

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
FEBRUARY 16, 2005

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, February 16, 2005, 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, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Supervisor Vander Leest arrived shortly after Roll Call.

Total Present: 26

No. 1 -- Adoption of agenda.

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

No. 2a -- Approval of minutes of County Board Meeting of January 19, 2005.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Fleck **“to adopt the minutes of the January 19, 2005 meeting”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors.

Supervisor Fleck announced his Green Bay/North East Lions Club will be holding its Pancake and Porkie Breakfast on Sunday, February 27, 2005 at the Spot Supper Club. The Public is invited.

Supervisor Hinz announced his Howard/Suamico Optimist Club is having its Pancake and Porkie Breakfast on Sunday, February 27, 2005, at River’s Bend Supper Club. Serving will be from 9 a.m.-1 p.m. The Public is invited.

No. 4 -- Communications. None.

No. 5 -- Appointments by County Executive. None.

No. 6a -- Report by County Executive. None.

No. 6b -- Report by Board Chairman.

Chairman Moynihan announced there is "Ritter" Forum on Public Affairs on Wednesday, March 2, 2005 at the St. Norbert's Bemis Center, from 8:30 a.m. until 4 p.m. The day's discussion will center on State Tax Policy and will include discussion on TABOR.

No. 7 -- Other Reports.

No. 7a -- TREASURER'S FINANCIAL REPORT FOR THE MONTHS OF OCTOBER AND NOVEMBER 2004

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

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF OCTOBER

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of OCTOBER 31, 2004

Associated Bank	\$ 1,890,670.03
Wisconsin Development Fund	2,363.64
Sweep Account (Repurchase Agreements)	0.00
Deposits In Transit	20,141.42
Emergency Fund	(17,378.73)
Non-sufficient Fund Checks Redeposited	0.00
PBA Sweep Account	(10,984.22)
Wausau Benefit Sweep Account	(427,838.10)
E-Flex Sweep Account	57.00
Deposit Adjustment	0.00
Bank Error(s)	0.00
Total	1,457,031.04
Less Outstanding Checks	(2,320,666.30)
Other Reconcilable Items	0.00
Balance Per Cash Book	\$ (863,635.26)

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of OCTOBER 31, 2005.

Year-To-Date Interest Received – Prior Month	\$ 1,575,268.33
Interest Received – Current Month	226,147.92
Year-To-Date Interest Received on unrestricted funds	\$ 1,801,416.25

Working Capital Reserves Invested	\$106,521,286.43
Restricted Investments	<u>16,871,154.91</u>
Total funds invested	\$123,392,441.34

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of OCTOBER 31, 2004 and the statement of investments for the month of OCTOBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

Approved by: \s\ Carol Kelso, County Executive Date: 3-3-2005

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF NOVEMBER

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of NOVEMBER 30, 2005.

Associated Bank	\$ 2,168,797.96
Wisconsin Development Fund	2,158.61
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	60,182.80
Emergency Fund	(21,679.36)
Non-sufficient Fund Checks Redeposited	60.00
PBA Sweep Account	(10,984.22)
Wausau Benefit Sweep Account	(357,327.74)
E-Flex Sweep Account	0.00
Deposit Adjustment	0.00
Bank Error(s)	0.00
Total	<u>1,841,208.05</u>
Less Outstanding Checks	(891,267.23)
Other Reconcilable Items	<u>0.00</u>
Balance Per Cash Book	\$ 949,940.82

Following is a statement of the County Treasurer of the working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of NOVEMBER 30, 2004

Year-To-Date Interest Receive – Prior Month	1,801,416.25
Interest Received – Current Month	<u>264,668.34</u>
Year-To-Date Interest Received on unrestricted funds	\$ 2,066,084.59
Working Capital Reserves Invested	94,620,929.50
Restricted Investments	<u>16,104,164.08</u>
Total Funds Invested	\$110,725,093.58

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of NOVEMBER 30, 2004 and the statement of investments for the month of NOVEMBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

Approved by: \s\ Carol Kelso, County Executive

Date: 3-3-2005

No. 8 -- Standing Committee Reports.

No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF FEBRUARY 2, 2005

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on February 2, 2005, and recommends the following motions:

1. Review minutes of:
 - a. Housing Authority (12/20/04 & 1/17/05).
Receive and place on file.
2. Communication from Supervisor Collins re: Job Review of Corporation Counsel in relation to County Board. (Held from previous meeting.) No action.
3. Communication from Supervisor Collins re: Abuse of Power by County Executive of Brown County Board of Supervisor's free speech rights. (Referred from January County Board.) Table this item.
4. Accept recommendations for appointments from Chair of Administration Committee to Resurrect Facilities Master Plan Sub Committee. (Chair Lund nominated: Supervisors Patrick Evans, Mike Fleck, Harold Kaye, Jack Krueger, Tom Hinz, Tom Lund & Chris Zabel). Receive the nominations.
5. Treasurer – Financial report for the months of October and November 2004. Approve.
6. Department of Administration – Communication from Supervisor Lund: Review of line item for contract services in the County Executive's 2005 proposed budget. (Referred from January County Board.) Draft a resolution concerning contract services and future budgets.
7. Department of Administration – 2004 & 1005 Budget Transfer Logs. Approve.
8. Department of Administration – Introduction of new Interim Director of Administration. No action.
9. Department of Administration – Request for Budget Transfer (#04-62): Increase in Expenditures with Offsetting Increase in Revenue: Request to transfer funds for payment of arena analysis by C.H. Johnson Consulting (\$43,844). Approve.

10. Human Resources – Communication from Supervisor Fewell re: Human Resources Posting of Positions. Post internally for all job openings.
11. Human Resources – Communication from Supervisor Fewell re: Report from Human Resources Director regarding policies on obtaining confidential information. (Referred from January County Board.) Refer to Human Services Committee and that Human Resources is apprised of anything that happens and any input from Human Resources that can be made to help the Committee.
12. Human Resources – Communication from Supervisor Fewell re: Human Resources inquiry into EEOC regulations and the Brown County code regarding the posting of job openings. (Referred from January County Board.) Receive and place on file.
13. Human Resources – Monthly Committee Report (January 2005). Receive and place on file.
14. Human Resources – Update from Human Resources regarding employees requesting appeals of Class & Comp study. Receive and place on file.

A motion was made by Supervisor Collins and seconded by Supervisor Lund “to adopt”. Voice vote taken. Supervisors Krueger, Scray, Zima and Vander Leest abstained from item #1. (Review minutes of the Housing Authority (12/20/04 & 1/17/05). Remainder of report carried unanimously with no abstentions.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 3-3-2005

No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF FEBRUARY 10, 2005

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on February 10, 2005 and recommends the following motions:

1. Review minutes of:
 - a) Library Board (12/21/04).
Receive and place on file item a.
 - b) Museum Sub Committee (1/17/05).
Receive and place on file item b.
 - c) Neville Public Museum Governing Board (1/18/05).
Receive and place on file item c.
2. Arena/Expo Centre/Resch Centre – Arena Event Attendance for December 2004.
Receive and place on file.
3. Arena/Expo Centre/Resch Centre – Information re: Economic Impact Report. (Held from previous meeting.) Receive and place on file.
4. Arena/Expo Centre/Resch Centre – Request for Brown County to participate in: “Be a tourist in your own hometown” by Kari Sliva. To participate in “Be a Tourist in Your Own Hometown.”

