueger

Supervisor Nicholson arrived at 7:10 p.m.

Total Present: 25 Total Excused: 1

No. 1 -- ADOPTION OF AGENDA.

A motion was made by Supervisor La Violette and seconded by Supervisor Andrews **“to adopt the agenda.”**

A motion was made by Supervisor Kaster to **“to move 8e the Planning, Development and Transportation Committee report after item #6b.”** Voice vote taken. Motion carried unanimously with no abstentions to adopt the agenda as amended.

No. 2 -- APPROVAL OF MINUTES OF JUNE 16, 2010.

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

No. 3 -- ANNOUNCEMENTS OF SUPERVISORS.

Supervisor Dantine announced that the Town of Humboldt will be holding its 150-year-celebration on September 18th and 19th. As part of the celebration, there will be a parade on Sunday, and the dedication of the new Town Hall.

Supervisor Evans announced the Annunciation Parish Picnic on Sunday, August 1st from 10:00 am - 3:00 pm. A picnic, raffle, and kids' games will follow a 10:00 mass. Supervisor Evans encouraged everyone to attend.

Supervisor Fewell announced the Village of Pulaski is celebrating 100 years. Pulaski Polka Days begins on Thursday, July 22 and there is a parade on Sunday. Supervisor Fewell encouraged everyone to go out to Pulaski and enjoy Polka Days.

Supervisor Carpenter announced the 5th annual PFC Ryan Jerabek Run on August 14th. Supervisor Carpenter gave some history on Ryan Jerabek, a U.S. Marine from Hobart, who was killed in the line of duty.

No. 4 -- COMMUNICATIONS:

No. 4a -- FROM SUPERVISOR CAROLE ANDREWS RE: AN ORDINANCE TO AMEND SEC. 2.13 OF THE BROWN COUNTY CODE ENTITLED "MEETINGS, AGENDA".

Refer to Executive Committee.

Late Communications:

No. 4b -- FROM SUPERVISOR DE WANE REGARDING: TO LOOK AT CAPPING RENARD ISLAND WITH CLAY THROUGH GRANT OPTIONS IF AVAILABLE.

Refer to Planning, Development and Transportation Committee.

No. 4c -- FROM SUPERVISOR DANTINNE REGARDING: TO HAVE PUBLIC SAFETY LOOK INTO WHAT THE RITTER GROUP IS DOING WITH LOCAL POLICE AND FIRE PROTECTION LAWS.

Refer to Public Safety Committee.

No. 4d -- FROM SUPERVISOR KASTER REGARDING: REVIEW BROWN COUNTY'S POLICY ON COUNTY ROAD REPAIR ON RECONSTRUCTION -HOW ROADS ARE PLANNED, ENGINEERED, THE COST AND HOW IT IS PAID FOR.

Refer to Planning, Development and Transportation Committee.

No. 4e -- FROM SUPERVISOR KASTER REGARDING: MONTHLY AGENDA ITEM WITH REGARDS TO BAY LAKES MEMBERSHIP.

Refer to Planning, Development and Transportation Committee.

No. 4f -- FROM SUPERVISOR FEWELL REGARDING: REVIEW THE SPEED LIMIT OF 45 MPH ON SHAWANO AVE IN THE VILLAGE OF HOWARD WITH CONSTRUCTION TO REDUCE THE SPEED LIMIT ON 1.9 MILES OF SHAWANO AVE TO 35 MPH.

Refer to Planning, Development and Transportation Committee.

No. 5 -- APPOINTMENTS BY THE COUNTY EXECUTIVE. NONE.

No. 6a -- REPORT BY COUNTY EXECUTIVE:

County Executive Hinz announced the September 8th Children's Charity Golf Outing which will take place at the Brown County Golf Course. This year's proceeds will go to the Community Partnership for Children. He added the cost is \$150.00 per person. County Executive Hinz encouraged everyone to consider participating in this charitable event which benefits the children of Brown County.

The County Executive informed the County Board that the budget process is on target. He explained the department heads were given a levy reduction of 5% less than last year's levy target.

Executive Hinz announced the 5th annual memorial run for Ryan Jerabek starts at 9:00 am on August 14th at the Four Seasons Park in Hobart. County Executive Hinz explained Ryan was from the Village of Hobart, noting that Ryan died in the line of duty. This Run is dedicated in his memory. Mr. Hinz encouraged members to participate.

No. 6b -- REPORT BY BOARD CHAIRMAN

County Board Chairman Zima gave a detailed report of what he feels are the several advantages of Brown County buying the S&L Building.

Chairman Zima explained Supervisor Haefs's concern that the Diversity Committee is not functioning. The Chamber of Commerce is seeking representatives to serve on their Diversity Committee. Chairman Zima requested Vice Chairperson Scray put Brown County's Diversity Committee on the next Executive meeting agenda. Chairman Zima asked for volunteers for the Diversity Committee and requested they report to the Board.

No. 8e taken out of order.

No. 8e -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF JUNE 28, 2010

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on June 28, 2010 and recommends the following motions.

1. Review minutes of:
 - a. Planning Commission Board of Directors Transportation Subcommittee (May 10, 2010). Receive and place on file.
 - b. Chapter 21 Subdivision Ordinance Revision Subcommittee (May 27, 2010). Receive and place on file.
2. Discussion re: Regional Transit Authority – Chris Phelps, Green Bay Metro. Receive and place on file.
3. Resolution re: Requesting that the public service commission of Wisconsin include consideration of the impact on groundwater due to construction in Karst regions of

- Brown County as part of their review of the Ledge Wind Energy, LLC, (Invenergy) Wind Energy Project application. To approve. See Resolutions, Ordinances July County Board.
4. Resolution re: Health Risks Posed by Wind Turbines. To modify the resolution to state 40 decibels under item #1. To modify under the first "WHEREAS" the word "will" to state "may". To approve the resolution as amended. See Resolutions, Ordinances July County Board.
 5. Highway - Presentation from WI DOT re: Update on 41 Expansion. Receive and place on file.
 6. Highway - Resolution Placing Advisory Referendum Question on November Ballot. To approve. Ayes: 4 (Dantinne, Erickson, Fleck, Kaster); Nays: 1 (Haefs). See Resolutions, Ordinances July County Board.
 7. Highway - Budget to Actual-June 2010. Receive and place on file.
 8. Highway - Director's Report. Receive and place on file.
 9. Port - Budget Status Financial Report for May 2010. To approve and place on file.
 10. Solid Waste – Budget Status Financial Report for May 2010. Receive and place on file.
 11. Port & Solid Waste - Director's Report. To approve.
 12. UW-Extension - Budget Status Financial Report for May 2010. Receive and place on file.
 13. UW-Extension - Budget Adjustment Request (#10-61): Increase in expenses with offsetting increase in revenue. To approve.
 14. UW-Extension - Director's Report. Receive and place on file.
 15. Planning Commission - Budget Status Financial Report for May 2010. *See item #17*
 16. Property Listing - Budget Status Financial Report for May 2010. *See item #17*
 17. Zoning - Budget Status Financial Report for May 2010. To take items #15, #16, and #17 together. To receive and place on file.
 18. Highway/Planning Commission - Discussion and Possible Action re: STH 29/CTH EA environmental study issues identification meeting results. To have a resolution drawn up in favor of option 4 and to ask the State to pick up the additional funding.
 19. ** Highway/Planning Commission - CTH GV reconstruction project study final report. To adopt the recommendation. Ayes: 3 (Erickson, Dantinne, Fleck); Nays: 1 (Kaster).
- ** Item #19 – Refer to Planning, Development, and Transportation Committee as per the County Board on 7/21/2010.
20. Airport – Budget Status Financial Report for May 2010. *See item #21*
 21. Register of Deeds - Budget Status Financial Report for May 2010. To take items #20 and #21 together. To approve.
 22. Audit of bills. To pay the bills.

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

Supervisor Kaster requested item #19 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #19 -- Highway/Planning Commission – CTH GV reconstruction project study final report. COMMITTEE ACTION: To adopt the recommendation. Ayes: 3 (Erickson, Dantinne, Fleck); Nays: 1 (Kaster).

5. Communication from Supervisor Dantine re: To change the salary scales for all salaried employees, and to find a new way to review and compensate our salaried employees. To refer to Human Resources to develop a plan to change the salary scales for all salaried employees, and to find a new way to review and compensate salaried employees.
6. Housing Authority - Update re: Requested Report "Other Assisted Housing Charts". That Robyn Hallet provide the following:
 - That Ms. Hallet be present at monthly County Board meetings as a liaison. (Ms. Hallet agreed to this if there are pertinent agenda items)
 - That a representative of the County Board be appointed to the Housing Authority by the County Executive.
 - That a breakdown of information compiled from the 90 day questionnaire be provided as to where individuals applying for Housing assistance are coming from - what country, city and state.
 - What length of time applicants are on a waiting list for housing vouchers and how long it is to be maintained.
 - How much staff time is used to update clients after one year?
 - That Ms. Hallet receive a copy of the document (statute) which names the Brown County Board as oversight to the Housing Authority.
 - Refer to Corporation Counsel to determine authority.
7. Corporation Counsel - Record Retention. To hold for 60 days to allow Corporation Counsel time to draft an ordinance.
8. County Clerk - Budget Status Financial Report for April, 2010. Receive and place on file.
9. County Clerk - Child Labor Works Permits - Point of Information. Receive and place on file.
10. Child Support - Budget Status Financial Report for April, 2010. Receive and place on file.
11. Child Support - Budget Adjustment Request (#10-63): Increase in expenses with offsetting increase in revenue. To approve.
12. Treasurer - Budget Status Financial Report for April, 2010. Receive and place on file.
13. Treasurer - Budget Adjustment Request (#10-55): Increase in expenses with offsetting increase in revenue. To approve.
14. Treasurer - Resolution re: Authorizing Entry into an Intergovernmental Cooperation Agreement Relating to the "Wisconsin Investment Series Cooperative" and Authorizing Participation in the Investment Programs of the Fund. To approve. See Resolutions, Ordinances July County Board.
15. Information Services - Budget Status Financial Report for April, 2010. Receive and place on file.
16. Information Services - Budget Adjustment Request (#10-53): Interdepartmental reallocation or adjustment (including reallocation from the County's General Fund). To approve.
17. Information Services - Budget Adjustment Request (#10-64): Reallocation of personnel services and fringe benefits to another major budget classification except contracted services, or reallocation to personnel services and fringe benefits from another major budget classification except contracted services. Receive and place on file.
18. Information Services - Director's Report. Receive and place on file.
19. Dept. of Admin - Budget Status Report for April, 2010. Receive and place on file.
20. Dept. of Admin - 2010 Budget Adjustment Log and Grant Application Approval Log. To approve.

