

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**SEPTEMBER 16, 2009**

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, September 16, 2009, at 7:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Warpinski, De Wane, Nicholson, Krueger, Haefs, Erickson, Brunette, Zima,  
Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Knier, Williams,  
Fleck, Clancy, Wetzel, Moynihan, Scray, Hoeft, Lund, Fewell

Excused: Theisen

Supervisor Kaster arrived at 8:15 p.m.

Total Present: 25                      Total Excused: 1

**\*\* PRESENTATION \*\***

“Presentation by the Brown County Drug Task Force”

“Commendation Honoring Jude Trimberger  
Brown County Drug Task Force Recognition”

**No. 1 -- ADOPTION OF AGENDA.**

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

No. 2 -- COMMENTS FROM THE PUBLIC REGARDING AGENDA ITEMS ONLY. None.

No. 3 -- APPROVAL OF MINUTES OF COUNTY BOARD OF AUGUST 19, 2009

A motion was made by Supervisor De Wane and seconded by Supervisor Nicholson “to approve the minutes of August 19, 2009.” Voice vote taken. Motion carried unanimously with no abstentions.

No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.

Supervisor La Violette called the Board’s attention to the Press Gazette article written by Tony Walters. There is a change being proposed by the DNR which affects land parcels in Brown County. Supervisor La Violette thanked Bill Bosiacki for the information provided to her regarding this issue clarifying how it would increase costs for Brown County. He estimated the cost to enforce this proposed DNR change would be approximately \$80,000.

Supervisor Krueger stated he went to the WCA Annual Conference in La Crosse along with Supervisors Williams, Andrews, Nicholson and Knier. He added that the sessions he attended were very informational; some of the best he has ever attended.

No. 5 -- COMMUNICATIONS. NONE. LATE COMMUNICATIONS:

No. 5a -- FROM SUPERVISOR ERICKSON REGARDING: BROWN COUNTY SHOULD LOOK AT HAVING DRUG OFFENDERS REGISTER THEIR CURRENT ADDRESSES SO RESIDENTS HAVE KNOWLEDGE OF WHO IS LIVING IN THEIR NEIGHBORHOODS. THIS COULD BE LISTED ON LINE FOR MINOR OFFENDERS AND POSTED IN NEWS PRINT FOR THOSE WITH MAJOR OFFENSES OR NUMEROUS VIOLATIONS. THIS SHOULD BE CONSIDERED FOR BOTH DEALERS AND USERS. FAILURE TO REGISTER COULD POSSIBLY RESULT IN DOUBLING OF FINES OR SENTENCES FOR FUTURE DRUG RELATED ARRESTS.

Refer to Public Safety Committee and Executive Committee.

No. 5b -- FROM SUPERVISOR SCRAY REGARDING: REVIEW BOARDS AUTHORITY REGARDING HIRING FREEZE OF COUNTY EMPLOYEES.

Refer to Executive Committee.

No. 5c -- **FROM SUPERVISOR CLANCY REGARDING: I WOULD LIKE THE PUBLIC SAFETY COMMITTEE TO BE BRIEFED AT THE NOVEMBER OR DECEMBER MEETING REGARDING THE RADIO OPERABILITY STUDY, COST IMPLEMENTATION, TIMING AND FUNDING MECHANICS.**

Refer to Executive Committee.

No. 6 -- **APPOINTMENT BY COUNTY EXECUTIVE.**

No. 6a -- **CONFIRMATION/APPOINTMENT OF BRIAN A. SHOUP AS HUMAN SERVICES EXECUTIVE DIRECTOR.**

A motion was made by Supervisor La Violette and seconded by Supervisor Fleck **“to approve the above appointment”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 7a -- **REPORT BY COUNTY EXECUTIVE.**

County Executive Hinz thanked the County Board for giving a unanimous approval of Brian Shoup as the Human Services Director. Mr. Shoup will start on October 19, 2009.

Executive Hinz announced the Brown County Children’s Golf Outing raised \$40,000. Executive Hinz described how the Children’s Advocacy Program provides comprehensive services for children who have been sexually assaulted.

Mr. Hinz announced that Tuesday, October 6, 2009, is the Ribbon Cutting Ceremony for the Community Treatment Center. Public Tours will be from 6:00 p.m. to 8:00 p.m. He encouraged all to attend.

County Executive Hinz is Chairperson of Crime Prevention Foundation of Brown County. They award grants within our community for crime prevention purposes. Recipients of awarded grants are invited to a luncheon at the Holiday Inn, City Centre Downtown, on Thursday, September 24, 2009, from 11:45 a.m. to 1:00 p.m. Tickets are \$20.00 each with proceeds benefiting the Crime Prevention Foundation. The general public and recipients are invited to attend.

Mr. Hinz stated he and his staff continue to work on the 2010 Budget. He explained this is a difficult budget. He must find one million dollars in various budgets.

He also announced there is a meeting on Radio Inoperability at the Howard Village Hall, at 6:00 p.m. on September 29, 2009 and suggested everyone attend.

No. 7b -- **REPORT BY BOARD CHAIRMAN.**

Chairman Zima announced that in July he reached the milestone of attending 400 consecutive County Board Meetings and 1/3 of a century being on the County Board. He gave history on his

earlier years on the County Board and stated the meetings were held in the Courthouse Annex. His career involved preserving old buildings such as the Courthouse Annex and the Northern Building.

