

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 19, 2006 - 9:00 A.M.

**Milwaukee County Courthouse - Room 201-B**

### MINUTES

TAPE No. 11: Side B, #004 to EOT  
TAPE No. 12: Side A, #001 to EOT  
TAPE No. 12: Side B, #001 to #278

PRESENT: Supervisors Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

#### SCHEDULED ITEMS:

1. 06-J-2 From the Chief Judge and the Sheriff, an informational report relative to the 2006 Bailiff Staffing Plan. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #11B-#21)

#### **APPEARANCES:**

Inspector Kevin Carr, Sheriff's Department  
Bruce Harvey, District Court Administrator for Chief Judge Kitty Brennan

Mr. Harvey provided a verbal report as to how the bailiff staffing plan is working for 2006. He stated that the primary changes of the staffing plan involve the misdemeanor courts and children's court. Most of the criminal courts in the past had two bailiffs assigned to each court. In the misdemeanor courts and children's court the staffing plan changed to one bailiff always staying inside the court and certain bailiffs allocated to transport people in and out of the courts. Thus far, there have been minimal negative reports relative to efficiency and security. At this point, the plan seems to be working well.

Inspector Carr stated that he would like to thank people for their cooperation and assistance in implementing this plan and the Sheriff's Department is very hopeful that the plan will be successful throughout 2006.

Questions and comments ensued.

Supervisor DeBruin requested that Mr. Harvey and/or Inspector Carr advise this committee if complaints begin to occur.

**SCHEDULED ITEMS (CONTINUED):**

2. 06-69 Resolution by Supervisors Weishan and Quindel, authorizing and directing the Corporation Counsel to appeal the decision of the U.S. Court of Appeals for the Seventh Circuit regarding the legality of Chapter 31 of the Milwaukee County General Ordinances regarding the responsibility of certain county contractors to reduce the likelihood of labor disputes. (Tape #11B-#157)

**APPEARANCES:**

Supervisor John F. Weishan, Jr. (16<sup>th</sup> District)  
Bob Andrews, Deputy Corporation Counsel

Supervisor DeBruin requested that this item be temporarily laid over until the Committee takes up item 14 which will be discussed in closed session. There being no objection, it was so ordered.

After returning from closed session, the Committee took the following action on this item.

***MOTION BY: (RICE) Reject the resolution.***

Supervisor Broderick requested to be added as a co-sponsor of this resolution. There being no objection, it was so ordered. Chairman Johnson stated that he would also like to be added as a co-sponsor.

Mr. Andrews advised that the Committee not take an action on this item today, but instead lay it over until a special meeting before County Board day.

***MOTION BY: (DE BRUIN) Layover to a special Judiciary Committee meeting before County Board Day.***

Supervisor Weishan indicated that he believes this is a worthwhile cause to move forward as opposed to laying it over.

**Vote on the motion to layover: 6-1**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Devine and Johnson (Chair) - 6

**NOES:** Broderick - 1

3. 04-414 Resolution by Supervisors Weishan and Broderick, authorizing and directing the Superintendent, House of Correction, to execute a lease agreement with the Hunger Task Force of Greater Milwaukee for the continued operation of the House of Correction and Fish Hatchery. (Tape #11B-#169)  
(a)(b)

SCHEDULED ITEMS (CONTINUED):

**APPEARANCES:**

Supervisor John F. Weishan, Jr. (16<sup>th</sup> District)  
Supervisor Mark Borkowski (11<sup>th</sup> District)  
Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator, House of Correction  
John Schapekahm, Principal Assistant Corporation Counsel  
Rick Ceschin, County Board Research Analyst  
Jon Janowski, Hunger Task Force  
Sherrie Tussler, Hunger Task Force  
Tom Jordan, Hunger Task Force  
Frank Evans, Hunger Task Force  
Eric Skindzelewski, Lakeshore Fisherman  
Penni Secore, AFSCME DC #48  
Sister Donna Gazzana, Open Door Café/ St. John  
Patty Yunk, AFSCME DC #48

Supervisor Weishan provided comments relative to the subject resolution and requested the Committee's support. He also stated that Supervisors West, Dimitrijevic and Quindel requested to be added as co-sponsors.

Questions and comments ensued.

Superintendent Malone explained the differences between the lease attached to the subject resolution and the lease he provided, attached to his document regarding a projected revenue deficit for the operation of the Farm and Fish Hatchery. (See Item 4 on this agenda.) He indicated that there are three main differences between the two leases: (1) the revenue for the cost of the salaries, (2) the acreage (50 acres vs. 150 acres) and (3) the length of the contract (5 years vs. 10 years).

Questions and comments continued.

***MOTION BY: (CESARZ) Refer to Corporation Counsel for a legal opinion about the significant changes to the existing agreement for maintaining the 50 acres vs. the 150 acres, point out what those changes and differences are, including cost differences.***

Supervisor Borkowski provided comments relative to developing the land in Franklin, Wisconsin.

Discussion ensued relative to the referral to Corporation Counsel.

**SCHEDULED ITEMS (CONTINUED):**

Mr. Schapekahm pointed out the areas in the lease attached to the subject resolution that he found to be troublesome. He indicated that he recommended some language in these areas that was not included in the lease. The areas that he mentioned are under Section 7- Construction; Section 8 – Maintenance and Repair; Section 17 – Inspection; Section 18 – Surrender at Termination; Removal of Property, Section 22 – Hazardous Materials (c); Section 23 – Termination; and Section 26, Non-Discrimination and Equal Employment Opportunity.

Mr. Ceschin provided comments relative to Mr. Schapekahm's testimony and indicated that the language that Corporation Counsel recommended was incorporated in the lease.

**Vote on the motion to refer to Corporation Counsel: 2-5**

**AYES:** Rice and Cesarz – 2

**NOES:** DeBruin, Schmitt, Broderick, Devine and Johnson (Chair) – 5

**MOTION FAILED.**

***MOTION BY: (DEBRUIN) Refer to Corporation Counsel for final review and recommendations to make changes, with the intent of a special meeting by this Committee before County Board Day in order to take up this item with the recommendations by Corporation Counsel.***

Discussion ensued.

Mr. Janowski and Ms. Tussler provided comments and answered questions raised by Committee members.

Mr. Jordan, Mr. Evans, Mr. Skindzelewski, Ms. Secore and Sister Gazzana provided comments in support of the continued operation of the Farm and Fish Hatchery.

Ms. Yunk expressed her frustration with the dialogue she's heard throughout the years regarding the Farm and Fish Hatchery. She stated that AFSCME, which is the collective bargaining agent for the individuals who would be affected at the House of Correction, did not know about this issue until they saw it on the agenda. She indicated that they (AFSCME) are in support of this resolution.

Supervisor Devine requested an aerial of the acreage be forwarded to Committee members by the Special Judiciary meeting. Mr. Ceschin advised that there were a number of different maps used in compilation to get a picture of the whole and that there is not one single aerial. The maps will be provided to Committee members before the Special meeting.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion by Supervisor DeBruin: 7-0

**AYES:** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

4. 05-12 From the House of Correction, regarding projected revenue deficit for the operation of the Farm and Fish Hatchery. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Also to Finance and Audit Committee)** (Tape #12A-#640)

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the subject report. Mr. Priebe provided comments.

Questions ensued.

***The Committee took no action on this informational report.***

5. 06-64 From the Sheriff, requesting approval of the 2006 Edward Byrne Memorial Assistance Grant (JAG) Preliminary Report. (Tape #12A-#682)

**APPEARANCES:**

Inspector Kevin Carr, Sheriff's Department  
Jon Priebe, Public Safety Fiscal Administrator

Inspector Carr reviewed the subject report.