5. Parks – Request for Budget Transfer (#05-03): Increase in Revenue with offsetting increase in Expenditures: Brown County is receiving a state grant for bridge rehabilitation on three bridges on state-funded snowmobile trail of \$4,175. Approve.
6. Parks – Request for Budget Transfer (#05-04): Increase in Revenue with offsetting increase in Expenditures: Increase in Rails to Trails Park State Aid with offsetting increase in Rails to Trails Outlay. Two state grants \$70,000 to develop 1.3 miles of abandoned railroad corridor know as Denrock State Trail. Project includes site preparation, trail construction and other miscellaneous costs. Approve.
7. Parks – Request for Budget Transfer (#05-06): Increase in Revenue with offsetting increase in Expenditures: Increase Boat Launch fund balance applied with offsetting increase in Boat Launch Outlay. Transfer required for final payment of Lily Lake parking lot construction project. Final payment of \$5,539 is based on the material quantity used less the material quantity budget in compliance with construction contract. Approve.
8. Parks – Request from Green Bay Duck Hunters for a fee waiver for the Dance Hall at Pamperin Park for their annual banquet on April 2, 2005. Waive the fees.
9. Parks – Request to implement fee at Brown County Fairgrounds for vendor electrical cords. Approve.
10. Parks – Approve 2005 private accesses for Reforestation Camp and Neshota Park. Approve.
11. Parks Director’s report. Receive and place on file.
12. NEW Zoo – Monthly Activity Reports for December 2004 and January 2005. Receive and place on file.
13. Library – Communication from Supervisor Kathy Johnson re:
 - a) Total spending at Southwest Library for improvements. (Held from previous meeting.) Receive and place on file.
14. Library – Communication from Supervisor Joe Backmann re: Looking into the purpose of having separate facilities department under Library budget instead of consolidation under the Brown County Facilities Department. (Held from October 2004 meeting.) Hold for further update.
15. Library – Review and approval of contracts with Ver Halen Inc. in the amount of \$26,633.75 for carpet replacement at Kress Branch and with Mayflower Transit in the amount of \$5,070 for moving costs associated with Kress Branch carpet replacement (see attached). To approve, noting this is not using Brown County dollars; insurance will be covering the entire cost.
16. Library – Director’s report. Receive and place on file.
17. Museum – Communication from Supervisor Vander Leest re: Requesting an Artist program be developed at Neville Public Museum to allow aspiring artists to rent space from the Museum. (Held from September 2004 meeting.) Hold until May meeting.
18. Museum – Attendance and Admissions for December 2004. Receive and place on file.
19. Museum – Director’s Report. Receive and place on file.
20. Golf Course – Report, December 1, 2004. Receive and place on file.
21. Golf Course – Daily Financial Report (January 10, 2005). Receive and place on file.
22. Golf Course – Request from ShopKo to waive out-of-county fees for 2005 ShopKo Charity Golf Classic August 1, 2005. Waive the out-of-county fees for the 2005 ShopKo Charity Golf Classic.

23. Golf Course – Request from Volunteer Center of Brown County to waive the out-of-county fees for the Volunteer Center Golf Classic at the Brown County Golf Course on July 27, 2005. Waive the out-of-county fees for the Volunteer Center Golf Classic.
24. Golf Course – Superintendent’s Report. Receive and place on file.
25. Audit of bills. Approve the bills.

ATTACHMENT TO ITEM #15

PROJECT: CARPET KRESS LIBRARY
 PROJECT: #1122
 DATE: 12-18-04 10:00 a.m.

<u>CONTRACTOR</u>	<u>ATLAS KAGO #KGOL</u>	<u>SQUARE YARDS</u>	<u>ATLAS SASHI #SH01</u>	<u>TOTAL</u>
Ver Halen	\$22,265.00	\$712.50	\$ 3,659.25	\$26,633.75
JW Flooring	\$22,750.00	\$785.00	\$ 4,510.00	\$28,045.00
Gegare	\$28,212.00	\$766.00	\$ 7,825.00	\$36,803.00
HJ Martin	\$33,688.00	\$930.00	\$33,688.00	\$68,306.00

KRESS LIBRARY RECARPET PROJECT

<u>Movers</u>	
Graebel	\$11,974.00
Mayflower	\$ 5,070.00

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

Approved by: \s\ Carol Kelso, County Executive Date: 3-3-2005

No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF FEBRUARY 7, 2005

TO THE MEMBERS OF THE BROWN COUNTY
 BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on February 7, 2005 and recommends the following motions:

1. Review minutes of:
 - a) Legislative Subcommittee (1/17/05).
Receive and place on file.
2. County Executive. (No report.)
3. Legislative Subcommittee report.
 - a) Oneida County Resolution re: Land & Water Conservation. (Referred from November 15, 2004, Legislative Subcommittee; to November 24, 2004 Planning, Development and Transportation Committee; to December 22, 2004 Land

Conservation Subcommittee; to January 17, 2005 Legislative Subcommittee.)
Committee approved. See Resolutions, Ordinances February County Board.

4. Communication from County Board Chair Moynihan re: Request Resolution of Censure of Supervisor Patrick J. Collins. (Referred from January County Board.) Committee approved communication and requested a resolution to censure Supervisor Patrick J. Collins. See Resolutions, Ordinances February County Board.
5. Communication from Supervisor Fewell re: Sexual derogatory, degrading and offensive language. (Referred from January County Board.) Receive and place on file. Ayes: 5 (Dantinne, Evans, Haefs, Lund, Kaye; Nays: 1 (Moynihan). Motion Carried.
6. Communication from Supervisor Nicholson re: Review Chapter 2.13 of County Code to change from 3 business days to 2 business days the amount of time recording secretaries have to submit minutes. (Referred from January County Board.) Hold for next meeting.
7. Communication from Supervisor Fewell re: Diversity Affairs Committee. Refer this to committee chair to be brought back to next month's agenda.
8. Ordinance re: To Amend Section 2.13 of the Brown County Code entitled "Meetings, Agendas".
 - a) Amend Ordinance to add at the end of (g) "when applicable".
 - b) Approve as amended.See Resolutions, Ordinances February County Board.
9. Resolution re: Authority to Execute a 2004-2005 Labor Agreement with the Brown County Public Health Nurses – Local 1901B, AFSCME, AFL-CIO. Committee approved. See Resolutions, Ordinances February County Board.
10. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85(1)(g) of the Wisconsin State Statutes. (No Closed Session held.)

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

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 3-3-2005

No. 8d -- REPORT OF HUMAN SERVICES COMMITTEE OF JANUARY 19, 2005

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on January 19, 2005, and recommends the following motions:

1. Review minutes of:
 - a) Children with Disabilities Education Board (12/15/04).

- b) Aging Resource Center Personnel & Policy Committee (12/13/04).
 - c) Aging Resource Center (12/3/04).
- Receive and place on file.
2. Communication from Supervisor Zima requesting that language be restored to the County Code requiring the Human Services Committee review, recommend and approve purchase of service contracts. (Referred from December County Board.)
 - a) Have Corporation Counsel draft appropriate language to give oversight responsibility to Human Services Committee of the county to review and made recommendations for the budget and also final approval of contracts.
 - b) Amend the motion to state to refer to Corporation Counsel's office for the purpose of communicating to the Executive Branch, the Legislative Branch and the community that the Human Services Committee has a right to review and recommend to the County Board the monies for individual purchase of service contracts and that we also refer this item to the Administration Committee to make sure that the Administrative Offices provide that information in our budget books next year. Unanimous.
 3. Communication from Supervisor Fewell requesting Human Services staff update Human Services Committee on the status the CCS application and certification process. (Referred from December County Board.) Receive and place on file.
 4. Communication from Supervisor Fewell requesting answers to numerous questions regarding additional funds available to Brown County from the WI Department of Workforce Development. (Referred from December County Board.) Receive and place on file.
 5. Communication from Supervisor Fewell requesting Human Services along with United Way and Family Services staff provides information to Human Services Committee on the possibilities of developing a 211 system that would give County residents a one-stop referral source for human services needs. (Referred from December County Board.) Refer to February meeting.
 6. Communication from Supervisor Fewell requesting the 2004 total pharmacy cost for both the Mental Health Center and Community Treatment Program. (Referred from December County Board.) Receive and place on file.
 7. Communication from Supervisor Collins re: Authority of County Board to review and approve all contracts entered into by Human Services Director. (Referred from Executive Committee.) Receive and place on file.
 8. Memorandum from Wisconsin Counties Association requesting assistance in helping counties serve clients by supporting the Department of Workforce Development's request to release the \$15.7 million to the Department to supplement W-2 agency contracts. Receive and place on file.
 9. Human Services Dept. – Contract update. Receive and place on file.
 10. Audit of bills. Pay the bills.

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

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

Date: 3-3-2005

No. 8e -- REPORT OF "SPECIAL" HUMAN SERVICES COMMITTEE MEETING OF JANUARY 27, 2005

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in special session on January 27, 2005, and recommends the following motions:

1. Communication from Supervisor Krueger re: Requesting a full report on the proposed video cameras that are being considered by the Human Services Department and where they would be located. (Referred from December County Board.)
 - a) Receive and place on file. Motion withdrawn.
 - b) Table this until after closed session. Ayes: 2 (Fewell, Hinz); Nays: 5 (Zima, Evans, Zabel, Van Deurzen, Frohna). Motion failed.
 - c) Recommend to County Board to have a comprehensive review of security at Mental Health Center, with a recommendation of how to improve it. Unanimous.
2. **Closed Session: Section 19.85 Exemptions.** (1) Any meeting of a governmental body, upon motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in this section. A closed session may be held for any of the following purposes: (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (f) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where paragraph (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.
 - a) Enter into Closed Session.
 - b) Return to regular order of business.
 - c) No action taken.