Mr. Zima presented his wife with a bouquet of flowers for being helpful and supportive during his time on the County Board. He is proud to have served all these years and he thanked the people for their faith in him by electing him over the years.

Chairman Zima thanked Dick Koltz for his leadership in running the Brown County Fair. In addition, Chair Zima, thanked Mr. Koltz for his energy and enthusiasm he brought to renewing the Brown County Fair.

**No. 8 -- OTHER REPORTS. None.**

Supervisor Dave Kaster arrived at 8:15 p.m.

**No. 9 -- REQUEST FOR RECONSIDERATION:**

**No. 9a -- ITEM #10i FROM AUGUST 19, 2009 COUNTY BOARD MEETING: RESOLUTION REGARDING: REQUESTING THAT THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION EXCLUDES ROUNDABOUTS IN THAT PORTION OF US-41 PROJECT INVOLVING ROADS IN BROWN COUNTY.**

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

Ladies and Gentlemen:

WHEREAS, the State of Wisconsin Department of Transportation is commencing an improvement and expansion of US-41 in northeastern Wisconsin; and

WHEREAS, the Brown County portion of the expansion project shall involve nine (9) interchanges along US-41; and

WHEREAS, the citizens of Brown County have expressed concerns regarding pedestrian safety in regard to roundabouts; and

WHEREAS, the citizens of Brown County have expressed concerns regarding the negative impact roundabouts would have on commercial properties located in the reconstruction zone; and

WHEREAS, due to traffic volumes on the affected roadways, it appears that roundabouts will not provide an efficient traffic flow.

~~NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors respectfully request that the State of Wisconsin Department of Transportation exclude roundabouts on any Brown County roads reconstructed under the US 41 project. \*\*~~

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors respectfully request that the State of Wisconsin Department of Transportation exclude roundabouts on Lombardi Avenue, Oneida Street and intersection of Shawano Avenue and Taylor Streets. \*\*

\*\* Amended as per the County Board on 9/16/2009 by deleting the above paragraph and adding the above paragraph.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this Resolution to the Governor of the State of Wisconsin, the Secretary of the Department of Transportation and the Brown County legislation representatives.

Respectfully submitted,  
EXECUTIVE COMMITTEE  
PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Erickson and seconded by Supervisor Kaster **“to reconsider the above resolution and asked the County Board to allow a vote on reconsideration”**.

Following discussion, a vote was taken on Supervisor Erickson’s motion **“to reconsider the above resolution and asked the County Board to allow a vote on reconsideration”**. Vote taken. Roll Call #9a(1):

Ayes: De Wane, Nicholson, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster, Williams, Clancy, Wetzels, Moynihan, Scray, Lund  
Nays: Warpinski, Krueger, Knier, Fleck, Hoeft, Fewell  
Excused: Theisen

Total Ayes: 19                      Total Nays: 6                      Excused: 1  
Motion carried.

A motion was made by Supervisor Evans and seconded by Supervisor Johnson **“to approve #10i resolution as amended by Supervisor Evans on 8/19/2009 by changing the first Now, Therefore paragraph to read as follows: Now, Therefore, be it resolved that the Brown County Board of Supervisors respectfully request that the State of Wisconsin Department of Transportation exclude roundabouts on Lombardi Avenue, Oneida Street and intersection of Shawano Avenue and Taylor Streets.”**

Following discussion, a vote was taken on Supervisor Evans motion. Roll Call #9a(2):

Ayes: De Wane, Nicholson, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, La Violette, Kaster, Wetzel, Moynihan, Scray, Lund

Nays: Warpinski, Krueger, Haefs, Dantine, Andrews, Knier, Williams, Fleck, Clancy, Hoeft, Fewell

Excused: Theisen

Total Ayes: 14                      Total Nays: 11                      Excused: 1  
Motion carried.

Approved by: County Executive Refused to Sign                      Date: 9/30/2009

**No. 10 -- STANDING COMMITTEE REPORTS:**

**No. 10a -- REPORT OF ADMINISTRATION COMMITTEE OF AUGUST 27, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on August 27, 2009, and recommends the following motions:

1. Review of Minutes
  - a. Housing Authority (7/20/09). Receive and place on file.
2. Communication from Supervisor La Violette re: Request a status report on the \$830,000 of estimated salary/fringe benefit savings in the 2009 budget. (Referred from August County Board.) Receive and place on file.
3. Corporation Counsel - Request for Budget Transfer (#09-54): Interdepartmental Transfer. To approve.
4. Corporation Counsel Report of Activities. Receive and place on file.
5. Facility & Park Mngt - Director's Report. Receive and place on file.
6. County Clerk - Resolution re: Establish Domestic Partnership Fees. To approve. See Resolutions, Ordinances September County Board.
7. County Clerk - Resolution re: Increase the Marriage Waiver Fee from \$10.00 to \$25.00. To approve. See Resolutions, Ordinances September County Board.
8. County Clerk - Update on Domestic Partnership Applications. Receive and place on file.
9. County Clerk - Election Update re: Needs for Election Voting Equipment. Receive and place on file.
10. Human Resources - Budget Status Financial Report for June 30, 2009. Receive and place on file.
11. Human Resources Activity Report for July 2009. Receive and place on file.
12. Dept. of Admin - 2009 Budget Transfer Log. Receive and place on file.
13. Dept. of Admin - Grant Application Approval Log. To approve.

