

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**JANUARY 18, 2006**

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, January 18, 2006, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

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

Total Present: 26

**“TWO PRESENTATIONS”**

**Resolution Thanking the NEW Zoological Society for the Projects They Have Funded**

**Commendation Honoring Brown County Highway Commissioner Roger Kolb for his Service to Brown County**

**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.

**No. 2 -- Approval of “Official” minutes \*\* of County Board Meeting of December 21, 2005.**

A motion was made by Supervisor Johnson and seconded by Supervisor Van Deurzen **“to adopt the “official” minutes of the December 21, 2005 Meeting”**. Voice vote taken. Motion carried unanimously with no abstentions.

\*\* The Official Minutes were delivered by Sheriff's Department to County Board on Monday, January 16, 2006.

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

Supervisor Evans informed the County Board of a letter received from Eppstein Uhen Architects & Associates, regarding the Mental Health Center. A special Human Services Meeting will be announced to address the contents of the letter which addressed the evaluation of the jail site as an option for the Mental Health Center as well as addressing potential costs for the various jail sites. Supervisor Evans stated he hoped this special meeting could take place in 30-40 days.

**No. 4 -- Communications. None.**

**No. 5 -- Appointments by County Executive.**

**No. 5a -- Appointment of Judy Parrish to Aging & Disability Resource Center Board.**

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

**No. 5b -- Appointment of John Gower, Brad Hopp, Jeffrey Jazgar and Gerald Wellens to Criminal Justice Coordinating Board.**

A motion was made by Supervisor Theisen and seconded by Supervisor Nicholson **"to approve"**. After discussion a voice vote was taken. Motion carried unanimously with no abstentions.

**No. 5c -- Appointment of Henry Wallace to Harbor Commission.**

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

**No. 5d -- Appointment of John Kirchner and reappointment of Jay Tibbets and Joe Van Deurzen to Board of Health.**

A motion was made by Supervisor Clancy and seconded by Supervisor Collins **"to approve"**. Voice vote taken. Motion carried with Supervisor Evans abstaining from Dr. Jay Tibbets reappointment.

**No. 5e -- Appointment of Kathleen Hoppe and Samuel Vainisi and reappointment of Jeffrey Beinlich, Tracey Gilbert and Glen Uphill to NEW Zoo Advisory Committee.**

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

**No. 6a -- Report by County Executive.**

County Executive Kelso recognized retiring Highway Commissioner Roger Kolb with a commendation for his service to Brown County. She gave a background of her years of working with Roger Kolb. Ms. Kelso thanked him for the many dedicated years he has given Brown County.

**No. 6b -- Report by Board Chairman.**

Chair Moynihan thanked Ms. Beth Manning, Human Services Director for the 6:00 p.m. presentation regarding ICF-MR, Nursing Home Relocation Initiative, long-term care reform and SSI managed care. Chair Moynihan also announced that the books are being closed for 2005. He encouraged Supervisors to turn in their mileage as soon as possible.

**No. 7 -- Other Reports. None.**

**No. 8 -- Standing Committee Reports.****No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF JANUARY 4, 2006**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on January 4, 2006, and recommends the following motions:

1. Human Resources - Monthly Committee Report (November, 2005). Approved.
2. Human Resources - Update from Human Resources regarding employees requesting appeals of Class & Comp study. Approved.
3. Dept of Administration - Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Purchase 2 laptop computers & accessories (\$4,700). Approved.
4. Dept of Administration - 2005 Budget Transfer Log. Approved.
5. Corporation Counsel - Resolution re: Change in Child Support Table of Organization (Remove one Legal Assistant II and add one Legal Assistant I). (Referred to Executive Committee.) Committee Approved. See Resolutions, Ordinances January County Board.
6. Closed Session: For the purpose of considering compensation data (vacation) of any public employee over which the governmental body has jurisdiction or exercises responsibility, pursuant to Sec. 19.85(1)(c), Wis. Stats. (No Closed Session held.)
7. Audit of bills. Pay the bills.

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

Approved by:           \s\ Carol Kelso, County Executive           Date: 2/6/2006

**No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF JANUARY 5, 2006**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on January 5, 2006 and recommends the following:

1. Review minutes of:
  - a) Library Board (11/17/05).  
Receive & place on file.
2. Communication from Supervisor Earl Van Den Heuvel re: Look at using aquatic herbicides to control unmanageable weed growth at the East and West end of Lily Lake County Park. Refer to staff.
3. Arena/Expo Centre Resch Centre - Event Attendance (November 2005). Receive & place on file.