***MOTION BY: (RICE) Approve. (Vote 7-0)***

**AYES:** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

## SCHEDULED ITEMS (CONTINUED):

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

6. 06-43 From Superintendent, House of Correction, requesting to declare land at 8820 S. 68<sup>th</sup> Street, Franklin, Wisconsin surplus. **(Also to Economic and Community Development Committee)** (Tape #12A-#710)

### **APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Todd Ashworth, Assistant Superintendent, House of Correction

Questions and comments ensued.

**MOTION BY: (SCHMITT) Approve. (Vote 7-0)**

**AYES:** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

7. 06-75 From Principal Assistant Corporation Counsel, recommending adoption of resolution/ordinance amending Section 47.05 and creating Sections 63.045, 63.046, 63.047, Chapter 65 and Chapter 72 of the Milwaukee County General Ordinances to regulate and prohibit certain conduct, specifically possession or use of fireworks on County property, issue of worthless checks, damage to the property of another, graffiti, and boating, and to control truancy; and amending Section 63.09 of the Milwaukee County General Ordinances, the schedule of cash deposits and maximum penalties, accordingly. (Tape #12B-#004)

### **APPEARANCES:**

Brian Conte, Milwaukee Deputy Sheriff's Association  
Joe Kuntner, Milwaukee Deputy Sheriff's Association  
Supervisor Mark Borkowski (11<sup>th</sup> District)  
Bill Domina, Corporation Counsel  
Inspector Kevin Carr, Sheriff's Department

Supervisor Borkowski provided comments and introduced Mr. Conte and Mr. Kuntner. He acknowledged the work of John Jorgensen, Principal Assistant Corporation Counsel.

**SCHEDULED ITEMS (CONTINUED):**

Questions and comments ensued.

***MOTION BY: (BRODERICK) Approve.***

Inspector Carr provided comments and indicated that the Sheriff's Department's position on this issue is neutral.

***Vote on the motion to approve: 7-0***

***AYES:*** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

***NOES:*** 0

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

8. 06-68 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts with Maximus and United Migrant Opportunity Services (UMOS) Inc. for 2006.

This item was withdrawn per Chairman Johnson.

9. 06-76 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts with Maximus, United Migrant Opportunity Services (UMOS) Inc. and YW Works for 2006.

This item was withdrawn per Chairman Johnson.

**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:**

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**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

10. 05-509 From Charles Folts, submitting a claim for damages caused to his parked vehicle by a Milwaukee County truck on October 18, 2005. **(Corporation Counsel recommends payment in the amount of \$1,566.51)** (Tape #12B-156)

SCHEDULED ITEMS (CONTINUED):

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

**MOTION BY: (SCHMITT) Approve items 10-13 together. (Vote 7-0)**

**AYES:** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

11. 05-510 From Dan and Kim Hansen, submitting a claim for damages to their vehicle when a parking gate arm hit their car in the 6<sup>th</sup> and State parking lot on October 21, 2005. **(Corporation Counsel recommends payment in the amount of \$950.00)**

**SEE ACTION UNDER ITEM 10.**

12. 06-38 From Wilbur & Associates, P.C. submitting a claim in behalf of Christina M. Fugate for damages allegedly sustained to her vehicle that was involved in an accident with a County Highway vehicle on August 5, 2005. **(Corporation Counsel recommends payment in the amount of \$686.14)**

**SEE ACTION UNDER ITEM 10.**

13. 06-18 From Mark M. Kubicek, submitting a claim for damages to his face (laceration on his cheek bone, leaving a scar) when a parking gate arm hit him on his face and broke his protective sunglasses. **(Corporation Counsel recommends payment in the amount of \$568.00)**

**SEE ACTION UNDER ITEM 10.**

**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:**

14. 06-J-1 From Corporation Counsel, status report on the appeal of the challenge to the Labor Peace Ordinance (7th Circuit).

SCHEDULED ITEMS (CONTINUED):

***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 items 14-17. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 7-0)***

**AYES:** Rice, \*DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

\*Supervisor DeBruin was excused at the time of the roll call; however, upon her return she requested to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

The Committee adjourned into closed session at approximately 11:20 a.m. and reconvened in open session at approximately 1:00 p.m. with the same committee members present as before. Supervisor Schmitt was not present at the time of the roll call, but appeared shortly thereafter.

***The Committee took no action on this item.***

15. 05-J-18 Status report from Corporation Counsel regarding the Supreme Court decision in the Schulpus case (sexual predator law).

**SEE ACTION UNDER ITEM 14.**

16. 04-J-5 Status report from Corporation Counsel regarding the arbitrator's decision in Wisconsin Soccer Association vs. Milwaukee County.

**SEE ACTION UNDER ITEM 14.**

17. 04-J-7 From Corporation Counsel, providing an update regarding the Christensen lawsuit concerning jail overcrowding.

**SEE ACTION UNDER ITEM 14.**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
John Schapekahn, Principal Assistant Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator  
Todd Ashworth, Assistant Superintendent, House of Correction

**SCHEDULED ITEMS (CONTINUED):**

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 1:10 p.m.

*Linda Durham*

**Linda Durham, Committee Clerk**

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

**SPECIAL MEETING OF THE  
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, January 31, 2006 - 1:00 P.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

TAPE No. 12: Side B, #282 to EOT  
TAPE No. 13: Side A, #001 to EOT  
TAPE No. 13: Side B, #001 to #733

PRESENT: Supervisors Rice, DeBruin, Schmitt, Cesarz, Devine and Johnson (Chair)  
EXCUSED: Supervisor Broderick

**SCHEDULED ITEMS:**

1. 06-57 From County Executive, appointing Don Uebelacker to serve on the Milwaukee County Ethics Board for a term expiring on February 28, 2012. (Tape #12B-#287)

**APPEARANCES:**

Fran Rudig, County Executive's Office  
Don Uebelacker  
Bill Domina, Corporation Counsel  
Kathy Arciszewski  
Patty Yunk, AFSCME District Council 48

Mr. Uebelacker provided comments relative to his appointment. He provided background information on himself regarding his involvement with Citizens for Responsible Government (CRG). He addressed the reason why he wants to be appointed to this position and his qualifications for the position.

Supervisor Rice provided comments relative to the process by which this appointment came before the Judiciary Committee via a special meeting.

Chairman Johnson provided comments relative to his position regarding Mr. Uebelacker's appointment and the process by which this appointment came before the Judiciary Committee via a special meeting.

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

Mr. Domina addressed questions raised by Committee members.

Questions and comments continued.

Ms. Arciszewski provided comments. She requested that the Committee reconsider this appointment and indicated that this appointment needs to be non-partisan.

Ms. Yunk provided comments. She indicated that she does not consider the CRG non-partisan.

***MOTION BY: (CESARZ) Approve.***

Questions and comments continued.

**Vote on the motion to approve: 5-1**

***AYES:*** Rice, DeBruin, Schmitt, Cesarz and Devine - 5

***NOES:*** Johnson (Chairman) – 1

***EXCUSED:*** Broderick

2. 04-414 Resolution by Supervisors Weishan, Broderick, West, Dimitrijevic and Quindel, (a)(b) authorizing and directing the Superintendent, House of Correction, to execute a lease agreement with the Hunger Task Force of Greater Milwaukee for the continued operation of the House of Correction and Fish Hatchery. **(1/19/06: Referred to Corporation Counsel for final review and recommendation)** (Tape #12B-#520)

***APPEARANCES:***

Supervisor John F. Weishan, Jr., 16<sup>th</sup> District

Superintendent Ron Malone, House of Correction

John Schapekahn, Principal Assistant Corporation Counsel

Bill Domina, Corporation Counsel

Steve Agostini, Fiscal and Budget Administrator

Rick Ceschin, County Board Research Analyst

Jon Priebe, Public Safety Fiscal Administrator, House of Correction

Sherrie Tussler, Hunger Task Force

Supervisor Rice introduced an amendment (copy contained in the subject file) and provided comments.

