

## **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, March 17, 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: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Marquardt, Kuehn, Collins, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Present: 26

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

A motion was made by Supervisor Watermolen and seconded by Supervisor Van Deurzen **“to adopt the agenda as revised.”** Voice vote taken. Motion carried unanimously with no abstentions.

### **No. 2 -- Approval of minutes of County Board Meeting of February 18, 2004.**

A motion was made by Supervisor Kuehn and seconded by Supervisor Johnson **“to approve the minutes of February 18, 2004”**. Voice vote taken. Motion carried unanimously with no abstentions.

### **No. 3 -- Announcements by Supervisors.**

Supervisor Gower thanked Chairman Simons for the appointment to the County Board. Mr. Gower added it was a good year for the taxpayers of Brown County, citing 17 positions were eliminated from the Sheriff's Department, position of Surveyor was eliminated and the tax levy was reduced by 6.4%. Additionally, he said he led the zoning to block halfway houses in first and second residential districts in Green Bay, De Pere and Ashwaubenon.

Supervisor Collins wished everyone a Happy St. Patrick's Day.

Supervisor Vanden Plas thanked everyone; he stated he didn't miss a County Board Meeting in 14 years, which he believes speaks of how well he served his constituents. He said he will miss everyone, however, the time is right to leave and spend more time with his family.

Supervisor Clancy thanked those that served on the County Board and invited everyone to Van Abel's in Hollandtown this evening to celebrate St. Patrick's Day.

Supervisor Hansen thanked people of the 7<sup>th</sup> District. She served the City for 4 years and the County for 2 years. It was a privilege to serve with her husband (State Senator Dave Hansen) and son-in-law (Brett Bicoy) and she will miss the County Board.

Supervisor Marquardt thanked the citizens of the 16<sup>th</sup> District for the privilege of allowing her to serve them. She reminded those that were running in her district to be an individual and she wished them well.

**No. 4 -- Communications.**

**No. 4a -- From Supervisor Rob Miller regarding: Brown County explore and work toward having Brown County Library card honored at all public libraries in Brown County, which would include the libraries of UWGB, NWTC and the various Brown County school districts.**

Refer to Education and Recreation Committee and Library Board.

**No. 4b -- From Supervisor Rob Miller regarding: That Brown County investigate the feasibility of having streaming audio and video of county board meetings and committee meetings on our website.**

Refer to Administration Committee.

**No. 5 -- Late Communications.**

**No. 5a -- From Supervisors Clancy, Daul, Fewell and Vanden Plas regarding: to re-examine the new fee of 50 cents per acre imposed on the area land owners and farmers for nutrient maintenance and explore what other counties are doing in regard to this new state mandate.**

Refer to Land Conservation Subcommittee and Planning, Development and Transportation Committee.

**No. 5b -- From Supervisor Schadewald regarding: with the appointment of Supervisor Robert Miller, replacing M.J. Knox of Howard, to the Library Board, the Library Board becomes a county governmental body without any representation for the west side of the county. Requesting the oversight committee look at the applicable county codes and/or state codes that may need to be changed so that future Library Boards are "geographically" diversified.**

Refer to Education and Recreation Committee and Library Board.

**No. 5c -- From Supervisor Schadewald regarding: request for the Executive Committee to change the County Codes to either formalize the new practice of NO MOTIONS ALLOWED for County Executive appointments or to make it appropriate in our meetings.**

Refer to Executive Committee.

**No. 5d -- From Supervisor Johnson regarding: request for the Park Director to eliminate the requirement for the park manager to reside in the park house.**

Refer to Education and Recreation Committee and Park Director.

**No. 5e -- From Supervisor Vander Leest regarding: request to create a new stop on the Bookmobile route at Villa West on Ninth Street in Green Bay.**

Refer to Education and Recreation Committee and Library Board.

**No. 6 -- Appointments by County Executive. None.**

**No. 7a -- Report by County Executive.**

County Executive Kelso thanked the retiring County Board members. She added it takes courage to make a commitment to serve on Brown County Board and she wishes each one the very best.

Ms. Kelso reported the progress the 911 Center is making.

On a personal note, she announced the arrival of a new granddaughter.

Executive Kelso introduced Rick Gschwend, Human Resources Director, and thanked him for joining us in Brown County. She encouraged everyone to stop by the Human Resources Department, say hello to Rick, and welcome him to Brown County.

**No. 7b -- Report by Board Chairman.**

Chairman Simons thanked the members of the County Board who are retiring. He asked the Supervisors to sign a commendation and presented one to : District 13, Merlin Vanden Plas; District 16, Mary Marquardt; District 7, Jane Hansen; and District 4, John Gower.

