

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS

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, June 16, 2004, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered at the regular monthly meeting:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Excused: Johnson

Total Present: 25 Total Excused: 1

Supervisor Johnson arrived at 7:28 p.m.

No. 1 -- Adoption of agenda with the additions.

County Clerk announced Resolution 9d is deleted from tonight's agenda. Also, a correction on agenda item #9a. The new numbers for the Bonding are \$11,370,000.

A motion was made by Supervisor Krueger and seconded by Supervisor Van Deurzen **"to adopt the agenda as modified"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of May 19, 2004.

A motion was made by Supervisor Lund and seconded by Supervisor Fleck **"to adopt the minutes of the May 19, 2004 meeting"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors. None.

No. 4 -- Communications. None

No. 5 -- Appointments by County Executive.

A motion was made by Supervisor Krueger and seconded by Supervisor Kaye **“to suspend the rules to take Items #5a thru #5f with one vote.”** Voice vote taken. Motion carried unanimously.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Scray **“to approve the appointments for Items #5a thru #5f with one vote”.** Voice vote taken. Motion carried unanimously with no abstentions.

No. 5a -- Reappointment of Kelli Prast and Julie Kassner to Handicapped Children’s Education Board.

No. 5b -- Reappointment of Joe Hollister, William F. Martens and Wes Garner to Harbor Commission.

No. 5c -- Appointment of Supervisor Norb Dantine, Jr., to a term co-terminus with being Chair of Planning, Development and Transportation Committee to Land Information Office.

No. 5d -- Appointment of Supervisor Mary Scray and Supervisor Bernie Erickson to Planning Commission.

No. 5e -- Appointment of Boyd Possin, Al Toma and Supervisor Chris Zabel to Solid Waste Management Board.

No. 5f -- Appointment of Margaret Jensen and reappointment of Thomas Kohler and Giles Tassoul to Packer Stadium District Board.

No. 6a -- Report by County Executive.

County Executive Kelso addressed the issue of the Library. She announced she met today with the Library Board, Jeff Landin and Pam Kiesner to discuss the closing of the library. She said they all reached an agreement that the library will stay open all year and no additional funds will be required for salaries. When questioned if she agreed with this decision, the Interim Library Director, Pam Kiesner said yes.

No. 6b -- Report by Board Chairman.

Chairman Moynihan congratulated Gerri and Harold Kaye on their 50th Wedding Anniversary. In response, Supervisor Kaye expressed his appreciation.

Mr. Moynihan also explained his concerns of committees changing dates and times. He said committee work should be completed before the Executive Committee meets. He added that late meetings create additional items to agendas as well as additional printing, postage, etc.

No. 7 -- Other Reports.

No. 7a -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JANUARY 2004

The following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the County Treasurer as of January 31, 2004:

Associated Bank	\$ 15,190,990.62
Wisconsin Development Fund	(252,110.05)
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	4,102,814.33
Emergency Fund	76,571.59
Non-sufficient Fund Checks Redeposited	4,538.05
PBA Sweep Account	(14,242.65)
Wausau Benefit Sweep Account	(82,672.00)
E-Flex Sweep Account	(62,068.24)
Deposit Adjustment	0.00
Bank Error(s)	0.00
Total	<u>18,963,820.65</u>
Less Outstanding Checks	(2,411,686.65)
Other Reconcilable Items	0.00
Balance Per Cash Book	\$ 16,552,134.00

Following is a statement of the County Treasurer of the Working Capital reserves placed in the deposits in the designated public depositories within Brown County for the purpose of investments as of January 31, 2004:

Year-to-Date Interest Received – Prior Month	0.00
Interest Received – Current Month	<u>123,325.85</u>
Year-to-Date Interest Received on unrestricted funds	\$ 123,325.85
Working Capital Reserves Invested	\$ 91,839,134.35
Restricted Investments	<u>21,204,656.19</u>
Total Funds Invested	\$ 113,043,790.54

A motion was made by Supervisor Fewell and seconded by Supervisor Zabel “**to approve the treasurer’s financial report for the month of January 2004**”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Carol Kelso, County Executive

Date: 6/29/2004

No. 8 -- Standing Committee Reports.

No. 8a -- REPORT OF "SPECIAL" ADMINISTRATION COMMITTEE OF MAY 26, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in "*special*" session on May 26, 2004, and recommends the following motions:

1. Discussion of time and date for future meetings. No action.
2. Resolution regarding: Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed \$281,000 for the purpose of paying the Cost of Building Systems Upgrades. Approve. Ayes: 2 (Graves, Lund); Nays: 3 (Collins, Backmann, Beyl). Motion failed.
Bond for \$226,000 for the boilers and take the roof repairs out of the Asset Maintenance Fund. Ayes: 3 (Beyl, Backmann, Lund) Nays: 2 (Graves, Collins). Motion Carried.
3. Resolution regarding: Initial Resolution Authorizing the Issuance of not to Exceed \$11,425,000 General Obligation County Bonds, Series 2004, of Brown County Wisconsin. (\$4,144,000 for the purpose of paying the cost of Highway Improvement projects; \$281,000 for the purpose of paying the cost of Building Systems Upgrades; and \$7,000,000 for the purpose of paying the cost of Airport Concourse Renovation and Expansion). Receive and place on file.

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 6/29/2004

No. 8b -- REPORT OF ADMINISTRATION COMMITTEE OF JUNE 9, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The Administration Committee met in regular session on June 9, 2004, and recommends the following motions:

1. Review minutes of:
 - a. Housing Authority (5/17/04).
Receive and place on file.

2. Communication from Jerry H. Hanson, Interim City Attorney, City of Green Bay, regarding: Request to take the title of H & R Landfill, Finger Road, Green Bay, and request for property tax cancellation upon the transfer of ownership. (Held from previous meeting.) Refer back to staff to draw up legal documents for the transfer.
3. Communication from Supervisor Nicholson regarding: To review the Administrative Comp-Class program. (Referred from May County Board.) Refer to staff.
4. Report by Keith Pamperin, Housing Administrator for the Brown County Housing Authority, and Rosemary Jonas, House Voucher Program Administrator for Integrated Community Services, on the Housing Choice Voucher Program. Receive and place on file.
5. Department of Administration – 2004 Budget Transfer Log.
 - a. Receive and place on file.
 - b. On budgetary transfer logs, we get a report on what this committee's authority is, whether it should receive and place it on file, or whether we should ask questions or make decisions.
6. Human Resources – Monthly Committee Report (May, 2004). Receive and place on file.
7. Treasurer's Financial Report for the month of January 2004. Receive and place on file.
8. Audit of bills. Signs the bills.