14. Dept. of Admin - Budget Status Financial Report for June 30, 2009. Receive and place on file.
15. Information Services Dept. - Budget Status Financial Report for June 30, 2009. Receive and place on file.
16. Dept. of Admin - June 30, 2009 Vehicle Listing. Receive and place on file.
17. Dept. of Admin - Ordinance to Repeal and Re-Create Section 3.14 "Budget Transfers" of the Brown County Code. To approve. See Resolutions, Ordinances September County Board.
18. Dept. of Admin - Request for Budget Transfer (#09-64): Increase in Expenditures with Offsetting Increase in Revenue. To approve.
19. Dept. of Admin - Director's Report. Receive and place on file.
20. Request for Budget Transfer (#09-50): Interdepartmental Transfer: Museum.
21. Request for Budget Transfer (#09-51): Interdepartmental Transfer: Land and Water Conservation Dept.
22. Request for Budget Transfer (#09-52): Interdepartmental Transfer: Planning and Land Services Dept.
23. Request for Budget Transfer (#09-53): Interdepartmental Transfer: Register of Deeds.
24. Request for Budget Transfer (#09-55): Interdepartmental Transfer: Clerk of Courts.
25. Request for Budget Transfer (#09-56): Interdepartmental Transfer: Circuit Court System.
26. Request for Budget Transfer (#09-57): Interdepartmental Transfer: District Attorney.
27. Request for Budget Transfer (#09-58): Interdepartmental Transfer: Sheriff's Dept..
28. Request for Budget Transfer (#09-59): Interdepartmental Transfer: Executive Dept..
29. Request for Budget Transfer (#09-60): Interdepartmental Transfer: Human Services Dept.
30. Request for Budget Transfer (#09-61): Interdepartmental Transfer: Land & Water Conservation Dept.
31. Request for Budget Transfer (#09-62): Increase in Expenditures with Offsetting Increase in Revenue. Child Support Agency. Suspend the rules and consider agenda items 20 to 31 together. To approve items 20 to 31.
32. Child Support Agency – Budget Status Financial Report for June 30, 2009. Receive and place on file.
33. Audit of bills. Approve payment of bills.

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

Approved by: \_\_\_\_\_ \s\ \_\_\_\_\_ Tom Hinz, County Executive \_\_\_\_\_ Date: 09/28/2009

**No. 10b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF AUGUST 20, 2009**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on August 20, 2009 and recommends the following:

1. \*\* Golf Course - Approve request to allow N.E.W. First Tee to have an architect come up with some conceptual drawings of what a First Tee facility would look like on the extra 80 acres that the Golf Course owns. To approve as long as there is no implied obligation financially or approval wise of the plan.
- \*\* Referred Item #1 back to Education and Recreation Committee as per the County Board on 9/16/2009.
2. Golf Course - Superintendent's Report. Receive and place on file.
3. Museum - Attendance & Admission, July, 2009. Receive and place on file.
4. Museum - Budget Status Financial Report for July 31, 2009. To hold.
5. Museum - Request for Budget Transfer (#09-50): Interdepartmental Transfer (including contingency or general fund transfers): Request to transfer \$18,377 from the general fund to cover a 2008 deficit in admission revenue at the Museum. To approve.
6. Museum - Director's report. Receive and place on file.
7. NEW Zoo - Director's Report Receive and place on file.
8. Parks - Director's Report. Receive and place on file.
- \*8a Parks - Update on 2009 Brown County Fair/Brown County Fair Association. Receive and place on file.
9. Resch Centre/Arena/Shopko Hall - July-09 Attendance for the Brown County Veterans Memorial Complex. Receive and place on file.
10. Audit of bills. No action.

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

Supervisor Vander Leest requested Item #1 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #1 -- Golf Course - Approve request to allow N.E.W. First Tee to have an architect come up with some conceptual drawings of what a First Tee facility would look like on the extra 80 acres that the Golf Course owns. COMMITTEE ACTION: To approve as long as there is no implied obligation financially or approval wise of the plan.

Following discussion, a motion was made by Supervisor Vander Leest and seconded by Supervisor Johnson **“to refer item #1 back to Education and Recreation Committee”**. Voice vote taken. Motion carried unanimously with no abstentions.