4. Arena/Expo Centre Resch Centre - Discussion of Veterans' Memorial Complex Lease Agreement. (From October 6, 2005 meeting to be held to January 2006 meeting.) Refer to staff and report back to committee.
5. NEW Zoo - Monthly Activity Report for December 2005. Receive & place on file.
6. Library - Communication from Christine Whitton re: Possibility of a Library Store working in cooperation with the Brown County Library to discuss a used book store. (From October 6, 2005 meeting.) To hold.
7. Golf Course - Daily Financial Report (November 13, 2005). Receive & place on file.
8. Golf Course - Superintendent's report. Receive & place on file.
9. Parks - Leasing of the Packer Hall of Fame Building. (Held from previous meeting.) Hold until February.
10. Parks - Action award bid (see attached) for Cardinal Lane overpass. Accept the bid of Mill Coatings in the amount of \$51,520. Ayes: 4 (Graves, Theisen, Van Deurzen, Vander Leest); Nays: 1 (Johnson). Motion Carried.
11. Parks - Request for waiver of fees from Brown County 4-H Horse Association for use of the horse ring at the Brown County Fairgrounds for practices and clinics. Approve the request for waiver of fees from the Brown County 4-H Association in lieu of services performed.
12. Parks - Approve 2006 private accesses for Neshota Park and the Reforestation Camp. Approve.
13. Parks - Director's report. Receive & place on file.
14. NEW Zoological Society requesting a fee waiver for use of the Reforestation Camp Lodge for their Volunteer Award Banquet in February. Approved.
15. Museum - Attendance & Admissions (November 2005). Receive & place on file.
16. Museum - Director's report. Receive & place on file.
17. Audit of bills. Approve audit of bills.
18. Determine Education & Recreation special meeting in mid to late February. No action.

A motion was made by Supervisor Graves and seconded by Supervisor Van Den Heuvel "to adopt".  
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 2/6/2006

**No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF JANUARY 9, 2006**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on January 9, 2006 and recommends the following motions:

1. Resolution re: Authorizing and Approving the Supplement to Lease Relating to the Issuance of Refunding Bonds for the Convention Center Project by the Redevelopment Authority of the City of Green Bay, Wisconsin, and Other Details with Respect Thereto. Committee approved Resolution. See Resolutions, Ordinances January County Board.
2. Resolution re: Pertaining to Placements at the State Mental Health Institutions. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances January County Board.
3. Resolution re: Change in Child Support Table of Organization (Remove one Legal Assistant II



2. Presentation by Eppstein Uhen Architects. Refer back to Eppstein Uhen Architects for a presentation on analysis of the property adjoining the jail and comparable pricing for a new facility on Site C.
  3. \*\* Communication from Supervisor Chris Zabel re: Teenage Pregnancy in Brown County. (Referred from December County Board.) Receive & place on file. Ayes: 5 (Fewell, Frohna, Hinz, Zabel, Zima); Nays: 1 (Evans); Excused: 1 (Van Deurzen). Motion approved.
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- \*\* ITEM #3 WAS REFERRED BACK TO HUMAN SERVICES COMMITTEE AS PER THE COUNTY BOARD ON 1/18/06.
4. Communication from Supervisor Steve Fewell re: MHC Reserve Funds. (Referred from December County Board.) Request a report at the February meeting explaining the \$1 million transfer of community program funds in the 2006 budget, to provide a history of transfers over the last five years, and to present a reserve balance.
  5. Communication from Supervisor Pat Collins re: Funding for Teen Parenting in the amount of \$75,000 with the funds to come from the Undesignated Human Services Fund. (Held from previous meeting.) Fund the YWCA Teen Parenting Program for 2006 at \$75,000, and request an RFP in 2007. Roll Call taken: Ayes: 6 (Fewell, Frohna, Hinz, Zabel, Zima, Evans); Excused: 1 (Van Deurzen). Motion Carried.
  6. Human Services Dept. - Presentation on Long Term Care (Gerry Born). Receive & place on file.
  7. Human Services Dept. - County Response to State RFI/RFP. Receive & place on file.
  8. Human Services Dept. - Update on Bellin Memorandum of Understanding. Receive & place on file.
  9. Human Services Dept. - Report, Item Number 5 referred back to the Human Services Committee. (Held from previous meeting with motion: *Refer to January so staff can bring back requested information.*) Receive & place on file.
  10. Human Services Dept. - Contract Update (standing item requested by Chair Pat Evans). Receive & place on file.
  11. Health Department - To review status of air quality odors/complaints (Brown County Code, Chapter 38.01 "*Public Health Nuisance*") and to discuss possible remedial action to address these complaints. Request from Supervisor Andy Nicholson. Receive & place on file.
  12. Audit of bills. Audit the bills.