**No. 8 -- Other Reports.**

**No. 9 -- Standing Committee Reports.**

**No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF MARCH 4, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on March 4, 2004, and recommends the following motions:

1. Review minutes of:
  - a. Housing Authority (2/16/04).  
Receive and place on file.
2. Administrative Services Division 2003 to 2004 Carryover Funds.
  - a. Approve all, except the Human Resources Carryover funds.
  - b. Approve the contracting and negotiation services in the amount of \$42,000. Ayes: 3 (Graves, Miller, Schadewald); Nays: 0; Abstain: 2 (Hansen, Marquardt). Motion Carried.
3. County Clerk – Carryover funds. No Action.
4. Facilities Management – Communication from Facilities Management, Jeff Oudeans regarding: Reconstruction of North Jefferson Street. Approve.
5. Human Resources – Human Resources Monthly Committee Report (February 2004).  
Receive report.
6. Department of Administration – Request for information regarding payment of invoice to Dynix in the amount of \$43,703.40 (from February 5, 2004 Administration Committee meeting.) No Action.
7. Department of Administration – 2004 Budget Transfer Log. Receive and place on file.
8. Department of Administration – Communication from Jeff Landin, Director of Administration, regarding: GFOA Budget Review. No Action.
- \*\* 9. Department of Administration - Request for Budget Transfer: Interdepartmental Transfer: Increase Kress Library Construction Capital Projects Fund revenue for \$237,815 additional revenue received from sale of old De Pere library building and transfer the additional funds from Kress Library Construction Capital Projects Fund to Asset Maintenance Capital Projects Fund for FY2003. (Referred to Administration and Education and Recreation Committee from February County Board.) Approve the request for budget transfer. Ayes: 3 (Graves, Miller, Schadewald); Nays: 0; Abstain for legal reasons: 2 (Hansen, Marquardt). Motion Carried.

\*\* AS PER THE COUNTY BOARD ON MARCH 17, 2004, THEY VOTED TO RECEIVE ITEM #9 AND PLACE ON FILE.

10. Department of Administration – Educational connection proposal (Information Services).  
Receive this for research.
11. Corporation Counsel – Request response from Corporation Counsel as to whether he will appeal or comply with the Department of Justice letter regarding: Open Meetings Law. (Held from previous meeting.) Communication from Supervisor Pat Collins regarding: Attorney General Opinion. No action.
12. Corporation Counsel – Committee reports, unless resolutions are specifically asked for at committee level, they will not be considered resolutions. (Held from previous meeting.)  
No action.
13. Facilities Master Plan Committee – Referred from October 15, 2003 County Board – Facilities Master Plan Committee – Recommendation by Facilities Master Plan Committee to Administration Committee:
  - a. **Motion #1** – “Recommend to the Administration to not renovate the old Mental Health Center as a mental heal facility.” Approve the Facilities Master Plan

Committee's recommendation #1. Ayes: 3 (Schadewald, Marquardt, Hansen); Nays: 2 (Graves, Miller). Motion Carried.

- b. **Motion #2** – “Recommend to the Administration Committee that the future of government in Brown County is to the direction of two campuses, bay view campus and courthouse square campus.” Approve. Ayes: 3 (Hansen, Marquardt, Schadewald); Nays: 0; Abstained; 2 (Miller, Graves). Motion Carried.
- c. **Motion #3** – “Request the Administration Committee to direct the Facilities Master Plan Subcommittee to come forward with a detailed plan of how to make the two campus scenario reality. Approve. Ayes: 3 (Hansen, Marquardt, Schadewald); Nays: 0; Abstained: 2 (Miller, Graves). Motion Carried.

Items 13a, b and c were deleted from agenda.

14. Audit of bills. (No questions on bills.)

A motion was made by Supervisor Antonneau and seconded by Supervisor Graves “**to adopt**”. Supervisor Van Deurzen requested item #9 be taken separately and Supervisor Evans reported that item #13 should not have been a part of the report.

Voice vote taken. Remainder of the report passed with Supervisor Miller voting nay.

Supervisors Zima, Kuehn and Vander Leest requested to abstain from item #1 of this report.

Item #9 – Department of Administration – Request for Budget Transfer: Interdepartmental Transfer: Increase Kress Library Construction Capital Projects Fund revenue for \$237,815 additional revenue received from sale of old De Pere library building and transfer the additional funds from Kress Library Construction Capital Projects Fund to Asset Maintenance Capital Projects Fund for FY2003. (Referred to Administration & Education and Recreation Committee from February County Board.) Committee action: Approve the request for budget transfer. Ayes: 3 (Graves, Miller, Schadewald); Nays: 0; Abstain for legal reasons: 2 (Hansen, Marquardt). Motion Carried.

Supervisor Van Deurzen stated that the \$237,000 comes from the sale of the De Pere Library. He added he would like to see that money directed at completing the lower level of new Kress Library.

Supervisor Antonneau, Education and Recreation Chairman, which oversees the Libraries, felt a split of \$237,000 was appropriate but wasn't necessary to apply entire amount until they know how much is needed.

A motion was made by Supervisor Haefs and seconded by Supervisor Antonneau “**to receive and place on file item #9**”. Voice vote taken. Motion carried with Supervisor Miller voting nay.