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

Date: 09/28/2009



**No. 10c -- REPORT OF EXECUTIVE COMMITTEE OF SEPTEMBER 9, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

The EXECUTIVE COMMITTEE met in regular session on September 9, 2009 and recommends the following motions:

1. Communication from Supervisor Scray re: Review BC requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. (Referred from August County Board) To bring this back continuously at every meeting for updates from board attorney, staff reports, or any information gained by committee members. To refer to attorney to have a resolution to the state that in order to get a driver's license or state ID in this state, you must have proof of citizenship and legal documentation.
  2. Communication from Supervisor Nicholson re: Request to develop a county policy for all departments that if a County resident is involved with County Business that customer service is a top priority. (Referred from August County Board.) To develop a policy whereby department heads and staff handle all customer service requests for people who are in the department before closing time and refer this to the attorney for drafting. Ayes: 4 (Nicholson, Scray, Vander Leest, Zima); Nays: 2 (Erickson, Lund); Abstain: 1 (Evans).
  3. \*\* Communication from Supervisor Warpinski re: To amend Chapter 2.04(1)(d) of the Brown County Code to strike and replace the word "secret" with the word "open". (Referred back to Executive Committee as per August County Board.) Receive and place on file.
- \*\* Referred Item #3 back to Executive Committee as per the County Board on 9/16/2009.
4. Communication from Supervisor La Violette re: Propose that the County Board Chair, Vice-Chair and members of the Executive Committee develop both a timeline and strategies for dealing with the 2010 budget focused on effective, efficient, and transparent principles that would be inclusive and respectful of all participants. (Held for one month.) Receive and place on file.
  5. Legal Bills - Review and Possible Action on Legal Bills to be paid. To approve.
  6. Legal Bills - Reconsideration of Davis-Kuelthau bills. (Held for one month.) To hold payment of Davis-Kuelthau bills until final billing and get more details on the bills.
  7. County Executive Report.
    - a. Budget Status Financial Report for July 31, 2009. Receive and place on file.
    - b. Request for Budget Transfer (#09-59): Interdepartmental Transfer: Request to cover the 2008 Executive deficit in the amount of \$1,270. To approve.
  8. Labor Negotiator Report. Receive and place on file.

9. Internal Auditor Report.
  - a. Budget Status Financial Report for July 31, 2009. Receive and place on file.
  - b. Other. Receive and place on file.
10. Board Attorney Report. Receive and place on file.
11. Ordinance re: to Repeal and Re-Create Section 3.14 "Budget Transfer" of the Brown County Code. (*Motion at Admin Committee was to Approve.*) To approve. See Resolutions, Ordinances September County Board.
12. Closed Session: Pursuant to sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating the purchasing of public properties requiring a closed session due to competitive or bargaining reasons.
  - i. Enter into closed session.
  - ii. Return to regular order of business.
  - iii. No action taken.
13. Closed Session: Pursuant to sec. 19.85(1)(c), Wis. Stats., considering compensation data of a public employee over which Brown County has jurisdiction or exercises responsibility.
  - i. Enter into closed session.
  - ii. Return to regular order of business.
  - iii. No action taken.

A motion was made by Supervisor Nicholson and seconded by Supervisor Vander Leest **"to adopt"**.

Supervisor Warpinski requested Item #3 be taken separately. Voice vote taken on remainder of report.. Motion carried unanimously with no abstentions.

Item #3 -- Communication from Supervisor Warpinski re: To amend Chapter 2.04(1)(d) of the Brown County code to strike and replace the word "secret" with the word "open". COMMITTEE ACTION: Receive and place on file.

Following discussion, a motion was made by Supervisor Warpinski and seconded by Supervisor Wetzel **"to refer Item #3 back to Executive Committee"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 09/28/2009

**No. 10d -- REPORT OF HUMAN SERVICES COMMITTEE OF AUGUST 26, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on August 26, 2009, and recommends the following motions:

1. Review Minutes of:
  - a. Aging & Disability Resource Center Board (July 15, 2009).
  - b. Children with Disabilities Education Board (June 23, 2009).
  - c. Community Options Program Planning Committee (July 27, 2009).
  - d. Human Services Board (July 21, 2009).
  - e. Human Services Board (August 13, 2009).
  - f. Veterans' Recognition Subcommittee (July 14, 2009).  
To suspend the rules and take items 1a, 1b, 1c, 1d, 1e and 1f together.  
To approve the minutes, Items 1a-1f.
2. Communication from Supervisor Evans re: To appropriate additional funding for a security detail to monitor the CTC during a period of when the construction companies leave the facility until the facility is occupied—a period of 2 to 3 weeks (referred from July County Board Meeting). Receive and place on file.
3. Executive Committee Report: Item #3a(c)—To pursue an Operational and/or Management RFP for the Mental Health Center (referred from July County Board Meeting). Receive and place on file.
- #3a Communication from Supervisor Scray re: Review Brown County requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. To put on next month's meeting.
4. Aging & Disability Resource Center - Revenue & Expense Reports of June 30, 2009, and July 31, 2009. Receive and place on file.
5. Veterans Dept. - Report from Jerry Polus and 3 Veterans Commissioners. To put on next month's meeting.
6. Human Services Dept. - Request for Budget Transfer (#09-60): Interdepartmental Transfer (including contingency or general fund transfers): Request to cover the Community Programs 2008 deficit in the amount of \$434,516. Major contributors to the shortfall were program expenditures in our alcohol and drug abuse and alternate care purchased services. To approve.
7. Human Services Dept. - Dixon Hughes RFP. To approve.
8. Human Services Dept. - Family Care Update. Receive and place on file.
9. Human Services Dept. - Community Treatment Center Update. Receive and place on file.
10. Human Services Dept. - Mental Health Center Statistics (July 2009). Receive and place on file.
11. Human Services Dept. - Bellin Psychiatric Monthly Report (July 2009). Receive and place on file.
12. Human Services Dept. - Approval for New Non-Continuous Vendor. To approve.
13. Human Services Dept. - Request for New Vendor Contract. To approve.
14. Human Services Dept. - Monthly Contract Update. To approve.
15. Human Services Dept. - Financial Report for Community Programs. To approve.
16. Human Services Dept. - Financial Report for Mental Health Center. To approve.
17. Human Services Dept. - Director's Report. Receive and place on file.
18. Audit of Bills. To pay the bills.