A motion was made by Supervisor Frohna and seconded by Supervisor Van Deurzen **"to adopt"**. Supervisor Zabel requested Item #3 be taken separately. Vote taken. Remainder of report carried unanimously with no abstentions.

Item #3 -- Communication from Supervisor Chris Zabel re: Teenage Pregnancy in Brown County. (Referred from December County Board.) COMMITTEE ACTION: Receive and place on file. Ayes: 5 (Fewell, Frohna, Hinz, Zabel, Zima); Nays: 1 (Evans); Excused: 1 (Van Deurzen). Motion approved.

A motion was made by Supervisor Zabel and seconded by Supervisor Evans **"to refer #3 back to committee"**. Voice vote taken. Motion carried unanimously with no abstentions. Supervisors Vander Leest, Nicholson and Van Den Heuvel requested to be recorded as voting voted "nay" on item #5.

NOTE: At the end of the meeting, Supervisor Scray asked the County Board if she could change her vote on Report 8d (Human Services Committee), Item #5 -- Funding for Teen Pregnancy to a "nay". The change was approved by Chair Moynihan and the County Board.

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

Date: 2/6/2006

**No. 8e -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF DECEMBER 28, 2005**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE & LAND CONSERVATION SUB COMMITTEE met in regular session on December 28, 2005, and recommends the following motions.

Land Conservation Subcommittee

1. Letter to participants in Farmland Preservation Program regarding self certification. Receive & place on file.
2. Letter to Wisconsin Department of Agriculture (DATCP) and Wisconsin Department of Natural Resources (DNR) regarding staff funding. Receive & place on file.
3. State Manure Management Task Force Findings and Recommendations and public hearing comments. Receive & place on file.
4. Total Maximum Daily, Lower Fox River/Green Bay Study by UWGB. No action.
5. Director's Report. No action.

Planning, Development & Transportation Committee

1. Review minutes of:
  - a) Planning Commission Board of Directors (11/2/05).
  - b) Solid Waste Board (9/19/05).Receive & place on file items a-b.
2. Planning Commission/Property Listing - Ordinance re: Amending Chapter 21 of the Brown County Code entitled "Subdivisions" and creating Section 21.455 of the Brown County Code Entitled "Procedure for Review and approval of Condominium Plats."(See additional information attached to Ordinance.) Committee approved. See Resolutions, Ordinances January County Board.
3. Highway - Six Year Plan for Highway Department. No action.
4. \*\* Highway - Brown County funding on the construction of the new Claude-Allouez Bridge, in the City of De Pere. (Held from November 2005 meeting.) That Brown County fund not to exceed \$520,000 of the local cost of the new Claude Allouez bridge and have it put on the 2007 bond issue. Ayes: 3 (Fleck, Krueger, Erickson); Nays: 2 (Scray, Dantine). Motion Carried.

\*\* ITEM #4 WAS REFERRED BACK TO THE EXECUTIVE COMMITTEE AS PER THE COUNTY BOARD ON 1/18/06.

5. Highway - Commissioner's report. No action.
6. Airport - Approve addition to Bellin Sports Medicine Clinic at 1630 Comanche Avenue, in accordance with Brown County Code Ch. 24 (2)(h)(23). Approve. Ayes: 4 (Fleck, Scray, Krueger, Erickson); Nays: 0; Abstain 1 (Dantine). Motion Carried.
7. Airport - Director's report. No action.
8. Closed Session: Pursuant to Sec. 19.85 (1) (c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has

jurisdiction or exercises responsibility. (No Closed Session held.)