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

Approved by: /s/ Carol Kelso, County Executive

Date: 3-3-2005

No. 8f-- **REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF JANUARY 26, 2005**

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUB COMMITTEE met in regular session on January 26, 2005, and recommends the following motions:

Land Conservation Subcommittee

1. Nutrient Management Meeting – January 13, 2005 report. New State Nutrient Management Requirements for landowners. Receive and place on file.
2. Suamico – Little Suamico watershed pike habitat protection grant - \$200,000 from Georgia Pacific. Receive and place on file.
3. January 21, 2005 Land Conservation Committee meeting with Legislators follow up. Receive and forward to State Legislature.
4. Request for Budget Transfer (#05-01): Increase in expenditures with Offsetting Increase in Revenue: \$25,000 Conservation Reserve Enhancement Program (CREP) Buffer program incentive. Approve.
5. Directors Report. (No report.)

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Harbor Commission (12/13/04). Receive and place on file.
 - b) Solid Waste Board (12/13/04). Receive and place on file.
2. Communication from Supervisor Krueger re: Request that consideration be given to the resolution endorsing actions to promote increased renewable energy generation in the State of Wisconsin. (Referred from January County Board. This Communication also referred to Legislative Sub Committee.)
 - a) Committee supported resolution endorsing increased renewable energy generation and send to County Board.
 - b) Committee amended motion to support resolution endorsing increased renewable energy generation and send it to County Board, deleting the 1st Whereas, and delete “from coal-fired power plants” from the 2nd Whereas.
See Resolutions, Ordinances February County Board.
3. Port and Solid Waste – Request for approval of Oconto County Recycling Memorandum of Understanding. Approve.
4. ** Port and Solid Waste – Request for approval of Renard Island Closure Plan (attached separately for Committee). Forward the Foth & Van Dyke to the County Board with three amendments:
 - a) That there be a maximum height of 10 feet or a 5% slope on the island;

- b) That a method of dust control be developed;
 - c) That a request be made to the DNR to hold a public hearing with an open question/answer format.
- ** ITEM #4 WAS REFERRED BACK TO COMMITTEE AS PER THE COUNTY BOARD ON 2/16/05.
5. Port and Solid Waste – Resolution re: Approving Three-Year Statement of Intentions for Wisconsin Department of Transportation’s Harbor Assistance Program. Committee approved. See Resolutions, Ordinances County Board.
 6. Port and Solid Waste – Director’s report. No action.
 7. Port and Solid Waste – Communication from Supervisor Scray re: Considering the proposed hookup of the sewer system to East Landfill runoff. (Referred from January County Board.) Receive and place on file.
 8. Highway – Commissioner’s report. No action.
 9. Communication from Supervisor Van Den Heuvel re: To delay construction of a planned round about for County “JJ” in Bellevue until a formal plan for Cottage Road is formalized and adopted by the County, City of Green Bay and Village of Bellevue. (Referred from January County Board.) Receive and place on file.
 10. Communication from Supervisor Frohna re: Request a study be conducted on the potential need for a traffic signal at the intersection of Hoffman Road and East River Drive (Village of Allouez). (Referred from January County Board.) Hold pending Supervisor Frohna’s communication from Allouez.
 11. Zoning – Review of double fee for shore land permit. Waive the double fee for this shore land permit.
 12. UW-Extension – Distribution of UW-Extension 2004 Annual Report. No action.
 13. UW-Extension – Approve request to receive \$1,666 diabetes health funds grant from Stat of Wisconsin Department of Health & Family Services. The purpose of grant is to provide education on overweight and obesity as it relates to an increase in diabetes. Approve.
 14. UW-Extension – Approve request to receive \$1,044 from a UW-Extension Eastern District Resource Management Team Grant to implement the financial literacy program for families titled “Money on the Bookshelf”. Approve.
 15. UW-Extension – 2004 Request for Budget Transfer: Increase UW-Extension Revenue and UW-Extension Nutrient Pest Management Account each by \$19,124. These are funds from program sources not previously budgeted in 2004. Approve.
 16. UW-Extension – Update on Farm Technology Days Application process. No action.
 17. UW-Extension – Agricultural Agent report. No action.
 18. Audit of bills. Approve audit of bills.

A motion was made by Supervisor Krueger and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Supervisor Beyl requested item #4 be taken separately. Remainder of report carried unanimously with no abstentions.

** Item #4 -- Port Solid Waste – Requested for approval of Renard Island Closure Plan (attached separately for Committee.) COMMITTEE ACTION: Forward the Foth and Van Dyke to the County Board with three amendments: (a) That there be a maximum height of 10 feet or a 5% slope on the island; (b) That a method of dust

control be developed; (c) That a request be made to the DNR to hold a public hearing with an open question/answer format.

** REFERRED BACK TO COMMITTEE AS PER THE COUNTY BOARD ON 2/16/05.

Supervisor Beyl explained why he took this item separately and asked question on Item #4. Discussion followed.

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

Speaking against the proposal were:

1. Robert Schmitz, 1736 Carroll Avenue, Green Bay, WI.
2. Jerry Wiezbiskie, 3093 Nicolet Drive, Green Bay, WI.
3. William Acher, 3217 Nicolet Drive, Green Bay, WI.
4. Rebecca Katers, 2484 Manitowoc Road, Green Bay, WI, Clean Water Action Council.
5. Jim Russ, 302 East Allouez Avenue, Green Bay, WI.
6. Curt Andersen, 2942 Jack Pine Lane, Suamico, WI.
7. Kathy Le Fevre, 1731 East Shore Circle, Green Bay, WI.
8. Christine Fosteratis, 2554 Bittersweet, Green Bay, WI.

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

Responding to questions from County Board Supervisors, Foth and Van Dyke Representative, Steve Donahue, 2344 Hoff Lane, De Pere; Foth and Van Dyke Representative, John Starkey, N7883 Ashburn Court, Sherwood, WI; and Foth and Van Dyke Representative, Steven Laszewski explained the process on how their firm arrived with their proposal for Renard Isle. They asked the County Board to allow process to continue.

Discussion followed.

A motion was made by Supervisor Frohna and seconded by Supervisor Lund **“to suspend the rules to allow interested parties to address the board.”**

Members of the Public speaking in opposition to the proposal were:

1. Sandy Stokes, 2213 Lakeside Place, Green Bay, WI.
2. Rebecca Katers, 2484 Manitowoc Road, Green Bay, WI.
3. William Acker, Nicolet Neighborhood Association, 3217 Nicolet Drive, Green Bay, WI.
6. Taku Ronsman, 1688 Beaver Dam Drive, Green Bay, WI.

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

A motion was made by Supervisor Johnson and seconded by Supervisor Frohna **“to refer the approval of Renard Island Closure Plan to Planning, Development and Transportation Committee. Planning, Development and Transportation Committee will hold a public hearing and invite the DNR, Foth & Van Dyke.”**

A friendly amendment was made by Supervisor Lund by adding **“and Corp of Army Engineers to the public hearing to provide for the information and answer questions.”**

Discussion followed.

Voice vote taken on Supervisor Johnson’s amendment with Supervisor Lund’s friendly amendment. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Haefs and seconded by Supervisor Fewell “to vote on this issue separately.” Motion ruled out of order.

A motion was made by Supervisor Krueger and seconded by Supervisor Vander Leest “to adopt the referral as amended”. Roll Call #8f(1):

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

Nays: Graves, Van Deurzen, Fleck, Zabel

Total Ayes: 22 Total Nays: 4

Motion carried to refer.

Approved by: \s\ Carol Kelso, County Executive Date: 3-3-2005

A motion was made by Supervisor Haefs and seconded by Supervisor Fewell “to take Item #9e after Item #8f.” Voice vote taken. Motion carried unanimously with no abstentions.

No. 9e -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2004-2005 LABOR AGREEMENT WITH THE BROWN COUNTY PUBLIC HEALTH NURSES – LOCAL 1901B, AFSCME, AFL-CIO

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

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to execute a two (2) year labor agreement on behalf of Brown County with the Brown County Public Health Nurses for the years 2004-2005 effective January 1, 2004, which agreement shall provide the following major changes from the 2002-2003 labor agreement.