***MOTION BY: (RICE) Approve the amendment.***

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Devine requested division of the provisions of the amendment. There being no objection, it was so ordered.

Supervisor Weishan provided comments and requested that the committee vote down all provisions of the amendment.

Questions and comments continued.

Mr. Domina provided comments.

Superintendent Malone provided comments relative to the amendment.

Supervisor Weishan indicated that he is not opposed to requesting a fund transfer for the March cycle in the amount \$150,000 to take the burden off the House of Correction and move his resolution forward.

Mr. Ceschin provided comments relative to the amendment and County costs.

Sherrie Tussler provided comments relative to the amendment.

**Vote on #1 (Term) of the amendment: 3-3**

**AYES:** Rice, Schmitt and Cesarz - 3

**NOES:** DeBruin, Devine and Johnson (Chair) – 3

**EXCUSED:** Broderick

**Amendment failed.**

**Vote on #2 (Premises) of the amendment: 5-1**

**AYES:** Rice, DeBruin, Schmitt, Cesarz and Devine – 5

**NOES:** Johnson (Chair) – 1

**EXCUSED:** Broderick

**Vote on #3 (Operation of Premises) of the amendment: 3-3**

**AYES:** Rice, DeBruin and Cesarz – 3

**NOES:** Schmitt, Devine and Johnson (Chair) – 3

**EXCUSED:** Broderick

**Amendment failed.**

Mr. Domina provided clarification that the tie votes for provisions #1 and #3 of the amendment will not go to the Board.

SCHEDULED ITEMS (CONTINUED):

Mr. Schapekahm provided comments relative to the lease he distributed to Board members.

***MOTION BY: (CESARZ) Deny the lease as amended.***

Questions and comments continued.

Mr. Agostini provided comments relative to the lease and funding.

***MOTION BY: (DEBRUIN) add two BE IT RESOLVED clauses to read as follows: BE IT RESOLVED that the County Board authorize and direct the Superintendent of the House of Correction to develop recommendations of alternatives for funding operations of the Farm and Fish Hatchery for 2006 to be presented at the next meeting of the Committee of Finance and Audit for consideration and review; BE IT FURTHER RESOLVED that implementation of this lease is contingent upon a funding mechanism being identified and approved by the County Board.***

Questions and comments ensued.

**Vote on the motion by Supervisor DeBruin: 6-0**

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Devine and Johnson (Chair) - 6

***NOES:*** 0

***EXCUSED:*** Broderick

**Vote on the motion by Supervisor Cesarz: 1-5**

***AYES:*** Cesarz - 1

***NOES:*** Rice, DeBruin, Schmitt, Devine and Johnson (Chair) – 5

***EXCUSED:*** Broderick

**Motion failed.**

***MOTION BY (DEBRUIN) Approve the resolution with the updated lease as amended. (Vote 5-1)***

***AYES:*** Rice, DeBruin, Schmitt, Devine and Johnson (Chair) - 5

***NOES:*** Cesarz – 1

***EXCUSED:*** Broderick

SCHEDULED ITEMS (CONTINUED):

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:

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3. 06-69 Resolution by Supervisors Weishan, Quindel, Broderick and Johnson, authorizing and directing the Corporation Counsel to appeal the decision of the U.S. Court of Appeals for the Seventh Circuit regarding the legality of Chapter 31 of the Milwaukee County General Ordinances regarding the responsibility of certain county contractors to reduce the likelihood of labor disputes. **(1/19/06: Laidover)** (Tape #13B-#688)

***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 Item 3. 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, Schmitt, Cesarz, Devine and Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** Broderick

The Committee adjourned into closed session and reconvened with the same members present as before.

**Supervisor Rice in the Chair.**

***MOTION BY: (JOHNSON) Approve the subject resolution. (Vote 1-5)***

**AYES:** Johnson - 1

**NOES:** DeBruin, Cesarz, Devine and Rice (Chair) – 5

**This resolution will be reported to the Board with a recommendation to REJECT.**

**Supervisor Johnson back in the Chair.**

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (DEBRUIN) Authorize and direct Corporation Counsel to seek settlement on fees involved in this suit. (Vote 5-1)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz and Devine - 5

***NOES:*** Johnson – 1

***EXCUSED:*** Broderick

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Steve Agostini, Fiscal and Budget Administrator  
Bob Andrews, Deputy Corporation Counsel  
John Schapekahn, Principal Assistant Corporation Counsel  
Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

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Adjourned: 4:30 p.m.

*Linda Durham*

**Linda Durham, Committee Clerk**

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, February 23, 2006 - 9:00 A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

TAPE No. 14: Side A, #001 to EOT  
TAPE No. 14: Side B, #001 to #700

PRESENT: Supervisors Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

**SCHEDULED ITEMS:**

1. 06-118 A Resolution by Supervisor Borkowski, to have Corporation Counsel review current contract language ensuring Milwaukee County is protected from significantly higher project costs due to negligence of a contractor. (Tape #14A-#21)

**APPEARANCES:**

Supervisor Mark A. Borkowski (11<sup>th</sup> District)  
Bill Domina, Corporation Counsel  
Hakim Abdullah, The Performance Group  
David Guerrero, Guerrero Construction, Inc.

Supervisor Borkowski provided comments relative to the intent of his resolution.

Supervisors Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson indicated that they would like to be added as co-sponsors of this resolution.

Bill Domina provided comments relative to the process of contract review in his office.

***MOTION BY: (CESARZ) Approve.***

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor DeBruin requested that information regarding the PSI piece requested by the Committee on Transportation and Public Works also come back to this Committee.

Mr. Abdullah and Mr. Guerrero spoke in support of the subject resolution and expressed their dissatisfaction with the contract process.

Chairman Johnson requested that Mr. Abdullah and Mr. Guerrero forward a letter expressing their concerns regarding the contract process to him to be distributed to all County Board Supervisors. He also requested a copy of Mr. Guerrero's comments made today.

***MOTION BY: (RICE) Add another be it resolved clause to read as follows: "BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby requests Corporation Counsel to review and report back on the process of the award and performance of the asbestos removal contract for the Annex demolition to determine if proper County procedures and ordinances have been complied with." (Vote 7-0).***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderck, Devine and Johnson (Chair) – 7  
***NOES:*** 0

Questions and comments continued.

***MOTION BY: (CESARZ) Approve the resolution as amended. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

2. 06-123 An Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. (Tape #14B-#144)

Chairman Johnson advised that Supervisor Mayo requested that this item be laid over. There being no objection, it was so ordered.

3. 06-137 From the Sheriff and Superintendent, House of Correction, requesting authorization to execute a professional service contract to provide telephone service at the Milwaukee County Criminal Justice Facility and House of Correction. (Tape #14B-#151)

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCES:**

Inspector Kevin Carr, Sheriff's Department  
Jon Priebe, Public Safety Fiscal Administrator  
Superintendent Ron Malone, House of Correction

Inspector Carr reviewed the subject request.

***MOTION BY: (DE BRUIIN) Approve. Also change the fiscal note to outline the specific revenue before County Board Day (March 9, 2006).***

Questions and comments ensued.