9. Audit of bills. Pay the bills.

A motion was made by Supervisor Krueger and seconded by Supervisor Fleck **“to adopt”**. Supervisor Dantine requested item #4 of the Planning, Development and Transportation Committee Report be taken separately.

A motion was made by Supervisor Zima and seconded by Supervisor Dantine **“to adopt the remainder of the report”**. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #4 -- Highway - Brown County funding on the construction of the new Claude-Allouez Bridge, in the City of De Pere (Held from November 2005 meeting). COMMITTEE ACTION: That Brown County fund not to exceed \$520,000 of the local cost of the new Claude Allouez Bridge and have it put on the 2007 bond issue. Ayes: 3 (Fleck, Krueger, Erickson); Nays: 2 (Scray, Dantine). Motion carried.

Supervisor Dantine explained why he took item 4 separately.

After further discussion, a motion was made by Supervisor Dantine and seconded by Supervisor Van Den Heuvel **“to put the \$992,000 back on the Bridge Structure, not enhancements”**.

Discussion on motion. After discussion with Corporation Counsel on Supervisor Dantine’s motion, County Board Chair Moynihan ruled Supervisor Dantine’s motion out of order, meaning he could not accept the motion. Following a motion by substitution was made by Supervisor Fewell and seconded by Supervisor Zima **“to refer item #4 back to committee”**. After further discussion, a vote was taken.

Roll Call #8e4(1):

Ayes: Theisen, Haefs, Erickson, Kaye, Zima, Johnson, Frohna, Collins, Beyl, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Krueger, Evans, Vander Leest, Dantine, Backmann, Van Deurzen, Fleck, Moynihan, Zabel, Scray

Total Ayes: 13 Total Nays: 13

Motion to refer back to committee failed.

A motion was made by Supervisor Zima and seconded by Supervisor Lund **“to refer back to Executive Committee”**. After discussion, a vote was taken. Roll Call #8e4(2):

Ayes: Theisen, Haefs, Erickson, Kaye, Zima, Johnson, Frohna, Collins, Backmann, Van Deurzen, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Krueger, Evans, Vander Leest, Dantine, Beyl, Moynihan, Zabel, Scray

Total Ayes: 15 Total Nays: 11

Motion carried.

Approved by:       \s\ Carol Kelso, County Executive       Date: 2/6/2006

**No. 8f -- REPORT OF PUBLIC SAFETY COMMITTEE OF JANUARY 12, 2006**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on January 12, 2006, and recommends the following motions:

1. Communication from Supervisor Fewell re: Requesting accountant from Sheriff's department and County Board Internal Auditor report their findings on the actual jail cost per day. (Referred from December County Board.) Hold for one month.
  2. Request Facilities Management to give an estimate on what the cost would be to provide outlets to five court rooms. (Held from previous meeting.) Hold for one month.
  3. Volunteers In Probation - - Monthly Statistics ending November 30, 2005. Receive & place on file.
  4. Emergency Government - Update report from Emergency Management Director. Receive & place on file.
  5. Sheriff - Key Factor Report 2005 with Jail Average Daily Population by month and overtime by expenditures by division/session 2005 - for January 2006 meeting including jail medical statistics. Receive & place on file.
  6. Sheriff - Request for Budget Transfer (#06-03): Increase in Expenditures with Offsetting Increase in Revenue: Request to participate in a JAG/Byrne grant applied for by City of Green Bay and County Executive in early 2005. Grant provides funding for Livescan fingerprint equipment (\$36,588). Approve.
  7. Sheriff - Request for Budget Transfer (#06-04): Increase in Expenditures with Offsetting Increase in Revenue: Increase revenue & expense to receive and utilize a Homeland Security grant through Wisconsin Office of Justice Assistance. Grant funds to be used to purchase Bomb Squad equipment, including upgrades to the remotely controlled robot (\$25,000). Approve.
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8. \* Sheriff's - report. Receive & place on file Ayes: 3 (Van Den Heuvel, Clancy, Kaye); Excused: 1 (Zima); Not present: 1 (Nicholson). Motion Carried.
- \* THE MINUTES SHOULD BE AMENDED TO REFLECT THAT SUPERVISOR NICHOLSON WAS PRESENT AT THE PUBLIC SAFETY COMMITTEE MEETING OF 1-12-06. APPROVED BY THE COUNTY BOARD ON 1/81/06.
9. \*\* Public Safety Communications - Radio Interoperability Study. To go forward with the study and find a solution for the funding.
- \*\* APPROVE UP TO \$100,000 TO GO FORWARD WITH THE PUBLIC SAFETY COMMUNICATIONS - RADIO INTEROPERABILITY STUDY AND FIND A SOLUTION. APPROVED BY THE COUNTY BOARD ON 1/18/06.
10. Public Safety Communications - Director's report. Approve.
  11. Closed Session: Pursuant to Sec. 19.85 (1) (c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No Closed Session held.)
  12. Audit of bills. Approve audit of bills.