Approved by:           \s\ Carol Kelso, County Executive          

Date: 4/2/2004

**No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MARCH 10, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on March 10, 2004 and recommends the following motions:

1. Review minutes of:
  - a) Library Board (1/16/04).
  - b) Museum Sub-Committee (2/18/04).Receive and place on file.
2. Carryover Funds – Education, Culture and Recreation Division 2003 to 2004 Carryover Funds. Approve carryover funds.
3. Arena/Expo Centre – Attendance Report (January and February 2004). Approve.
4. Museum Visitor County (January and February 2004). Receive and place on file.
5. Museum – Request to modify admission fees for school groups from the current fees of \$35 per bus for groups of 30 and under and \$50 per bus for groups of 31 or more to \$1 per student and chaperone. Approve.
6. Museum – Communication from Sam Davis, Family Support Specialist, FRST Program, Family Services of Northeast Wisconsin, Inc., regarding: Request for the staff and juveniles of the Juvenile Report Center be given a lower admission fee or have it waived all together for a trial period to be determined by the committee. Deny request.
7. Museum – Director’s report. Receive and place on file.
8. Approval of Waiver of Admission Fees for Participants in the “Be a Tourist in Your Own Hometown” Event sponsored by the Packer Country Regional Tourism Office. Approve.  
Ayes: 4 (Johnson, Vander Leest, Van Deurzen, Kuehn); Nays: 0; Abstain: 1 (Antonneau). Motion Carried.
9. Library – Request for Budget Transfer: Interdepartmental Transfer: Increase Kress Library Construction Capital Projects Fund revenue for \$237,815 additional revenue received from sale of old De Pere Library building and transfer the additional funds from Kress Library Construction Capital Projects Fund to Asset Maintenance Capital Projects Fund for FY2003. (Referred from February County Board.)
  - a) Deny budget transfer. Ayes: 2 (Van Deurzen, Kuehn); Nays: 3 (Antonneau, Johnson, Vander Leest). Motion Failed.
  - b) Leave \$100,000 in the Library Capital Projects Fund and transfer \$137,815 into Asset Maintenance Capital Project Fund with the Library Director coming back to this Committee with a list of prioritized projects. Ayes: 4 (Antonneau, Johnson, Vander Leest, Kuehn); Nays: 1 (Van Deurzen). Motion Carried.
10. Library – Wrightstown library project report. No Action.
11. Library – Director’s report. Receive and place on file.
12. Golf Course – Request from Shopko to waive out of county fee for Shopko Charity Classic golf outing August 2, 2004. Approve.
13. Golf Course – Request from Molly Markland to waive out of county fee for their Class Reunion golf outing on June 12, 2004. Deny.
14. Golf Course – Request from Jim Van Den Elzen (Howard Suamico Business Professional Association) for a golf outing event on August 16, 2004 at Brown County Golf Course. Approve.

15. Golf Course – Request from Sue Premo, Community Relations Director, Volunteer Center of Brown County, to waive out of county fees for Volunteer Center Golf Classic to be held on Wednesday, July 28, 2004. Approve.
16. Golf Course – Superintendent’s report. Receive and place on file.
17. Parks – Communication from Supervisor Fred Graves regarding: Request to change name Bay Shore – Cecil Depeau Park to Cecil Depeau Bay Shore Park. (Referred from January County Board.) Receive and place on file.
18. Parks – Request from Supervisor Kathy Johnson regarding: Discussion of change for disc golf at Pamperin Park. Receive and place on file.
19. Parks – Request from Green Bay Chapter of Trout Unlimited for a fee waiver for the picnic shelter at the Brown County Reforestation Camp on August 17<sup>th</sup>. The Chapter will be holding the “Kids Fishing Day” with the Pals Program. This was done in 2003 and would like to do a similar event in 2004. Approve.
20. Parks – Request from N.E.W. Youth Rugby to use the Fairgrounds fields for rugby at a rate of \$25 per game/practice per field plus tax. Requesting usage on Monday, Wednesday and Friday from 4 p.m. – 7 p.m. beginning April 5 – May 26. Approve.
21. Parks – Approve 2004 private accesses for the Reforestation Camp and Neshota Park. Approve.
22. Parks – Request from Bayshore Bicycle Club to waive the daily Fox River Trail fee for people trail-riding the bikes that are displayed by vendors on May 2<sup>nd</sup> 2004 at the “Bike Extravaganza”. The event is held from noon through 3 p.m. at Voyageur Park in De Pere. This is a similar request to an event held in 2003. Approve.
23. Parks – Request from Kathy Dachlet – Packerland Kennel Club for reduced rate at the Fairgrounds for use of the Horse Barn on Monday and Wednesday evenings beginning the end of April through the beginning of October. The rate would be the same as the 2003 rate of \$30 per week. Approve.
24. Parks – Review and approve bids for asphaltting at Bay Shore Park. The asphaltting was included in the 2003 bond proposal. Approve.
25. Parks – Communication from Pam Ver Bruggen – Broker – Owner of Hearthside Homes and Realty, regarding parcel SU-96 and access to parcel update. Deny the communication.
26. Park Director’s report. Receive and place on file.
27. Parks – Zoo Manager’s Monthly Activity Report for January 2004. Receive and place on file.
28. Audit of bills. Pay the bills.

A motion was made by Supervisor Haefs and seconded by Supervisor Fleck **“to adopt”**.

Supervisor Van Deurzen requested item #9 be taken separately. Voice vote taken on remainder of report. Motion carried with Supervisor Miller voting nay.