21. Dept. of Admin - Government Finance Officers Association Award for 2010 Annual Budget. Receive and place on file.
22. Dept. of Admin - Resolution Authorizing the Immediate Implementation of a Capital Improvement Program (CIP). To approve. See Resolutions, Ordinances July County Board.
23. Dept. of Admin - Director's Report. Receive and place on file.
24. Human Resources - Budget Status Financial Report for April, 2010. Receive and place on file.
25. Human Resources Activity Report for May, 2010. Receive and place on file.
26. Human Resources - Director's Report. *No action taken.*
27. Facility & Park Management - Budget Status Financial Report for April, 2010. Receive and place on file.
28. Facility & Park Management - Energy Initiatives Update. Receive and place on file.
29. Facility & Park Management - Update on Court Hearing Rooms and Clerk of Courts Project. Receive and place on file.
30. Facility & Park Management - Approval of Construction Bids for Court Hearing Rooms and Clerk of Court Project. To approve the bid of RJM Construction in the amount of \$137,880.
31. Facility & Park Management - Director's Report. *No action taken.*
32. Audit of Bills. Approve audit of bills.

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

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 7/29/2010

No. 8b -- REPORT OF EDUCATION & RECREATION COMMITTEE OF JULY 1, 2010.

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on July 1, 2010 and recommends the following:

1. Review Minutes of:
 - a. Library Board (May 20, 2010). Receive and place on file.
2. Communication from Supervisor VanVonderen Re: to have staff present their recommendations to address the litter, maintenance, trespassing and noise control issues at Fonferok Park. Receive and place on file.
3. Library - Budget Status Financial Report – May 2010. Receive and place on file.
4. Library - Budget Adjustment Request (#10-71): Increase in expenses with offsetting increase in revenue. To approve.
5. Library - Library Report. Receive and place on file.
- #5a Library - Discussion on Bid Award for Photovoltaic System at the Kress Family Branch Library. Receive and place on file.
6. Golf Course - Budget Status Financial Report – May 2010. To approve.
7. Golf Course - Financial Statistics as of June 13, 2010. To approve.
8. Golf Course - Superintendent's Report. Receive and place on file.

- #8a Golf Course - Update on Pending Agreement with Oneida Tribe Regarding Use of Golf Course Waters. To have John Luetscher, Corporation Counsel, report back to the committee regarding this project in August.
9. NEW Zoo - Budget Status Financial Report – May 2010. Receive and place on file.
10. NEW Zoo - Zoo Monthly Activity Report for June 2010.
- a. Operations Report.
 - i. Admissions, Revenue, Attendance.
 - ii. Gift Shop, Mayan, Zoo Pass Revenue.
 - b. Education/Volunteer Programs Report – May 2010.
 - c. Curator’s Report.
 - d. Director’s Report. Receive item #10a-d and place on file.
11. NEW Zoo - Budget Adjustment Request (#10-59): Increase in expenses with offsetting increase in revenue. *See item #13*
12. NEW Zoo - Budget Adjustment Request (#10-60): Increase in expenses with offsetting increase in revenue. *See item #13*
13. NEW Zoo - Budget Adjustment Request (#10-70): Increase in expenses with offsetting increase in revenue. To take Items #11, #12, & #13 together. To approve.
14. Parks - Approval of RFP for Way-Morr Park alternate (Photovoltaic System Install). To approve.
15. Parks - Budget Status Financial Report – May 2010. Receive and place on file.
16. Parks - Energy Initiatives Update. Receive and place on file.
17. Parks - Director’s Report for May 2010. Receive and place on file.
18. Museum - Budget Status Financial Report - May 2010. Receive and place on file.
19. Museum - Attendance & Admission - May 2010. Receive and place on file.
20. Museum - Review of Final Report on Strategic Plan - 2005-2010. Receive and place on file.
21. Museum - Director’s Report. Receive and place on file.
22. Resch Centre/Arena/Shopko Hall - May Attendance for the Brown County Veterans Memorial Complex. Receive and place on file.
23. Audit of bills. *No action taken.*

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

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 7/29/2010

No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF JULY 7, 2010.

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on July 7, 2010 and recommends the following motions:

1. Communication from Supervisor Fewell re: Request to hire a Human Resources Director. Receive and place on file.

2. Communication from Supervisor Scray re: All departments work with Human Resources to present specifics when applying for a "Request to Fill Position". To move forward with draft policy.
 3. Communication from Supervisor Theisen re: Brown County Board to consider a contribution of \$25,000 to LZ Lambeau. Receive and place on file.
 4. Communication from Supervisor Erickson re: To create a form that all departments use when requesting to fill a position. To approve the "Request to Fill Positions" form, adding salary and fringes for the entire year.
 5. Legal Bills - Review and Possible Action on Legal Bills to be paid. To approve.
 6. Review and Possible Action on Employee Meal Reimbursements for Out of County Travel. To continue with the present policy as is regarding meal reimbursement.
 7. County Executive Report.
 - a. Presentation by ~~Executive Director~~ of WCA Mark O'Connell Liz Stephens (amended as per County Executive Hinz). To continue Brown County membership with the Wisconsin Counties Association.
 - b. Budget Status Financial Report for May 2010. Receive and place on file.
 8. Internal Auditor Report.
 - a. Benefits of WCA and NACo Memberships. *See 7a above.*
 - b. Update on Human Services Audit Committee Update. Receive and place on file.
 - c. Update on Human Resources Audit. Receive and place on file.
 - d. Budget Status Financial Report for May 2010. Receive and place on file.
 - e. Proposal from Schenck SC for 2010 and 2011 External Audits. To approve.
 - f. Other. *No action taken.*
 - g. Closed Session: Pursuant to Wis. Stats. § 19.85(1)(e) for the purpose of conducting other specified public business whenever competitive or bargaining reasons require a closed session. Safari Restaurant. *No action taken.*
 9. Labor Negotiator Report. *No action taken.*
 10. Board Attorney Report. *No action taken.*
 11. Review Brown County requirements of ID when applying for any Social Services from the County. To direct the Human Services Director to return to the August meeting with further information regarding fraud investigation and the shortcomings to the department.
 12. Request to Fill Positions - Director of Community Services – Human Services. To approve.
 13. Request to Fill Positions - Social Worker/Case Manager (Child Protection Disposition) – Human Services. To approve.
 14. Request to Fill Positions - Housekeeper – Library. To approve.
 15. Ordinance to Amend Chapter 2 of the Brown County Code entitled "County Board of Supervisors." To approve and refer to Corporation Counsel to develop a synopsis for publication. See Resolutions, Ordinances July County Board.
 16. Resolution re: Mandatory Furlough of Unrepresented Brown County Employees. To approve. See Resolutions, Ordinances July County Board.
 17. Resolution re: Reclassification of Secretary III Court Commissioner's Office. *Public Safety.* To send back for further information related to fiscal impact.
 18. ** Closed Session: Pursuant to Wis. Stats. § 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Sheriff's Department. *See Item #19*
- ** Refer to the August 18, 2010 County Board Meeting as per the County Board on 7/21/2010.

19. ** 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). (Labor Negotiations). To recommend to the County Board that they accept the offer of the S&L Building with options A & B.

** Refer to the August 18, 2010 County Board Meeting as per the County Board on 7/21/2010.

A motion was made by Supervisor Andrews and seconded by Supervisor Schuller **“to adopt”**.

Supervisor Haefs requested that items #6 and #19 be taken separately. Voice vote taken on remainder of report. Motion carried.

At this time, Supervisor Theisen was excused from the meeting. Chairman Zima introduced Anna Meert from the County Board Office. Anna formerly worked in the Brown County Human Resources Department and recently joined the Brown County Board of Supervisors Office. Chairman Zima welcomed Anna Meert and encouraged County Board Members to call Anna with any concerns.

Item #6 Review and Possible Action on Employee Meal Reimbursements for Out of County Travel. COMMITTEE ACTION: To continue with the present policy as is regarding meal reimbursement.

A motion was made by Supervisor La Violette and seconded by Supervisor Andrews **“to adopt the recommendation of the Executive Committee”**. Voice vote taken. Motion carried.

Item #19 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). (Labor negotiations). COMMITTEE ACTION: To recommend to the County Board that they accept the offer of the S&L Building with options A & B.