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

Approved by: \s\ Carol Kelso, County Executive Date: 6/29/2004

No. 8c -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MAY 27, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on May 27, 2004 and recommends the following motions:

1. Arena/Expo Centre/Resch Center – Communication from Supervisor John Vander Leest regarding: Request to review the roof problems at the Brown County Arena. (Held from previous meeting to study further and bring back options and specifications.)
 - a) This committee met with Bill Dowell and Ken Wachter to determine future of Brown County Arena.
 - b) Motion Amended: Have Administration and Facilities Management proceed with a structural analysis of the Arena building and report back to this committee at a special meeting the week of June 14th.
2. Arena Event Attendance for April 2004. Receive and place on file.

3. Arena – Communication from Supervisor Evans requesting the Green Bay Packers, Inc. fly a Brown County Flag at the entrance to Lambeau Field Atrium. (Referred from May County Board.) Enter into discussions with the Green Bay Packers regarding flying a Brown County flag at Lambeau Field with the support of this committee.
4. Museum – Request for Budget Transfer (#04-24); Increase in Expenditures with Offsetting Increase in Revenue: Request to increase Outreach account \$4,467.25 with an offsetting increase in Museum Grant Revenue account subsequent to a grant awarded from the Wisconsin Environmental Education Board for *Hunters of the Sky* curriculum development. Approve budget transfer.
5. Museum – Discussion of funding of the re-accreditation costs of the Museum. Receive and place on file.
6. Museum – Discussion on future of Museum Subcommittee. That the Museum Subcommittee met in a quarterly basis or as needed.
7. Museum – Attendance and Admissions for April 2004. Receive and place on file.
8. Museum – Director’s report. Receive and place on file.
- 9.** Library – Request from Brown County Library Board action February 20, 2004 to carryover \$42,800 from the 2003 salary account and \$19,863 from the 2003 fringe account to the 2004 salary and fringe accounts and to avoid closing all libraries for one week in 2004. Possible request to transfer funds from the general fund for the same amount. Follow the recommendation of the Library Board during last year’s budget process and close all library branches for one week in 2004.
- ** As per the County Board, they voted to accept the recommendation of the County Executive and the Library Director to find funding within the Library Budget to keep the libraries open all year. Approve on 6/16/2004.
10. Library – Director’s report. Receive and place on file.
11. Library – List of priorities for maintenance and repair issues at Southwest Branch Library. (From previous meeting.) Receive and place on file.
12. Library – Report from contractor stating if there is a problem at Weyers Hilliard Library (From previous meeting.) Delay for 30 days.
13. Golf Course – Request from Steve Schuette to host Charity Golf Outing on August 23, 2004 and also waiver of out of county fees at Brown County Golf Course. Approve.
14. Golf Course – Update for Brown County Children’s Charity Golf Outing. Receive and place on file.
15. Golf Course – Golf Report (May 17, 2004). Receive and place on file.
16. Golf Course – Daily Financial and Attendance report. Receive and place on file.
17. Golf Course – Superintendent’s report. Receive and place on file.
18. Parks – Request from Vice Chair Johnson to come back in May to give the Committee an idea of square footage of the old Packer Hall of Fame building. Receive and place on file.
19. Parks – Request form Cheryl Detrick, Vice President Community Health and Government Affairs, Green Bay Area Chamber of Commerce to request a waiver of daily fees and issue bike permits to provide free use of bicycles on the Fox River Trail. “Bike the “Fox” is a community project to provide free use of bicycles for anyone who wants to use them on the Fox River Trail or in downtown Green Bay. Deny the Request.

2. Arena/Expo Centre Resch Center – Discussion of structural and financial analysis of the Arena building. Have staff research all reasonable options available, the financial analysis of tearing down the arena, the cost of rebuilding a new facility, and the estimated cost for maintaining all components in the building for 20 years and report back to this committee with a temporary solution. Ayes: 3 (Johnson, Theisen, Vander Leest); Nays: 1 (Graves); Excused: 1 (Van Deurzen). Motion Carried.

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

Approved by: /s/ Carol Kelso, County Executive Date: 6/29/2004

No. 8e -- REPORT OF EXECUTIVE COMMITTEE OF JUNE 7, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on June 7, 2004 and recommends the following motions:

1. Presentation on TABOR by State Legislators. Receive and place on file.
2. Discussion regarding: TABOR bill. Resolutions regarding: Taxpayers Bill of Rights from Jackson, Sheboygan, Waupaca, Dunn and Florence Counties. Receive and place on file.
3. County Executive Report. (No report.)
4. Legislative Subcommittee report. (No report.)
5. Internal Auditor Report.
 - a) Executive Committee and County Board support Internal Auditor’s letter to Chuck Larscheid, Director (Port and Solid Waste Department).
 - b) Receive and place on file remainder of report.
6. Communication from former Supervisor Rick Schadewald regarding: Requesting Executive Committee changes the County Code to either formalize the new practice of No Motions Allowed for County Executive appointments or to make it appropriate for meetings. (Held from April meeting and referred to Executive Committee from March County Board meeting.) Receive and place on file.
7. Communication from Supervisor Earl Van Den Heuvel regarding: Requesting the Diversity Affairs Council be dissolved or reformed to serve the needs of all and get more participation as to performing the tasks as the Council was formed. Hold until July meeting.
8. Communication from Supervisor Andy Nicholson regarding: Requesting the reorganization of the County Board Office. Hold until July meeting.
9. Communication from Supervisor Pat Collins regarding: Maintenance Accounts. Receive and place on file.