Superintendent Malone provided comments.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

4. 04-414 (a)(b) An adopted resolution authorizing and directing the Superintendent, House of Correction, to develop recommendations and alternatives for funding operations at the Farm and Fish Hatchery for 2006, to be presented at the March 2, 2006 meeting of the Committee on Finance and Audit. **(INFORMATIONAL ONLY) (REPORT FROM HOUSE OF CORRECTION)** (Tape #14B-#334)

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the report prepared by House of Correction staff (a copy of which is contained in the subject file).

Questions and comments ensued at length.

Supervisor DeBruin expressed concerns relative to the House of Correction report. She indicated that it does not provide recommendations and alternatives for funding operations at the Farm and Farm and Fish Hatchery for 2006 as authorized in the adopted resolution.

Superintendent Malone stated that House of Correction staff could prepare an addendum to the report that would satisfy the intent of the resolution.

**SCHEDULED ITEMS (CONTINUED):**

Chairman Johnson advised that Superintendent Malone indicated that he would correspond with the Chairman of Finance in preparation of the report for the Finance and Audit Committee meeting scheduled for March 2, 2006.

***The Committee took no action on this informational report.***

5. 06-102 From the Chief Judge, requesting authorization to negotiate a professional services contract with Justice 2000 for pretrial service programs for April 2006 through December 2006. (Tape #14B-#559)

**APPEARANCE:**

Holly Szablewski, Pretrial Services Coordinator

Ms. Szablewski reviewed the subject request and advised Committee members of the Request for Proposals (RFP) process.

***MOTION BY: (RICE) Approve.***

Questions and comments ensued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

**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:**

\*\*\*\*\*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

6. 05-447 From SBC Risk Management, submitting a claim for alleged damages to a buried cable when the Parks Department was placing electric facilities at 2501 W. Galena. **(Corporation Council recommends payment in the amount of \$1,810.20 in full settlement of this claim.)** (Tape \$14B-#649)

SCHEDULED ITEMS (CONTINUED):

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

***MOTION BY: (SCHMITT) Approve items 6, 7 and 8 together. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

***NOES:*** 0

7. 06-40 From Kristin Kratzke, submitting a claim for damages allegedly sustained to her vehicle's windshield on November 22, 2005 from County workers repairing Brown Deer Road. **(Corporation Counsel recommends payment in the amount of \$814.34 in full settlement on this claim.)**

**SEE ACTION UNDER ITEM 6.**

8. 05-568 From Brandon N. Phillips, submitting a claim for the alleged damage to his vehicle when parked at the Milwaukee County Grounds on September 6, 2005. **(Corporation Counsel recommends payment in the amount of \$567.11 to settle this claim.)**

**SEE ACTION UNDER ITEM 6.**

**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:**

9. 04-83 From Knight & Associates, S.C., submitting a claim in behalf of Kevin Kubacki, for injuries and damages allegedly sustained due to disability discrimination by Milwaukee County. **(Corporation Counsel recommends payment in the amount of \$20,000.00 to settle this claim.)** (Tape #14B-#673)

**APPEARANCES:**

Bill Domina, Corporation Counsel

Mark Grady, Principal Assistant Corporation Counsel

***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 items 9-12. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 7-0)***

**SCHEDULED ITEMS (CONTINUED):**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

The Committee adjourned into closed session as approximately 10:55 a.m. and reconvened into open session at approximately 12:05 p.m. with the same committee members present as before.

**MOTION BY: (SCHMITT) Approve items 9 and 10 together. (Vote 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

10. 06-59 From American Family Insurance Group submitting a claim in behalf of Heather Schmidt for injuries and damages allegedly received from an accident with a sheriff squad on November 9, 2005. **(Corporation Counsel recommends payment in the amount of \$12,179.37 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 9.**

11. 05-J-13 From Corporation Counsel, status report on the potential litigation that the County may have against those firms who furnished professional services to the County at the time the pension benefits were enhanced. (Tape #14B-#685)

**APPEARANCE:**

Bill Domina, Corporation Counsel

Mr. Domina provided brief comments regarding a resolution/ordinance for this item and requested the Committee's approval. He indicated that the resolution/ordinance will reflect the changes that were discussed in closed session.

- 06-150 **MOTION BY: (RICE) Approval of the resolution/ordinance as recommended by Corporation Counsel.**

Supervisor DeBruin advised that Corporation Counsel provided Committee members with a draft resolution/ordinance for their review (distributed in closed session).

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

12. 06-J-3 Status report from Corporation Counsel regarding the claim of Brewery Works, Inc.

**SCHEDULED ITEMS (CONTINUED):**

in the amount of \$189,415.11 for holdover rent at Schlitz Park.

***The Committee took no action on this informational report.***

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Mark Grady, Assistant Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 12:10 p.m.

*Linda Durham*

**Linda Durham, Committee Clerk**

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, March 30, 2006 - 9:30 A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

TAPE No. 15: Side A, #006 to #647

PRESENT: Supervisors Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

**SCHEDULED ITEMS:**

1. 06-169 From County Executive, appointing Rebecca Blemberg to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2012. Ms. Blemberg is replacing John Carter whose term expires on February 28, 2006. (Tape #15A-#23)

**APPEARANCES:**

Fran Rudig, County Executive's Office  
Rebecca Blemberg

***MOTION BY: (DE BRUIN) Approve.***

Questions and comments ensued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 7  
**NOES:** 0

2. 06-123 Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. (Laid over 2/23/06) (Tape #15A-89)

**APPEARANCE:**

Supervisor Michael Mayo, Sr., 7<sup>th</sup> District

Supervisor Mayo provided comments relative to the subject ordinance.

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (RICE) Refer to Corporation Counsel, Ethics Board and County Board staff with a report back in June.***

Questions and comments ensued.

**Vote on the motion to refer: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

3. 06-173 Ordinance by Supervisor White, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the Milwaukee County Ethics Board.  
(Tape #15A-#207)

***MOTION BY: (DE BRUIN) Refer items 3 and 4 to Corporation Counsel, the Ethics Board and County Board staff with a report back in the June cycle. (Vote: 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

4. 06-190 Resolution by Supervisor Devine to amend Chapter 9 and Chapter 33 of the General Ordinances of Milwaukee County, relating to the processes of the Milwaukee County Ethics Board.

**SEE ACTION UNDER ITEM 3.**

5. 06-170 From Clerk of Circuit Court/Director of Court Services, requesting authorization to accept credit or debit cards for required payments to the Clerk of Circuit Court and to collect a 3% fee under the provisions of the 2005 Wisconsin Act 59. **(Also to Committee on Finance and Audit)** (Tape #15A-224)

**APPEARANCE:**

John Barrett, Clerk of Circuit Court/Director of Court Services

Mr. Barrett reviewed the subject request.

***MOTION BY: (BRODERICK) Approve.***

Questions and comments ensued.

Committee members requested that Mr. Barrett provide County Board members with information regarding the sliding scale and the process that will be used in the first scale to determine ability to pay, before County Board Day (April 13, 2006).

SCHEDULED ITEMS (CONTINUED):

**MOTION BY: (SCHMITT) Amend the resolution by adding the words “not to exceed” before “a 3% fee” in the first BE IT FURTHER RESOLVED clause (line 39) and to the Fiscal information (line 50). (Vote 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7  
**NOES:** 0

**MOTION BY: (BRODERICK) Approve the resolution as amended. (Vote 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7  
**NOES:** 0

6. 06-189 From Inspector, Milwaukee County Sheriff’s Office, requesting authorization to approve a contract with Motorola as the sole source vendor for the purchase of software to operate the radio 800 MHZ trunked system. **(Also to Committee on Finance and Audit)** (Tape #15A-#353)

**APPEARANCES:**

Inspector Kevin Carr, Sheriff’s Department  
Deputy Inspector Jerianne Feiten

Inspector Carr reviewed the subject request.