County Board Chairman, Supervisor Zima announced this item will be discussed at the August County Board Meeting. **Because of the expected length of this discussion, the August County Board Meeting will begin at 6:00pm (see 11a-Item 8c #18).**

A motion was made by Supervisor La Violette and seconded by Supervisor Andrews **“to refer to the August 18th meeting”**. Voice vote taken. Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 7/29/2010

No. 8d -- REPORT OF HUMAN SERVICES COMMITTEE OF JUNE 23, 2010

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on June 23, 2010 and recommends the following motions:

1. Review Minutes of:
 - a. Aging & Disability Resource Center of Brown County Board (May 27, 2010).
 - b. Human Services Board (May 13, 2010 & June 10, 2010).
 - c. Joint Board of Health & Human Services Committee (May 25, 2010).
To approve 1a, b, & c.
2. Communication from Supervisor Scray re: Review Brown County requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. Receive and place on file.
3. Communication from Supervisor Evans re: To address concerns with the Brown County Sheriff's Department and local Law Enforcement Agencies on the EM-1 placement of patients as it relates to the Crisis Center and the Community Treatment Center. Additionally to develop a county-wide plan for all Law Enforcement Agencies to abide by with accordance to enhanced safety and efficiency procedures. Hold for one month.
4. Communication from Supervisor Evans - Request a report from the Brown County Health Department regarding health issues relating to wind turbines as they may affect citizens of Brown County. Receive and place on file.
5. Health Dept. - Review and Action re: Report and recommendation of Board of Health related to wind turbines and health and safety issues. To approve the report.
To approve the Resolution from the Brown County Board of Health & Human Services Committee drafted by Corporation Council relative to Health Risks Posed by Wind Turbines.
6. Human Services Dept. - Director's Report. Receive and place on file.
7. Human Services Dept. - Maintenance Issues. Receive and place on file.
8. Human Services Dept. - Audit Committee Update. Receive and place on file.
9. Human Services Dept. - Family Care / Introduction of Rolf Hanson, Planning Director. Receive and place on file.
10. Human Services Dept. - Budget Transfer from Facilities to Human Services. Receive and place on file.
11. Human Services Dept. - Family Care Update. Receive and place on file.
12. Human Services Dept. - Community Treatment Center Update. Receive and place on file.
13. Human Services Dept. - Community Treatment Center Statistics. Receive and place on file.
14. Human Services Dept. - Bellin Psychiatric Monthly Report. Receive and place on file.
15. Human Services Dept. - Approval for New Non-Continuous Vendor. Receive and place on file.
16. Human Services Dept. - Request for New Vendor Contract. Receive and place on file.
17. Human Services Dept. - Monthly Contract Update. Receive and place on file.
18. Human Services Dept. - Financial Report for Community Treatment Center and Community Programs. Receive and place on file.
19. Human Services Dept. - Review of replacement for an Economic Specialist position in the ES Unit. Receive and place on file.
20. Audit of Bills. To approve audit of bills.

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

Approved by: \s\ Tom Hinz, County Executive

Date: 7/29/2010

9. Circuit Courts - Budget Status Financial Report for May 2010. Receive and place on file.
 10. Circuit Courts - Resolution re: Reclassification of Secretary III Court Commissioner's Office. To hold for 30 days for review by Human Resources and Attorney Mohr. See Resolutions, Ordinances July County Board.
 11. District Attorney - Monthly drug criminal complaint numbers (standing item). Receive and place on file.
 12. Sheriff - Budget Status Financial Report for April 2010. Receive and place on file.
 13. Sheriff - Key Factor Report July 2010 and Jail Average Daily Population by Month and Type for the Calendar Year 2010. Receive and place on file.
 14. Sheriff - Grant Application Review (#10-14): JAG Recovery Act: LiveScan Implement. To approve.
 15. Sheriff - Grant Application Review (#10-15): H.S. Law Enforcement Specialty Team Equipment Grant. To approve.
 16. Sheriff - Grant Application Review (#10-16): High Intensity Drug Trafficking Area. To approve.
 17. Sheriff - Budget Adjustment Request (#10-68): Increase in expenses with offsetting increase in revenue. To approve.
 18. Sheriff - Budget Adjustment Request (#10-69): Increase in expenses with offsetting increase in revenue. To approve.
 19. ** Sheriff - Budget Adjustment Request (#10-73): Increase in expenses with offsetting increase in revenue. To approve.
- ** Item #19 -- Refer back to Public Safety Committee as per the County Board on 7/21/2010.
20. Sheriff's Report. Receive and place on file.
 21. Clerk of Courts - Budget Status Financial Report for May 2010. Receive and place on file.
 22. Audit of bills. To approve audit of bills.

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

Supervisor Buckley requested that item #19 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #19 Sheriff – Budget Adjustment Request (#10-73): Increase in expenses with offsetting increase in revenue. COMMITTEE ACTION: To approve.

Discussion followed. A motion was made by Supervisor La Violette and seconded by Supervisor De Wane “**to approve item #19**”.

A motion was made by Supervisor Nicholson and seconded by Supervisor Buckley “**to refer back to Public Safety Committee and County Board Attorney**”. Voice vote taken. Motion carried.

Approved by: _____ \s\ Tom Hinz, County Executive _____

Date: 7/29/2010

No. 9 -- RESOLUTIONS, ORDINANCES:

No 9a -- RESOLUTION REGARDING: AUTHORIZING ENTRY INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT RELATING TO THE "WISCONSIN INVESTMENT SERIES COOPERATIVE" AND AUTHORIZING PARTICIPATION IN THE INVESTMENT PROGRAMS OF THE FUND

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

Ladies and Gentlemen:

WHEREAS, Wisconsin school districts, technical college districts, cities, villages, counties and towns may invest their monies as authorized by Wisconsin Statutes, Section 66.0603 (1m); and

WHEREAS, Wisconsin Statutes, Section 66.0301 (the "Intergovernmental Cooperation Act") provides, among other things, that municipalities may contract with other municipalities for the joint exercise of any power or duty required or authorized by law, including investment of their monies; and

WHEREAS, the Wisconsin Investment Series Cooperative (formerly known as the Wisconsin School District Liquid Asset Fund) (the "Fund") was formed as of June 23, 1988 pursuant to the Intergovernmental Cooperation Act by the adoption of an Intergovernmental Cooperation Agreement relating to the Wisconsin School District Liquid Asset Fund by Oregon School District and Sheboygan Area School District, as the initial participants of the Fund, which Agreement was amended as of July 15, 1994, July 12, 2002 and July 18, 2008 (the "Intergovernmental Cooperation Agreement"); and

WHEREAS, the Fund is governed by the Wisconsin Investment Series Cooperative Commission (the "Commission") in accordance with the terms of the Intergovernmental Cooperation Agreement; and

WHEREAS, this resolution is a request to adopt and enter into the Intergovernmental Cooperation Agreement and become a participant of the Fund for the purpose of exercising jointly with other municipalities the power to invest their monies, so as to enhance the investment earnings accruing to each.

NOW, THEREFORE, BE IT RESOLVED, that the undersigned members of the Administration Committee recommend adoption of the following resolution.

BE IT FURTHER RESOLVED, that the Brown County Board of Supervisors does authorize entry into an Intergovernmental Cooperation Agreement relating to the "Wisconsin Investment Series Cooperative" and participation in the investment programs of the Fund, and the Chairperson of the County Board and the Brown County Clerk are authorized to execute the Agreement and to take such further actions as are necessary for the County to enter into the Agreement, which Brown County has deemed a very conservative investment; and

BE IT FURTHER RESOLVED, that members of the Brown County Board of Supervisors and County officials are authorized to serve as Commissioners of the Commission from time to

time if selected as such pursuant to the provisions of the Intergovernmental Cooperation Agreement; and

BE IT STILL FURTHER RESOLVED that Brown County may open depository accounts; enter into wire transfer agreements, safekeeping agreements, and lockbox agreements, or other applicable or related documents with U.S. Bank National Association, and any other institutions participating in the Fund programs or programs of PMA Financial Network, Inc. and PMA Securities, Inc., pursuant to Wisconsin Statutes, Section 34.05, Wisconsin Statutes, Section 120.12 (7) (if applicable) and, when directed by one of the Authorized Officials, Wisconsin Statutes, Section 66.0603, and PMA Financial Network, Inc. and/or PMA Securities, Inc. are authorized to act on behalf of Brown County as its agent with respect to such accounts and agreements; and

BE IT STILL FURTHER RESOLVED, that credit unions, banks, savings banks, trust companies and savings and loan associations authorized to transact business in the State of Wisconsin which qualify as depositories under Wisconsin law and are included on a list approved and maintained for such purpose by the Administrator of the Fund are designated as depositories of Brown County pursuant to Wisconsin Statutes, Section 120.12(7) (if applicable) and Wisconsin Statutes, Section 34.05, and monies of Brown County may be deposited in such depositories, from time to time in the discretion of the Authorized Officials, pursuant to the Fixed Rate Investment Program available to participants of the Fund through the intermediary PMA Financial Network, Inc.; and

BE IT STILL FURTHER RESOLVED that the Brown County Treasurer is hereby authorized to enter into the Intergovernmental Cooperation Agreement and become a participant of the Fund for the purpose of exercising jointly with other municipalities the power to invest their monies, so as to enhance the investment earnings accruing to each; and

BE IT STILL FURTHER RESOLVED that the Brown County Treasurer is authorized to make use of the Fixed Rate Investment Program available to participants in the Fund when deemed to be in the best interest of Brown County; and

BE IT STILL FURTHER RESOLVED, that the Brown County Treasurer is authorized to invest available monies and to withdraw such monies in accordance with the provisions of the Intergovernmental Cooperation Agreement, including investment in the fixed-income program of the Fund through the intermediaries PMA Financial Network, Inc. and PMA Securities, Inc.; and

BE IT STILL FURTHER RESOLVED that the following officials and their respective successors in office each are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of monies in accordance with the Intergovernmental Cooperation Agreement and pursuant to the Fixed Rate Investment Program available to participants of the fund: Kerry M. Blamey, Brown County Treasurer, will be authorized to invest and withdraw monies in and from the Fund and pursuant to the Fixed Rate Investment Program; and

BE IT FINALLY RESOLVED that the Brown County Clerk be directed to forward a copy of this resolution to the Brown County Treasurer and the Brown County Department of Administration.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Andrews **“to adopt”**.

Discussion followed. Supervisors questioned Treasurer Kerry Blaney about contracting with the agency PMA. Representative of PMA, Michelle Weberg, explained the contract and functions of PMA.

Following questions of Treasurer Blaney and PMA Representative, a motion was made by Supervisor La Violette and seconded by Supervisor Nicholson **“to refer back to Administration Committee and Board Attorney”**. Vote taken. Roll Call #9a(1):

Ayes: De Wane, Nicholson, Brunette, Zima, Buckley, La Violette, Andrews, Van Vonderen, Wetzel, Moynihan, Scray

Nays: Tumpach, Haefs, Erickson, Evans, Dantine, Kaster, Schuller, Fleck, Clancy, Carpenter, Lund, Fewell

Excused: Theisen, Krueger, Vander Leest

Total Ayes: 11 Total Nays: 12 Total Excused: 3

Motion to refer defeated.

Vote taken on Supervisor Lund’s original motion **“to adopt”**. Roll Call #9a(2):

Ayes: Tumpach, Haefs, Erickson, Brunette, Evans, Buckley, Dantine, La Violette, Andrews, Kaster, Schuller, Fleck, Clancy, Wetzel, Scray, Carpenter, Lund, Fewell

Nays: De Wane, Nicholson, Zima, Van Vonderen, Moynihan

Excused: Theisen, Krueger, Vander Leest

Total Ayes: 18 Total Nays: 5 Total Excused: 3

Motion carried.