- 1. Article 9. WAGE SCHEDULE AND PAY POLICY
Amend Appendix A Wage Schedule to reflect wage changes:

1.9% general increase effective January 1, 2004
2.8% general increase effective January 1, 2005

- 2. Article 17. LONG TERM DISABILITY
Long-term disability – Brown County’s Long Term Disability (LTD) Plan provides for eligible employees, employees who work 10 hours or more per week, to receive two-thirds pay after 180 days of disability to age 65 with offsets for Social Security disability benefits, Wisconsin Retirement System disability benefits, and workers compensation benefits. Effective January 1, 2005, Brown County’s Long Term Disability (LTD) Plan provides for eligible employees, employees who work 17.5 hours or more per week, to

receive two-thirds pay after 180 days of disability to age 65 with offset for Social Security disability benefits, Wisconsin Retirement System disability benefits, and workers compensation benefits.

3. Article 23. CLOTHING ALLOWANCE

Revise as follows: Public Health Nurses shall be granted an annual clothing allowance of ~~one hundred ten (\$110.00) dollars per year.~~ one hundred forty (\$140.00) dollars per year and one hundred seventy (\$170.00) effective January 1, 2005. Unused balance of this account is to be carried into the following year.

4. Article 24. INSURANCE – HEALTH, DENTAL AND LIFE

The Employer agrees to continue to make available to the employees, a group health and dental insurance program. Such plan shall retain the terms and conditions in effect as of the date of the signing of this Agreement and benefits shall be improved as negotiated by the County and the Union.

New employees will be eligible for group health and dental insurance coverage the first of the month following thirty (30) days of employment.

24.1 Health and Dental Insurance

Full-time employees shall pay five percent (5%) of the family premium per month for the Basic Health Plan and dental plan. The Employer should pay ninety-five percent (95%) of the family premium and one-hundred percent (100%) of the single premium per month for the Basic Health Plan and dental plan.

Effective July 1, 2003, the employee shall pay five percent (5%) of the premium per month on all health and dental plans.

Effective January 1, 2005, full-time employees shall pay seven and one-half percent (7.5%) of the premium per month on all health and dental plans.

The Basic Plan option shall be discontinued effective December 31, 2004.

If an employee is laid off, the county shall pay its share of the insurance premium for any premiums due for the month following the month for which the layoff occurred. The employee shall be required to pay their share of the premium.

Insurance Deductibles. For the Preferred Provider Organization health plan, the deductible for the Single and Family health insurance coverage shall be \$50 per individual and \$150 per family for in-network coverage, and \$200 per individual and \$600 per family for out-of-network coverage. Effective January 1, 2005, the Health Savings Plan shall be amended to provide that the deductible for the Single and Family health insurance coverage shall be \$200 per individual and \$600 per family. The basic health insurance plan currently offered by the County shall be amended to provide that the major medical deductible for the single and family basic health insurance plan shall be \$100.00 per individual. The maximum deductible per family shall be \$300.00 effective January 1, 2001.

A regular part-time employee whose position is scheduled 17.5 hours per week or more shall be eligible for said health and dental care on a prorated basis. Job share eligibility, which is different than a regular part-time position, is covered by Article 6. Probationary and Employment Status. Temporary and on-call hours shall not be considered in the proration of fringe benefits. Employees may also participate in the Co-Pay Health Savings Plan (HSP) and the County will pay up to the premium amount paid by the County for the Basic Health Plan with the employee paying the balance of the premium.

Disabled employees eligible for benefits under the Wisconsin Retirement System are also eligible for the health and dental plan continuation rights.

Employees employed on or before November 25, 2003 who do not work during the summer months will be allowed to retain the health insurance at their own expense or waive the coverage through August and return to the plan in September without underwriting. Employees returning to the plan must complete a new enrollment application to reinstate previous coverage, and provide the Certificate of Creditable Coverage if available. Employees unable to show creditable coverage from another employer will not be prohibited from resuming coverage under this provision without limitation on pre-existing conditions. All other plan provisions apply. This provision will also apply to Public Health Nurse II's employed on or before November 25, 2003 who subsequently are scheduled not to work the summer months. All future employees will have benefits prorated (i.e., 9 month position 75%).

5. Article 29. WISCONSIN RETIREMENT FUND

Effective the first pay period which includes the first of the year for 2004, the employer shall contribute up to the annual maximum sum of ~~\$3,000~~ three thousand one hundred forty-nine dollars (\$3,149) per employee to the Wisconsin Retirement Fund. Effective the first pay period which includes the first of the year for 2005, the employer shall contribute up to the annual maximum sum of ~~(\$3,090)~~ three thousand two hundred thirty-seven dollars (\$3,237) per employee to the Wisconsin Retirement Fund. Said contribution shall be in addition to the statutory requirement of Brown County covering the Wisconsin Retirement Fund.

6. Article 31. DURATION

This agreement shall be effective on January 1, 2004, and shall remain in full force and effect to, and including, December 31, 2005, and shall be automatically renewed from year to year unless negotiations are instituted by giving written notice on or before July 15, 2005, or any anniversary thereof.

7. MEMORANDUMS OF UNDERSTANDING

Insurance Side Letter – Revise
Cellular Phones – Re-sign
Job Share – Re-sign

INSURANCE SIDE LETTER

The following agreement has been reached between AFSCME, AFL-CIO Local 1901 –B representing Brown County Public Health Nurses and Brown County.

Employee Contributions

The County shall pay ninety-two and one half percent (92.5%) (i.e. the employee shall pay 7.5%) of the premium for single and family health insurance plans and for single and family dental insurance plans. This change is effective with January 1, 2005 coverage.

Preferred Choice Preferred Provider Organization (PPO) Plan

The following PPO plan changes are effective January 1, 2005:

The In-Network Office Visit employee co-pay changes to \$15.

The Preferred Choice PPO plan separate Per Person annual Out-of-Pocket Maximum for Prescription Drugs is set at \$1,000.

Health Savings Plan

The following HSP plan changes are effective January 1, 2005:

The HSP plan annual deductibles change to \$200 per individual and \$600 for family aggregate.

The HSP plan annual Out-of-Pocket maximum for Family Aggregate, including the deductible, changes to \$1,800.

The HSP plan separate Per Person annual Out-of-Pocket Maximum for Prescription Drugs changes to \$1,000.

The HSP plan Lifetime Maximum changes to \$2,000,000 per individual.

Basic Health Plan

The Basic Health Plan option is discontinued effective December 31, 2004.

Preferred Provider Organization (PPO)

The County shall make available to employees a PPO as an additional and alternative health plan with the following understandings.

Coverage shall be as outlined in the final document.

There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the annual election period before the change is implemented. If the

County continues to offer this plan after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.

Maximum allowable fee as used in the PPO and Usual and Customary fee as used in the HSP plan are intended to be synonymous.

Prescription Drug-Mandatory Generic Program

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

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

Emergency Room Use

A \$25 penalty applies for non-emergency use of the emergency room.

Out-patient Therapies

The requirement for pre-certification for the first ten out-patient therapies has been eliminated for all plans.

Nervous and Mental Coverage

The HSP plan's Nervous and Mental coverage has been upgraded to that of the PPO Plan.

For the County:

For the Union:

County Clerk

Date

Union Representative

Date

* * * * *

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

Respectfully submitted,
EXECUTIVE COMMITTEE

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

Approved by: s\ Carol Kelso, County Executive

Date: 3-3-2005

No. 8g -- **REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF FEBRUARY 9, 2005**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on February 9, 2005, and recommends the following motions:

1. Review minutes of:
 - a) EMS Council Mutual Aid Agreement Sub-Committee (12/16/04).
 - b) Circuit Courts Security Committee (12/30/04).Receive and place on file items a-b.
2. VIP – Monthly Statistics November and December 2004. Approve.
3. VIP – Quarterly Statistics (October, November and December 2004). Receive and place on file.
4. VIP Annual Report 2004. Approve.
5. VIP Expenditures. Receive and place on file.
6. VIP – Teen Court Expenditures. Receive and place on file.
7. Public Safety Communications – Request for Budget Transfer (#05-07): Increase in Expenditures with Offsetting Increase in Revenue: Public Safety Communications awarded an Interoperability planning Grant for \$75,000 to conduct an engineering study of our various radio systems. Approve.
8. Public Safety Communications – Director’s report.
 - a) Recommend to the County Board that staff complete a preliminary estimate to reconstruct the 2nd floor of the jail for a 911 Communications Center. Ayes: 4 (Clancy, Zima, Kaye, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.
 - b) Approve Director’s report.
9. Request for dates of implementation on wireless enhanced 911 location. Authorize Director to make application and refer to County Executive to determine a funding source.
10. Medical Examiner – Review Attorney General’s opinion with recommendations. (Held from previous meeting.) Recommend the County Board seek a Declaratory Judgment in regard to the differing of the Attorney General’s opinion and that of Corporation Counsel. (Ayes: 3 (Clancy, Zima, Kaye); Nays: 2 (Nicholson, Van Den Heuvel). Motion Carried.
11. Medical Examiner – Communication from Supervisor Erickson regarding: having County Board consider if they would rather have a Medical Examiner with a forensic pathology degree or return to the elected coroner. (Referred back to Committee from January County Board.) Recommend the Medical Examiner have a degree in Forensic Pathology. Ayes: 3 (Clancy, Zima, Kaye); Nays: 2 (Nicholson, Van Den Heuvel). Motion Carried.
12. Sheriff – Resolution regarding: Sheriff’s Department Reclassification of three (3) Clerk-Typist II/Records Division/Positions and Title Change for Account Clerk I. (Referred to March 7, 2005 Executive Committee.) Committee Approved. See Resolutions, Ordinances February County Board.