10. Communication from Supervisor Pat Collins regarding: Unfilled Positions. Receive and place on file.
- 11.** Communication from Supervisor Steve Fewell regarding: Eliminating Unnecessary Printing Costs. Take Supervisor Fewell's recommendation to have one-color printing in all departments and print in-house.
12. Discussion reconfirming Executive Committee meeting date. No action.
13. Discussion of Legislative Subcommittee appointments. No action.
14. Resolution regarding: Initial Resolutions Authorizing the Issuance of not to exceed \$11,425,000 General Obligation County Bonds, Series 2004, of Brown County, Wisconsin. (\$4,144,000 for the purpose of paying the cost of Highway Improvements Projects; \$281,000 for the purpose of paying the cost of building Systems Upgrades; and \$7,000,000 for the purpose of paying the cost of Airport Concourse Renovation and Expansion). Approve with amending "\$281,000 for the purpose of paying the cost of building systems upgrades" to \$226,000 and the \$11,425,000 will be reduced to \$11,370,000. Vote taken. Ayes: (5 (Haefs, Moynihan, Vander Leest, Evans, Kaye)); Nays: 0; Excused: 1 (Lund); Abstain: 1 (Dantinne). Motion Carried. See Resolutions , Ordinances June County Board.
15. Resolution regarding: Authority to Execute a 2003-2004 Labor Agreement with the Brown County Mental Health Center Employees. Committee approved. See Resolutions, Ordinances June County Board.
16. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes. (No Closed Session held.)

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 6/29/2004

**** NOTE: County Executive, Carol Kelso, refused to sign Item #11, pursuant to Section 59.17, Wis. Stats.**

No. 8f-- REPORT OF HUMAN SERVICES COMMITTEE MAY 19, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on May 19, 2004, and recommends the following motions:

1. Review minutes of:
 - a) Children with Disabilities Education Board (4/14/04).
 - b) Homeless Issues and Affordable Housing Subcommittee (2/17/04 & 4/20/04).
 - c) Community Options Program Appeals Committee (4/26/04).
 - d) Community Options Program Planning Committee (4/26/04).

Receive and place on file items a-e.
2. Health Department – Request for Budget Transfer: Change in any item within outlay account which requires the transfer of funds from any other major budget category or the transfer of outlay funds to another major budget category: Transfer of funds from a grant account to an outlay account to purchase a dictating system. Approve.
3. Health Department – Director’s report. Receive and place on file.

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

Approved by: \s\ Carol Kelso, County Executive Date: 6/29/2004

No. 8g -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF MAY 26, 2004

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on May 26, 2004, and recommend the following motions.

Land Conservation Subcommittee:

1. Review of May 14, 2004 Meeting “Value of Buffers in the Lower Fox and West Shore of Green Bay”. (15-minute presentation by Tammie Paoli, DNR.) Authorize Mr. Hafs to apply for grants to provide money to landowners for installing buffer strips.
2. Review of May 21, 2004 Lake Michigan Land and Water Conservation Association Meeting. Receive and place on file.
3. Amendment of Nutrient Management Standard to protect groundwater (Kewaunee County.) No action.
4. Director’s report. Receive and place on file.

Planning, Development and Transportation Committee:

1. Review minutes of:
 - a) Brown County Revolving Loan Fund Committee (5/3/04).
 - b) Harbor Commission (3/1/04).

Receive and place on file items a-b.

2. Land Information Office Activity Report. No action.
3. UW-Extension – Approve funding of \$7,060 from the 21st Century Learning Center Grant obtained by the Green Bay Area Public Schools for summer 4-H youth programming. Approve.
4. UW-Extension – Approve funding of \$4,000 from the UW-Extension Northeast District Office for summer backfill of the 4-H Youth Development Educator who is on medical leave. Approve.
5. UW-Extension – Director’s report. Receive and place on file.
6. Airport – Resolution regarding: Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed \$7,000,000 for the purpose of paying the cost of Airport concourse Renovation and Expansion. Committee approved. Ayes: 4 (Erickson, Fleck, Krueger, Scray); Nays: 0; Abstain: 1 (Dantinne). Motion Carried. See Resolutions, Ordinances June County Board.
7. Airport – Land Purchase, 1025 Airport Drive (handout at meeting). No Action.
8. Highway – Resolution regarding: Initial Resolution Authorizing General Obligation Bonds in an Amount not to exceed \$4,144,000 for the purpose of paying the cost of Highway Improvement Projects. Committee approved. Ayes: 4 (Erickson, Fleck, Krueger, Scray); Nays: 0; Abstain: 1 (Dantinne). Motion Carried. See Resolutions, Ordinances June County Board.
9. Highway Commissioner’s report. No action.
10. Survey – Overview of Survey Department. No action.
11. Zoning – Presentation of 2003 Annual Report. No action.
12. Zoning – Director’s Report. (No report given.)
13. Port and Solid Waste – Resolution regarding: Expanding General Operating Zone of Brown County Foreign Trade Zone #167. Committee approved. See Resolutions, Ordinances June County Board.
14. Port and Solid Waste – 2004 Grant Approval regarding: Household Hazardous Waste. Approved.
15. Planning Commission – Resolution of Withdrawal by Brown County from the Bay-Lake Regional Planning Commission. Committee did **not** approve.
16. Audit of Bills. Pay the bills.

A motion was made by Supervisor Fewell and seconded by Supervisor Lund **“to adopt the report”**.

Supervisor Evans requested Item #15 be taken separately. Voice vote taken. Remainder of report approved unanimously with no abstentions.

Item #15 – Planning Commission – Resolution of Withdrawal by Brown County from the Bay-Lake Regional Planning Commission. COMMITTEE ACTION: Committee did **NOT** approve.

A motion was made by Supervisor Evans and seconded by Supervisor Nicholson **“to withdraw from the Bay-Lake Regional Planning Commission”**.

A motion was made by Supervisor Clancy and seconded by Supervisor Collins **“to suspend the rules to allow interested parties to address the board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Mr. Lamine explained this item comes up every year. The decision must be made by July 1st of each year and that is why it's before us. He informed the County Board that his staff evaluated the services his department receives from Bay-Lake Regional Planning Commission. Their conclusion was they would budget the money this year and revisit it again next year. Mr. Lamine introduced Mark Walter, Assistant Director of Bay-Lake Planning Commission, who pointed out Bay-Lake Regional Planning Commission does extensive grant work. Additionally, his staff is there to assist the Brown County Planning staff with its duties, also the Brown County Survey staff, as well as Brown County Land Conservation staff. Mr. Walter added his role is to bring inter-governmental cooperation throughout Brown County and Northeast Wisconsin. He asked the County Board to please reconsider this Resolution before them.