Approved by: \ s \ Tom Hinz, County Executive Date: 7/29/2010

No. 9b -- RESOLUTION REGARDING: AUTHORIZING THE IMMEDIATE IMPLEMENTATION OF A CAPITAL IMPROVEMENT PROGRAM (CIP)

A motion was made by Supervisor Lund and seconded by Supervisor Andrews **“to adopt”**.

After discussion, a motion was made by Supervisor Lund and seconded by Supervisor Andrews **“to refer to County Board Attorney and then to Administration Committee”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9c -- **ORDINANCE REGARDING: ORDINANCE TO AMEND CHAPTER 2 OF THE BROWN COUNTY CODE ENTITLED "COUNTY BOARD OF SUPERVISORS"**

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 -

**CHAPTER 2
COUNTY BOARD OF SUPERVISORS**

2.01 SUPERVISORY DISTRICTS. The boundaries of the supervisory districts as heretofore established shall continue in effect.

2.02 MEETINGS. Meetings of the Brown County Board of Supervisors shall be held and conducted in accordance with the Wisconsin Statutes, Section 59.04. An organizational meeting shall be held on the third Tuesday of April in even numbered years at 9:30 a.m. Unless otherwise provided regular meetings shall be held on the third Wednesday of each month at ~~7:30~~ 7:00 p.m.

2.03 ORGANIZATION, POLICY AND AUTHORITY OF THE BROWN COUNTY BOARD OF SUPERVISORS. (1) Reprint of Section ~~59.025~~ 59.03 and ~~59.026~~ 59.04, and ~~59.034~~ 59.17(2)(a), Wis. Stats.: (a) ~~59.025~~ 59.03 Administrative Home Rule. Every county may exercise any organizational or administrative power, subject only to the constitution and any enactment of the legislature which is of statewide concern and which uniformly affects every county.

(b) ~~59.026~~ 59.04 Construction of Powers. For the purpose of giving to counties the largest measure of self-government in accordance with the spirit of the administrative home rule authority granted to counties in s. ~~59.025~~, 59.03 it is hereby declared that this chapter shall be liberally construed in favor of the rights, powers and privileges of counties to exercise any organizational or administrative power.

(c) ~~59.034~~ 59.17(2)(a) County Executive. The duties and powers of the County Executive shall be, without restriction because of enumeration, to: (a) Coordinate and direct by executive order or otherwise all administrative and management functions of the county government not otherwise vested by law in other elected officers.

(d) ~~59.034~~ 59.17(5) Message to the County Board; Submission of Annual Budget. The county executive shall annually and otherwise as may be necessary, communicate to the county board of supervisors the condition of the county, and shall recommend such matters to them for their consideration as he may deem expedient. Notwithstanding any other provisions of the law, he shall be responsible for the submission of the annual budget to the county board and may exercise the power to veto any increases or decreases in the budget under sub. (6).

(1) The County Executive shall submit the annual budget to the County Board on or before October 1st of each calendar year.

(e) ~~59.034~~ 59.17(6) County Executive to Approve or Veto Resolutions or Ordinances; Proceedings on Veto. Every resolution or ordinance passed by the county board shall, before it becomes effective, be presented to the county executive. If he approves, he shall sign it; if not, he shall return it with his objections, which objections shall be entered at large upon the journal and the board shall proceed to reconsider the matter. Appropriations may be approved in whole or in part by the county executive and the part approved shall become law, and

the part objected to shall be returned in the same manner as provided for in other resolutions or ordinances. If after such reconsideration, two-thirds of the members-elect of the county board agree to pass the resolution or ordinance or the part of the resolution or ordinance objected to, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases, the votes of the members of the county board shall be determined by ayes and nays and the names of the members voting for or against the resolution or ordinance or the part thereof objected to shall be entered on the journal. If any resolution or ordinance is not returned by the county executive to the county board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to him, it shall become effective unless the county board has recessed or adjourned for a period in excess of 60 days, in which case it shall not be effective without his approval.

(2) Reprint of Section 65.90, Wisconsin Statutes: 65.90(5)(a) Except as provided in par. (b) the amount of tax to be levied or certified, the amounts of the various appropriations and the purposes for such appropriations stated in such budget, after any alterations therein made pursuant to the hearing required by this section, shall not be changed thereafter unless authorized by a vote of two-thirds of the entire membership of the governing body of such municipality except that in the case of city boards of education transfers may be authorized by a two-thirds vote of such boards for funds under their control. Any municipality, excepting towns and one-room school districts, which makes such changes shall publish a Class I notice thereof, under Ch. 985, within 10 days thereafter. Failure to give such notice shall preclude any changes in the proposed budget and alterations thereto made pursuant to sub. (4).

65.90(5)(b) A County Board may authorize its standing finance committee to transfer funds between budgeted items of an individual county office or department, if such budgeted items have been separately appropriated, and to supplement the appropriations for a particular office, department or activity by transfers from the contingent fund. Such committee transfers shall not exceed the amount set up in the contingent fund as adopted in the annual budget, nor aggregate in the case of an individual office, department or activity in excess of 10 percent of the funds originally provided for such office, department or activity in such annual budget. The publication provisions of paragraph (2) shall apply to all committee transfers from the contingent fund.

(3) (a) The governing body of Brown County shall be known as the "Brown County Board of Supervisors" or the "Brown County Board", hereinafter referred to as the Board or its members, "Supervisors".

(b) It is declared to be the legislative policy and intent of the County Board that the County Board shall be organized to provide it with authority to exercise all county policy as conferred upon it by Wisconsin law including the provisions of Home Rule as provided in Sec. ~~59.025~~ 59.03 and ~~59.026~~ 59.04 and as further defined by county resolution or ordinance.

(c) The County Board of Supervisors shall serve concurrent two-year terms expiring on the third Tuesday of April of the even numbered years.

(d) All contracts, leases and agreements for the County, other than those which are administrative in nature, must be approved by the County Board unless otherwise provided by Wisconsin law or these rules.

(e) All contracts for legal services or outside consulting services regardless of whether funds have been budgeted must be approved by the Brown County Board.

2.04 OFFICERS, SELECTION AND AUTHORITY. (1)(a) At the first meeting after each supervisory election, the Board shall elect by ballot a member Chair and Vice-Chair.

(b) The election of the Chair shall be conducted by the senior member of the Board.

(c) Names of candidates shall be placed in nomination by motion made and seconded from the floor. Nomination shall be made for one office at a time.

(d) A candidate shall be elected by a majority of the Board casting a secret written ballot for him or her.

(e) The County Board staff shall provide the County Board with ballots of uniform size and color upon which the members shall vote by writing the name of the person or persons to be voted upon.

(f) The Board Chair may appoint two members of the Board as tellers to canvass the vote.

(g) The ballots shall be retained as a permanent record of the Board.

(2) Powers and Duties of the Chair. The Chair:

(a) After the his/her election, shall appoint the standing committees for a term of two years and report the appointments to the Board no later than the next regular meeting of the Board.

(b) Shall fill by appointment any vacancy on a standing committee for the balance of the term.

(c) Shall appoint each supervisor to at least one standing committee.

(d) Shall, unless otherwise ordered, appoint special committees provided for by resolution designating the number and object.

(e) Shall preside at all meetings of the County Board when present.

(f) Shall refer all requests and communications not specifically addressed to any committee or official of the county to the appropriate committee or official.

(g) Shall be entitled to vote on all questions before the Board.

(h) May administer oaths to persons required to be sworn concerning any matter submitted to the Board or a committee thereof or connected with their powers or duties.

(i) Shall countersign all ordinances of the County Board.

(j) Shall determine the appropriate committee for review of all resolutions or ordinances, prior to action being taken on the measure by the entire County Board. The above would not apply in an emergency situation or where time does not permit committee review in advance, at the discretion of the Chairman, subject to an appeal by the County Board.

(k) May excuse members, and the excuse shall be entered in the proceedings of the County Board.

(l) Shall be an ex officio member of all committees, commissions and boards created by the Board and may meet and deliberate in their meetings. He or she shall have the power to vote in such committee only in order to establish a quorum and shall be entitled to vote on any matters presented to the committee until such time as a quorum of the regular committee members is present.

(m) Shall represent the county at all ceremonial events or functions to present county positions or programs at his or her discretion.

(n) Shall appoint a member to the Land Conservation Committee in accordance with Sec. 92.06(1)(b) 2., Wis. Stats.

(3) Duties of the Vice-Chair. The Vice-Chair:

(a) Shall assume all duties of the Chair in the event of absence, disability or incapacity of the Chair.

(b) Shall chair the Executive Committee.

(c) Shall preside at Board of Supervisors meetings in the event of absence of the Chair.

(d) Shall lead the invocation and pledge of allegiance at the County Board meetings.

(e) Except for organizational meetings, shall be an ex officio member of all committees, commissions and boards created by the Board and may meet and deliberate in their meetings. He or she shall have the power to vote in such committee only in order to establish a quorum and shall be entitled to vote on any matters presented to the committee until such time as a quorum of the regular committee members is present.

2.05 COMMITTEES OF THE COUNTY BOARD. (1) The purpose of this Rule is to define the structure, purposes and duties of the County Board Committee system. All matters pertaining to committee organization and membership and responsibilities shall be construed in favor of the declared will of the County Board in these Rules, consistent with the intent of Section ~~59.025~~ 59.03 and ~~59.026~~ 59.04, Wisconsin Statutes. (County Organization)

(2) Each Committee of the County Board shall have policy oversight authority for all programs and activities of Departments, Offices, Boards, Commissions and Authorities under their respective oversight authority.

(3) A Committee, Board, Council or Authority requesting County Board consideration on any issue shall refer the request to its standing committee of policy oversight authority for consideration and referral to the County Board as deemed appropriate.

(4) A majority of any committee shall constitute a quorum for the transaction of business.

(5) Except as provided in these Rules, the County Board will not act on any proposal brought it unless a standing committee has considered and acted upon said proposal and is submitted in proper resolution or ordinance format.