13. Sheriff – Request for Budget Transfer (#05-05): Increase in Expenditures with Offsetting Increase in Revenue: Accept Homeland Security Grant to purchase bomb detection equipment. (Grants - \$49,971; Outlay - \$31,320; Equipment - \$4,574; Supplies and Expense - \$14,077). Approve.
14. Sheriff – Key Factor Report 2004 with Jail Average Daily Population by month and overtime by expenditures by division/session 2004 – for February 2005 meeting. (Held from previous meeting for year end figures.) Receive and place on file.
15. Sheriff – Update regarding: RFP for jail medical services. Hold for one month.
16. Sheriff’s Report.
 - a) Hold the phone charge issue for one month.
 - b) Receive and place on file.
17. **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.
 - a) Enter into closed session.
 - b) Return to regular order of business.
 - c) No action.
18. Audit of Bills. Approve audit of bills.

A motion was made by Supervisor Kaye and seconded by Supervisor Zabel “**to adopt**”. Supervisor Beyl requested item #9 be taken separately; Supervisor Nicholson requested items #10 and #11 be taken separately. Voice vote taken. Remainder of report carried unanimously with no abstentions.

Item #9 -- Request for dates of implementation on wireless enhanced 911 location. COMMITTEE ACTION: Authorize Director to make application and refer to County Executive to determine a funding source.

Supervisor Beyl questioned if Brown County has gone out and solicited other communities to see if they wanted to be a part of this.

Public Safety Committee Chairman, Supervisor Kaye responded that the County is on its own thru Fox Comm, adding Brown County must file separately on its own. He noted that Brown County is the most costly right now because we need new equipment.

County Executive, Carol Kelso stated Brown County must file separately. County Executive Kelso added that she went to Madison and asked the Public Service Commission for dollars to fund Fox Comm but was turned down.

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Den Heuvel “**to adopt item #9**”. Voice vote taken. Motion carried unanimously with no abstentions.

Item #10 -- Medical Examiner – Review Attorney General’s opinion with recommendations. (Held from previous meeting.) COMMITTEE ACTION: Recommend the County Board seek a Declaratory Judgment in regard to the differing of the Attorney General’s opinion and that of Corporation Counsel. (Ayes: 3 (Clancy, Zima, Kaye); Nays: 2 (Nicholson, Van Den Heuvel). Motion carried.

Supervisor Nicholson explained why he took #10 separately. He said he had conflicting information on the time it would take in seeking a Declaratory Judgment. Supervisor Nicholson asked John Jacques to explain the process to the County Board.

John Jacques, Corporation Counsel, explained the procedure on how a case is handled, how delays happen, adding that it could take from 6 months to two years. Mr. Jacques said the legal costs would range from \$150.00 - \$200.00 per hour with total costs depending on the amount of hours required for the case.

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Den Heuvel **“to seek a formal opinion from the State Attorney’s General Office”**.

After discussion on Supervisor Nicholson’s motion, Supervisor Nicholson withdrew his motion. A motion was made by Supervisor Vander Leest and seconded by Supervisor Theisen **“to table item #10.”** Voice vote taken. Supervisors Clancy, Kaye, Zima and Haefs voted nay. Motion carried to table item #10.

Item #11 -- Medical Examiner – communication from Supervisor Erickson re: have County Board consider if they would rather have a Medical Examiner with a forensic pathology degree or return to the elected coroner. (Referred back to Committee from January County Board.) COMMITTEE ACTION: Recommend the Medical Examiner have a degree in Forensic Pathology. Ayes: 3 (Clancy, Zima, Kaye); Nays: 2 (Nicholson, Van Den Heuvel). Motion Carried.

Supervisor Nicholson explained he referred this back to committee so he could get additional information. When it appeared again at committee, he still did not receive the information he requested. Supervisor Nicholson made **“a motion to table”**, seconded by Supervisor Theisen. Chairman Moynihan ruled Supervisor Nicholson’s motion out of order.

Discussion followed.

A motion was made by Supervisor Zima and seconded by Supervisor Fewell **“to refer item #11 back to committee.”**

Discussion followed.

A motion was made by Supervisor Scray 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. Addressing the Board on this issue were:

1. Andy Pfothenauer, 571 Cornelius, Green Bay, WI.
2. Dave Johnson, 724 Park St., Green Bay, WI.

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

Back to discussion on motion to refer.

Vote taken **“on referral.”** Roll Call #8g(1):

Ayes: Haefs, Erickson, Kaye, Zima, Evans, Fleck, Clancy, Moynihan, Zabel, Scray, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Vander Leest, Johnson, Dantinne, Frohna, Collins, Beyl, Backmann, Van Deurzen, Hinz, Lund

Total Ayes: 11 Total Nays: 15

Motion defeated to refer back to committee.

Discussion followed.

A motion was made by Supervisor Frohna and seconded by Supervisor Collins “to adopt item #11”. Vote taken. Roll Call #8g(2):

Ayes: Haefs, Erickson, Kaye, Zima, Evans, Clancy, Scray

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Vander Leest, Johnson, Dantinne, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Moynihan, Zabel, Hinz, Lund, Fewell

Total Ayes: 7 Total Nays: 19

Motion defeated.

Approved by: /s\ Carol Kelso, County Executive Date: 3-3-2005

No. 9 -- Resolutions, Ordinances

No. 9a -- RESOLUTION REGARDING: SUPPORTING STATE EFFORTS TO ADDRESS THE NON-NATIVE AQUATIC INVASIVE SPECIES PROBLEM

TO THE HONORABLE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Wisconsin’s lakes, rivers, streams and wetlands are in jeopardy due to the spread of non-native aquatic invasive species within the State of Wisconsin; and

WHEREAS, the non-native aquatic invasive species can threaten the diversity and abundance of native species, alter our ecosystems, affect our ability to utilize public waters for recreational activities, and threaten our tourism industry; and

WHEREAS, the DNR Lake Planning Grants, and the DNR Lake Protection and Classification Grants, are currently funded at a 75% state cost-share rate; and

WHEREAS, the DNR Aquatic Invasive Species (AIS) grants only provide a 50% State cost-share rate to local governments, requiring them to fund the remaining 50%; and

WHEREAS, because these are State waters and non-native aquatic invasive species are a problem that needs to be addressed throughout Wisconsin and because counties may be unfairly burdened with the cost of attempting to control these species simply as a result of the natural distribution of our lakes, rivers, streams, and wetlands; the State should shoulder the majority of the responsibility for funding these non-native aquatic invasive species grants; and

WHEREAS, local units of government, including lake associates and not-for-profit conservation groups, are currently eligible for other DNR Lake grants.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the State of Wisconsin support local efforts to prevent the spread of non-native aquatic invasive species by increasing the percentage for the DNR aquatic Invasive Species (AIS) grants from 50% to 75%, which is the State rate already established for the other DNR lake planning, protection, and classification

WHEREAS, Focus on Energy, the state's energy efficiency program saved five dollars in energy costs for every dollar spent; and

THEREFORE, BE IT RESOLVED BY THE BROWN COUNTY BOARD OF SUPERVISORS THAT, We support the State of Wisconsin's investing in a cleaner and more sustainable energy future by generating ten percent of our energy from wind and clean biomass by the year 2015; ensuring full and stable funding for energy conservation and efficiency programs.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Erickson and seconded by Supervisor Krueger **"to adopt"**.
A motion was made by Supervisor Erickson and seconded by Supervisor Dantine **"to remove from the last paragraph the words ten percent and the year 2015, so the last paragraph will read as follows: 'We support the state of Wisconsin investing in a cleaner and more suitable future generating some of our energy from wood and biomass, ensuring full and stable funding for energy conservation and efficiency programs'."**

Discussion followed.