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

Approved by:           \s\          Tom Hinz, County Executive                              Date: 09/28/2009

**No. 10e -- REPORT OF PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE OF AUGUST 24, 2009**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on August 24, 2009, and recommends the following motions.

1. Review minutes of:
  - a) Harbor Commission, 6/8/09.
  - b) Planning Commission Board of Directors Chapter 21 Subdivisions Ordinance Revision Sub-Committee, 6/25/09.
  - c) Revolving Loan Fund Committee, 6/25/09.
  - d) Solid Waste Board, 6/15/09. To suspend the rules and take 1a through 1d together and receive and place on file.
2. Communication from Supervisor Dantine re: To lower the speed limit on County A in the Town of Scott from 55 to 45. (Referred from August County Board.) To request the speed limit on County A in the Town of Scott be lowered from 55 mph to 45 mph so that it is consistent with the north/south ends of the highway.
3. UW-Extension - Presentation on Emerald Ash Borer – Viji Pandian, UW-Extension Horticulture Educator. No action.
4. UW-Extension - Distribution of Monthly Newsletter Highlighting UW-Extension Education Efforts. No action.
5. UW-Extension - Director’s Report. No report.
6. Airport - Review Rental Car RFP. To approve distribution of the RFP for rental cars.
7. Airport - Director’s Report. Receive and place on file.
8. Register of Deeds - Request for Budget Transfer (#09-53): Interdepartmental Transfer (including contingency or general fund transfers): Transfer \$275,964 from Fund Balance to: \$9,468 for Salaries; \$122,595 for Real Estate Transfer Taxes; \$142,901 for Fees. To approve.
9. Port & Solid Waste - Request for Budget Transfer (#09-65): Reallocation between Budget Categories other than 2b or 3b transfers. To approve.
10. Port & Solid Waste - Request for Budget Transfer (#09-66): Increase in Expenditures with Offsetting Increase in Revenue. To approve.
11. Port & Solid Waste - Budget Status Financial Report for June 30, 2009. Receive and place on file.

12. Port & Solid Waste - Update re: Burning Garbage & Waste in Brown County. To hold until next meeting
13. Port & Solid Waste - Director's Report. No report.
14. Highway - July 2009 Budget to Actual. Receive and place on file.
15. Highway - Grant Application Review (#09-33): Wisconsin Clean Diesel Grant Program. To approve.
16. Highway - Information regarding a Foreman/Leadman option. Receive and place on file.
17. Highway - Director's Report. Receive and place on file.
18. Hw/Planning Commission - Updates on CTH GV (standing item). Receive and place on file.
19. Planning Commission - Budget Status Financial Report for June 30, 2009. Receive and place on file.
20. Planning Commission - Request for Budget Transfer (#09-52): Interdepartmental Transfer (including contingency or general fund transfers): Request to cover the Planning and Land Services Department 2008 deficit in the amount of \$5,593. To approve.
21. Planning Commission - Request for Budget Transfer (#09-63): 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. To approve.
22. Property Listing - Budget Status Financial Report for June 30, 2009. Receive and place on file.
23. Zoning - Budget Status Financial Report for June 30, 2009. Receive and place on file.
24. Zoning - Discussion and action regarding annual POWTS maintenance fee notification to property owners not currently on the State mandated three-year maintenance program. To approve the notification letter for POWTS currently not on the State mandated three-year maintenance program.
25. Audit of bills.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 09/28/2009

**No. 10e(i) -- REPORT OF LAND CONSERVATION SUB-COMMITTEE OF AUGUST 24, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on August 24, 2009, and recommends the following motions.

1. Variance request from closer than 250 feet from adjacent property. (Map and Notice of intent approval attached: 2009 N.E.W. Organic Digestion, LLC, 6601 County Road R, Denmark, Wisconsin). Representatives from NEW Organic Digestion, LLC will be present to answer questions. To conditionally approve the variance request contingent on staff in section, with the understanding that fines will double if work is started before staff approval. Ayes: 4 (Dantinne, Erickson, Fleck, VandeHei); Nays: 1 (Kaster). Motion Approved.
2. Land and Water Conservation Department Monthly Budget Update. Receive and place on file.
3. Request for Budget Transfer (#09-51): Interdepartmental Transfer: 2008 deficit 62,102 resulting primarily from Unintended use inspections that were corrected and not needed. To approve.
4. Request for Budget Transfer (#09-61): Interdepartmental Transfer: LWC West Shore Pike Project \$7,652 in 2008 donations was accidentally returned to general fund that was targeted for West Shore Pike Project purchases. To approve.
5. Wildlife Damage Program Update – Jon Bechle. Receive and place on file.
6. 2009 50 Cent per Acre Fee Notice. Receive and place on file.
7. Director's report. Fall Tour. No action.