(6) All items considered at any meeting of any standing committee shall be forwarded to the County Board in report form for consideration and inclusion on the County Board agenda under the title "Reports". Such report will be drafted by the County Board staff and will include the title of each item on the agenda (other than procedural items such as call to order, adoption of agenda, adjournment, etc.) and final action taken. The County Board shall have final approval authority over all items contained in each committee report.

(7) Each standing committee shall have no fewer than five members as designated by the County Board Chair.

(8) Standing Committees may establish subcommittees composed entirely of their own membership or may call upon the assistance of non-supervisors in examining particular issues. Appointment to subcommittees and the selection of nonsupervisory advisors shall be at the discretion of the committee chair.

(9) Subcommittees established under (8) above shall have no official standing and shall report only to the standing committee which established it, unless the standing committee provides otherwise.

(10) Standing Committees shall act on all requests from departments, offices, committees, commissions and authorities over which they have policy oversight authority and to create new positions and forward a recommendation directly to the County Board including a job description of each position to be considered. Unless otherwise provided, the standing committee shall, at his/her discretion, appoint members from the standing committee to any office, committee, commission, or authority whose membership requires a representative from that standing committee. Any requests for newly created positions as described as follows, or changes to existing positions in the Table of Organization from departments and offices, will require review by the appropriate Standing Committee and approval of the County Board in the form of a resolution and such changes will not be considered for inclusion in the annual budget unless approved at or prior to the annual budget meeting: newly created regular full-time positions; newly created regular part-time positions; regular part-time positions that are increased to regular full-time positions.

(11) A standing committee acting as the policy oversight committee for a county department or agency shall have the following duties:

(a) Monitor the expenditure of county funds committed to the department or agency in terms of its stated goals and objectives.

(b) Formulate policy for the department or agency and monitor compliance with that policy.

(c) Have referred to it and act on all resolutions and ordinances affecting any department or agency it oversees.

(12) A standing committee acting as a policy oversight committee for a county-created commission, board or agency, a county elective officer or an independent agency shall have the following duties:

(a) At least annually, review the expenditure of county funds committed to the committee, board, agency or office in terms of the stated goals and objectives sought to be accomplished.

(b) Evaluate the policies of the committee, board, agency or office for compliance with overall policies of the county and make recommendations for changes thereto to the committee, board, agency or office.

(c) Have referred to it for review all resolutions and ordinances affecting any county-created committee, board, agency or office for which it has policy oversight functions, as well as introduce such resolutions and ordinances when it sees fit.

(13) The standing committees of the Brown County Board shall be:

- (a) The Administration Committee.
- (b) The Planning, Development and Transportation Committee.
- (c) The Public Safety Committee.
- (d) The Human Services Committee.
- (e) The Education and Recreation Committee.
- (f) The Executive Committee.

(14) Each standing committee's recommendations within its area of policy oversight shall be forwarded from the committee to the County Board, without review by any other standing committee, except as provided in these rules. Those items, matters, and/or recommendations which have been indefinitely or permanently tabled at the standing committee level may be removed from the table and taken up by any County Supervisor. Any County Supervisor should have the opportunity to raise any issue or tabled item from Committee actions for full County Board discussion when adequate public notice is given that this item will be on the Board agenda.

(15) Each committee shall review and approve any application for a new loan before any county entity applies for such a loan. Each committee shall also receive subsequent notification of any grant funding applied for outside of the budget process.

(16) Each standing committee shall act as the policy oversight committee on all policy matters relating to budget review, bond-related issues, building maintenance, space needs, leasing, rentals, purchase or sale of real estate and the construction, improvement, repair or maintenance of county buildings and grounds for departments for which the committee has policy oversight authority. Standing Committee policy decisions related to the purchase, sale, leasing or rental of real estate and real estate development issues shall be referred to the Executive Committee for review.

(17) Review of policy matters relating to bond related issues shall be referred from the Administration Committee to the Executive Committee.

2.06 ADMINISTRATION COMMITTEE. The Committee shall have the duty and responsibility to:

- (1) Act as the policy oversight committee for the following departments:

County Clerk
Corporation Counsel
County Treasurer
~~Data Processing~~ Information Services
~~Finance~~ Department of Administration
~~Maintenance Dept.~~ Facility Management
~~Personnel~~ Human Resources
Child Support Agency

- (2) Act as the policy oversight committee for the ~~Affirmative Action Committee~~, Housing Authority and the ~~Equal Opportunities in Housing Commission~~.

- (3) Approve or deny all requests for transfers in accordance with Section 65.90(5)(b), Wis. Stats. and transfers from the Contingent Fund when these transfers affect the policy oversight jurisdictional areas of this committee.

- (4) Review policy matters relating to banks, bonds, the collection of delinquent taxes and the acquisition and sale of tax deeded properties and to make reports to the County Board.

- (5) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption.

- (6) Collect, collate and disseminate information from all standing committees during their annual budget review process, with the help of the ~~Finance Department~~ of Administration.

- (7) Prior to November 1 of the year preceding a year in which an election for the position of county executive is to be conducted, consider and make recommendations to the full Board on a compensation package for that office.

- (8) Prior to November 1 of off numbered years, consider and make recommendations to the full Board on a compensation package for the County Board Supervisors to be elected at the succeeding spring election.

- (9) Consider and make recommendations to the County Board on matters relating to County finances including resolutions for fund transfers, contracts, and land acquisition and real estate transactions which are not otherwise committed to a different standing committee.

- (10) Engage the services of architects or engineers for making surveys and estimates of proposed work as directed by the County Board. It is the intent of this provision that, within funds budgeted to the County Board, the Committee can order architect and/or engineer services for advice prior to the time it must authorize funding for capital improvements so that the Committee and County Board can inform itself about these proposed projects.

- (11) To act as a finance committee and exercise the following responsibilities as such:

- (a) Committee of jurisdiction for any matters relating to finances, taxes, insurance, tax titles, licenses, claims, bonds and any other related items.

(b) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption. After adoption of the annual budget, the Committee shall have authority to make budgetary alterations as permitted by Section 65.90 (5)(b), Wis. Stats., provided they do not exceed 10% of the overall budget for that department.

(c) Recommend to the County Board all requests for transfers of funds from the General Fund.

(d) Approve all insurance policies including health, dental, life, worker's compensation, fire and liability.

(e) Examine all invoices filed against the County by each department responsible to the Administration Committee and other invoices not examined by any other committee, board or commission and report to the County Board at each meeting.

(f) Examine all claims filed against the County except dog damage claims and recommend their allowance or disallowance.

(g) Shall give prior approval on all grants pursuant to Section 3.12 of the Brown County Code.

(h) Approve all requests for transfer of monies from the Contingent Fund.

(i) Recommend to the County Board all requests for establishing petty cash funds.

2.07 PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE. The Committee shall have the duty and responsibility to:

(1) Act as policy oversight committee for the following Departments:

County Planning and Land Services
Land Conservation Department
Register of Deeds
Solid Waste
~~Surveyor~~
Zoning
U.W. Extension
Highway Department
Airport
Port and Solid Waste

(2) Act as the policy oversight committee for the Land Information Office, ~~Brown County Legal Drain Board~~, Board of Adjustment, Plan Commission, Bay Lakes Regional Plan Commission, the County Solid Waste Authority, the Green Bay Metropolitan Sewerage District Commission, ~~the Condemnation Commission~~, Brown County Harbor Commission and the ~~Northeastern Wisconsin Railroad Transportation Commission~~.

(3) Act as the Brown County Highway Committee pursuant to Section 85.015, Wis. Stats. It is hereby declared to be the policy of Brown County that the number of members of the County Highway Committee shall be no fewer than 5, and the membership shall be the same as the membership for the Planning and Development Committee, and the members shall be appointed in the same manner and for the same term as the members of the Planning and Development Committee. Vacancies on the Highway Committee shall be filled in the same manner as vacancies on the Planning and Development Committee.

(4) Act as the Land Conservation Committee in accordance with Chapter 92, Wis. Stats.

(5) Act as the Brown County Extension Education Committee in accordance with Section 59.87, Wis. Stats.

(6) Advise the County Board on all matters relating to the conservation of natural and environmental resources in Brown County; and confer and cooperate with any other agency interested in environmental quality and conservation.

(7) Report to the County Board regarding all proposed cemetery maps and plats in accordance with s. 157.07, Wis. Stats.

(8) Coordinate all policy matters relating to agriculture and soil and water use and conservation in the county, in cooperation with any interested governmental agency.

(9) Review dog claims under chapter 174, Wis. Stats., and on behalf of the County, approve, approve in part, or deny such claims according to the standards set forth in the statutes except that approved claims over the amount of \$1,500 shall be brought to the full Board before payment.

(9) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption.

(10) Approve or deny all requests for transfers in accordance with Section 65.90(5)(b), Wis. Stats., and transfers from the Contingent Fund when these transfers affect the policy oversight jurisdictional areas of this committee.

(11) Act as committee for the review of: (1) contracts with the United States government or any agency thereof, (b) contracts with the State of Wisconsin or any agency thereof.

2.08 PUBLIC SAFETY COMMITTEE. The Committee shall have the duty and responsibility to:

(1) Act as the policy oversight committee for the following departments:

Clerk of Courts
Circuit Courts
Medical Examiner
District Attorney
Sheriff
Public Safety Communications

(2) Act as the policy oversight committee for the Traffic Safety Commission, Emergency Medical Services Council and the ~~Community Action and Emergency Response Committee (CAER)~~.

(3) The Committee is hereby designated to be the County Emergency Government Committee and the chair of the County Board shall designate the chair of the Emergency Government Committee from among the members of the Committee, in accordance with Section 166.03(4)(c), Wis. Stats., and the Chair chosen by the County Board Chair shall act as the chair when the Public Safety Committee meets and conducts business as the County Emergency Government Committee.

(4) Approve or deny all requests for transfers in accordance with Section 65.90(5)(b), Wis. Stats. and transfers from the Contingent Fund when these transfers affect the policy oversight jurisdictional areas of this committee.

(5) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption.