Also addressing the County Board was Taku Ronsman, 1688 Beaver Dam Drive, Green Bay, who spoke in favor of retaining the services of Bay-Lake Regional Planning Commission.

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

After discussion of support of the Bay-Lake Regional Planning Commission by several Supervisors, as well as County Executive Carol Kelso, Supervisor Evans withdrew his request **“to withdraw from Bay-Lake Regional Planning Commission”**. Supervisor Nicholson withdrew his second from Supervisor Evans' motion.

A motion was made by Supervisor Collins and seconded by Supervisor Clancy **“to approve participation with Bay-Lake Regional Planning Commission”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 6/29/2004

No. 8h -- REPORT OF “SPECIAL” PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF JUNE 9, 2004

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE met in *“special”* session on June 9, 2004, and recommends the following motion:

1. Sequence 7E Final Cover Geomembrane Contract 524-04-01- Bid Approval. (See attached.) Approve bid from Manhattan Environmental. Ayes: 4 (Dantinne, Fleck, Krueger, Erickson); Nays: 1 (Scray). Motion Carried.

ATTACHMENT
TO ITEM #1

ITEMIZED BID TAB

OWNER: BROWN COUNTY PORT AND SOLID WASTE DEPARTMENT
 PROJECT: SEQUENCE 7 FINAL COVER
 CONTRACT: 524-04-01
 BID DATE: JUNE 7, 2004 – 11:00 A.M.
 ENGINEERS: ROBERT E. LEE AND ASSOCIATES, INC.

				MANHATTAN ENG. Tulsa, Oklahoma		CLEAN AIR & WATER SYSTEM Dousman, Wisconsin		COMANCO ENVIRONMENTAL Baton Rouge, LA	
Item	Unit	Qty.		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization to the site, to test and install geomembrane for the unit price of:	EACH	1	2,500,000	2,500,000	3,000,000	3,000,000	3,000,000	3,000,000
2	Dual-sided textured LLDPE, geomembrane (installations and testing only) for the unit price of:	SF	699,000	0.155	108,345.00	0.145	101,355.00	0.163	113,937.00
3	4-inch diameter gas header and leachate header riser vertical cap penetrations, for the unit price of:	EACH	26	75.00	1,950.00	250.00	6,500.00	250.00	6,500.00
4	2-inch diameter air supply riser vertical cap penetrations, for the unit price of:	EACH	26	75.00	1,950.00	250.00	6,500.00	250.00	6,500.00
5	6-inch diameter leachate element cap penetrations, for the unit price of:	EACH	8	75.00	600.00	250.00	2,000.00	300.00	2,400.00
6	4-inch diameter barometric trap and drip leg penetrations, for the unit price of:	EACH	4	75.00	300.00	250.00	1,000.00	250.00	1,000.00
7	4-inch diameter head detector well cap penetrations, for the unit price of:	EACH	2	75.00	150.00	250.00	500.00	250.00	500.00
8	Repair 9 holes in existing 40 mil textured LLDPE cover on Sequence 6, for the lump sum of:	EACH	9	111.00	1,000.00	150.00	1,350.00	222.00	2,000.00
9	Repair 1 hole in existing 60 mil textured HDPE liner on Sequence 7, for the lump sum of:	LS	1	1,000.00	1,000.00	150.00	150.00	1,000.00	1,000.00
10	Repair LLDPE geomembrane areas damaged by installation, to include mobilization, purchase installation and testing of geomembrane repairs, for the unit price of:	TRIP	1	2,500.00	2,500.00	3,500.00	3,500.00	3,000.00	3,000.00
11	40 mil dual-sided textured LLDPE, FOB jobsite for the unit price of:	SF	600,000	0.160	96,000.00	0.161	96,600.00	0.146	87,600.00
TOTAL – CONTRACT 524-04-01, ITEMS 1-11					216,295.00		222,455.00		227,437.00
Brown County shall issue a purchase order to the designated material supplier for the direct purchase of membrane material at the bid price (Bid Item No. 11). The membrane supplier shall be _____. Do not include sales tax on the direct purchase of the membrane material.					GSE Lining Technologies		GSE Lining Technologies		Poly-Flex

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

Approved by: /s/ Carol Kelso, County Executive

Date: 6/29/2004

No. 8i -- **REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF JUNE 2, 2004**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on June 2, 2004, and recommends the following motions:

1. Review minutes and reports of:
 - a) Fire Investigation Task Force Board of Directors (3/11/04).
 - b) Fire Investigation Task Force General Membership (4/8/04).Receive and place on file items a-b.
2. Volunteers in Probation – Monthly Statistics (April 30, 2004). Receive and place on file.
3. Medical Examiner – Communication from Supervisor Nicholson regarding: To review the job duties of the Medical Examiner. (Referred from May County Board.) Hold for 30 days.
4. District Attorney – Resolution regarding: Transfer of duties to represent the interests of the public in certain juvenile court actions from the District Attorney to the Corporation Counsel pursuant to Ch. 48, Stats. Committee adopted. See Resolutions, Ordinances June County Board.
5. Public Safety Communications – FY 2004 Homeland Security Grant Application. Approve.
6. Public Safety Communications – Request for Budget Transfer (#04-26): Increase in Expenditures with Offsetting Increase in Revenue. Brown County Emergency Management has been awarded a 2004 Homeland Security Equipment Grant for \$406,203. Authorized domestic preparedness equipment will be purchased. Approve.
7. Public Safety Communications – FY 2004 Homeland Security Grant Application. Approve.
8. Public Safety Communications – Request for Budget Transfer (#04-27): Increase in Expenditures with Offsetting Increase in Revenue. Brown County Emergency Management has been awarded a 2004 Homeland Security Hospital Decontamination Grant for \$32,160. Four decontamination kits will be purchased. Approve.
9. Public Safety Communications – Director’s report. Receive and place on file.
10. Sheriff – Communication from Supervisor Andy Nicholson regarding: Review the consolidation of the two existing jails into one by closing the Huber jail (downtown) on Walnut Street. (From previous meeting held until questions are answered by Internal Auditor.) Hold for 30 days until all questions are completed.
11. Sheriff – Discussion of feasibility of traffic citations offsetting traffic officer costs. (Held from previous meeting.) Receive and place on file.
12. Sheriff – Discussion of jail pharmacy bids. (Held from previous meeting for review of RFP.) Hold for 30 days.
13. Sheriff – Discussion regarding: Traffic Chief. (Held from previous meeting to allow time to review information distributed by Sheriff Kocken.) Receive and place on file.