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

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 09/28/2009

Supervisor Knier was excused from the meeting at this time.

**No. 10f -- REPORT OF PUBLIC SAFETY COMMITTEE OF SEPTEMBER 2, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in special session on September 2, 2009, and recommends the following motions:

1. Review minutes and reports of:
  - a. Fire Investigation Task Force General Membership (5/28/09).
  - b. Special Public Safety Committee (8/25/09).  
Receive and place on file 1a & b.
2. Communication from Supervisor Scray re: Review BC requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. (Referred from August County Board.) Hold for one month.

3. District Attorney - Monthly drug criminal complaint numbers (standing item). Receive and place on file.
  4. \*\* District Attorney - Request for Budget Transfer (#09-57): Interdepartmental Transfer: Request to cover the 2008 deficit of \$40,362 for the District Attorney. To approve. Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams). Motion Fails.
  5. Sheriff - Key Factor Report for September and Jail Average Daily Population by Month and Type for the Calendar Year 2009. Receive and place on file.
  6. \*\* Sheriff - Request for Budget Transfer (#09-58): Interdepartmental Transfer: Request to cover the Sheriff's 2008 deficit in the amount of \$1,034,553. To approve. Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams) Motion Fails.
  7. Sheriff - Request for Budget Transfer (#09-73): Increase in Expenditures with Offsetting Increase in Revenues. Receive and place on file.
  8. Sheriff's Report. Receive and place on file.
  9. Teen Court - July 2009 Teen Court Stats. Receive and place on file.
  10. Public Safety Communications - IFERN/MARC Repeater ID Homeland Security Grant Award. *(See #10a as 10 and 10a were taken together)*
  - #10a Request for Budget Transfer (#09-74): Increase in Expenditures with Offsetting Increase in Revenue: Homeland Security has approved our grant application to fully fund adding identification to the MARC Repeater and partially fund a new IFERN station. To approve 10 and 10a.
  11. Public Safety Communications - Green Bay Back-up 800 MHz station at Lambeau Field. Receive and place on file.
  12. Public Safety Communications - Director's Report. Receive and place on file.
  13. \*\* Clerk of Courts - Request for Budget Transfer (#09-55): Interdepartmental Transfer: Request to cover the Clerk of Courts 2008 deficit in the amount of \$57,379. *(See #14 as 13 & 14 were taken together.)*
  14. \*\* Circuit Courts - Request for Budget Transfer (#09-56): Interdepartmental Transfer: Request to cover the Circuit Courts 1-8 2008 deficit in the amount of \$72,759. To approve. (No recommendation to the County Board): Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams). Motion fails.
- \*\* Items #4, #6, #13 and #14 were referred back to Public Safety Committee as per the County Board on 9/16/2009.
15. Closed Session: Pursuant to Sec. 19.85(1)( c), Wisconsin Statutes to consider the potential employment of several individuals at the Communications Center.
  16. Medical Examiner – No agenda items. No action.
  17. Audit of bills.

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

Supervisor Andrews requested items #4, #6, #13, and #14 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #4 -- District Attorney - Request for Budget Transfer (#09-57): Interdepartmental Transfer: Request to cover the 2008 deficit of \$40,362 for the District Attorney. COMMITTEE ACTION: To approve. Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams). Motion Fails.

Item #6 -- Sheriff - Request for Budget Transfer (#09-58): Interdepartmental Transfer: Request to cover the Sheriff's 2008 deficit in the amount of \$1,034,553. COMMITTEE ACTION: To approve. Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams). Motion Fails.

Item #13 -- Clerk of Courts - Request for Budget Transfer (#09-55): Interdepartmental Transfer: Request to cover the Clerk of Courts 2008 deficit in the amount of \$57,379. (See #14 as 13 & 14 were taken together).

Item #14 -- Circuit Courts - Request for Budget Transfer (#09-56): Interdepartmental Transfer: Request to cover the Circuit Courts 1-8 2008 deficit in the amount of \$72,759. COMMITTEE ACTION ON ITEMS 13 & 14: To approve (No recommendation to the County Board). Ayes: 2 (Andrews, Clancy); Nays: 2 (Nicholson, Williams). Motion fails.

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

Following discussion, a motion was made by Supervisor Vander Leest and seconded by Supervisor Nicholson **“to suspend the rules to refer items 4, 6, 13, 14 back to Public Safety Committee and to have the respective department heads present new ways to stay within budget for 2009”**.

Following discussion, a vote was taken on Supervisor Vander Leest's motion. Roll Call #10f(1):

Ayes: Warpinski, Nicholson, Haefs, Erickson, Brunette, Zima, Vander Leest, Dantine, Kaster, Williams, Wetzel, Moynihan, Scray

Nays: De Wane, Krueger, Evans, Johnson, La Violette, Andrews, Fleck, Clancy, Hoeft, Lund, Fewell

Excused: Theisen

Total Ayes: 13                      Total Nays: 11                      Excused: 1

Motion carried.