2.10 HUMAN SERVICES COMMITTEE. The Committee shall have the duty and responsibility to:

(1) Act as the policy oversight committee for the following Departments:

~~Community Health Nursing Office~~ Department
~~Handicapped School System~~ (Syble Hopp School)
~~Mental Health Center~~ Community Treatment Center
Department of Social Human Services
Veterans Service Office
Aging and Disability Resource Center

(2) Act as the policy oversight committee for the ~~Social~~ Human Services Board, Community Programs Board, Handicapped School Board, Commission on Aging, Community Options Planning Committee, and the ~~N.E.W. Private Industry Council~~.

(3) Approve or deny all requests for transfers in accordance with Section 65.90(5)(b), Wis. Stats., and transfers from the Contingent Fund when these transfers affect the policy oversight jurisdictional areas of this committee.

(4) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption.

2.11 EDUCATION AND RECREATION COMMITTEE. The Committee shall have the duty and responsibility to:

(1) Act as the policy oversight committee for the following Departments:

Brown County Golf Course
Brown County Library

Neville Public Museum
Parks Department
NEW Zoo

(2) Act as the policy oversight committee for the Arena and Exposition Center, Library Board, and the Neville Public Museum Board.

(3) Approve or deny all requests for transfers in accordance with Section 65.90(5)(b), Wis. Stats., and transfers from the Contingent Fund when these transfers affect the policy oversight jurisdictional areas of this committee.

(4) Review the annual executive budget with regard to the areas of policy oversight assigned to this committee and make recommendations to the County Board at the annual meeting for the Board's consideration and adoption.

2.12 EXECUTIVE COMMITTEE. The Executive Committee shall consist of the Chair of each standing committee of the County Board, the Board Chair and Vice Chair. The County Board Vice Chair shall serve as committee Chair. In the event that the Committee Chair is not able to attend an Executive Committee meeting, or portion thereof, the Vice Chair of that committee shall be allowed to attend the meeting as a member of the Executive Committee and to vote accordingly until such time as the Committee Chair is able to attend. The Committee shall have the duty and responsibility to:

(1) Act as policy oversight committee for the County Internal Auditor and for any matter not herein delegated to another standing committee as determined by the Chair or Vice Chair of the County Board.

(2) Develop, review and make recommendations to the County Board on proposals for legislation and administrative rules that may have a programmatic or fiscal impact on Brown County government.

(3) Review long range and short term planning of county related capital projects at the call of the committee chair.

(4) Establish negotiating recommendations relating to policy questions of wages, hours and conditions of employment.

(5) This Committee shall have referred to it all matters not vested in any other committee, shall serve as the legislative body to work with Wisconsin Counties Association and our state and federal governments as it relates to county issues. This committee shall also serve as liaison with the County Executive to improve communication and working relationships.

(6) Review and act upon personnel actions taken by the other standing committees of the County Board and perform the following personnel policy functions:

(a) Advise the County Executive on matters concerning implementation of personnel policy.

(b) Review proposed personnel policies and amendments as developed and recommended by the ~~Personnel Director~~ Human Resources Manager and make recommendations to the County Board for consideration and legislative action.

(c) Review personnel actions in all county departments as reported by the ~~Personnel Director~~ Human Resources Manager.

(d) Approve funding and funding transfers necessary to implement this Code subsection, (6), without the necessity for Administration Committee approval.

(e) Direct that all changes in tables of organization, which are anticipated to last more than three (3) months, including layoffs or changes in class specifications, as per Administrative Policy HR-1, Departmental Reorganization, (attached), shall be reviewed and approved by the appropriate oversight committee, the Executive Committee and the County Board.

(f) Perform other related duties as assigned by the County Board.

2.13 MEETINGS, AGENDAS. (1)(a) The County Board shall hold its organizational meeting on the third Tuesday in April as required by Section 59.04(1)(c), Wisconsin Statutes.

(b) The County Board shall commence its annual session and hold its annual meeting during October or November, either on or prior to the Tuesday after the second Monday of November in each year. The specific date for the annual meeting shall be designated by the Board Chair. Annual meeting may be adjourned by the County Clerk upon the written request of a majority of the Supervisors to a day designated in the request, but not less than one week nor more than three weeks from the Tuesday after the second Monday of November.

(c) A special meeting of the Board shall be held upon a written request of a majority of the Supervisors delivered to the County Clerk specifying the time and place of the meeting. The time shall not be less than 48 hours from the delivery of the request unless the matter to be considered is substantial legislation as hereinafter defined. A special meeting of the Board to consider substantial legislation shall be held only upon a written request of a two-thirds majority of the Supervisors delivered to the County Clerk specifying the time and place of the meeting. The time shall not be less than 5 business days from the delivery of the request. For purposes of this paragraph, substantial legislation shall mean any legislation which includes a financial transaction greater than \$10,000.00, or a change in the County Code of Ordinances. Substantial transactions shall not include, however, matters which involve any of the following reasons:

1. Endangerment to the health or welfare of any person or group.
2. Litigation requiring consideration.
3. An emergency as determined by the County Board Chair.
4. Bonding matters.

(d) Emergency meetings of the County Board may be called by the Board Chair, or, in his absence, by the Vice-Chair, by making a written Declaration of Emergency and filing same with the County Clerk who will attempt to notify each County Board Supervisor at his home address or the Supervisor's place of work, of the time and place of such emergency meeting as well as the purpose of such meeting. The emergency meeting shall take place not less than six hours after the filing of the written Declaration of Emergency. In addition, the County Clerk shall

notify all news media who have requested to be notified of the time and place and purpose of said emergency meeting. An emergency meeting is a meeting called to discuss a matter upon which immediate action might be necessary in order to protect the health, safety and welfare of the citizens of Brown County.

(e) The Board shall conduct regular monthly meetings on the third Wednesday of each month beginning at 7:00 p.m. unless moved to a different date or hour by adjournment of the previous meeting.

(f) A special meeting of any Brown County committee or commission shall be held upon the written request of a majority of the members of that committee or commission or County Board Chair delivered to the County Clerk specifying the time and place of the meeting. The time shall not be less than 48 hours from the delivery of the request unless the matter to be considered is substantial legislation as hereinafter defined. A special meeting of any Brown County committee or commission to consider substantial legislation shall be held only upon a written request of a two-thirds majority of the members of that committee or commission or County Board Chair delivered to the County Clerk specifying the time and place of the meeting. The time shall not be less than 5 business days from the delivery of the request. For purposes of this paragraph, substantial legislation shall mean any legislation which includes a financial transaction greater than \$10,000.00, or a change in the County Code of Ordinances. Substantial transactions shall not include, however, matters which involve any of the following reasons:

1. Endangerment to the health or welfare of any person or group.
2. Litigation requiring consideration.
3. An emergency as determined by the County Board.
4. Bonding matters.

(2) The County Board, its committees, boards, commissions and agencies shall comply with the Open Meeting Law in accordance with subchapter IV Open Meetings of Government Bodies 19.81-19.85 of the Wisconsin Statutes and subsequent amendments thereto and in accordance with subsequent interpretations by the Attorney General of Wisconsin.

(3) The Chairman shall call the session of the County Board to order at the usual time or at the hour to which the Board stands adjourned. The business in order shall be:

1. Call to order.
2. Invocation.
3. Pledge of Allegiance to the flag.
4. Roll call.
5. Adoption of agenda.
6. Adoption of the minutes of the previous meeting.
7. Announcements by Supervisors.
8. Presentation of petitions, communications, etc. for consideration.
9. Appointments by County Board Chair and County Executive
10. Reports of the Board Chair and County Executive.
11. Committee Reports.
12. Other reports.
13. Presentation and consideration of Resolutions and Ordinances from the County Board standing committees in alphabetical order.
14. Such other matters as are authorized by law.

15. Presentation of bills over ~~\$10,000.00~~ \$5,000.
16. Roll Call.
17. Closed session when necessary upon advice of Corporation Counsel.
18. Adjournment.

(4) (a) The County Board agenda will be prepared by the County Board staff under the direction of the Board Chair.

(b) All agenda items to be considered at a meeting of the County Board, its standing committees and all committees, boards and commissions of Brown County government shall be submitted to the County Board office by 4:00 p.m. on Tuesday of the week preceding the meeting for inclusion on the meeting agenda. The County Board staff shall draft, properly notice and mail all agendas and packets as prescribed by Chapters 19 and 59, Wisconsin Statutes, and these County Board rules. The mailing date will be Thursday.

(c) No agenda addition requests will be considered unless, due to time constraints, it cannot be held over to the next meeting for any of the following reasons:

1. Endangerment to the health or welfare of any person or group.
2. An additional expenditure of funds would be required if held over.
3. Cause an adverse working condition for an employee or department.
4. Litigation requiring consideration.
5. An emergency as determined by the County Board Chair.

(d) All agenda addition requests must be accompanied by an explanation of the appropriate category as specified above. Agenda items of every meeting of a governmental body shall be given at least 24 hours prior to the commencement of such meeting.

(e) 2/3 vote of the members present is required to add the request to the agenda prior to adoption of the agenda.

(f) All resolutions and ordinances are to be final drafted by the County Corporation Counsel's office and shall indicate whom the final drafter was at the bottom of each resolution and ordinance.

(g) All resolutions and ordinances are required to have a financial note from the Director of Administration, when applicable.

(5) (a) Minutes of each meeting of the County Board and meetings of all County committees, commissions, boards, etc., whether in regular session, special session or closed session, shall be taken, transcribed in writing and filed with the County Board staff by the secretary of the committee, commission or board or other person so designated within 3 working days of the meeting.

(b) Minutes of any closed session shall not be made available to the public until the reason for calling the closed session no longer exists as determined by the Chair of that closed session upon the advice of Corporation Counsel.

(c) Meetings shall be held at the call of the committee, commission or board chair, or at the call of a majority of its members.

(d) Committee, commission, or board meetings shall be held following the rules set up by that group providing they do not conflict with state law and these rules.

(e) Officers of the County Board standing committees shall be elected during the committee organization meeting and shall serve a term corresponding to the supervisor's term unless otherwise provided in these rules. A majority of the members may determine if the election shall be by secret unsigned ballot.

(f) The County Board staff shall establish and maintain a roster of secretaries to take minutes of all standing committees, boards and commissions. Secretaries will include all motions, actions taken on motions, and discussion pertinent to the subject matter.