Item #9 -- Library – Request for Budget Transfer: Interdepartmental Transfer” Increase Kress Library Construction Capital Projects Fund revenue for \$237,815 additional revenue received from the sale of the old De Pere library building and transfer the additional funds from Kress Library Construction Capital Projects Fund to Asset Maintenance Capital Projects Fund for FY2003. (Referred from February County Board.) Committee Action: a) Deny budget transfer. Ayes: 2 (Van Deurzen, Kuehn); Nays: 3 (Antonneau, Johnson, Vander Leest). Motion

Failed. B) Leave \$100,000 in the Library Capital Projects Fund and transfer \$137,815 into Asset Maintenance Capital Project Fund with the Library Director coming back to this Committee with a list of prioritized projects. Ayes: 4 (Antonneau, Johnson, Vander Leest, Kuehn); Nays: 1 (Van Deurzen). Motion Carried.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Fleck **“to deny the budget transfer of \$237,815 from the Kress Library Construction Project Fund”**.

In explaining his motion, Supervisor Van Deurzen stated the committee report reads that \$100,000 is directed at other library maintenance, not the De Pere Kress Library. With the needs of the Kress Library, Supervisor Van Deurzen said he felt the \$237,000 should be directed to Kress Library. After a long discussion the vote was taken on Supervisor Van Deurzen’s motion **“to deny the budget transfer of \$237,815 from the Kress Library Construction Project Fund”**. Roll Call #9b(1):

Ayes: Nicholson, Daul, Van Deurzen, Fleck, Clancy

Nays: Antonneau, Graves, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Abstained: Marquardt

Total Ayes: 5                      Total Nays: 20                      Abstained: 1

Motion defeated.

A motion was made by Supervisor Haefs and seconded by Supervisor Miller **“to approve the transfer of \$237,815”**. Voice vote taken. Motion defeated.

A motion was made by Supervisor Antonneau and seconded by Supervisor Johnson **“to approve item #9 as presented by the Education and Recreation Committee.”** Roll Call #9b(2):

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Daul, Moynihan, Watermolen, Simons, Lund

Nays: Marquardt, Van Deurzen, Fleck, Clancy, Schadewald, Fewell

Total Ayes: 20                      Total Nays: 6

Motion Carried.

Approved by:           /s/ Carol Kelso, County Executive                                Date: 4/6/2004

**No. 9c --            REPORT OF EXECUTIVE COMMITTEE OF MARCH 8, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on March 8, 2004 and recommends the following motions:

1. Review minutes of:
  - a) Legislative Subcommittee (1/28/04 and 2/25/04).  
Receive and place on file.
2. County Executive report. (No report.)



3. Legislative Subcommittee report. (No report.)
4. Internal Auditor Report. (No report.)
5. Facilities Management – Communication from Jeff Oudeans regarding: Reconstruction of North Jefferson Street. Approve.
6. Communication from Supervisor Pat Collins regarding: Attorney General Opinion. Receive and place on file.
7. Communication from Supervisor Ron Antonneau regarding: Questioning Guidelines for County Board Staff. Refer to staff to get some information and data from the Counties Association and League of Municipalities and see how other governmental entities handle that process.
8. Communication from Supervisors Lund and Vander Leest regarding: Explore support of the TABOR bill by State Representative Frank Lasee. (Referred from February County Board.) Hold until May and include area state legislators and representatives of the Wisconsin Counties Association be invited to speak on this.
9. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons required a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin State Statutes.
10. **Closed Session:** Section 19.85(1)(g) conferring with legal counsel regarding strategy with respect to litigation (Village of Hobart versus Brown County.)
  - a) #9 and #10 Enter into closed session.
  - b) #9 and #10 Return to regular order of business.
  - c) #9 and #10 No action taken.

A motion was made by Supervisor Moynihan and seconded by Supervisor Daul “to adopt”. Voice vote taken. Motion carried with Supervisor Miller voting nay.

Approved by:       /s/ Carol Kelso, County Executive      

Date: 4/2/2004

**No. 9d-- REPORT OF SPECIAL EXECUTIVE COMMITTEE OF MARCH 17, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in *special* session on March 17, 2004 and recommends the following motions:

1. Resolution regarding: Authorizing Reappointment of an Undersheriff to Deputy Sheriff Status. (Referred from Public Safety Committee.) Committee approved. See Resolutions, Ordinances March County Board.
2. Resolution regarding: Change in Table of Organization – Request for Expanded Account Clerk III/Budget Counselor Position. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances March County Board.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Antonneau “to adopt”. Voice vote taken. Motion carried with Supervisor Miller voting nay.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 4/2/2004

**No. 9e -- REPORT OF HUMAN SERVICES COMMITTEE OF FEBRUARY 18, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on February 18, 2004, and recommends the following motions:

1. Review minutes of:
  - a) Veterans’ Recognition Subcommittee (1/13/04).
  - b) Children with Disabilities Education Board (1/14/04).
  - c) Aging Resource Center, Board Meeting (1/23/04).
  - d) Homeless Issues and Affordable Housing Subcommittee (1/20/04).
  - e) Community Options Program Appeals Committee (1/26/04).
  - f) Community Options Program Planning Committee (1/26/04).