A motion was made by Supervisor Beyl and seconded by Supervisor Vander Leest **"to insert the word 'State' between the words stable and funding;"**

A motion was made by Supervisor Zima and seconded by Supervisor Zabel **"to refer."**

Discussion followed.

A motion was made by Supervisor Krueger and seconded by Supervisor Clancy **"to suspend the rules to allow interested parties to address the board."** Voice vote taken. Motion carried unanimously with no abstentions. Addressing the Board was:

1. Jennifer Giegerich, 210 N. Basset, Madison, WI 53703, Representative of the State Director WI Interest Research Group. Ms. Giegerich spoke on the benefits of windmills as a power provider. Ms. Giegerich answered questions of Board Members.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Graves **"to return to the regular order of business."** Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Zima and seconded by Supervisor Zabel **"to refer"**. Voice vote taken. Motion failed.

A vote was taken **"on Supervisor Erickson's amendment."** Roll Call #9b(1):

Ayes: Van Den Heuvel, Erickson, Kaye, Evans, Vander Leest, Johnson, Dantine, Backmann, Van Deurzen, Moynihan, Zabel, Scray

Nays: Graves, Nicholson, Theisen, Krueger, Haefs, Zima, Frohna, Collins, Beyl, Fleck, Clancy, Hinz, Lund, Fewell

Total Ayes: 12 Total Nays: 14

Motion defeated.

A motion was made by Supervisor Zima and seconded by Supervisor Clancy **"to adopt the resolution as presented."** Vote taken. Roll Call #9b(2):

Ayes: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Evans, Vander Leest, Johnson, Dantine, Frohna,
Zabel, Scray

Total Ayes: 16 Total Nays: 10

Motion carried.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 3-3-2005

No. 9c -- RESOLUTION REGARDING: APPROVING THREE-YEAR STATEMENT OF INTENTIONS FOR WISCONSIN DEPARTMENT OF TRANSPORTATION'S HARBOR ASSISTANCE PROGRAM

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

Ladies and Gentlemen:

WHEREAS, the attached Three-Year Harbor Development Statement of Intentions describes proposed improvements which are in the best interest of the Port of Green Bay; and

WHEREAS, the Wisconsin Department of Transportation, in accordance with state statute, requires a statement of project intentions from local units of government intending to apply for federal and/or state aid related to harbor work of benefit to commercial transportation within the next three years; and

WHEREAS, the Harbor Commission and the Planning, Development and Transportation Committee have carefully reviewed the estimated project costs, funding sources, physical locations and alternatives to the proposed projects; and

WHEREAS, the total local matching funds required for the projects indicated as being funded through the Wisconsin Department of Transportation's Harbor Assistance Program range from twenty (20%) percent to fifty (50%) percent; and

WHEREAS, this Three-Year Harbor Development Statement of Intentions is used by the Wisconsin Department of Transportation for planning purposes only and is not a petition for federal and/or state aid.

NOW THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby approves the attached Harbor Development Statement of Intentions.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

CERTIFICATION

I, Darlene K. Marcelle, Clerk of Brown County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a County board Meeting of the County

Board of Supervisors, on February 16, 2005, adopted by a majority vote, and recorded in the minutes of said meeting.

 /s\ Darlene K. Marcelle
County Clerk

ATTACHMENTS

Prepared by: Dean Haen, Port Manager
Date: January 15, 2005

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
Send to: WDOT
Bureau of Railroads & Harbors
P.O. Box 7914
Madison, Wisconsin 53707-7914

Port of Green Bay
Harbor Name

Brown County (Brown County Port & Solid Waste Department)
Responsible Local Unit of Government
(County, City, Village or Town)

Improvements Proposed in Calendar Year 2005

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Georgia-Pacific Corporation Dockwall

Objectives

Objective of project is to repair and maintain slip to allowed continued receipt of bulk materials (coal, petroleum coke, and salt) to the Georgia-Pacific facility at 1919 S. Broadway, Green Bay, WI 54304.

Estimated Cost

Dock Wall Repair

1,150 ft x \$2735/ft = \$3,145,475

Dredging

17k,500 cubic yards x \$20/yd - \$351,000

Total Project Estimated Costs = \$3,501,475

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(Georgia-Pacific Corp)**
- (c)
- (d)

Amount

\$2,801,180
\$ 700,295

\$3,501,475
Total

- (a) Of the projects listed for the year noted above, this project is of **1st** priority to the applicant
- (b) The estimated probability of this project being started in year noted above is:
- (Circle One) High
Medium
Low

Prepared by: Dean Haen, Port Manager and
John Evans, GP

Date: January 15, 2005

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005

Send to: WDOT
Bureau of Railroads & Harbors
P.O. Box 7914
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Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government

(County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Dredge North Dock for KK Warehousing

KK Warehousing has opportunities to utilize Western Lime's warehousing property, formerly known as Leicht's North Dock. KK Warehousing is interested in bringing in forest products to the facility. The area needs to be dredged to 24' LWD. An estimated 1,200 cy needs to be dredged at a cost of \$41/cy for a total cost of \$25,200.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(KK Warehousing)**
- (c)
- (d)

Amount

\$ 20,160

\$ 5,040

\$ 25,200

Total

PART III Rank & Probability

- (a) Of the projects listed for the year noted above, this project is of 2nd priority to the applicant
- (b) The estimated probability of this project being started in year noted above is:
(Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager and
Tom Kuber, KK Warehousing**

Date: **January 15, 2005**

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
Send to: WDOT
 Bureau of Railroads & Harbors
 P.O. Box 7914
 Madison, Wisconsin 53707-7914

Port of Green Bay

Harbor Name

Brown County (Brown County Port & Solid Waste Department)

Responsible Local Unit of Government
 (County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Leicht's Transfer & Storage's State Street Dock Wall

Replacement of existing wakefield wall on Fox River slip facility, to include replacement of dock face, 553' feet of replacement sheet piling, replacing sheet anchors, and replacing outside bumper guards at a cost of \$1,300/lf or \$718,900 to facilitate across dock loading and unloading of commercial bulk product. Draft of 24' LWD will require dredging 62,000 cy of sediment @ 21/cy at a cost of \$1,302,000. In addition, a 300 foot long by 50 foot wide structural pad with support piles at a cost of \$100,00 would be installed on the existing portion of the slip wall currently not requiring replacement. Bollards and a wood fender system would also be added along the entire face of the slip.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a)
(a) Wisconsin DOT HAP (80%)	\$1,696,720	
(b) Brown County (20%) (Leicht's Transfer & Storage)	\$ 424,180	(b)
(c)		
(d)		
	<u>\$2,120,900</u>	
	Total	

PART III Rank & Probability

Of the projects listed for the year noted above, this project is of **3rd** priority to the applicant
 The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager and
Carol Jamrosz, Leichts**
 Date: **January 15, 2005**

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
Send to: WDOT
 Bureau of Railroads & Harbors
 P.O. Box 7914
 Madison, Wisconsin 53707-7914

Port of Green Bay
 Harbor Name

Brown County (Brown County Port & Solid Waste Department)
 Responsible Local Unit of Government
 (County, City, Village or Town)

Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Green Bay Harbor Navigational Channel Deepening Project

Deepen federal navigational channel from Grassy Island to the East River Turning basin to St. Lawrence Seaway specification of 26'3". Presently the channel is 26' to Grassy Island then shallows to 24' until the Main St. Bridge and 22' beyond. The channel would need to be dredged a distance of 4 miles. The U.S. Army Corps of Engineers may then be authorized to conduct a Feasibility Study consisting of a cost/benefit analysis to determine if deepening the whole federal channel is warranted. The port would benefit by decreasing shipping costs and expanding cargoes presently not received because the cargoes are transported on ocean-going ships requiring the necessary seaway draft. The total quantity of material to be dredged from the navigational channel is an est. 870,369 cy at a cost of \$18.00/cy or \$15,666,642.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(Terminal Operators)**
- (c)
- (d)