(6) No County Board meeting nor any meeting of County committees, boards or commissions, including standing committees, of Brown County government shall take place on any primary or general election date held in Brown County, unless an emergency is declared by the County Board Chair.

2.14 PARLIAMENTARY PROCEDURES. (1) Pursuant to Section 59.02(3), Wisconsin Statutes, a majority of Supervisors entitled to a seat shall constitute a quorum to transact business. All questions shall be determined by a majority of the Supervisors present unless otherwise provided.

(3) The County Clerk shall read only the headings of resolutions to be considered at County Board sessions, unless reading of any resolution is requested by a majority of Supervisors present.

(4) When the County Board meets in a declared emergency, the County Clerk will read the written Declaration of Emergency.

(5) In the absence of the Chair and Vice-Chair, the Board shall select one of its members to preside for the day.

(6) A member not present during any meeting of the Board, or any Board standing committee to which that member is appointed, shall be recorded as absent unless excused by the Chair or the Clerk prior to such meeting. A member wishing to be absent while the meeting is in session shall first obtain consent from the Chairman of that meeting.

(7) The Chair shall preserve order and shall vote on the call of ayes and nays, and the Chair shall decide questions of order subject to an appeal to the Board, except that the Chair shall not vote on appeals from the Chair's decision.

(8) No member of the Board shall have the privilege of addressing the County Board unless recognized by the Chair.

(9) When a motion is made and seconded, it shall be stated by the Chair previous to debate. If any member requires it, all motions (except to adjourn, postpone or refer) shall be reduced to writing, and if a question contains several points, any member may have it divided. A motion or resolution may be withdrawn at any time before amendment or decision.

(10) When a question is under debate, no motion shall be received, except the following motions:

- (a) Adjourn
- (b) Move the previous question
- (c) Table indefinitely or to a certain time
- (d) Refer
- (e) Amend

which shall have precedence in the above order. A motion to adjourn, move the previous question, or table indefinitely or to a certain time shall be decided without debate, provided that a member of the committee introducing the resolution shall be allowed to speak before a vote to table. This rule shall not authorize any member to move for adjournment when another member has the floor or when the Board is voting. A motion to refer or to amend may be debated.

(11) Whenever any member is to speak in debate or deliver any matter to the Board, that member shall address the Chair, confine the remarks made to the question under debate, and avoid personality. No member shall speak except in his/her place, nor more than twice on any question, and not to exceed ten minutes at a time, except on leave of the Board.

(12) A member called to order shall immediately cease speaking but may appeal the decision of the Chair to the Board.

(13) Any member desiring termination of the debate may move the previous question or call for the question. Unless otherwise specified in the motion, it shall apply only to the immediately preceding question, and if an amendment is under discussion, it shall apply only to the amendment and not to the main question. The member who made the main motion shall be allowed to speak prior to the Chairman's acceptance of the motion for the previous question or call for the question. A 2/3 vote of the members present shall be required for adoption.

(14) All questions shall be put in the order they were moved, except privileged questions.

(15) Whenever the request for a roll call is defeated by the majority of the County Board, the Clerk shall record the ayes and nays of all those supervisors who request to be recorded on the roll call.

(16) No member of the Board shall leave the room during roll call until the results are announced by the Chair.

(17) It shall be in order for any member voting on the prevailing side to move for a reconsideration of the vote on any question on the same day or to give written notice to the County Clerk by 4:00 p.m. of the day prior to the succeeding regularly scheduled County Board meeting of his/her intent to move for reconsideration at such next County Board meeting. If notice is not given in this manner, the matter shall not be subject to reconsideration. A motion for reconsideration shall not be accepted by the Chair unless it can be determined that the person making the motion had voted on the prevailing side. Any motion for reconsideration must be adopted by a majority of the members present.

(18) Any person not a member, desirous of addressing the Board on any subject, shall first obtain leave, such leave being requested by a member to the Board to have a suspension of

rules. The Chair, without suspension of rules, shall be permitted to call upon the Department Head or his designee of any of the departments for remarks pertaining to their departments.

(19) All claims and accounts against the county shall be referred to the proper committee authorized by this Board to audit same. No committee shall report any claim or account unless it is made out in items and duly verified and filed with the Clerk. All current accounts against the county in excess of \$10,000 ~~\$10,000~~ \$5,000 shall be approved by a majority of members present.

(20) All County Board final votes on resolutions and ordinances which are before the Board shall be displayed. This mandatory display does not include votes on amendments or on motions to refer, table, or the like, unless requested in the usual manner.

(21) These rules may be suspended by a vote of two-thirds of the members present.

(22) The County Board may make amendments to these rules at any meeting, when included on the County Board agenda, after the proposed amendments have been reviewed at a meeting of the Executive committee.

(23) The rules of Parliamentary Practice comprised in Robert's Rules of Order, revised, shall be the Rules of Order in all cases in which they are not inconsistent with these rules.

2.15 PUBLICATION OF COUNTY BOARD PROCEEDINGS. A true and accurate copy of all proceedings had at any regular or special County Board meeting shall be published once in a newspaper to be selected by the Board of Supervisors on a bi-annual basis, after receipt and review of bids from newspapers published in Brown County which meet the qualifications of publishing newspapers as set forth in Ch. 985, Wis. Stats., as amended from time to time; said publication to be completed within 60 days after the adjournment of each session.

2.16 APPOINTMENT TERMS FOR COMMITTEES, COMMISSIONS AND BOARDS. All appointments to Committees; Commissions and Boards be appointed for a stated period of time. All appointments will be forwarded to the appropriate oversight committee with a complete resume of the appointee. If there is no oversight committee appropriate for the appointed position, appointments will go to the Executive Committee. The oversight committee will review the appointment and make a recommendation to the Brown County Board of Supervisors. The County Executive, {Wisconsin State Statutes 59.17(2)(c)} will make every effort to re-appoint or make a new appointment to fill expiring terms to Committees; Commissions and Boards in a timely manner. In the event no re-appointment or new appointment is confirmed by the Brown County Board of Supervisors prior to the end of the term of the appointment, the present confirmed member will serve until a re-appointment or new appointment is confirmed.

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

Respectfully submitted,
EXECUTIVE COMMITTEE

Fiscal Impact: Not Applicable.
Final Draft Approved by Corporation Counsel

A motion was made by Supervisor Moynihan and seconded by seconded by Supervisor Carpenter **“to adopt”**.

At this time, Supervisor Scray informed the Board that our Corporation Counsel has prepared a synopsis of Chapter 2 Ordinance Updates for publication.

A motion was made by Supervisor Scray and seconded by Supervisor Andrews **“to adopt the synopsis for publication”**. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Andrews and seconded by Supervisor Carpenter **“to adopt as amended”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:	<u> \\$\ Tom Hinz, County Executive </u>	Date:	7/29/2010
Approved by:	<u> \\$\ Darlene K. Marcelle, County Clerk </u>	Date:	8/10/2010
Approved by:	<u> \\$\ Guy Zima, County Board Chair </u>	Date:	8/11/2010

No. 9d -- RESOLUTION REGARDING: MANDATORY FURLOUGH OF
UNREPRESENTED BROWN COUNTY EMPLOYEES

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

Ladies and Gentlemen:

WHEREAS, the Board of Supervisors ordered furloughs of employees to resolve a budget crisis for 2010 at its Annual Budget Meeting in November, 2009; and

WHEREAS, the furloughs have been negotiated with represented employees of Brown County; and

WHEREAS, the Board of Supervisors intends for the furloughs to have the same impact on represented and unrepresented employees.

NOW, THEREFORE, BE IT RESOLVED,

- 1) The following dates will be unpaid furloughs for all unrepresented full and part time, permanent employees of Brown County:
 - a) November 26, 2010 (8 hours)
 - b) December 24, 2010 (4 hours)
 - c) December 31, 2010 (4 hours)

- 2) Hourly employees may use an accrued benefit on these dates instead of accepting the unpaid furlough. Salaried employees **shall** use an accrued benefit on these dates.

Respectfully submitted,
EXECUTIVE COMMITTEE

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

Approved by:	<u> \\$\ Tom Hinz, County Executive </u>	Date:	7/29/2010
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No. 9e -- RESOLUTION REGARDING: HEALTH RISKS POSED BY WIND TURBINES

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

Ladies and Gentlemen:

WHEREAS, Brown County has established a Board of Health pursuant to Wis. Stats. §251.03; and

WHEREAS, Wisconsin Statutes give the Board of Health responsibilities to: “Develop policy and provide leadership that fosters local involvement and commitment, that emphasizes public health needs . . .” and to “. . .assure that measures are taken to provide an environment in which individuals can be healthy” Wis. Stats. §251.04 (6)(b) and §251.04 (7); and

WHEREAS, the Board of Health met on May 25, June 8 and June 15, 2010 to collect and consider information from various sources including the following:

- 1) Statement on health and safety of existing installations from Invenergy, LLC (Sponsor of Ledgewind project proposed for rural Brown County);
- 2) A review of available literature on health concerns associated with Wind Turbines presented by the Wisconsin Department of Health Services;
- 3) The proposed regulations (5/17/10 Draft) of Chapter PSC 128, the Wind Siting Rules presently being considered by the Public Service Commission of Wisconsin;
- 4) Various studies from throughout the world on the health effects of wind turbines and guidelines from the World Health Organization;
- 5) Statements from Brown County Citizens for Responsible Wind Energy;
- 6) Presentations from Bill Hafs, Director of the Brown County Land Conservation Department and Kristin Morehouse, P.E. from Brown County Citizens for Responsible Wind Energy on the contamination threat construction of wind turbines and installation of necessary underground cables pose to the well water consumed by residents in rural areas of Brown County where the bedrock has Karst features; and

WHEREAS, the Board of Health has identified issues of concern for the health of Brown County residents including noise from wind turbines causing health problems for persons in occupied structures and a concern installation of wind turbine systems may result in well water contamination where Karst features in the bedrock are conduits for surface water run off; and

WHEREAS, the Board of Health has made recommendations to the Board of Supervisors it believes are important to the health of county residents.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors does hereby adopt the recommendations of the Board of Health as follows:

- 1) Wind turbines should be placed such that sound outside of any occupied structure be measured at no greater than 40 decibels at night;
- 2) Required set back placements should be a minimum of 2,640 to 3,168 feet from an occupied structure;

- 3) Wind turbines should not be installed in areas of southern Brown County where Karst features in the bedrock have been identified because of the contamination threat posed to the residents' drinking water supply;
- 4) The Board of Supervisors recommends no wind turbines be constructed in unincorporated areas of Brown County until Chapter PSC 128 Wind Siting Rules are enacted and in force.
- 5) ** Request that the Public Service Commission delays approving the PSCW wind siting standards until all epidemiological studies of health complaints from Wisconsin current wind farms are thoroughly completed.