14. Sheriff – Key Factor 2004 with Jail Average Daily Population by month and overtime by expenditures by division/session 2004 – for June 2004 meeting. Receive and place on file.
15. Sheriff – Communication from Supervisor Lund regarding: Requesting police services for the Village of Suamico and how pleased the Village Board is by the lack of monthly activity reports that they have received. Urged the County to standardize the reports as part of the contract and that if there is to be any interruption in the schedule of the reports, the Village of Suamico be notified. (Referred from May County Board.) Receive and place on file.
16. Sheriff – Communication from Supervisor Van Den Heuvel regarding: Requesting to look at certain supervisory positions in the Sheriff’s Department from being paid by the hour to salary positions. (Referred from May County Board.) Hold for 30 days and have Mr. Gschwend of Human Resources in attendance.
17. Sheriff’s report. Receive and place on file.
18. **Closed Session:** Pursuant to Section 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No Closed Session held.)
19. Audit of bills. Approve.

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 6/29/2004

No. 9 -- Resolutions, Ordinances

No. 9a -- RESOLUTION REGARDING: INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,370,000 GENERAL OBLIGATION COUNTY BONDS, SERIES 2004, OF BROWN COUNTY, WISCONSIN

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

Ladies and Gentlemen:

INITIAL RESOLUTIONS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,370,000 GENERAL OBLIGATION COUNTY BONDS, SERIES 2004, OF BROWN COUNTY, WISCONSIN

Initial Resolution Authorizing General Obligation Bonds
In An Amount Not To Exceed \$7,000,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds

in an amount not to exceed \$7,000,000 for the purpose of paying the cost of airport concourse renovation and expansion.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such construction shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Initial Resolution Authorizing General Obligation Bonds
In An Amount Not To Exceed \$226,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$226,000 for the purpose of paying the cost of building systems upgrades.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such construction shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Initial Resolution Authorizing General Obligation Bonds
In An Amount Not To Exceed \$4,144,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$4,144,000 for the purpose of paying the cost of highway improvements including the CTH "EA" (Eastern Arterial), CTH "H" (South Broadway Street), CTH "B" (School Lane), CTH "Z" (Park Road) and Rustic Roads projects.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such improvements shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Adopted: June 16, 2004

Respectfully submitted,
BROWN COUNTY BOARD OF SUPERVISORS
EXECUTIVE COMMITTEE
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE
ADMINISTRATION COMMITTEE

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

A motion was made by Supervisor Collins and seconded by Supervisor Krueger “**to suspend the rules to allow interested parties to address the board**”. Voice vote taken. Motion carried unanimously with no abstentions.

Chris Swan, (Swan Corp. I), 1221 Bellevue Street, Green Bay, WI 54302, his issue is participation on Federal Funds for Austin Straubel Airport, should have minority participation.

Chair Moynihan directed Mr. Swan’s letter be referred to the Planning, Development and Transportation Committee.

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

Vote taken on original motion “**to adopt**”. Roll Call #9a(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Total Ayes: 26 Nays: 0

Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 6/29/2004

No. 9b -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2003-2004 LABOR AGREEMENT WITH THE BROWN COUNTY MENTAL HEALTH CENTER EMPLOYEES, LOCAL 1901

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

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to execute a two (2) year labor agreement on behalf of Brown County with the Brown County Mental Health Center Employees, Local 1901, for the years 2003-2004, effective January 1, 2003, which agreement shall provide the following major changes from the 2000-2001-2002 labor agreement.

1. ARTICLE 4. WAGES

Amend that portion of Article 4 dealing with the retirement system to read as follows:

C. WISCONSIN RETIREMENT SYSTEM: Effective the first pay period which includes the first of the year, the County agrees that they shall pay up to a maximum of ~~one hundred sixty seven dollars 9\$167.00~~ **one hundred eighty two dollars (\$182.00)** per month in addition to the Employer’s normal contribution for each employee who has completed his or her probationary period to the Wisconsin Retirement System, and works an average of twenty (20) hours per week in 2000 ~~3~~.

Effective in the first pay period which includes the first of the year, the County agrees that they shall pay up to a maximum of ~~one hundred seventy two dollars (\$172.00)~~ one hundred eighty five dollars (\$185.00) per month in addition to the Employer's normal contribution for each employee who has completed his or her probationary period to the Wisconsin Retirement System, and works an average of twenty (20) hours per week for 2001 ~~4~~.

~~Effective the first pay period which includes the first of the year, the County agrees that they shall pay up to a maximum of one hundred seventy seven dollars (\$177.00) per month in addition to the Employer's normal contribution for each employee who has completed his or her probationary period to the Wisconsin Retirement System, and works an average of twenty (20) hours per week for 2002.~~

The total shall be paid in twenty-six (26) bi-weekly pay periods for the years ~~2000-2001-2002-2003~~ 2003 and 2004.

2. ARTICLE 10. HOLIDAYS

Revise the number of personal holidays from three to four effective with implementation of the insurance premium change.

3. ARTICLE 11. OVERTIME

Amend the sentence beginning at line 232 as follows:

All employees except Community Treatment Program Worker who perform work in excess of eight (8) hours in any work day and in excess of eighty (80) hours in a ~~work~~ payroll period of fourteen (14) consecutive days shall receive compensation at the rate of one and one-half (1-1/2) times the regular rate in which he/she is employed for all such excess work hours.