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

Supervisor Van Den Heuvel requested item #9 be taken separately.

Supervisor Nicholson requested item #8 be taken separately.

Voice vote taken on remainder of report. Remainder of report passed unanimously with no abstentions.

Item #8 -- Sheriff-s Report. COMMITTEE ACTION: Receive and place on file. Ayes: 3 (Van Den Heuvel, Clancy, Kaye); Excused: 1 (Zima). Not present: 1 (Nicholson). Motion carried.

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Den Heuvel **"to correct"**

**the minutes to reflect that Supervisor Nicholson was present at this meeting”.** Voice vote taken. Motion carried unanimously with no abstentions.

Item #9 -- Public Safety Communications - Radio Interoperability Study. COMMITTEE ACTION: To go forward with the study and fine a solution for the funding.

A motion was made by Supervisor Van Den Heuvel and seconded by Supervisor Zabel **“to suspend the rules to allow interested parties to address the Board.”** Voice vote taken. Motion carried unanimously with no abstentions.

Carlene Felmer, President, Village of Howard, spoke on commission’s process. She suggested the County should slow this down and refer this back to committee. She wants to make sure this project is done right, stating she doesn’t want to invest in equipment that could be outdated before the target date of 2013. Ms. Felmer encouraged the Board to refer this back to committee.

Kevin Kaye, 2447 Clear Brook Circle, Village of Howard, spoke in favor of holding up this action. He stated he works on the technology field and he feels the system presented isn’t adequate, that it doesn’t address all the needs of all County Departments.

Craig Van Schyndel, City of Green Bay Police Chief, 2726 Old Coach Road, Green Bay, spoke in favor of the motion, stating the limited capabilities of the current communication system in handling emergencies throughout the County. He is supporting the \$100,000 for the study, stating the study is needed to educate all involved regarding what our needs are. He said 22 million has been mentioned, however, he said the study is needed to determine the exact needs. He said there is an urgency because currently, in the County, there are “blackout” areas where the officers and EMS are not able to communicate during emergency calls. The Green Bay System is old and some parts cannot be replaced. In his opinion, we have a dangerous situation.

Jeff Stauber, City of Green Bay Fire Chief, Sandstone Place, Green Bay, said he is here this evening to share many of the same thoughts of the Green Bay Police Chief. He has grave concerns about the inadequacy of our current system. He feels it is hazardous to have “blackouts” between agencies in emergency situations.

Randy Dunford, Pulaski Village Police Chief, 734 S. St. Augustine St., Pulaski, offered assistance to the commission. He is well aware of the need for a new system. He is here to support the proposed study. County Executive Kelso explained the communication issues in other Departments of the County.

A motion was made by Supervisor Zima and seconded by Supervisor Lund **“to return to the regular order of business”.** Voice vote taken. Motion carried.

A motion was made by Supervisor Van Den Heuvel and seconded by Supervisor Scray **“to refer back to committee”.** After discussion on referral the vote was taken. Roll Call #8f9(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Vander Leest, Scray  
 Nays: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Hinz, Lund, Fewell  
 Total Ayes: 5 Total Nays: 21

Motion defeated.

A motion was made by Supervisor Haefs and seconded by Supervisor Erickson **“to approve up to \$100,000 to go forward with the Public Safety Communication - Radio Interoperability Study and find a funding solution”.** Vote taken. Roll Call #8f9(2):

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

Supervisor Krueger explained he meant to hit the “aye” button. He requested to change his “abstain” vote to “aye”. County Board Chair Moynihan approved the change.

Total Ayes: 26 Total Nays: 0

Motion carried unanimously with no abstentions.