** Add paragraph 5 as per the County Board on 7/21/2010

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Brown County representatives serving in the Wisconsin Legislature and the Public Service Commission of Wisconsin.

Respectfully submitted,
BROWN COUNTY BOARD OF HEALTH
HUMAN SERVICES COMMITTEE

A motion was made by Supervisor Vander Leest and seconded by Supervisor Andrews **“to adopt”**.

A motion was made by Supervisor Van Vonderen and seconded by Supervisor Dantine **“to add item #5 on page 3 of the resolution as follows: ‘Request that the Public Service Commission delays approving the PSCW Wind siting standards until all epidemiological studies of health complaints from Wisconsin current wind farms are thoroughly completed.’”** Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Moynihan and seconded by Supervisor Kaster **“to adopt the resolution as amended”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \sl Tom Hinz, County Executive Date: 7/29/2010

No. 9f -- RESOLUTION REGARDING: REQUESTING THAT THE PUBLIC SERVICE COMMISSION OF WISCONSIN INCLUDE CONSIDERING THE IMPACT ON GROUNDWATER DUE TO CONSTRUCTION IN KARST REGIONS OF BROWN COUNTY AS PART OF THEIR REVIEW OF THE LEDGE WIND ENERGY, LLC, (INVENERGY) WIND ENERGY PROJECT APPLICATION.

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

Ladies and Gentlemen:

WHEREAS, Invenergy has submitted an application to the Public Service Commission (PSC) to install 100 wind turbines as part of a wind energy project in southern Brown County; and

WHEREAS, southern Brown County includes areas of Karst features along the Niagara Escarpment; and

WHEREAS, Karst features are geological features that can act as direct conduits for pollutants to enter groundwater, wells, springs, and streams; and

WHEREAS, the University of Wisconsin Green Bay and Brown County Land and Water Conservation Department have mapped and field verified over 100 Karst features in the Town of Morrison; and

WHEREAS, areas of southern Brown County have experienced serious groundwater contamination problems caused by land application of waste near Karst features that resulted in over 100 wells contaminated by bacteria, E-coli, and nitrates from 2005 to 2010; and

WHEREAS, over 30 percent of nearly 300 wells tested in the Town of Morrison by the University of Wisconsin Stevens Point Center for Watershed Studies (2005 and 2006) and the University of Wisconsin Green Bay in 2009 were over the drinking water standard of 10 parts per million of nitrates; and

WHEREAS, the installation of footings, access roads, and cables buried four feet deep for 100 wind energy turbines are likely to intersect Karst bedrock features and potentially create additional conduits for pollutants to groundwater; and

WHEREAS, land application of animal wastes and other wastes including industrial wastes, septic wastes, and municipal wastes near conduits to groundwater increases the risk of groundwater contamination and risks to public health.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors respectfully requests that the Public Service Commission of Wisconsin review the Invenergy application for the wind farm in Brown County and require that Invenergy use proper engineering construction methods around wind turbine footings, access roads, and buried power cables to prevent additional conduits of groundwater from being created; and

BE IT FURTHER RESOLVED THAT the Brown County Board of Supervisors respectfully requests that the Public Service Commission require Invenergy to communicate and provide information regarding the specific location of all Karst features encountered during construction for the proposed wind energy project to the Brown County Land and Water Conservation Department and the Wisconsin Department of Natural Resources (DNR) to help regulate the land application of animal wastes by the Brown County Land and Water Conservation Department and industrial, septic, and municipal wastes by the DNR; and

BE IT FURTHER RESOLVED THAT Brown County respectfully requests that the Public Service Commission require Invenergy to provide funds for a Brown County staff person to be hired to work with Invenergy and residents in the wind farm region during the construction phase of the project regarding location and identification of Karst features; and

BE IT FURTHER RESOLVED THAT this staff person will continue to work in the wind energy project area, throughout the lifespan of the project, with land application of animal waste setbacks, nutrient management, and coordination of other land application of industrial wastes, municipal wastes, and septic wastes with the DNR to prevent future groundwater contamination problems.

Respectfully submitted,
LAND CONSERVATION SUBCOMMITTEE
PLANNING, DEVELOPMENT &
TRANSPORTATION COMMITTEE

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

Approved by: \s\ Tom Hinz, County Executive Date: 7/29/2010

No. 9g -- RESOLUTION REGARDING: PLACING ADVISORY REFERENDUM QUESTION ON NOVEMBER BALLOT

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

Ladies and Gentlemen:

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the state of Wisconsin has transferred approximately \$1.2 billion from the state's segregated transportation fund to the state's general fund and replaced it with approximately \$800 million in General Obligation (GO) bonds, thereby reducing the amount available for transportation purposes by approximately \$400 million; and

WHEREAS, Wisconsin's practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the “user fees” they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

WHEREAS, Wisconsin's practice of replacing the dollars transferred from the state's segregated transportation fund with GO bonds puts our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

WHEREAS, the debt service for these bonds will have to be paid for out of the state's general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

WHEREAS, using the states general obligation (GO) bonds in this way has hurt the state's bond rating, and a report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and

WHEREAS, gas tax and vehicle registration fees comprise over 90% of the state's segregated transportation account, and revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and

WHEREAS, the citizens of Brown County deserve the right to have their voices heard on this important issue; and

WHEREAS, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan and Ohio already have is the only way to ensure that this practice will not continue.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the following question will be put to the voters of Brown County in an advisory referendum during the November 2010 election:

Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?

BE IT FURTHER RESOLVED that the County Clerk is directed to cause a copy of the Notice of Referendum to be published in the County's official newspaper as required by law; and

BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

Respectfully submitted,
PLANNING, DEVELOPMENT &
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Erickson and seconded by Supervisor Carpenter "to adopt". Vote taken. Roll Call #9g(1):

Ayes: Tumpach, De Wane, Erickson, Brunette, Zima, Vander Leest, Buckley, Dantine, La Violette, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Scray, Carpenter, Lund, Fewell

Nays: Nicholson, Haefs, Evans, Andrews, Wetzell, Moynihan

Excused: Theisen, Krueger

Total Ayes: 18 Total Nays: 6 Total Excused: 2

Motion carried.

Approved by: \ Tom Hinz, County Executive

Date: 7/29/2010

No. 9h -- **RESOLUTION REGARDING: RECLASSIFICATION OF SECRETARY III COURT COMMISSIONER'S OFFICE (MOTION AT PUBLIC SAFETY: TO HOLD FOR 30 DAYS FOR REVIEW BY HUMAN RESOURCES AND ATTORNEY MOHR; MOTION AT EXECUTIVE COMMITTEE: TO SEND BACK FOR FURTHER INFORMATION RELATED TO FISCAL IMPACT.)**

A motion was made by Supervisor Andrews and seconded by Supervisor Scray "to adopt".

A motion was made by Supervisor Lund and seconded by Supervisor Kaster "to refer back to committee". Voice vote taken. Motion carried unanimously with no abstentions.

No. 10 -- **CLOSED SESSION: FOR THE PURPOSE OF DELIBERATING WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES 19.85(1)(e) (LABOR NEGOTIATIONS)**

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

No. 11 -- **SUCH OTHER MATTERS AND AUTHORIZED BY LAW.**
No. 11a -- **#8C #18-EXECUTIVE COMMITTEE REPORT: CLOSED SESSION – TO DELIBERATE OR NEGOTIATE THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC LANDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION.**

Chairman Zima announced this item will be placed as a separate agenda item at the August 18, 2010 County Board meeting. This meeting (August 18th) will begin at 6:00 pm.

No. 11b -- **COMMUNICATION FROM SUPERVISOR VANDER LEEST RE: REQUEST TO REVIEW AVAILABLE PROPERTIES IN DOWNTOWN GREEN BAY FOR PURCHASE TO HOUSE THE DRUG TASK FORCE. A CLOSED SESSION SHOULD BE HELD TO ALLOW FOR THESE DISCUSSIONS.**

Refer to Executive Committee.

No. 11c -- **COMMUNICATION FROM SUPERVISOR VANDER LEEST RE: REQUEST FOR A CLOSED SESSION TO CONSIDER THE PURCHASE OF OTHER BUILDINGS IN BROWN COUNTY FOR SHERIFF'S DEPARTMENT OPERATIONS. CLOSED SESSION AVAILABLE TOO.**

Refer to Executive Committee.

No. 11d -- **COMMUNICATION FROM SUPERVISOR VANDER LEEST RE: REQUEST TO REVIEW SIGNAGE AT THE HAZELWOOD LANE/WOOD LANE INTERSECTION AND TO WAVE THE REQUIREMENTS TO ALLOW THE CITY OF GREEN BAY TO INSTALL CROSSWALKS AT THE INTERSECTION TO IMPROVE SAFETY FOR RESIDENTS.**

Refer to Planning, Development and Transportation Committee.

No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING JUNE 30, 2010.

A motion was made by Supervisor La Violette and seconded by Supervisor Andrews **“to pay the bills for the period ending June 30, 2010”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- CLOSING ROLL CALL.

Present: Tumpach, De Wane, Nicholson, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Buckley, Dantine, La Violette, Andrews, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Scray, Carpenter, Lund, Fewell

Excused: Krueger, Theisen

Total Present: 24 Total Excused: 2

No. 14 -- ADJOURNMENT TO WEDNESDAY, AUGUST 18, 2010 AT “6:00 PM”, LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Erickson and seconded by Supervisor Schuller **“to adjourn to the above date and time (6:00 pm)”**. Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 9:50 pm.

s\ DARLENE K. MARCELLE
Brown County Clerk