**MOTION BY: (DEVINE) Approve.**

Questions and comments ensued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7  
**NOES:** 0

7. 05-J-20 From the Sheriff, update on Milwaukee County as the Public Safety Answering Point (PSAP) for cellular 911 calls. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15A-#396)

**APPEARANCE:**

Deputy Inspector Jerianne Feiten

Deputy Inspector Feiten reviewed the subject report.

Questions and comments ensued.

***The Committee took no action on this informational report.***

**SCHEDULED ITEMS (CONTINUED):**

8. 06-217 From Superintendent, House of Correction, requesting authorization to submit a federal grant application to the Department of Education and accept grant funds if awarded. (Tape #15A-#431)

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jan Brylow, Programs Manager, House of Correction

Superintendent Malone reviewed the subject request.

Questions ensued as to the extent of life skills education.

***MOTION BY: (RICE) Approve. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7

***NOES:*** 0

9. 06-J-4 From Superintendent, House of Correction, update report on the House of Correction Print Shop. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (#15A-#466)

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jan Brylow, Programs Manager, House of Correction  
Supervisor Marina Dimitrijevic, 4<sup>th</sup> District

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

Committee members indicated that they would like to see included in future reports, monitoring information relative to the amount of successes on the human level.

Supervisor DeBruin encouraged a friendly reminder from House of Correction staff at the end of the year informing departments that the print shop is available for their use.

Concern was expressed as to documentation for inmates indicating they have experience working in a print shop and the type of equipment they worked on so they can take this information to future employers. Certificates for the inmates were suggested.

***The Committee took no action on this informational report.***

SCHEDULED ITEMS (CONTINUED):

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:

\*\*\*\*\*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

10. 06-97 From Ingrid Wiley, submitting a claim for damages to her vehicle allegedly caused when struck by a County snowplow on January 20, 2006. **(Corporation Counsel recommends payment in an amount not to exceed \$3,000 in full settlement of this claim.)** (Tape #15A-#605)

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

**MOTION BY: (SCHMITT) Approve items 10-15 together. (Vote 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7

**NOES:** 0

11. 06-129 From Country Insurance and Financial Services in behalf of Steven and Gayle Metcalf, submitting a claim for damages to a vehicle allegedly caused when struck by a County snow plow on December 8, 2005. **(Corporation Counsel recommends payment in the amount of \$2,451.45 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 10.**

12. 06-157 From **Mark Drews**, submitting a claim for damages allegedly sustained to his automobile that was involved in an accident with a Milwaukee County Truck at Grant Park on January 21, 2006. **(Corporation Counsel recommends payment in the amount of \$2,350.48 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 10.**

**SCHEDULED ITEMS (CONTINUED):**

13. 06-158 From **Mai Mae Thao**, submitting a claim for damages allegedly sustained to her automobile when concrete fell onto it from Grange bridge where County work was being done on December 21, 2005. **(Corporation Counsel recommends payment in an amount not to exceed \$1,500 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 10.**

14. 06-160 From **Truvoy Sampson**, submitting a claim for the damages allegedly sustained to his mother's vehicle when it was involved in an accident with a Milwaukee County truck on December 4, 2005. **(Corporation Counsel recommends payment in the amount of \$1,445.98 in full settlement of this claim)**

**SEE ACTION UNDER ITEM 10.**

15. 04-40 From Rob Swenski, submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$1,129.96 as settlement for all claims arising out of this incident.)**

**SEE ACTION UNDER ITEM 10.**

**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:**

**\*\*\*CLOSED SESSION\*\*\***

16. 06-196 From Corporation Counsel, regarding the appeal of the decision of the Seventh Circuit Court of Appeals in the Labor Peace Ordinance lawsuit, requesting approval for payment of \$135,000 in full settlement to Milwaukee Association of Commerce and the law firm of Michael Best & Friedrich, LLP. (Tape #15A-#641)

**APPEARANCE:**

Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

***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 items 16-23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7  
***NOES:*** 0

The Committee adjourned into closed session at approximately 10:25 a.m. and reconvened in open session at approximately 11:45 a.m. with the same Committee members present as before.

***MOTION BY: (RICE) Approve items 16, 17 and 18 on the terms recommended by Corporation Counsel. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7  
***NOES:*** 0

17. 06-204 From Barbara Talbert, submitting a claim against the County alleging discrimination based on sex. **(Counsel for the County recommends payment of \$9,300 to claimant's attorney in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 16.**

18. 06-128 From Great Northwest Insurance Company, under their subrogation rights of their insured: Mary Payne, for payment due to the alleged loss by their insured occurring on November 9, 2005.

**SEE ACTION UNDER ITEM 16.**

19. 06-J-5 From Corporation Counsel, report on status for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

***The Committee took no action on this item.***

20. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

***The Committee took no action on this item.***

21. 06-J-7 From Corporation Counsel, status report on Builda II lawsuit.

***The Committee took no action on this item.***

**SCHEDULED ITEMS (CONTINUED):**

22. 06-J-8 From Corporation Counsel, status report as to potential claims from the demolition of the Courthouse Annex. **(Also to Committee on Finance and Audit)**

***The Committee took no action on this item.***

23. 05-J-13 From Corporation Counsel, status report on the potential litigation that the County may have against those firms who furnished professional services to the County at the time the pension benefits were enhanced.

***The Committee took no action on this item.***

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
John Barrett, Clerk of Circuit Court/Director of Court Services  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Deputy Inspector Jerianne Feiten  
Superintendent Ron Malone, House of Correction  
Jan Brylow, Programs Manager, House of Correction

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:47 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 4, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

TAPE No. 15: Side B, #001 to #EOT

TAPE No. 16: Side A, #001 to #560

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

#### SCHEDULED ITEMS:

1. 06-192 From County Executive, submitting a summary explanation of the Local Emergency Planning Committee (LEPC) clarifying the questions that arose at the full board meeting on February 2, 2006. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-19)

#### **APPEARANCES:**

Fran Rudig, County Executive's Office

Carl Stenbol, Emergency Management Bureau

Ms. Rudig and Mr. Stenbol provided comments relative to the Local Emergency Planning Committee.

Mr. Stenbol also provided comments relative to Community Emergency Response Team (CERT) training.

Questions and comments ensued.

2. 05-543 From the County Executive, appointing the following individuals indefinitely to the Local Emergency Planning Committee: Richard Kante, Rod McWilliams, Jack Takerian and Marty Dierker. **12/15/05 and 3/9/06: Report referred back recommending confirmation of the aforementioned appointments; 4/4/06: The Committee on Parks, Energy and Environment considered the subject report and referred this matter to the Committee on Judiciary, Safety and General Services.** (Tape #15B-#130)

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCES:**

Fran Rudig, County Executive's Office  
Carl Stenbol, Emergency Management Bureau

***MOTION BY: (RICE) Temporary layover.***

There being no objection, it was so ordered.

After items 3 and 4 were voted upon and approved, this item became moot.

3. 06-181 From the County Executive, appointing the following individuals indefinitely to the Local Emergency Planning Committee: Richard Kante, Rod McWilliams, and Marty Dierker. (Tape #15B-#149)

**APPEARANCES:**

Rod McWilliams, County Executive's Office  
Rollin Bertran, Traffic Engineering, Department of Public Works

***MOTION BY: (DE BRUIN) Approve items 3 and 4.***

Mr. McWilliams and Mr. Bertrain provided comments as to their roles in the Local Emergency Planning Committee.

Questions and comments ensued.

Supervisor Broderick requested clarification of an indefinite appointment.