Amount

\$7,833,321

\$7,833,321

\$15,666,642

Total

PART III Rank & Probability

- (a) Of the projects listed for the year noted above, this project is of **4th** priority to the applicant
- (b) The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager and**
 Date: **January 15, 2005**

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
Send to: WDOT
 Bureau of Railroads & Harbors
 P.O. Box 7914
 Madison, Wisconsin 53707-7914

Port of Green Bay
 Harbor Name

Brown County (Brown County Port & Solid Waste Department)
 Responsible Local Unit of Government
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Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Green Bay's New Leichts Park Development

Project will consist of constructing 39,000 square feet of walks and 610 linear feet of railing. The work will include asphalt and railroad removal, grading, paving, rail installation and seeding. The existing surface is a run-down docking area consisting of abandoned track and decaying asphalt. The facility will be used for docking various types of ships ranging from commercial to military, etc. The purpose of the project will be to facilitate access for public education and recreation relating to various types of seagoing ships as well as access to downtown Green Bay for passenger vessels.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(City of Green Bay)**
- (c)
- (d)

Amount

\$ 248,000
\$ 62,000

\$2,120,900
 Total

(a)

(b)

PART III Rank & Probability

Of the projects listed for the year noted above, this project is of **5th** priority to the applicant
 The estimated probability of this project being started in year noted above is:

(Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager and
Bill Landvatter (City of G B)**

Date: **January 15, 2005**

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STATEMENT OF INTENTIONS**

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Improvements Proposed in Calendar Year **2005**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Pipeline Installation to Utilize US Oil Company's Broadway Dock Facility

The US Oil Company has purchased BP Amoco's Broadway facility that has approximately 400' dock wall unutilized for the waterborne delivery of petroleum products for many years. The project consists of installing a pipeline from the dock wall to the main manifold at the rack to facilitate the delivery of product for themselves and other customer's liquid products at a cost of \$125,000.

Replace and upgrade Dock wall supports @ 1123 N. Broadway to hold barges or ships at a cost of \$25,000.

PART II Project Resources

Expected Funding Sources (All types)

	<u>Amount</u>	
(a) Wisconsin DOT HAP (80%)	\$120,000	(a)
(b) Brown County (20%) (US Oil Company)	\$ 30,000	(b)
(c)		
(d)		
	<u>\$150,000</u>	
	Total	

PART III Rank & Probability

(a) Of the projects listed for the year noted above, this project is of **6th** priority to the applicant
 (b) The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager and
Mike Koel, US Oil Company**
 Date: **January 15, 2005**

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
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Port of Green Bay
 Harbor Name

Brown County (Brown County Port & Solid Waste Department)
 Responsible Local Unit of Government
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Improvements Proposed in Calendar Year **2006**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Cat Island Chain Restoration

Restoration of the Cat Island chain using outer harbor (sandy) dredge material from the navigational channel. The original three Cat Islands were destroyed during high water and storm events in the 1970s. The islands served ecological and environmental benefits to lower Green Bay. Under Section 204 of the Water Resources Development Act of 1992, the United States Army Corps of Engineers conducted a Ecosystem Restoration Report and Draft Environmental Assessment in November 1999 and are willing to pay 75% of the project cost with the remaining cost being local. The Fox River Group has already designated \$800,000 as part of the natural resources damage assessment funds for this project. The remaining local share of reconstructing one of the three islands is \$850,000. This project is supported by U.S. Fish & Wildlife Service, WI Department of Natural Resources, UW-Sea Grant Institute, and other agencies and local environmental groups. Assuming the outer channel generates 80,000 cy of dredge material when dredged, the construction of the first island would take 24 years to construct and use 1.3M cy of sandy dredge material, thus extending the disposal capacity of Bay Port.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	
(a) Wisconsin DOT HAP (50%)	\$ 425,000	(a)
(b) Brown County (50%)	\$ 425,000	(b)
(c) Fox River Group (NRDA funds)	\$ 800,000	
(d)	<u>\$1,650,000</u>	
	Total	

PART III Rank & Probability

(a) Of the projects listed for the year noted above, this project is of **1st** priority to the applicant
 (b) The estimated probability of this project being started in year noted above is:
 (Circle One) **High**
 Medium
 Low

Prepared by: **Dean Haen, Port Manager**
 Date: **January 15, 2005**

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STATEMENT OF INTENTIONS**

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Improvements Proposed in Calendar Year **2006**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Western Lime Corporation's North Dock Wall

Rehabilitation of existing dockwall, to include major repairs to dock face, 920 feet of renewed sheet piling, replacing sheet anchors, replacing outside bumper guards, and installing new pavement between the dockwall and the new warehouse facility to facilitate across dock loading and unloading of commercial bulk product.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)**
- (c)
- (d)

Amount

\$ 856,000
\$ 214,000

\$1,070,000
 Total

PART III Rank & Probability

- (a) Of the projects listed for the year noted above, this project is of 2nd priority to the applicant
- (b) The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
Low

Prepared by: **Dean Haen, Port Manager**
Fred Nast, Western Lime Co.
 Date: **January 15, 2005**

**THREE-YEAR HARBOR DEVELOPMENT
STATEMENT OF INTENTIONS**

Due: April 1, 2005
Send to: WDOT
 Bureau of Railroads & Harbors
 P.O. Box 7914
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Port of Green Bay
 Harbor Name

Brown County (Brown County Port & Solid Waste Department)
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Improvements Proposed in Calendar Year **2007**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Redevelopment of the Port of Green Bay including expanding port operations and relocating the C. Reiss Coal Co.

The City of Green Bay and Brown County have received a \$90,000 US Housing and Urban Development Grant through Congressman Mark Green to conduct a feasibility study of redeveloping the Port of Green Bay to relocate the C. Reiss Coal Company from an urban neighborhood to a more industrial area. The C. Reiss would be relocated from their 40-acre site to a larger site in the Bay Port Industrial Park. Relocating C. Reiss Coal Co. would also expand port operations by making available up to an additional 50 acres for new port purposes. Western Lime has indicated a need for a larger facility in Green Bay or relocation to another port. This project would create port property, owned by the port and under the control of the port. The project would include relocating C. Reiss Coal to the US Oil/Mobile Oil Companies property, constructing a dock wall at the bulkhead line and filling behind. US Oil and Mobile will be relocated. The Fox River Dock slip would be widened and extended inland to access 40 acres of property on the west side of Bylsby Ave. This property would be available for expansion. Bylsby Ave. and the railroad track would be rerouted following I-43 and Atkinson Road. WPS slip would be reconstructed, extended inland and ownership transferred to a new port operator. WPS's coal storage would be relocated.

PART II Project Resources

<u>Expected Funding Sources</u> (All types)	<u>Amount</u>	(a)
(a) Wisconsin DOT HAP (80%)	\$16,000,000	
(b) Brown County (20%) (City of Green Bay)	\$ 4,000,000	(b)
(c)		
(d)		
	<u>\$20,000,000</u>	
	Total	

PART III Rank & Probability

Of the projects listed for the year noted above, this project is of **1st** priority to the applicant
 The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
 Low

Prepared by: **Dean Haen, Port Manager**
 Date: **January 15, 2005**

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Improvements Proposed in Calendar Year **2007**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Port of Green Bay Slip and Dock Wall Deepening Project

Dredge the necessary slips and dock walls to St. Lawrence Seaway specification of 26'3". Presently the slips are approximately 24'. The Fox River Dock slip would need to be dredged at an estimated cost of \$600,000. The Western Lime Company dock wall would need to be dredged at an estimated cost of \$300,000. WPS, Koch Materials, Anamax, St. Mary's Cement, Leicht's, C. Reiss Coal, LaFarge, NE Asphalt and Georgia-Pacific would also have to dredge. Estimated dredging cost of an additional \$2.5 million.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(Terminal Operators)**
- (c)
- (d)

Amount

\$ 2,720,000
\$ 680,000

\$ 3,400,000
 Total

(a)

(b)

PART III Rank & Probability

Of the projects listed for the year noted above, this project is of 2nd priority to the applicant
 The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
Low

Prepared by: **Dean Haen, Port Manager**
 Date: **January 15, 2005**

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STATEMENT OF INTENTIONS**

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 Harbor Name

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Improvements Proposed in Calendar Year **2007**

Instructions: Complete one of these sheets for each project contemplated in calendar 2005, 2006 and 2007. Include only those projects that benefit COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal and dock wall construction.