4. ARTICLE 12. TIME OFF FOR BEREAVEMENT

Lines 259 through 264 shall be amended as follows:

Fulltime employees are hereby granted a three (3) consecutive work day leave of absence with pay (excluding non-scheduled or days off) commencing the day of death, ~~or the~~ or to attend the funeral day following the event of a death or to attend the funeral of a member of their immediate family. Immediate family is defined as: Husband, wife, children, grandchildren, parents, brother, sister, mother-in-law, father-in-law, stepparents, and step children. A one (1) day leave of absence with pay shall be granted in the event of the death of: grandparents, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, of the employee or his/her spouse.

5. ARTICLE 13. LEAVE OF ABSENCE

Lines 311-313, change to read:

Insurance While on Leave: An employee on granted leave of absence without pay, or medical leave, shall be allowed to continue to maintain hospital and surgical care, dental, and life insurance, providing the employee pays the full premium in advance each month to the ~~Insurance Office.~~ Division of Risk Management.

6. ARTICLE 20. VACATIONS

Add to (c) ELIGIBILITY, Line 595: Effective December 31, 2004, vacation credit is earned on a monthly basis; however, for scheduling purposes, vacation time earned during the calendar year is credited to the employee's vacation account at the beginning of each calendar year. Any employee who terminates his/her employment or has his/her employment terminated for any reason, shall be compensated for all earned vacation time worked as of the date of termination. The employee shall reimburse the County for any vacation time taken but not earned at the time of his/her termination.

(f) WHEN VACATION MAY BE TAKEN, Lines 609-611: Effective January 1, 1983, employees currently on the payroll cannot carry more than 30 days of vacation at the end of their anniversary date the calendar year. Employees hired after January 1, 1983 cannot carry more than 10 days of vacation at the end of their anniversary the calendar year.

7. ARTICLE 21. INSURANCE

Amend article to read:

Hospital and Surgical Insurance

The Employer shall provide Hospital and Surgical Insurance Group Plan, with major medical, during the term of this Agreement. New employees will be eligible for insurance coverage for the first of the month following thirty (30) days of employment. Premiums for said plan shall be paid for as follows:

Single Plan: All of premium shall be paid by the County of the Basic Health Plan.

Family Plan: Ninety-five percent (95%) of premium shall be paid by the County, and remaining five percent (5%) of the premium shall be paid by the employee for the Basic Health Plan.

Regular part-time employees hired before January 1, 1972, who work an average of twenty (20) hours per week shall be eligible for said County payment. Any changes in policy must be negotiated by the parties.

Regular part-time employees hired after January 1, 1972, who work an average of twenty (20) hours per week shall be eligible for said insurance on a prorata basis.

Effective August 1, 2001, the employee shall pay five percent (5%) of the premium per month on all health and dental plans.

Employees may also participate in either the Health Savings Plan (HSP) or the Basic Health Plan and the County will pay up to the premium amount paid by the County for the Basic Health Plan with the employee paying the balance of the premium. Effective August 1, 2004, the employee shall pay five percent (5%) of the premium per month on all health and dental plans. Any decrease in the overall cost of the plan will be distributed between the employee and the employer in the same manner as it is paid. The Basic Health Plan shall be discontinued effective December 31, 2004.

Insurance Deductibles:

The basic health insurance plan currently offered by the County shall be amended to provide that the major medical deductible for the single and family basic health insurance plan shall be \$100.00 per individual. The maximum deductible per family shall be \$300.00. This proposal shall be effective January 1, 2001.

Dental Insurance:

The Employer shall provide a Group Plan of Dental Insurance during the term of this Agreement. Premiums for said plan shall be paid for as follows:

- Single Plan: All of premium shall be paid by the County. Effective August 1, 2004, the employee shall pay five percent (5%) of the premium per month.
- Family Plan: Ninety-five percent (95%) of premium shall be paid by the County, and remaining five percent (5%) of premium shall be paid by the employee.

Regular part-time employees who work an average of twenty (20) hours per week shall be eligible for said dental insurance on a prorata basis.

Life Insurance:

(No changes to this section)

Retirees

(No changes to this section)

8. ARTICLE 24. SENIORITY
Amend Lines 731 – 732 as follows:

...The vacancy shall be posted on bulletin boards for a minimum of ~~five (5)~~ seven (7) work days

9. ARTICLE 29. DURATION
Amend to provide for a 2 year agreement as follows:

This Agreement shall become effective as of the calendar year starting January 1, 2000 2003 and remain in force and effect to and including the calendar year ending December 31, 2002 2004 and shall review itself for additional one (1) year periods until, and unless, either party prior to September 1st of each year notifies the other party in writing that it

desires to alter or amend the same at the end of the contract. Negotiations shall commence within thirty (30) days of said notice.

10. APPENDIX A: 2000-2001-2002 CLASSIFICATION AND COMPENSATION PLAN

A. Amend Appendix title to reflect 2003-2004.

B. Update Appendix A to reflect wage changes:

3.0% across the board effective January 1, 2003

1.9% across the board effective January 1, 2004

C. Add Clerk I, Clerk II, and Clerk III Classifications to Plans as follows (these charts will not appear in the contract):

ADDITIONAL CLASSIFICATIONS	SKILL REQUIREMENTS	PAY GRADE (No Change)
CLERK I CLERK/TYPIST I TYPIST I	Data Entry Only Data Entry and Typing Typing Only	Classification A
CLERK II CLERK/TYPIST II TYPIST II	Data Entry Only Data Entry and Typing Typing Only	Classification B
CLERK III CLERK/TYPIST III TYPIST III	Data Entry Only Data Entry and Typing Typing Only	Classification C

Written tests for each level would remain the same. For a lateral move within a grade, Data Entry and/or Typing skill tests would have to be taken if the posted position requires a different skill. For example, a Clerk I would have to take a typing Test for the Clerk/Typist I or the Typist I positions because the Clerk I position only requires data entry. However, a Clerk/Typist I would not have to retest for the Clerk I or Typist positions because they are already in a position requiring both those skills.