Ms. Rudig stated that, per the Corporation Counsel's Office, in absence of a statute that fixes the term of an appointment, the appointment is referred to as indefinite. In this particular case, the appointment would be for the term of the County Executive or until a subsequent County Executive appointed or replaced the appointment.

**Vote on the motion to approve items 3 and 4.**

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

4. 06-182 From the County Executive, appointing Rollin Bertran indefinitely to the Local Emergency Planning Committee.

**SEE ACTION UNDER ITEM 3.**

**SCHEDULED ITEMS (CONTINUED):**

5. 06-231 From the Sheriff, requesting authorization to enter into a contract with Key Power International to replace incident/offence reports, criminal warrants and civil process record management systems. **(Also to Committee on Finance and Audit)** (Tape #15B-#308)

**APPEARANCES:**

Inspector Kevin Carr, Sheriff's Department  
Deputy Inspector Jerianne Feiten, Sheriff's Department

Inspector Carr reviewed the subject report. Deputy Inspector Feiten indicated that there is a DBE firm involved and Corporation Counsel is currently reviewing the contract.

Questions and comments ensued.

***MOTION BY: (BRODERICK) Approve. (Vote 7-0)***

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

6. 06-J-9 From Superintendent, House of Correction, reporting on the proposal from LaLonde Contracts, Inc. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-#403)

**APPEARANCES:**

Jan Brylow, Programs Manager, House of Correction  
John Sullivan, Facilities Manager, House of Correction  
Bill Domina, Corporation Counsel

Questions and comments ensued.

Supervisor De Bruin requested that House of Correction staff provide an arial map as to where the berms will be and where the fills will be located at the House of Correction.

Chairman Johnson requested that House of Correction staff report back to this committee with the Memorandum of Understanding (MOU) between the House of Correction and LaLonde Contractors, Inc. and a resolution for possible approval.

Supervisor Broderick suggested that it would be a prudent measure to include in the MOU, a provision for testing of incoming fill on a periodic basis by Environmental Services to assure that the incoming fill is clean.

***The Committee took no action on this informational report.***

## SCHEDULED ITEMS (CONTINUED):

7. 06-J-10 From the Milwaukee County Task Force on Restorative Justice reporting on the status and activities of the Task Force. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-#656)

### **APPEARANCES:**

David Lerman, Assistant District Attorney, Restorative Justice Coordinator,  
Dr. Gloria Gilmer  
Erin Casfy, Community Conferencing Program Manager  
Phyllis Williams-Kirk  
Stephen D. Moerschel

Mr. Lerman provided a summary of the information he distributed to Committee members (copies of which are attached to the original of these minutes) relative to the Milwaukee County Task Force on Restorative Justice and the actual programming of the District Attorney's Office.

Dr. Gilmer provided comments relative to the task force on Restorative Justice and the individuals she communicated with at Milwaukee County. She indicated that there seems to be a misalignment regarding the resolution that was originated from the Judiciary, Safety and General Services Committee and the implementation of the Restorative Justice task force. She indicated that she would like to see the task force continue.

A lengthy discussion ensued relative to the Restorative Justice Task Force, the Community Conferencing program and the intent of the resolution.

Chairman Johnson indicated that he would work with Dr. Gilmer and the District Attorney's office to ensure that the provisions of the resolution are met to further the aim of the Restorative Justice Task Force.

Ms. Casfy indicated that her position might change from full-time to part-time if additional funding does not become available.

Supervisor De Bruin requested that County Board Research staff review the resolution that originated from this Committee relative to the Restorative Justice Task Force.

Supervisor Broderick requested that staff provide all members of the Committee with a copy of the resolution relating to the Restorative Justice Task Force.

Mr. Moerschel introduced himself as a steward of the jail and indicated that he is looking forward to hearing more about the Restorative Justice Task Force.

**SCHEDULED ITEMS (CONTINUED):**

Ms. Williams-Kirk urged Committee members not to consider changing the resolution.

8. 06-68 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts (Children First) for with Maximus and UMOS (United Migrant Opportunity Services, Inc.) for 2006.

**SEE ACTION UNDER ITEM 9.**

9. 06-76 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts (for paralegals) with Maximus and UMOS (United Migrant Opportunity Services, Inc.) and YW Works for 2006. (Tape #16A-#442)

**APPEARANCE:**

John Hayes, Director, Child Support Enforcement Mr. Hayes reviewed the subject reports for items 8 and 9.

Committee members commended Mr. Hayes for his work.

***MOTION BY: (CESARZ) Approve items 8 and 9 together.***

Questions and comments ensued.

**Vote on the motion to approve items 8 and 9 together: 7-0**

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

**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:**

\*\*\*\*\*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

10. 06-161 From Amica Mutual Insurance Company, submitting a claim under their subrogation rights of their insured, Duncan Lichtenberger, for reimbursement of payment made for alleged damages sustained to his automobile when involved in

**SCHEDULED ITEMS (CONTINUED):**

an accident with a Milwaukee County Highway vehicle on December 3, 2005. **(Corporation Counsel recommends payment in the amount of \$1194.28 in full settlement of this claim.)** (Tape #16A-#496)

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

***MOTION BY: (SCHMITT) Approve. (Vote: 7-0)***

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

Supervisor DeBruin was not in the room at the time of the roll call for the vote, however she returned shortly thereafter and requested to be recorded as voting affirmatively on this item. There being no objection, it was so ordered.

11. 06-239 From Deputy Corporation Counsel, requesting to commence and prosecute a civil action to recover from Tony L. Kearney the pay and benefits received from Milwaukee County while suspended from duty. (Tape #16A-#527)

**APPEARANCE:**

Bill Domina, Corporation Counsel

***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 items 11 and 12. (Vote 7-0)***

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

The Committee adjourned into closed session at approximately 10:40 a.m. and reconvened in open session at approximately 11:08 a.m. with the same Committee members present as before.

***MOTION BY: (RICE) Authorize and direct Corporation Counsel to take such action as is reasonable and necessary, including commencing and prosecuting a civil action to recover from Tony L. Kearney the pay and benefits he received from Milwaukee County while he was suspended from duty. (Vote 7-0)***

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

**SCHEDULED ITEMS (CONTINUED):**

12. 06-247 From Corporation Counsel, status report as to the potential claims from the demolition of the Courthouse Annex, with possible recommendation by Corporation Counsel for action. (Tape #16A-#548)

**APPEARANCE:**

Bill Domina, Corporation Counsel

**MOTION BY: (SCHMITT) Authorize Corporation Counsel to litigate with respective parties regarding the demolition of the Courthouse Annex and to retain outside counsel. (Vote 7-0)**

**AYES:** Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Deputy Inspector Jerianne Feiten  
Jan Brylow, Programs Manager, House of Correction  
John Sullivan, Facilities Manager, House of Correction  
John Hayes, Director, Child Support Enforcement

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:10 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, June 8, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

TAPE No. 16: Side A, #559 to EOT  
TAPE No. 16: Side B, #001 to EOT  
TAPE No. 17: Side A, #001 to #617

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

#### SCHEDULED ITEMS:

1. 06-266 From the County Executive, appointing Brother Bob Smith to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2009.  
(Tape #16-#567)

#### **APPEARANCES:**

Fran Rudig, County Executive's Office

Ms. Rudig provided comments.

**MOTION BY: (BRODERICK) Approve.**

Questions and comments ensued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

2. 06-283 Resolution by Supervisor Rice, McCue, Schmitt and Cesarz to create a Code of Ethics Study Committee to study the existing and proposed provisions of the Milwaukee County Code of Ethics, research comparable codes in other jurisdictions and report recommendations to the County Board. (Tape #16A-#600)

Supervisor Rice provided comments regarding the intent of this resolution.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Devine requested to be added as co-sponsor of this resolution.