Approve items a-f.
2. Communication from Supervisor Schadewald regarding: Request for statistical data the Blue Ribbon Task Force used to formulate their conclusions. (Referred from January County Board.) Hold until March meeting.
3. Communication from Supervisor Clancy regarding: Update from ASPIRO on day services for the developmentally disabled. Hold until March meeting.
4. Health and Human Services Division 2003 to 2004 Carryover Funds. Approve.
5. Human Services Department – Request for Budget Transfer (#04-08): Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services: Transfer money from Purchased Services (Unit 69) CIP 1B expense line (savings are coming from reduction in the GI Oaks Contract caused by the elimination of payee services by vendor) to the Salary and Fringe expenses (Unit 68) line Upgrading an existing Account Clerk III position from .8 FTE to a 1.0 FTE to handle increase of clients requiring payee services by HSD staff; Regular earnings \$6,424; FICA \$2,848; Community Integration Program CIP 1B \$9,272. Committee approved. See Resolutions, Ordinances March County Board.
6. Human Services Department – Request to begin fee charging for certification of child day care providers. Approve.
7. Resolution regarding: To Discontinue Serving Voluntary Out-of-County Consumers at the Mental Health Center. Committee approved. Ayes: 6 (Miller, Evans, Zima, Clancy, Collins, Fewell); Nays: 1 (Fleck). Motion Carried. See Resolutions, Ordinances March County Board.

8. Resolution regarding: To request an increase in the Daily Medicaid Reimbursement Rates for the Brown County Mental Health Center. Committee Approved. See Resolutions, Ordinances March County Board.
9. Audit of Bills. Pay the bills.

A motion was made by Supervisor Fleck and seconded by Supervisor Clancy “to adopt”. Voice vote taken. Motion carried with Supervisor Miller voting nay.

Approved by: \s\ Carol Kelso, County Executive Date: 4/2/2004

**No. 9f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF MARCH 11, 2004**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE met in regular session on March 11, 2004, and recommends the following motions.

**Land Conservation Subcommittee (meeting was cancelled).**

**Planning, Development and Transportation Committee**

1. Review minutes of:
  - a) Harbor Commission (12/8/03).
  - b) Land Information Office (LIO) Committee (1/21/04).Approve items a-b.
2. Carryover Funds – Planning and Development Division 2003 to 2004 Carryover Funds. Approve.
3. Airport – Transportation Division 2003 to 2004 Carryover Funds. Approve.
4. Airport – Director’s report. Receive and place on file.
5. Highway – Brown County Highway Department 6-Year Highway Improvement Plan, 2005 to 2010. Receive and place on file the Brown County Highway Department six-year high improvement plan.
6. Highway – Commissioner’s Report. Receive and place on file.
7. Survey – Progress report of Survey and property listing activities. Receive and place on file.
8. Survey – Communication from Guy Zima regarding: Exemption of municipalities from being required to produce certified survey maps in order to sell surplus property in municipalities. (Referred from February County Board.) Receive and place on file.
9. Port and Solid Waste – Update of transfer station in Village of Hobart. Receive and place on file.
10. Port and Solid Waste – Report of Tri-County Waste Agreement. Receive and place on file.



- become a member of the Brown County Local Emergency Planning Committee. (Referred back to committee then to Corporation Counsel from February County Board.) (Deleted from agenda.)
10. Sheriff – Communication from Supervisor Nicholson regarding: Requesting a duty roster from the patrol division of the Sheriff’s department for all three shifts for the last three months. (Held from previous meeting.) Refer to staff.
  11. Sheriff – Communication from Supervisor Nicholson regarding: Requesting a new policy be created that the Brown County Sheriff’s Department utilize the State Patrol to investigate crashes involving their squads. (Held from previous meeting.) To hold.
  12. Sheriff – Communication from Supervisor Nicholson regarding: Requesting a new policy be created on usage of State Patrol for minor, serious and fatal accidents. (Held from previous meeting for Sheriff’s recommendation.) Hold for one month.
  13. Sheriff – Communication from Supervisor Nicholson regarding: Requesting a review and consideration of reinstating a Traffic Chief for the Sheriff’s Department. (Referred to Corporation Counsel for an opinion from previous meeting.) Refer to Executive Department and Human Resources for their review and recommendation. Ayes: 3 (Kaye, Watermolen, Zima); Nays: 2 (Gower, Nicholson). Motion Carried.
  14. Sheriff – Communication from Supervisor Nicholson regarding: Review as an alternative the original structure to operate a House of Corrections instead of a jail facility in Brown County. (Referred to Corporation Counsel from previous meeting.) Receive and place on file the idea of a House of Corrections, while continuing to work on cost efficiencies in the jail, and that the Sheriff continue to report regarding overtime and other cost saving initiatives.
  15. Sheriff – Communication from Supervisor Gower regarding: Review criteria for jail ministries. (Referred from February County Board.) Refer to staff and that if Mr. Oettinger wants to bring the matter back to this committee that he schedule a closed session.
  16. Sheriff – Communication from Supervisor Van Deurzen regarding: Request the jail goes out on bids for pharmacy costs. (Referred from February County Board “Bills over \$10,000” {#13 on County Board agenda, page 3}). Refer to Sheriff Kocken, requesting that he report back.
  17. Sheriff – Resolution regarding: Authorizing Reappointment of an Under Sheriff to Deputy Sheriff Status. Approve original resolution. See Resolutions, Ordinances March County Board.
  18. Sheriff – Request for Budget Transfer (#04-12): Increase in Expenditures with Offsetting Increase in Revenue: Increase in wages and fringes for one officer assigned to Village of Suamico and offsets the costs with revenue from the Village (\$3,800). To Adopt.
  19. Sheriff – Key Factor Report 2004 with Jail Average Daily Population by month and overtime by expenditures by division/session 2004 – for March 2004 meeting. Receive and place on file.
  20. Sheriff’s report. Support the concept of Aramak and move forward.
  21. Audit of bills. Pay the bills.

