

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 22, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Jursik – 1

SCHEDULED ITEMS:

1. 09-58 A resolution by Supervisor Borkowski, adopting an Ordinance restricting the use of mobile telephones while operating a motor vehicle in Milwaukee County.

APPEARANCE(S):

Supervisor Mark A. Borkowski (11th District)

Supervisor Borkowski provided comments relative to the subject resolution and its intent.

Questions and comments ensued.

MOTION BY: (RICE) Refer to the Sheriff's Office, Corporation Counsel and the District Attorney's Office for a report and layover to the call of the chair pending receipt of those reports.

Supervisor De Bruin stated that she wants to make sure that there is adequate notice to the public about this ordinance if it is approved.

Vote on the referral: 6-0

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

2. 09-45 From the District Attorney, requesting authorization to contract with Financial Crimes Services, LLC, to operate a deferred prosecution worthless check program in the district attorney's office.

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Bill Domina, Corporation Counsel
John Chisholm, District Attorney
Ron Dague, Assistant District Attorney
Rufus McNealy, Retired Milwaukee Police Detective

District Attorney Chisholm reviewed the subject report.

MOTION BY: (DE BRUIN) Approve the resolution, with the caveat that the DA's office report to this Committee prior to branching out to domestic violence cases.

Questions and comments ensued.

Mr. Dague provided comments and answered questions raised by the Committee.

Mr. Domina addressed questions and concerns raised relative to the contract and the district attorney operating this program. He stated that the legislature has given the authorization to the District Attorney.

Mr. McNealy provided information relative to the meetings and steps taken prior to the program's startup. He advised that the program should be starting up in April and classes will probably begin in May.

Vote on the motion to approve: 6-0

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

3. 09-49 From Director, Child Support Enforcement, requesting authorization to enter into the 2009 State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (DE BRUIN) Amend the WHEREAS clause, beginning on line 24 of the resolution, as follows: WHEREAS, the Director, Child Support Enforcement, has requested authorization to execute the 2009 State/County Contract resulting in anticipated 2009 State and Federal Funding under the terms of the contract in the amount of \$9,181,875; and (Vote 6-0)

SCHEDULED ITEMS (CONTINUED):

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

MOTION BY: (RICE) Approve, as amended.

Questions and comments ensued.

Vote on the motion to approve, as amended: 6-0

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

4. 09-50 From Director, Child Support Enforcement, requesting authorization to execute a one month extension to the professional services contract for generic testing with Laboratory Corporation of America Holding of Burlington, North Carolina, effective January 1, 2009 through January 31, 2009 at a rate of \$39 per person tested.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

5. 09-51 From Director, Child Support Enforcement, requesting authorization to execute a professional services contract for genetic testing with Orchid Cellmark, Inc., Princeton, New Jersey, effective February 1, 2009 through December 31, 2011, with the ability to execute two one-year extensions.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Bener, Child Support Enforcement

Ms. Marks reviewed the subject report.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

6. 09-55 From Director, Child Support Enforcement, requesting authorization to execute Children First program contracts with United Migrant Opportunity Services, Inc (UMOS) and New Concepts, George M. Sanders Fathers and Family Resources Center effective January 1, 2009 through June 30, 2009;with a maximum length through December 31, 2009.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

7. 09-57 From the Chief Judge, requesting authorization to increase expenditure authority in the amount of \$193,674 on existing (2008) contracts with Wisconsin Community Services (WCS) and Justice 2000.

APPEARANCE(S):

Chief Judge Jeffrey Kremers

Chief Judge Kremers reviewed the subject report.

MOTION BY: (BRODERICK) Approve. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

8. 09-J-1 From Chief Information Officer, Information Management Services Division (IMSD), submitting an informational report regarding the 800 MHz Rebanding Project. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Dennis John, Chief Information Officer, IMSD

Mr. John reviewed the subject report.

Questions and comments ensued.

The Committee took no action on this informational report.

9. 09-37 From the Sheriff's Office, House of Correction (HOC) and Community Correctional Center (CCC) Status Report. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
(a)(a)

APPEARANCE(S):

Bill Domina, Corporation Counsel

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Penni Secore - AFSCME

Inspector Carr reviewed the subject report.

Questions and comments ensued.

The Committee raised concerns relative to follow-up reports from the Sheriff's Office on how the department is responding to the National Institute of Corrections operational issues outlined in the report.

Inspector Carr advised that the Sheriff's Office would provide quarterly reports to this Committee, as well as the Finance and Audit Committee.

Ms. Secore expressed concerns relative to who is the appointing authority of the House of Correction and what this does for the Civil Service. She stated that Civil Service is very clear on whom the appointing authority is and at this point she stated that, as far as the Union knows, it is Ron Malone. She asked who has the right to change this under their (Union) contract. She stated that the Union has never been notified that the HOC is now under the Sheriff's constitution. She addressed overtime issues and concerns.

SCHEDULED ITEMS (CONTINUED):

Mr. Domina advised that the HOC is under the Sheriff's constitution. The HOC is a statutory creature and it says that the County Board has the ability to put it and manage it however it deems most appropriate. The County Board made the determination in the budget process that the best management for the HOC was under the management of the Sheriff. Mr. Domina agreed that the ordinance(s) should be cleaned up. There was not a companion ordinance change with the budget; but, there should be relative to the position of the Superintendent of the HOC. The Superintendent of the HOC is not a statutory entity. It is not referred to in the HOC statutes. However, it is referred to in our Ordinances. There ought to be a follow-up consideration by the County Board to make that reflect the management authority that was delegated to the Sheriff in the budget.

Inspector Carr advised that the Sheriff has every intention of following the labor agreement.

MOTION BY: (DE BRUIN) Receive and place on file. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: Jursik – 1

This item was taken out of order.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

10. 09-J-2 From the Interim Director, Transportation and Public Works, regarding Sterling Aviation.

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)

AYES: Rice, DeBruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 11:30 a.m. and did not reconvene back into open session.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement
Chief Judge Jeffrey Kremers
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Dennis John, Chief Informational Officer (IMSD)

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 11:45 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, January 22, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, January 8, 2009.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.