***MOTION BY: (CESARZ) Approve.***

Supervisor DeBruin also requested to be added as a co-sponsor of this resolution and questioned the make-up of the study committee.

There being no objection to the request from Supervisors Devine and DeBruin to be added as co-sponsors, it was so ordered.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

3. 06-123 Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.)**  
(Tape #16A-#681)

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

Chairman Johnson advised that Supervisor Mayo requested that the subject ordinance be voted upon by the Committee at this meeting.

***MOTION BY: (DEVINE) Refer items 3, 4 and 5 to the Ethics Study Committee approved in item 2 above and report back in December.***

Questions ensued as to whether or not items 3, 4 and 5 can be referred to a committee that has not yet been voted upon by the full County-Board.

Mr. Andrews advised that a layover motion would be appropriate.

Supervisor Devine withdrew the above motion.

***MOTION BY: (DEVINE) Layover items 3, 4 and 5, upon passage of the Ethics Study Committee on Board Day.***

**Supervisor Rice in the Chair.**

**SCHEDULED ITEMS (CONTINUED):**

**Vote on the motion to layover items 3, 4 and 5: 6-1**

**AYES:** DeBruin, Schmitt, Cesarz, Broderick, Devine and Rice (Chair) – 6

**NOES:** Johnson – 1

4. 06-173 Ordinance by Supervisor White, to amend Chapter 9.07 of the General Ordinances of Milwaukee County relating to the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.**

**SEE ACTION UNDER ITEM 3.**

5. 06-190 Resolution by Supervisor Devine to amend Chapter 9 and Chapter 33 of the General Ordinances of Milwaukee County, relating to the processes of the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.)**

**SEE ACTION UNDER ITEM 3.**

6. 06-260 From Superintendent, House of Correction, requesting authorization to pay St. Vincent de Paul Society of Milwaukee for services rendered to participants at the Community Justice Resource Center. (Tape #16A-#717)

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

**MOTION BY: (SCHMITT) Approve. (Vote: 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

7. 06-J-11 From Federation of Nurses & Health Professionals, status report on the Electronic Medical Record (EMR) system. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #16B-#17)

**APPEARANCES:**

Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, House of Correction  
Barbara Kelsey, Federation of Nurses & Health Professionals

**SCHEDULED ITEMS (CONTINUED):**

Linda Federighe, Federation of Nurses & Health Professionals  
Stephen D. Moershel, Sheriff's Department  
Patty Yunk, D.C. 48 AFSCME

Ms. Kelsey provided comments relative to the Electronic Medical Record system at the Jail and House of Correction, the need for a psychiatrist at the House of Correction and the need for additional RN's at both the Jail and House of Correction to see inmates who have submitted sick call requests.

Mr. Andrews stated that Corporation Counsel has some concerns relative to discussion regarding this item. He stated that comments should only pertain to the Electronic Medical Record system, since this is what is noticed on the agenda.

Supervisor DeBruin suggested that a special meeting of this Committee be convened in "closed session", preferably before Board day (6/22/06), to discuss other items of concern related to the Electronic Medical System at the Jail and House of Correction.

A lengthy discussion ensued.

Inspector Carr provided comments.

Chairman Johnson advised that there would be a special meeting regarding this subject before Board day.

**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:**

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**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

8. 06-184 From David King, Jr., submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County snowplow. **(Corporation Counsel recommends payment in the amount of \$633.60 in full settlement of this claim.)** (Tape #16B-#414)

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

**MOTION BY: (RICE) Approve items 8, 9 and 11.**

Questions and comments ensued.

**Vote on the motion to approve items 8, 9 and 11: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

9. 06-39 From **Action Express**, submitting a claim for damages allegedly sustained to their vehicle when it was involved in an accident with a County Highway vehicle on November 9, 2005. **(Corporation Counsel recommends payment in the amount of \$ 876.83 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 8.**

10. 05-473 From Courtney & Molter, S.C., in behalf of Danyle Hall and the Estate of Anita Hall, submitting a claim for the inappropriate care and treatment at the Behavioral Health Division, Rehabilitation Center – Hilltop leading to her death on June 12, 2005. **(Corporation Counsel recommends payment in the amount of \$50,000 to settlement all claims arising out of her death.)** (Tape #17A-#608)

**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 items 10, 12, 13, 14 and 15.**

The Committee adjourned into closed session at approximately 10:45 a.m. and reconvened into open session at approximately 12:10 p.m. with the same Committee members present as before.

**MOTION BY: (SCHMITT) Approve. (Vote 7-0)**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) – 7

**NOES:** 0

The Committee took no action on items 12, 13, 14 and 15.

**SCHEDULED ITEMS (CONTINUED):**

11. 06-183 From American Family Insurance Group, submitting a claim under their subrogation rights of their insured, David McGlothian, for reimbursement of payment made for the alleged damages sustained to the insured's vehicle which was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$9,764.00 to settle this claim.)**

**SEE ACTION UNDER ITEM 8.**

12. 06-J-12 From Principal Assistant Corporation Counsel, relating to Riverwalk/Pere Marquette Americans with Disabilities (ADA) complaint and settlement **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**SEE ACTION UNDER ITEM 10.**

13. 06-J-3 From Corporation Counsel, status report regarding claims against Brewery Works, Inc. for money due to the County arising out of the lease agreement at Schlitz Park.

**SEE ACTION UNDER ITEM 10.**

14. 06-J-5 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

**SEE ACTION UNDER ITEM 10.**

15. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

**SEE ACTION UNDER ITEM 10.**

16. 06-J-13 From the Sheriff, a report summarizing the plan of action for enhanced safety in and around County parks. **(Also to the Committee on Parks, Energy and Environment) (INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #16B-#470)

**APPEARANCES:**

Inspector Kevin Carr, Sheriff's Department  
Jon Priebe, Public Safety Fiscal Administrator  
Supervisor Marina Dimitrijevic (4<sup>th</sup> District)  
Deputy Roy Felber, Deputy Sheriff's Association

Inspector Carr reviewed the subject report.

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Divine requested bi-weekly reports to this Committee and the Parks Committee relative to the progress of the Parks patrol.

Inspector Carr respectfully requested to continue to provide update reports to the Judiciary Committee.

Discussion ensued at length.

Deputy Felber advised that the Deputy Sheriff's Association is in agreement with this plan. He stated that the lakefront is a good area right now, but once the lakefront is cleaned up, the same measures should be taken to clean up other parks.

Inspector Carr stated that the plan is a work-in-progress and requested the Committee's patience and indulgence.

Supervisor Broderick expressed concerns relative to the State expressway patrol and lost revenues. Mr. Priebe addressed those concerns.

*This item was taken out of order.*

17. 06-296 From Director, Child Support Enforcement, relating to a proposed contract for a Nine (9) month pilot program between the Department of Child Support Enforcement and the Wisconsin Bureau of Milwaukee Child Welfare to prioritize the Bureau's out of home placement cases in exchange for a fee of 20% of the child support collected from all sources. (Tape #17A-#569)

**APPEARANCE:**

John Hayes, Director, Child Support

Mr. Hayes reviewed the subject report.

Questions and comments ensued.