22. **Closed Session:** Contemplated closed session pursuant to Section 19.85(1)(c) Wis. Stats. considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (No Closed Session held.)

A motion was made by Supervisor Kaye and seconded by Supervisor Daul “to adopt”. Voice vote taken. Motion carried with Supervisor Miller voted nay.

Approved by:           /s/ Carol Kelso, County Executive                                Date: 4/2/2004

**No. 10 -- Resolutions, Ordinances**

**No. 10a -- RESOLUTION REGARDING: TO DISCONTINUE SERVING VOLUNTARY OUT-OF-COUNTY CONSUMERS AT THE MENTAL HEALTH CENTER**

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

Ladies and Gentlemen:

WHEREAS, the Blue Ribbon Task Force appointed by the County Executive to examine the Brown County Mental Health Center concluded its’ study on January 21, 2004; and

WHEREAS, the task force undertook a comprehensive study of the Mental Health Center operations and service delivery systems for certain human services in Brown County; and

WHEREAS, the Mental Health Center offers services under three separate licenses; a skilled nursing facility, an intermediate care facility for the mentally retarded (ICF-MR) and an inpatient psychiatric hospital serving adults and adolescents; and

WHEREAS, many consumers served at the Mental Health Center are funded through the state’s medical assistance program and the reimbursement rate provided by the state must be accepted as payment in full; and

WHEREAS, approximately 10% of the clients served in the skilled nursing facility are funded through the medical assistance program and are non-Brown County residents; and

WHEREAS, approximately 13% of the clients served in the ICF-MR are funded through the medical assistance program and are non-Brown County residents; and

WHEREAS, approximately 50% of the clients served in the inpatient hospital serving adolescents are funded through the medical assistance program and are non-Brown County residents; and

WHEREAS, for 2002, approximately \$3.9 million of Brown County tax levy dollars was provided to support the operations of the Mental Health Center; and

WHEREAS, for 2002, approximately \$500,000 of the tax levy was provided to support non-Brown County consumers served at the Mental Health Center; and

WHEREAS, the Brown County Mental Health Center is not legally obligated to serve non-Brown County consumers.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Mental Health Center not accept voluntary non-Brown County consumers unless the reimbursement to care for that consumer is fully funded by a non-Brown County source.

Respectfully submitted,  
HUMAN SERVICES COMMITTEE

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

A motion was made by Supervisor Schadewald and seconded by Supervisor Fleck **“to refer back for a financial impact analysis by county staff.”**

After discussion the vote was taken on Supervisor Schadewald’s motion **“to refer back for a financial impact analysis by county staff”**. Vote taken. Roll Call #10a(1):

Ayes: Hansen, Marquardt, Daul, Fleck, Clancy, Watermolen, Schadewald, Fewell

Nays: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Van Deurzen, Moynihan, Simons, Lund

Total Ayes: 8 Total Nays: 18

Motion defeated to refer.

A motion was made by Supervisor Evans and seconded by Supervisor Nicholson **“to adopt the resolution as presented”**. Vote taken. Roll Call #10a(2):

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Collins, Daul, Van Deurzen, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Nays: Kuehn, Fleck

Abstained: Hansen, Marquardt

Total Ayes: 22 Total Nays: 2 Abstained: 2

Motion carried.

Approved by:           \s\ Carol Kelso, County Executive           Date: 4/2/2004

**No. 10b -- RESOLUTION REGARDING: TO REQUEST AN INCREASE IN THE DAILY MEDICAID REIMBURSEMENT RATES FOR THE BROWN COUNTY MENTAL HEALTH CENTER**

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

Ladies and Gentlemen:

WHEREAS, the Mental Health Center offers services under three separate licenses; a skilled nursing facility, an intermediate care facility for the mentally retarded (ICF-MR) and an inpatient psychiatric hospital serving adults and adolescents; and

WHEREAS, many consumers served at the Mental Health Center are funded through the state's medical assistance program and the reimbursement rate provided by the state must be accepted as payment in full; and

WHEREAS, the state sets the rate which it will pay for services under the medical assistance program; and

WHEREAS, the rate is based on a formula which considers service location, local economic conditions, and the amount of funds available in the state's medical assistance appropriation; and

WHEREAS, the daily rate does not cover the entire cost of providing care to a consumer served at the Mental Health Center; and

WHEREAS, the state has access to annual cost reports submitted by the Brown County Mental Health Center which detail the actual cost to care for clients at the Mental Health Center; and

WHEREAS, for 2002, approximately \$3.9 million, and for 2003, approximately \$3.3 million of Brown County tax levy dollars was provided to support the operations of the Mental Health Center due mainly to an inadequate reimbursement rate set by the State which is less than the actual cost to provide services at the Mental Health Center; and

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors requests additional financial compensation from the State of Wisconsin to equal the actual cost to provide services at the Brown County Mental Health Center to consumers who are funded through the state's medical assistance program.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to members of the legislature representing Brown County, the Governor, and the Secretary of Health and Family Services.