Approved by:           \s\          Tom Hinz, County Executive                                Date: 09/28/2009



**No. 10f(i) -- REPORT OF "SPECIAL" PUBLIC SAFETY COMMITTEE OF AUGUST 25, 2009**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in special session on August 25, 2009, and recommends the following motions:

3. Discussion of the Termination Agreement with FoxComm including Possible Action. To approve.
4. A closed session pursuant to sec. 19.85(1)(e), Wis. Stats., to deliberate or negotiate specified public business requiring a closed session for competitive or bargaining reasons to discuss the termination agreement with FoxComm. No closed session held.

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

Approved by:           /s\          Tom Hinz, County Executive                                Date: 09/28/2009

**No. 11 -- RESOLUTIONS, ORDINANCES:**

**No. 11a -- RESOLUTION REGARDING: ESTABLISH DOMESTIC PARTNERSHIP FEES**

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

Ladies and Gentlemen:

WHEREAS, in 2009 Wisconsin Act 28 §3218, the Legislature enacted "Chapter 770 Domestic Partnership" and the Governor signed into law the same; and

WHEREAS, the effective date of "Chapter 770 Domestic Partnership" is July 31, 2009 and persons may apply for a "Declaration of Domestic Partnership" on the first business day thereafter, August 3, 2009; and

WHEREAS, Chapter 770 Wisconsin Statutes, authorizes the County Clerk to charge fees for the application for a Declaration of Domestic Partnership, the Notice of Termination of Domestic Partnership, notarial fees, and a few for waiver of the statutory five day waiting period.

NOW, THEREFORE, BE IT RESOLVED, effective August 3, 2009, that the County Clerk is authorized to charge the following fees:

- 1) Pursuant to §770.18 Wisconsin Statutes the fee amount for each Declaration of Domestic Partnership and each certificate of Termination of Domestic Partnership shall be the same amount the Clerk receives for issuing a marriage license under §765.15 and any applicable resolution or ordinance, and the Clerk shall pay into the state treasury the same amount the Clerk pays into the State treasury from the fee for issuing a marriage license and the balance of the fee will be returned by the County.
- 2) Pursuant to §770.07 (1)(b) 2, at his or her discretion, the Clerk may issue a Declaration of Domestic Partnership less than 5 days after application if the applicant pays an additional fee of \$10.00 or greater amount if the Legislature subsequently authorizes it.
- 3) Pursuant to §770.17 the Clerk shall be entitled to receive the standard notary fee in the same amount the Clerk receives when issuing a marriage license and this fee will be retained by the County.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Krueger and seconded by Supervisor Warpinski **“to adopt”**.  
Voice vote taken. Motion carried.

Approved by: \_\_\_\_\_ \s\ Tom Hinz, County Executive \_\_\_\_\_ Date: 09/28/2009

**No. 11b -- RESOLUTION REGARDING: INCREASE THE MARRIAGE WAIVER FEE FROM \$10 TO \$25**

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

Ladies and Gentlemen:

WHEREAS, Sec. 765.08(1) Wisconsin Statutes states: “except as provided in sub. (2), no marriage license may be issued within 5 days of application for the marriage license” and

WHEREAS, Sec. 765.08(2) Wisconsin Statutes states: “the county clerk may, at his or her discretion, issue a marriage license within less than 5 days after application, if the applicant pays an additional fee of not more than \$10 to cover any increased processing cost incurred by the county, and the county clerk shall pay this fee into the county treasury” and

WHEREAS, 2009 Wis. Act 28 sec.3205r (the budget act) amends Sec. 765.08(2) Wisconsin Statutes to increase the maximum additional fee from \$10 to \$25; and

WHEREAS, the county does incur additional expense when an application for a marriage license is to be expedited and the increase in the maximum additional charge is intended to reflect this additional expense; and

WHEREAS, applicants for a marriage license voluntarily choose to pay the additional fee for expedited processing.

NOW, THEREFORE, BE IT RESOLVED, the county clerk is authorized to increase the additional fee for expedited processing of a marriage license application from \$10 to \$25 and the fees shall be paid into the county treasury.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

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

Approved by:           \s\          Tom Hinz, County Executive                    Date: 09/28/2009

**No. 11c -- ORDINANCE REGARDING: TO REPEAL AND RE-CREATE SECTION 3.14 "BUDGET TRANSFER" OF THE BROWN COUNTY CODE**

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

Ladies and Gentlemen

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1: Section 3.14 of the Brown County Code entitled "Budget Transfers" is hereby re-created to read as follows:

3.14 BUDGET TRANSFERS. (1) Definitions: A budget adjustment is any of the following changes to budgeted expenses:

**Category 1, Adjustments**

Reallocation from one account to another within the major budget classifications of:

- a) Cost of sales
- b) Personnel services and fringe benefits
- c) Employee costs
- d) Operation and maintenance
- e) Insurance costs
- f) Utilities
- g) Chargebacks
- h) Contracted services
- i) Medical expenses
- j) Judiciary costs
- k) Purchased services
- l) Other
- m) Debt retirement
- n) Depreciation
- o) Outlay

**Category 2, Adjustments**

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b) . Operation and Maintenance

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c) . Travel, Conference, and Training

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d) . Insurance Premiums

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e) . Utilities

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f) . Contracted Services

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g) . Medical Expenses

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h) . Employee Allowance Expense

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i) . Judiciary Costs

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j) . Other

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a) Any change in any item within the Outlay account which does not require the reallocation of funds from another major budget classification.