MHC-MEDICAL RECORDS	CLERK/TYPIST I	
HS-PAYEE SERVICES	CLERK/TYPIST I	
MHC-MEDICAL RECORDS	CLERK/TYPIST I	
HS-ADULT INTAKE	CLERK/TYPIST II	
MHC-MEDICAL RECORDS	CLERK/TYPIST II	
MHC-ADMISSIONS	CLERK/TYPIST II*	CLERK II
MHC-BILLING-MENTAL HEALTH	CLERK/TYPIST II	
MHC-ADMISSIONS	CLERK/TYPIST III	
	CLERK/TYPIST III	
MHC-HEALTH INFO. A/P	*	CLERK III
	CLERK/TYPIST III	
MHC-ADMISSIONS	*	CLERK III
	CLERK/TYPIST III	
MHC-ADMISSIONS	*	CLERK III

- * Positions to be retitled; the remainder of the positions will be reviewed at the time they become vacant and require posting.

11. RE-SIGN THE FOLLOWING MEMORANDUMS OF UNDERSTANDING:

- Memorandum of Understanding – Job Analysis Procedure
- Memorandum of Understanding – Work Day and Work Week
- Memorandum of Understanding – Educational Assistant – Cota’s
- Memorandum of Understanding – Educational Assistant – LPN’s
- Memorandum of Understanding – On Call Employees
- Memorandum of Understanding – Float Nursing Assistant
- Memorandum of Understanding – Float Licensed Practical Nurse
- Memorandum of Understanding – Enrollment Periods
- Memorandum of Understanding – Personal Holidays/Vacation
- Memorandum of Understanding – Increase in Float Nursing Assistants and LPN’s
- Memorandum of Understanding – Certified Nursing Asst. Educational Assistance
- Memorandum of Understanding – Parking Differential
- Memorandum of Understanding – Long Term Care
- Memorandum of Understanding – Direct Deposit of Payroll Checks

12. MEMORANDUM OF UNDERSTANDING – Part Time Health Insurance Annual Adjustment

Amend to read as follows:

The following agreement has been reached between AFSCME, AFL-CIO, Local 1901, representing the Brown County Mental Health Center employees and Brown County.

The County will calculate the adjustment of the employee share of the health insurance premium ~~in March to be effective with January coverage. of each year, based on the hours paid during the prior payroll year (first payroll of the preceding calendar year to the last payroll of the preceding calendar year), and will be implemented by the first pay period in April or as soon thereafter as the calculations are completed.~~

~~The initial adjustment will be calculated on the payroll calendar year for 2000~~

EXAMPLES:

- ~~1. An 80% employee’s calculated hours paid for the prior year are 2080 or above. This employee will be eligible for health insurance payments at the 100% employee share from the first of April.~~

~~2. The next year, that employee's actual hours paid will again be determined on a payroll calendar year basis and may be adjusted either up or down effective April of that year.~~

~~3. If an employee becomes an on call employee, health insurance eligibility ceases immediately.~~

This memorandum of understanding shall remain in effect through December 31, ~~2002~~ 2004.

13. MEMORANDUM OF UNDERSTANDING – On Call Probationary Period for Purposes of Casual Days – Amend to read as follows:

The following agreement has been reached between AFSCME, AFL-CIO, Local 1901, representing the Brown County Mental Health Center employees and Brown County.

On-call employees will not be required to serve more than one (1) probationary period for purposes of casual days.

When a regular employee leaves a regular position and goes to on-call, the employee will maintain on-call seniority at one thousand forty (1040) hours. ~~as well as Countywide seniority so long as the employee has had no lapse in service and has followed the on-call guidelines.~~ In the event that such employee returns to regular employment without a lapse in employment, that employee will not serve an additional probationary period, and will retain credit for county years of service as a regular employee for purposes of determining vacation. The employee will not however be eligible to take vacation until after 12 months, personal days until after 90 days and casual days until after six months of employment.

This Memorandum expires December 31, 2004.

14. SIDE LETTER – PPO

Amend to read as follows:

The following agreement has been reached between AFSCME, AFL-CIO, Local 1901, representing the Brown County Mental Health Center employees and Brown County.

The County shall make available to employees a PPO as an additional and alternative health plan at a time at its discretion during 2000 with the following understandings:

1. Coverage shall be as outlined in the final document.

2. The County shall pay ninety-five percent (95%) (i.e., the employee shall pay 5%) of the family premium and one hundred 100% of the single premium for such plan. The plan deductible shall be \$50.00 for the single plan and \$150.00 for the family plan.

Effective August 1, 2004, the County shall pay ninety-five percent (95%) (i.e., the employee shall pay 5%) of the family and single premium for such plan.

3. There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the open enrollment period before the change is implemented. If the county continues to offer this plan after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.
4. Maximum allowable fee as used in the PPO and Usual and Customary fee as used in the basic and HSP Plans are intended to be synonymous terms.

15. New MEMORANDUM OF UNDERSTANDING – Meal Reimbursement:

The following agreement has been reached between AFSCME, AFL-CIO, Local 1901, representing the Brown County Mental Health Center employees and Brown County.

When Occupational Therapists and Activity Aids consistent with a client's care plan (and occasionally other employees where directed by the care plan), take clients out to lunch during their work hours as part of their normal duties, upon receipt, the County will recompense that employee up to \$4 after the first \$4 spent by the employee for the meal.

This memorandum of understanding shall remain in effect during December 31, 2004.

16. New – SIDE LETTER – INSURANCE CHANGES

Effective August 1, 2004, the HSP Plan nervous and mental coverage shall be upgraded to that of the PPO.

Effective August 1, 2004, the requirement for pre-certification for first ten outpatient therapies shall be eliminated in all plans.

Effective August 1, 2004, there will be a \$25 penalty for non-emergency use of the emergency room.

Effective August 1, 2004, 3-tier formulary for RX (20%, 20%, 20% = \$15) will be followed for all plans with the understanding that under the mandatory generic program

that Brown County has implemented for all settled contracts, members are required to use a generic drug if available. If the member or the physician chooses to use a brand name drug rather than a generic, the member will be responsible for the 20% co-payment PLUS pay the difference between the generic drug price and the brand name drug price. The only exception to paying the difference in the cost (or the penalty cost difference) between the generic and the brand is if a member's physician provides documentation that all generic drugs within a category were tried and failed. If documentation is received, the member may receive a brand drug at the brand co-pay (without penalty) on subsequent prescriptions.

Likewise, under the new 3 tier formulary, if a member has medical necessity for using a non-preferred brand name drug over a preferred brand name drug and if a member's physician provides documentation that all generic and preferred brand drugs within a category were tried and failed, the member may receive a non-preferred brand at the preferred brand co-pay on subsequent prescriptions.