Respectfully submitted,  
HUMAN SERVICES COMMITTEE

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

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive

Date: 4/2/2004



No. 10c -- **RESOLUTION REGARDING: HUMAN SERVICES DEPARTMENT – CHANGE IN TABLE OF ORGANIZATION – REQUEST FOR EXPANDED ACCOUNT CLERK III/BUDGET COUNSELOR POSITION**

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

Ladies and Gentlemen:

WHEREAS, the addition of 30 new clients from the Oaks Family Home, Bruss and Glenridge (community based residential facilities) has substantially increased the client base of the Account Clerk III/Budget Counselor and the Protective Payee Services unit and require additional hours to properly serve these clients, and

WHEREAS, the purchase of service contract with Oaks Family Home, Bruss and Glenridge has been reduced to reflect the discontinuance of Protective Payee services, resulting in additional savings to the Human Services Department; and

WHEREAS, this initiative has been recommended by the Executive Director of Human Services, and changes the following position on the table of organization:

Account Clerk III/Budget Counselor: increase from .8 FTE to 1.0 FTE

WHEREAS, the Human Services Board, Human Services Committee and Executive Committee have reviewed and discussed the program, funding and staffing implications and concur with the above change in the table of organization.

THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, that the Human Services Department table of organization be changed to increase the Account Clerk III/Budget Counselor position from .8 FTE to 1.0 FTE effective upon passage of this resolution.

BE IT FURTHER RESOLVED that the funds to cover the costs resulting from the adoption of this resolution shall be a reallocation of departmental funds; the increase in expenditures is offset by decreases in purchase of service expenditures, with no impact on the local levy.

**Job Duties Attached.**

Respectfully submitted,  
HUMAN SERVICES COMMITTEE  
EXECUTIVE COMMITTEE

## **BROWN COUNTY POSITION DESCRIPTION**

**POSITION TITLE:** ACCOUNT CLERK III/BUDGET COUNSELOR

**REPORTS TO:** PROTECTIVE PAYEE AND BENEFITS SUPERVISOR

**DEPARTMENT:** HUMAN SERVICES/COMMUNITY TREATMENT PROGRAM

**DATE:** JUNE 2003

### **JOB SUMMARY:**

Lead Worker in the Protection Payee Service area. Provides coordination and consultation to Community Treatment Program (CTP), Alcohol and Other Drug Abuse (AODA), Community Integration Program (CIP), and Community Options Program (COP) staff regarding client benefit issues. Lead worker who provides technical support to the Account Clerk I/Budget Counselor whose caseload deals with all group home and adult foster home placements.

### **ESSENTIAL DUTIES:**

Acts as payee for eligible clients including working with all Human Services staff in determining an adequate budget and appropriate distribution of monies for the clients and arranging for payment of bills for clients in group/family home placements.

Provides technical support to the Account Clerk I/Budget Counselor in charge of group home and adult family home placements.

Ensures the accuracy of client fund accounts. Ensures timely reporting and documentation to meet requirements of social security and other agencies.

Assists in overall planning, direction and evaluating of the Payee Services Program.

Assists in the coordination of the Protective Payee Program for Brown County Human Services clients under the supervision of Protection Payee and Benefit Specialist.

Participates in the development/revision, implementation, and communication of goals, policies/procedures, and standards for the Protection Payee Program for Human Services.

Acts as lead worker in the Protective Payee Program in absence of Payee Service Supervisor.

Provides coordination and consultation to staff regarding client benefit issues. Works with other agencies, including the courts and legal system, to provide comprehensive services to Brown County Human Services clients.

Provides public information regarding the Protective Payee Program to various community agencies and public groups.

Updates routine computer spreadsheets for staff.

Keeps current on pertinent county, state, and federal regulations, which pertain to the Protective Payee Program.

Works with confidential information and maintains the confidential nature of client and business information.

Develops, completes and maintains necessary documentation according to applicable requirements, codes and policies.

Attends staff meetings, clinical and departmental meetings, in-service and outside agency training sessions.

Carries a caseload of 175 group home or adult foster home clients.

**NON-ESSENTIAL DUTIES:**

Performs related functions as assigned.

**MATERIALS AND EQUIPMENT USED:**

General Office Equipment

Computer

**MINIMUM QUALIFICATIONS REQUIRED:**

**Education and Experience:**

High School education plus two years of experience in human service field with case management experience, two years accounting experience; or any equivalent combination of education, training and experience which provides the necessary knowledge, skills and abilities.

**Licenses and Certifications:**

Valid Wisconsin Driver's License

**Knowledge, Skills and Abilities:**

Current knowledge of the community and human services resources.

Knowledge of budgeting.

Knowledge of various possible benefits for clients.

Knowledge of word processing and spreadsheet production on personal computers.

Knowledge of and ability to utilize a computer and the required software.

Ability to perform full data entry functions at a rate of 80 net keystrokes per minute.

Ability to coordinate programs.

Ability to maintain emotional stability in stress situations.

Ability to initiate contact with others.

Ability to maintain records and reports accurately.

Ability to communicate effectively both orally and in writing.  
Ability to demonstrate skills in problem solving.  
Ability to establish and maintain effective working relationships with staff, clients and the public.  
Ability to work the required hours of the position.