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b) Any change in any item within the Outlay account which requires the reallocation of funds from any other major budget classification, or the reallocation of Outlay funds to another major budget classification.

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**Category 3. Adjustments**

a) Reallocation from one or more of the major budget classifications to another other than Category 2b) or 3b) adjustments.

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b) Reallocation of Personnel services and fringe benefits to another major budget classification except contracted services, or reallocation to Personnel services and fringe benefits from another major budget classification except contracted services.

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**Category 4. Adjustments**

Reallocation from one department to another (including any reallocation from the County's general fund), and

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**Category 5. Adjustments**

Any increase in expenditures with an offsetting increase in revenue.

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(2) Policy: It shall be policy that budget adjustments shall require approval at the following levels:

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- a) Category 1 adjustments may be made at the discretion of the department head.
- b) Category 2a) and Category 3a) adjustments shall require approval of the County Executive.
- c) Category 2b) and 3b) adjustments shall require approval of the County Board subsequent to review and approval of the County Executive.
- d) Category 4 and Category 5 adjustments shall require approval of the County Board subsequent to review and approval of the County Executive.
- e) All budget adjustment requests from the Brown County Library Board under Category 2 adjustments and Category 3 adjustments may be made at the discretion of the Brown County Library Board in compliance with Section 43.58 (1) of the Wisconsin Statutes.

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It shall be policy that a budget adjustment log be maintained in the Department of Administration.

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(3) Procedure:

- a) Category 1 adjustments shall be made at the discretion of the department head to assist with budget monitoring.
- b) Category 2a) and Category 3a) adjustments shall be requested by the department head through the Department of Administration. All such requests will be reviewed by the Director of Administration and then submitted to the County Executive for

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- approval or denial. The Department of Administration will notify the department of the decision.
- c) Category 2b), 3b), 4 and 5 adjustments shall be requested by the department head through the Department of Administration. All such requests will be reviewed by the Director of Administration and then submitted to the County Executive for approval or denial. The Department of Administration will notify the department of the decision and place the approved adjustment on the appropriate Board Committee agenda for action.
- d)
- e) All budget adjustment requests will be presented in writing via the Budget Adjustment Request form and logged in the format of the attached Budget Adjustment Log. This log will be provided to the County Board office on a monthly basis for inclusion on the Administration Committee agenda.

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**Deleted:** All such requests shall be routed through the Management Team. The Management Team shall review and make a recommendation on all such requests. The County Executive shall consider the recommendation of the Management Team and notify the Office of Management and Budget and the affected Department Head of approval or disapproval.

**Deleted:** The Department Head will be responsible for placing approved transfers on the appropriate Board Committee agenda for action

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

Respectfully submitted,  
ADMINISTRATION COMMITTEE

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

Approved by: _____ \s/	Tom Hinz, County Executive	Date: 09/28/2009
Approved by: _____ \s/	Darlene K. Marcelle, County Clerk	Date: 09/30/2009
Approved by: _____ \s/	Mary Scray, Board Vice Chair	Date: 10/02/2009

**No. 12 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW.**

A motion was made by Supervisor Andrews and seconded by Supervisor La Violette **“to suspend the rules to allow for late communications.”** Voice vote taken. Motion carried unanimously with no abstentions.

**No. 12a -- FROM SUPERVISOR ANDREWS REGARDING: TO REQUEST A MONTHLY REPORT (UPDATE) ON THE STATE OF THE BUDGET FOR THE ENTIRE COUNTY WITH AREAS POINTED OUT THAT ARE BEGINNING TO SHOW DIFFICULTY**

Refer to Administration Committee.

**No. 12b -- FROM SUPERVISOR ANDREWS REGARDING: TO DEVELOP A PROCESS, INCLUDING A FORM TO FILL OUT, TO ARTICULATE THE FACTORS THAT LED TO THE NEED FOR A BUDGET TRANSFER TO COVER SHORTFALLS, WITH A SECTION TO BE**

**FILLED OUT BY OUR FINANCIAL OFFICER INDICATING WHERE FUNDS CAN BE TAKEN FROM. THIS FORM SHOULD BE PRESENTED ALONG WITH THE REQUEST FOR BUDGET TRANSFER, AND INCLUDED IN OUR PACKETS**

Refer to Administration Committee.

**No. 13 -- BILLS OVER \$5,000 FOR PERIOD ENDING AUGUST 31, 2009**

A motion was made by Supervisor Fleck and seconded by Supervisor Clancy **“to pay the bills over \$5,000 for period ending August 31, 2009”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 14 -- CLOSING ROLL CALL:**

Present: Warpinski, De Wane, Nicholson, Krueger, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster, Williams, Fleck, Clancy, Wetzel, Moynihan, Scray, Hoeft, Lund, Fewell

Excused: Theisen, Knier

Total Present: 24 Total Excused: 2

**No. 14 -- ADJOURNMENT TO WEDNESDAY, OCTOBER 21, 2009, AT 7:00 P.M. LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.**

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

Meeting adjourned at 10:27 p.m.

      \s\ DARLENE K. MARCELLE

Brown County Clerk