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

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Kaye and seconded by Supervisor Fewell "to adopt". Voice vote taken. Supervisor Frohna voted "nay". Motion carried.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 6/29/2004

No. 9c -- **RESOLUTION REGARDING: EXPANDING GENERAL OPERATING ZONE OF BROWN COUNTY FOREIGN TRADE ZONE #167**

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

Ladies and Gentlemen:

WHEREAS, on September 21, 1988 the Brown County Board adopted a resolution agreeing to pursue establishment of a Foreign Trade Zone in Brown County including boundaries of the general zone in Ashwaubenon Industrial Park including Austin Straubel International Airport; and

WHEREAS, to date no activity has ever taken place within the boundaries of the general zone, although two subzones are active in Osceola, WI and Hudson, WI; and

WHEREAS, existing properties within the general zone are completely occupied by companies not involved in international commerce; and

WHEREAS, the Port and Solid Waste Department in injuncion with the International Business Development Consortium have identified companies requesting use of the FTZ general zone that are willing to pay for the expansion of the existing general zone and provide revenues to Brown County for any active companies operating with the expansion; and

WHEREAS, one of the expansion areas will include Oneida Tribal property adjacent to the existing general zone to accommodate a joint venture with paper converting manufacturing in an existing building that imports raw materials from China. Another contract manufacturer has expressed a desire to be included within the FTZ and therefore has requested an additional 120 acre site be included in the expansion application; and

WHEREAS, the second expansion area will be in Oshkosh, WI in the form of a new industrial park including the existing airport ground. This site is approved by the City of Oshkosh and Winnebago County authorities and is promoted by a consortium of economic development agencies and private investors that have multiple parties interested in building in this area contingent upon inclusion within the FTZ; and

WHEREAS, for necessary U.S. Department of Commerce approvals of expansion of the FTZ general zone, some existing properties within the general zone that are not involved in international commerce may be exchanged for properties requesting to be included in the general zone; and

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that it hereby approves the submittal of application to the U.S. Department of Commerce for expanding FTZ #167's general zone as provided herein.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

CERTIFICATION

I, DARLENE K. MARCELLE, Clerk of Brown County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a County Board Meeting of the County Board Supervisors on June 16, 2004, adopted by a majority vote, and recorded in the minutes of said meeting.

 /s/ Darlene K. Marcelle
Brown County Clerk

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

Approved by: /s/ Carol Kelso, County Executive Date: 6/29/2004

No. 9d -- **RESOLUTION REGARDING: WITHDRAWAL BY BROWN COUNTY FROM THE BAY-LAKE REGIONAL PLANNING COMMISSION**

DELETED FROM AGENDA.

No. 9e -- **RESOLUTION REGARDING: TRANSFER OF DUTIES TO REPRESENT THE INTERESTS OF THE PUBLIC IN CERTAIN JUVENILE COURT ACTIONS FROM THE DISTRICT ATTORNEY TO THE CORPORATION COUNSEL PURSUANT TO CH. 48, STATS.**

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

Ladies and Gentlemen:

WHEREAS, Secs. 978.05, Stats., and 48.09 (5), Stats., provide that the County Board of any county may designate the Corporation Counsel as the appropriate office to represent the interests of the public in certain Juvenile Court proceedings; and

WHEREAS, the office of Corporation Counsel now represents the interests of the public in Juvenile Court proceedings relating to the Termination of Parental Rights and further that such cases are preceded by actions in Juvenile Court under Section 48.13, Stats., which relates to Petitions on behalf of children in need of protection and services; and

WHEREAS, to enable a more efficient use of resources and to avoid the duplication of efforts by the District Attorney and the Corporation Counsel, they are jointly requesting that the County Board designate the Corporation Counsel as the office to represent the interests of the public in those Juvenile Court proceedings relating to Petitions for children in the need of protection and services under Sec. 48.13, Stats.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby designates the office of Corporation Counsel to represent the interests of the public in those actions in Juvenile Court relating to Petitions filed under Section 48.13, Stats., relating to children in need of help and protection filed in Brown County Circuit Court and that existing funding sources be utilized for such transfer of duties.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

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

Approved by: \s\ Carol Kelso, County Executive

Date: 6/29/2004

- No. 10 --** Such other matters as authorized by law. Late Communications.
No. 10a -- From Supervisor Evans to request we authorize the Brown County Sheriff's Department to bill the John Kerry for President Campaign, \$8,300 for his visit to Brown County.

Refer to Public Safety Committee.

- No. 10b --** From Supervisor Dantine to have Landfill, Solid Waste to compare the price difference between burning PCB's rather than landfill them. (Talk to Allen Doxtator for Report – 920-869-1137).

Refer to Planning, Development and Transportation Committee.

- No. 10c --** From Supervisor Nicholson, due to the vacancy in the position of Jail Administrator, I request to review the possibility of implementing a Business Administrator for that position.

Refer to Public Safety Committee.

- No. 10d --** From Supervisor Van Den Heuvel to review the report and deputy that shot the dog in Suamico.

Refer to Public Safety Committee.

- No. 10e --** From Supervisor Van Den Heuvel calling for a complete audit of the Brown County Golf Course for the years 2002 and 2003 with breakdowns in specific areas.

Refer to Education and Recreation Committee.

- No 10f --** From Resolution #9a – From Christopher D. Swan, Swan Corp I, 1221 Bellevue Street, Suite 203, Green Bay, WI 54302. He presented a request to enforce the federal goals for the Department of Transportation to increase minority participation on the expansion of the Austin Straubel International Airport.

Refer to Planning, Development and Transportation Committee.

- No. 11 --** Bills over \$10,000 for period ending June 1, 2004.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Collins “to pay the bills over \$10,000 for period ending June 1, 2004”.

- No. 12 --** Closing Roll Call.

Present: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Total Present: 26

**No. 13 -- ADJOURNMENT TO WEDNESDAY, JULY 21, 2004, AT 7:00 P.M.,
LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON
STREET, GREEN BAY, WISCONSIN.**

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

DARLENE K. MARCELLE
Brown County Clerk