Approved by:           \s\ Carol Kelso, County Executive          

Date: 2/6/2006

**No. 9 -- Resolutions, Ordinances**

**No. 9a -- RESOLUTION REGARDING: CHANGE IN CHILD SUPPORT TABLE OF ORGANIZATION (REMOVE ONE LEGAL ASSISTANT II AND ADD ONE LEGAL ASSISTANT I)**

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

Ladies & Gentlemen:

WHEREAS, during the 2006 budget process a Legal Assistant I and Legal Assistant II were added to the Child Support Table of Organization; and

WHEREAS, upon further review of the duties by Human Resources and the Child Support Administrator, the department would be better served by having two Legal Assistant I positions; and

WHEREAS, the duties performed by these two positions are similar and do not warrant the different wage classifications.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby recommends that the Legal Assistant II be removed from the Child Support Table of Organization and a second Legal Assistant I be added.

Respectfully submitted,  
ADMINISTRATION COMMITTEE  
EXECUTIVE COMMITTEE

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

**Fiscal Note:** The Legal Assistant I in the Courthouse Contract under Category J has an hourly wage of \$14.1474 compared to the Legal Assistant II with an hourly wage of \$15.0082. This is an annual cost savings of \$1,679.00 for the Child Support Department.

Approved by:           \s\ Carol Kelso, County Executive          

Date: 2/6/2006

**No. 9b -- A RESOLUTION AUTHORIZING AND APPROVING THE SUPPLEMENT TO LEASE RELATING TO THE ISSUANCE OF REFUNDING BONDS FOR THE CONVENTION CENTER PROJECT BY THE REDEVELOPMENT AUTHORITY OF THE CITY OF GREEN BAY, WISCONSIN, AND OTHER DETAILS WITH**

**RESPECT THERETO****TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS**

Ladies and Gentlemen:

WHEREAS, the Redevelopment Authority of the City of Green Bay, Wisconsin (the “**Issuer**”) has heretofore issued its \$11,755,000 Lease Revenue Bonds, Series 1999A (Convention Center Project), dated August 11, 1999 (the “**Bonds**”); and\

WHEREAS, in connection with the issuance of the Bonds, Brown County, Wisconsin (the “**County**”), along with certain municipalities and other parties relating to the Bonds, entered into a Cooperation Agreement, dated as of July 1, 1999 (the “**Cooperation Agreement**”), authorizing various agreements among the parties, pledging room taxes in support of the projects described therein and any bonds issued to finance these projects, including the Bonds and any additional bonds such as refunding bonds; and

WHEREAS, in its resolution adopted on May 19, 1999, the County Board of Supervisors of the County (the “**Governing Body**”) approved and authorized the execution of the Cooperation Agreement, including all related agreements, leases, and conveyances and any supporting documentation and all documents necessary for the issuance of the Bonds; and

WHEREAS, in connection with the issuance of the Bonds, the County and the Issuer have also entered into a Lease, dated as of July 1, 1999 (the “**Lease**”), through which the Issuer agreed to lease certain real property improvements to the County, and the County agreed to lease such real property and improvements from the Issuer; and

WHEREAS, it is necessary, desirable, and in the best interest of the Issuer to issue additional bonds (the “**Refunding Bonds**”) in a principal amount sufficient to refund the callable maturities of the Bonds; and

WHEREAS, in connection with the issuance of the Refunding Bonds, the Issuer and the County will enter into a First Supplement to Lease (Additional Bonds) (the “**Supplement to Lease**”) setting forth the schedule of additional rents relating to the Refunding Bonds; and

WHEREAS, the Refunding Bonds will be payable by the Issuer solely from revenues derived by the Issuer from the Lease and the Supplement to Lease, the Pledge and Security Agreement (as defined in the Cooperation Agreement), the Net Pledged Room Taxes (as defined in the Cooperation Agreement), cash and securities held from time to time in certain trust funds held by Associated Trust Company, National Association, under the Indenture of Trust, dated as of July 1, 1999, and the investment earnings thereon; and

WHEREAS, Section 7.01(b) of the Cooperation Agreement states that the Issuer shall issue and sell the Refunding Bonds upon terms acceptable to the County, such acceptance to be conclusively evidenced by the County’s execution of the Supplement to Lease;

NOW, THEREFORE, BE IT RESOLVED by this Governing Body that:

**Section 1.     Request for Issuance of Additional Bonds.**

The County hereby requests the Issuer to issue the Refunding Bonds.