**PHYSICAL DEMANDS:**

Lifting 20 pounds maximum with frequent lifting and/or carrying of objects weighing up to 10 pounds.

Intermittent standing, walking and sitting; occasional driving.

Using hand(s)/feet for repetitive single grasping, fine manipulations, pushing and pulling and operating controls.

Frequent bending, twisting, squatting, climbing, reaching and grappling.

Communicating orally in a clear manner.

Distinguishing sounds at various frequencies and volumes.

Distinguishing people or objects at varied distances under a variety of light conditions.

This position description should not be interpreted as all-inclusive. It is intended to identify the major responsibilities and requirements of this job. The incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this description.

I have read the above position description and understand the duties and responsibilities of the position.

\_\_\_\_\_  
Employee Name (Please Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

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

Approved by:           \s\ Carol Kelso, County Executive          

Date: 4/2/2004

No. 10d -- **RESOLUTION REGARDING: DESIGNATING THE BROWN COUNTY PUBLIC SAFETY COMMUNICATIONS CENTER AS BROWN COUNTY'S WIRELESS PUBLIC SAFETY ANSWERING POINT**

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

Ladies and Gentlemen:

WHEREAS, the 2003 Wisconsin Act 48 creates an implementation funding source for enhanced cellular 911 location, and the County Board needs to pass a resolution designating the one PSAP in the county to be eligible for the grants; and

WHEREAS, approximately 60 percent of the incoming 911 calls to the Brown County Public Safety Communications Center are placed on cellular phones; and

WHEREAS, unlike land-based 911 calls, these cellular 911 calls are not accompanied by vital caller information that aids the prompt dispatch of a public safety response; and

WHEREAS, 2003 Wisconsin Act 48 creates a funding mechanism that meets the FCC mandates for a cost recovery system to pay for the implementation of an enhanced 911 system for identifying and locating calls originating from cellular phones; and

WHEREAS, the funding mechanism is a three year grant program administered by the Public Services Commission to reimburse local governments and wireless telephone service providers certain costs related to providing enhanced Wireless 911 service; and

WHEREAS, 2003 Wisconsin Act 48 allows only one grant per county to a local government and to qualify for that grant the local government must provide 911 wireless service to the entire area of the county; and

WHEREAS, Sec. 146.70(3)(m) of the Wisconsin Statutes as created by 2003 Wisconsin Act 48 requires adoption of a Resolution to designate the Public Safety Answering Point to be the wireless public safety answering point for the purposes of implementing the Federal wireless orders and to be eligible for a grant for the Wireless 911 Fund.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby designates the Brown County Public Safety Communications Center as Brown County's Wireless Public Safety Answering Point.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE

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

Approved by:   /s/  Carol Kelso, County Executive  

Date: 4/2/2004

No. 10e -- **RESOLUTION REGARDING: AUTHORIZING REAPPOINTMENT OF AN UNDER SHERIFF TO DEPUTY SHERIFF STATUS**

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

Ladies and Gentlemen:

WHEREAS, no current written policy as to the incumbent Sheriff exists to deal with the situation which occurs when a member of the Sheriff's Department is appointed Undersheriff (Chief Deputy) by the incumbent Sheriff and while in that appointed position at a later date elaves that office, while in good standing, and upon relinquishing his tenure as Undersheriff requests reinstatement as a Deputy Sheriff; and

WHEREAS, to encourage qualified law enforcement personnel to seek the office of Undersheriff and to establish a policy defining the status of Deputies who seek and accept this position.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors, pursuant to Section 4.77 of the Brown County Code and Sections 111.70 and 111.77, Wis. Stats., that Brown County law enforcement employees not be penalized for seeking the office of Undersheriff and accordingly, hereby establishes a policy to implement this intent whereby Deputy Sheriffs who are appointed as Undersheriff by the incumbent Sheriff be provided the opportunity to return to fulltime employment in the Sheriff's Department in accordance with the following plan:

1. That they request and obtain a leave of absence from their employment as a Deputy Sheriff for the length of tenure of their service as Undersheriff up to the last date of the term of office of the incumbent Sheriff.
2. That as to employee benefits, accumulated vacation and sick leave shall be held in escrow for them should they decide to return to fulltime employment with the department in a capacity other than Undersheriff. Neither vacation nor sick leave shall continue to accrue in such account during a Deputy's tenure as Undersheriff.
3. Upon discontinuance of the Deputy's employment as Undersheriff, he/she shall be reinstated at the same position, rate of pay, seniority and annual vacation benefit that the Deputy would have been entitled to had the appointment not occurred.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE  
EXECUTIVE COMMITTEE

A motion was made by Supervisor Kaye and seconded by Supervisor Zima **"to adopt"**.  
Voice vote taken. Motion carried with Supervisor Gower voting nay.

Approved by:  \s\ Carol Kelso, County Executive

Date: 4/2/2004

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

**No. 12 -- Bills over \$10,000 for period ending March 1, 2004**

A motion was made by Supervisor Watermolen and seconded by Supervisor Collins **“to pay the bills”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 13 -- Closing Roll Call.**

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

Total Present: 26

**No. 14 -- ADJOURNMENT TO TUESDAY, APRIL 20, 2004, AT 9:30 A.M., LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.**

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

          /s/ DARLENE K. MARCELLE          

Brown County Clerk