PART I Project Description and Objective(s)

Project Name: Public Terminal Facility

Purchase river front property 300' x 1600' along Fox River, presently owned by Green Bay Packaging, Inc., Proctor & Gamble, and Georgia-Pacific for creation of a public to be dredged at an estimated cost of \$600,000. The Western Lime Company dock wall would need to be dredged at an estimated cost of \$300,000. WPS, Koch Materials, Anamax, St. Mary's Cement, Leicht's, C. Reiss Coal, LaFarge, NE Asphalt and Georgia-Pacific would also have to dredged. Estimated dredging cost of an additional \$2.5 million.

PART II Project Resources

Expected Funding Sources (All types)

- (a) **Wisconsin DOT HAP (80%)**
- (b) **Brown County (20%)
(City of Green Bay)**
- (c)
- (d)

Amount

\$ 8,000,000
\$ 2,000,000

\$10,000,000
 Total

(a)

(b)

PART III Rank & Probability

(a) Of the projects listed for the year noted above, this project is of **3rd** priority to the applicant
 (b) The estimated probability of this project being started in year noted above is:
 (Circle One) High
 Medium
Low

Prepared by: **Dean Haen, Port Manager**
 Date: **January 15, 2005**

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

Approved by: \ s\ Carol Kelso, County Executive

Date: 3-4-2005

No. 9d -- **ORDINANCE REGARDING: TO AMEND SECTION 2.13 OF THE BROWN COUNTY CODE ENTITLED "MEETINGS, AGENDA"**

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: Subsection (4)(g) of Section 2.13 of the Brown County Code entitled "Meetings, Agenda", is hereby created to read as follows:

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

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

Respectfully submitted,
EXECUTIVE COMMITTEE

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

Approved by: <u> \s\ Carol Kelso, County Executive </u>	Date: 3-3-2005
Approved by: <u> \s\ Darlene K. Marcelle, County Clerk </u>	Date: 3-4-2005
Approved by: <u> \s\ Patrick Moynihan, Jr., Board Chairman </u>	Date: 2-25-2005

No. 9f -- **RESOLUTION REGARDING: TO CENSURE SUPERVISOR PATRICK J. COLLINS**

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

Ladies and Gentlemen:

WHEREAS, as a cornerstone of democracy, Americans have observed certain rules of behavior generally known as civility; and

WHEREAS, displays of anger, rudeness, ridicule, impatience, a lack of respect and personal attacks detract from the open exchange of ideas, prevent open discussion of the issues, and can discourage individuals from their participation in government; and

WHEREAS, in February of 2004, the Brown County Board of Supervisors passed a resolution calling upon Brown County Supervisors and all citizens of Brown County to exercise civility toward each other; and

WHEREAS, sec. 1.11(2) and 1.11(3) of the Brown County Code of Ethics require all county officials, including Brown County Supervisors, to act with civility toward one another and the public; and

WHEREAS, it has come to the attention that the recent actions of Supervisor Patrick J. Collins violate the terms and spirit of the Pledge of Civility Resolution and the Brown County Code of Ethics; and

WHEREAS, Supervisor Patrick J. Collins' recent actions tend to cast the Brown County Board of Supervisors, and Brown County as a whole, in a negative light; and

WHEREAS, Supervisor Patrick J. Collins' recent actions hinder the Brown County Board of Supervisors' ability to conduct business in an orderly and efficient manner; and

WHEREAS, the Brown County Board of Supervisors deems it necessary to formally censure Supervisor Patrick J. Collins for his recent actions.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that Supervisor Patrick J. Collins is formally censured for his actions for the reasons set forth above.

BE IT FURTHER RESOLVED that Supervisor Patrick J. Collins is encouraged to review the Pledge of Civility taken by all county supervisors in February of 2004, together with sec. 1.11(2) and 1.11(3) of the Brown County Code of Ethics, and conform his conduct to the spirit and intent of those provisions from this time forward.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Haefs and seconded by Supervisor Evans **“to adopt”**. Supervisor Collins read and submitted a letter of apology.

A motion was made by Supervisor Lund and seconded by Supervisor Krueger **“to receive and place on file.”**

Discussion followed.

Vote taken on motion **“to receive and place on file.”** Roll Call #9f(1):

Ayes: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Collins, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Moynihan, Zabel, Scray

Abstain: Collins

Total Ayes: 12 Total Nays: 14 Abstain: 1

Motion defeated **“to receive and place on file”**.

Back to main motion **“to adopt”**. Roll Call #9f(2):

Ayes: Van Den Heuvel, Graves, Nicholson, Haefs, Erickson, Kaye, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Moynihan, Zabel, Scray, Hinz, Lund

Nays: Theisen, Krueger, Zima, Fleck, Clancy, Fewell

Abstain: Collins

Total Ayes: 19

Total Nays: 6

Abstain: 1

Motion carried to adopt.

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

Date: 3-3-2005

No. 10 -- Such other matters as authorized by law. Late Communications.

No. 10a -- From Supervisor Johnson regarding: Request for the Planning, Development and Transportation Committee to study the possibility of moving the City Transit Department to the County to make it a more regional transit system.

Refer to Planning, Development and Transportation Committee.

No. 10b -- From Supervisor Nicholson regarding: To review policies of the Purchasing Department.

Refer to Administration Committee.

No. 10c -- From Supervisor Nicholson regarding: To review the policy of the Health Department after hours services.

Refer to Human Services Committee.

No. 10d -- From Supervisor Nicholson regarding: Does the Sheriff's Department have rules of conduct that would prohibit a sworn deputy from soliciting private business while being paid as a deputy?

Refer to Public Safety Committee.

No. 10e -- From Supervisor Lund regarding: Correspondence from a Suamico resident concerning the poor condition of the marking of the hiking trails at the Reforestation Camp.

Refer to the Education and Recreation Committee.

No. 10f -- From Supervisor Van Den Heuvel regarding: that the county not adopt a round a bout at the intersection of Eaton Road, Cottage Road and Huron Road. Furthermore that the planned 2 lane road being proposed for Cottage Road from Eaton Road to Highway 29 be either a 3 lane or a 4 lane. The issue of safety and ambulance usage be addressed. I am asking the county not to pay for nor take over these projects. If Bellevue wants these projects, they can fund them. These projects are not in the best interest of the City of Green Bay and its surrounding communities. I am also asking for a public hearing in the area on the matter in the month of March 2005, if possible.

Refer to Planning, Development and Transportation Committee.

- No. 10g -- From supervisor Van Den Heuvel regarding: to review Golf Course Operations, fees, rules and any policies dealing with the daily Golf Course Operations. These are the questions I want addressed and reviewed:**
- 1. Youth fees, should they be more compatible with other Public and Private Courses?**
 - 2. Cart Rental:**
 - a. Who controls the rentals?**
 - 1. Does the county get a fair share of the revenue?**
 - 2. Who gets what now, as far as fees?**
 - b. Should the County handle all rentals and fees and get 100% of all revenues.**
 - 3. Who is responsible for advertising fall rates:**
 - a. Do we compete with privately owned courses?**
 - b. Should we compete with private courses?**
 - 5. Does the County benefit from leagues?**
 - a. Is the public not served by leagues taking up large tracks of tee times.**
 - b. Could we have just set times that do not impede the public's right to golf?**
 - 6. What is the policy for tee times?**
 - a. Are certain people monopolizing certain days and hours?**
 - b. Do we need a fee for reservations?**
 - 7. Does the County need a full time Club Pro?**
 - a. How does this benefit the county as far as what this person does compared to this person's salary and benefits.**
 - b. Should the county have interns from Colleges and Universities studying for a degree in golf course management take over these duties?**
 - 9. Should the restaurant be required to be opened (and compete with privately owned facilities) 12 months a year?**
 - 10. Should the county take over all costs and profits from the driving range and get 100% of the profits?**
 - 11. How much is Brown County losing with outsourcing of many facets of the Brown County Golf Course?**

Refer to Education and Recreation Committee.

- No. 10h -- From Supervisor Johnson re: request to repair the road on Packerland Drive by railroad tracks.**

Refer to Planning, Development and Transportation Committee.

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

A motion was made by Supervisor and seconded by Supervisor **“to pay the bills over \$10,000 for period ending February 1, 2005”**. 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, Beyl, Backmann, Fleck, Van Deurzen, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Total Present: 26

No. 13 -- ADJOURNMENT TO WEDNESDAY, MARCH 16, 2005, AT 7:00 P.M., LEGISLATIVE ROOM 203, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.

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

 /s/ DARLENE K. MARCELLE

Brown County Clerk