**Section 2. Approval of Supplement to Lease.**

The terms of the Supplement to Lease are hereby approved. The County Executive and the County Clerk are hereby authorized and directed for and in the name of the County to execute and deliver the Supplement to Lease in the form presented to this meeting, or with such modifications as shall be approved by them or by Corporation Counsel consistent with this resolution and the terms of Section 66.1333 of the Wisconsin Statutes, their execution thereof to constitute conclusive evidence of their approval of any such modifications.

**Section 3. General Authorizations.**

The County Executive, the County Clerk, and any other appropriate County officials are hereby authorized and directed to execute and deliver any and all documents, including, but not limited to, an escrow agreement, a tax agreement, a consent to the supplement to indenture of trust, and any certifications or approvals necessary for and related to the issuance of the Refunding Bonds. The form of all such documents shall be subject to the prior approval of the Corporation Counsel.

**Section 4. Conflicting Resolutions; Severability; Effective Date.**

All prior resolutions, rules, or other actions of this Governing Body or any parts thereof in conflict with the provisions of this resolution shall be, and the same hereby are, rescinded insofar as the same may so conflict. In the event that any one or more provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution. This resolution shall take effect immediately upon its adoption and approval in the manner provided by law.

Adopted: January 18, 2006

\_\_\_\_\_  
 \s\ Carol Kelso 2-6-06  
 County Executive

\_\_\_\_\_  
 \s\ Darlene K. Marcelle 2-6-06  
 County Clerk

**CERTIFICATIONS BY CLERK**

I, Darlene K. Marcelle, hereby certify that I am the duly qualified and acting Clerk of Brown County, Wisconsin (the “**County**”), and as such I have in my possession, or have access to, the complete corporate records of the County and of its County Board of Supervisors (the “**Governing Body**”) and that attached hereto is a true, correct, and complete copy of the resolution (the “**Resolution**”) entitled:

**A Resolution Authorizing and Approving the Supplement to Lease Relating to the Issuance of Refunding Bonds for the Convention Center Project by the Redevelopment Authority of the City of Green Bay, Wisconsin, and Other Details with Respect Thereto**

I do hereby further certify as follows:

**Meeting Date.** On the 18th day of January, 2006, a meeting of the Governing Body was held commencing at 7:00 p.m.

**Posting.** On the 12<sup>TH</sup> day of January, 2006 (and not less than 24 hours prior to the meeting), I posted or caused to be posted at the County’s offices in Green Bay, Wisconsin a notice setting forth the time, date, place, and subject matter (including specific reference to the Resolution) of said meeting.

**Notification of Media.** On the 12<sup>TH</sup> day of January, 2006 (and not less than 24 hours prior to the meeting), I communicated or caused to be communicated, the time, date, place, and subject matter (including specific reference to the Resolution) of said meeting to those news media who have filed a written request for such notice and to the official newspaper of the County.

**Open Meeting Law Compliance.** Said meeting was a regular meeting of the Governing Body that was held in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and state statutes.

**Members Present.** Said meeting was duly called to order by the County Executive (the “**Presiding Officer**”), who chaired the meeting. Upon roll I noted and recorded that there were 26 members of the Governing Body present at the meeting, such number being a quorum of the Governing Body.

**Consideration of and Roll Call Vote on Resolution.** Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was the Resolution. A proper quorum of the Governing Body was present for the consideration of the Resolution, and each member of the Governing Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration, upon roll call, 26 of the Governing Body members voted Aye, 0 voted Nay, and 0 Abstained.

**Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I recorded the adoption of the Resolution.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the County hereto on this 6<sup>TH</sup> day of ~~January~~, 2006.  
February

\_\_\_\_\_  
 \s\ Darlene K. Marcelle  
 County Clerk

[Seal]

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

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 2/6/2006

**No. 9c -- RESOLUTION REGARDING: PERTAINING TO PLACEMENTS AT THE STATE MENTAL HEALTH INSTITUTION**

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

Ladies and Gentlemen:

WHEREAS, Wisconsin counties are mandated by the state to pay the cost of individuals placed in one of the two state Mental Health Institutions (Winnebago and Mendota); and

WHEREAS, any county cannot adequately budget for the cost of these placements each year because they are entirely unpredictable from year to year; and

WHEREAS, the daily cost of a placement for an adult at Mendota Mental Health Institution is \$670 per day and \$645 per day at Winnebago Mental Health Institution; and

WHEREAS, in 2005 Brown County had 135 patient days of care at Mendota Mental Health Institute at a cost of \$86,692.80; and

WHEREAS, Human Service Departments across the State have a primary role in providing Community services to a large number of residents in need and the immense and variable cost of State Mental Health Institute placements severely reduces the county's ability to provide those needed services in the community; and

WHEREAS, in April, 2005, 85% of the voters in Wisconsin voted that these human services costs should be paid for with state tax dollars and *not* property tax dollars; and

WHEREAS, the cost of these placements does not fluctuate drastically from one year to the next on a statewide basis but changes dramatically from county to county each year depending on one or two cases; and

WHEREAS, there is no good public policy reason why the property taxpayers of Brown County should bear this limitless risk every year; and

NOW, THEREFORE, BE IT RESOLVED that Brown County calls upon the Governor and Legislature to pass legislation to amend the state statutes to remove this cost, which is clearly a state responsibility, from the property tax rolls; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to all legislators representing constituents within Brown County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Respectfully submitted,  
 HUMAN SERVICES COMMITTEE  
 EXECUTIVE COMMITTEE

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

Approved by:           \s\ Carol Kelso, County Executive                                Date: 2/6/2006

**No. 9d --        ORDINANCE REGARDING: AMENDING CHAPTER 21 OF THE BROWN COUNTY CODE ENTITLED “SUBDIVISIONS” AND CREATING SECTION 21.455 OF THE BROWN COUNTY CODE ENTITLED “PROCEDURE FOR REVIEW AND APPROVAL OF CONDOMINIUM PLATS”**

A motion was made by Supervisor Evans and seconded by Supervisor Vander Leest **“to receive and**

**place on file”.**

Supervisor Evans explained the reasons why he made this motion. Following, a voice vote was taken. Motion carried unanimously with no abstentions **“to receive and place on file”.**

**No. 10 -- Such other matters as authorized by law.**

**Late Communications.**

**No. 10a -- From Supervisor Theisen regarding: request that we try to find a location for the Green Bay Area Rugby Football Club matches.**

Refer to Education and Recreation Committee.

**No. 10b -- From Supervisor Nicholson regarding: request for Human Resources Director to review policy of Health Plan Benefits for part time employees.**

Refer to Human Resources Director.

**No. 10c -- From Supervisor Nicholson regarding: request Human Services Committee to review and recommend the adoption of a revised odor nuisance ordinance.**

Refer to Human Services Committee.

**No. 10d -- From Supervisor Hinz regarding: request an update from the County Executive regarding negotiations with the Oneida Tribe.**

Refer to Executive Committee.

**No. 10e -- From Supervisor Scray regarding: in an attempt to decrease our costs for printing, mailing, and/or delivery. I would like to explore the option of emailing our weekly “County Board Packets”, to County Board officials, Department Heads and interested parties.**

Refer to Executive Committee.

**No. 10f -- From Supervisor Johnson regarding: to work on a long term lease agreement with the City of De Pere for large events at the Brown County Fairgrounds.**

Refer to Education and Recreation Committee.

**No. 10g -- From Supervisor Van Den Heuvel regarding: for a plaque to be placed in a place of prominence at Lily Lake County Park for R.D. Smith, in recognition of his many years of fine service for overseeing the lake and park. Mr. Smith oversaw the lake and park for over 20 years and retired a year or so ago.**

Refer to Education and Recreation Committee.

**No. 11 -- Bills over \$10,000 for period ending January 3, 2006.**

A motion was made by Supervisor Beyl and seconded by Supervisor Backmann **“to approve paying the bills for period ending January 3, 2006”.** Voice vote taken. Motion carried unanimously with no abstentions.

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

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

Total Present: 26

**No. 14 -- ADJOURNMENT TO WEDNESDAY, FEBRUARY 15, 2006, AT 7:00 P.M., LEGISLATIVE ROOM 203, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.**

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

          /s/ DARLENE K. MARCELLE            
Brown County Clerk