**MOTION BY: (RICE) Approve. ((Vote 7-0))**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

*This item was taken out of order.*

**SCHEDULED ITEMS (CONTINUED):**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Superintendent Ron Malone, House of Correction  
Inspector Kevin Carr, Sheriff's Office  
Jon Priebe, Public Safety Fiscal Administrator  
John Hayes, Director, Child Support Enforcement

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Adjourned: 12:11 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**SPECIAL MEETING OF THE  
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Tuesday, June 20, 2006 - 2:00 P.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

TAPE No. 17: Side A, #620 to EOT  
TAPE No. 17: Side B, #001 to #560

**PRESENT:** Supervisors Rice, De Bruin, Cesarz, Broderick, Devine and Johnson (Chair)  
**EXCUSED:** Supervisor Schmitt

**SCHEDULED ITEMS:**

**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:**

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**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

1. 06-J-11 From Federation of Nurses & Health Professionals, status report on the Electronic Medical Record (EMR) system. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #17A-#625)

**APPEARANCES:**

Robert Andrews, Deputy Corporation Counsel  
John Schapekahn, Principal Corporation Counsel  
Deputy Inspector Richard Schmidt, Sheriff's Department  
Dr. Michael Grubner, Sheriff's Department  
Monica Pope-Wright, Sheriff's Department  
Superintendent Ron Malone, House of Correction

**SCHEDULED ITEMS (CONTINUED):**

Les Lucas, IMSD/DAS  
Barbara Kelsey, Federation of Nurses & Health Professionals  
Linda Federiche, Federation of Nurses & Health Professionals  
Stephen Moershel, Local 5001  
Lorraine E. Schmidt, Nurses Union  
Beth Werue, President, AFSCME Local 645

Chairman Johnson advised that this Special meeting of the Judiciary, Safety and General Services Committee is being held to address concerns expressed in a letter from the Wisconsin Federation of Nurses & Health Professionals dated May 24, 2006 regarding the Electronic Medical Record (EMR) system. He stated that the letter has been distributed to County Board staff, County Executive staff, Corporation Counsel, DAS staff, the Sheriff's Department, Journal/Sentinel, WTMJ, District Council 48, and the nurses. Therefore, the letter and its contents regarding the EMR system are appropriate for discussion at this Special meeting.

Supervisor Rice requested that Corporation Counsel provide comments and/or ground rules relative to the discussion regarding this subject.

Mr. Andrews commented that the initial concern was that the notice of the meeting seemed to limit itself to the EMR system alone; however, as stated by Chairman Johnson, the letter dated May 24, 2006 from the Federation of Nurses & Health Professionals have been widely circulated. Mr. Andrews reiterated that it is a proper source of discussion for this Committee to entertain information regarding the EMR system and also the elements contained therein. However, he cautioned the Committee relative to the Christiansen lawsuit and requested that the Committee receive factual information in open session from those wishing to give testimony. Any discussion can be held in "closed session" at the conclusion of the open portion of this meeting.

Committee members requested further clarification.

Mr. Andrews advised that a discussion of trying to interpret or set policy should be discussed in "closed session". Questions from Committee members to obtain additional support or factual information would be proper in open session.

Supervisor DeBruin stated that she would hope that any comments made today by Sheriff's department or Jail staff would not result in any recrimination or problems for staff by the Sheriff's department in any way.

Ms. Kelsey reviewed concerns outlined in the May 24, 2006 letter and reiterated the need for increased medical records personnel at both the Jail and the House of Correction on the day and p.m. shifts. She stated that a Psychiatrist is also needed at the House of Correction. Ms. Kelsey requested that the Judiciary, Safety and

**SCHEDULED ITEMS (CONTINUED):**

General Services Committee look into the problem with the medical record provider because the paper medical records system provider has not been able to provide adequate charts on a timely manner to staff that need them.

Questions and comments ensued.

Ms. Federiche provided comments relative to the need for additional staff at the Jail and House of Correction and answered questions raised by Committee members.

Ms. Schmidt expressed concerns regarding the EMR system.

Supervisor DeBruin commented that she would like to see consensus between the administration (medical and nursing), as well as IMSD and front line staff, regarding the EMR system.

Deputy Inspector Schmidt provided comments relative to communication between administration and the nurses.

Mr. Moershel provided comments and requested additional staff (a Psychiatrist for the House of Correction and two Registered Nurses (RN's) for day and p.m. shifts for sick call requests at the Jail). He stated additional staff is needed because there is a severe shortage of RN's at the jail and the health needs of the inmates are not being met.

Ms. Werue commented that the unavailability of medical records is unacceptable and therefore, becomes a liability.

***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 item 1). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.***

**AYES:** Rice, DeBruin, Cesarz, Broderick, Devine and Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** Schmitt

The Committee adjourned into closed session at approximately 3:05 p.m. and did not reconvene in open session.

**SCHEDULED ITEMS (CONTINUED):**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
John Schapekahn, Principal Corporation Counsel  
Superintendent Ron Malone, House of Correction  
Deputy Inspector Schmidt, Sheriff's Office

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Adjourned: 4:15 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, September 14, 2006 - 9:00 A.M.**

**Milwaukee County Courthouse - Room 201-B**

**M I N U T E S**

TAPE No. 18: Side A, #389 to #563

**PRESENT:** Supervisors Rice, De Bruin, Cesarz, Broderick, Devine and Johnson (Chair)

**EXCUSED:** Supervisor Schmitt

**SCHEDULED ITEMS:**

1. 06-J-16 From Superintendent, House of Correction, informational report on the Relocation of the Community Justice Resource Center (Day Reporting Center).  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Jan Brylow, Programs Manager, House of Correction

Superintendent Malone reviewed the subject report. Ms. Brylow provided additional comments.

Questions and comments ensued.

***The Committee took no action on this informational item.***

SCHEDULED ITEMS (CONTINUED):

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:

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**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

2. 06-377 From Charles Shears, submitting a claim for damages allegedly suffered while he was an inmate at the House of Correction. **(Corporation Counsel recommends the payment of \$20,000 in full settlement of all claims including attorney fees.)**

**APPEARANCE:**

Bob Andrews, Deputy Corporation Counsel

***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 items 2, 6, 7 and 8. 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, Devine and Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** Schmitt

The Committee adjourned into closed session at approximately 9:15 a.m. and reconvened in open session at approximately 10:05 a.m. with the same members present as before.

***MOTION BY: (RICE) Approve item 2.***

Questions and comments ensued.

**Vote on the motion to approve item 2: 6-0**

**AYES:** Rice, DeBruin, Cesarz, Broderick, Devine and Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** Schmitt

SCHEDULED ITEMS (CONTINUED):

**The Committee took no action on items 6-8.**

***This item was taken out of order.***

3. 05-174 From Law offices of Robert A. Levine, submitting a claim in behalf of Danqwan Boyd for injuries and damages allegedly sustained when he slipped on the concrete floor and fell on glass at Noyes Pool; and a claim in behalf of Leokshne Hamilton, mother of Danqwan, for pain, suffering and disability of the companionship of her son. **(Corporation Counsel recommends payment in the amount of \$5,000.)**

***MOTION BY: (RICE) Approve items 3, 4 and 5 together.***

Supervisor DeBruin requested separate action on item 3. There being no objection, it was so ordered.

**Vote to approve items 4 and 5: 6-0**

***AYES:*** Rice, DeBruin, Cesarz, Broderick, Devine and Johnson (Chair) - 6

***NOES:*** 0

***EXCUSED:*** Schmitt

Questions and comments ensued relative to item 3.

***MOTION BY: (DE BRUIN) Approve item 3. (Vote 6-0)***

***AYES:*** Rice, DeBruin, Cesarz, Broderick, Devine and Johnson (Chair) - 6

***NOES:*** 0

***EXCUSED:*** Schmitt

***This item was taken out of order.***

4. 06-365 From Sylvia Brooks, submitting a claim for damages allegedly sustained in an accident with a Milwaukee County vehicle on the I-94 off ramp to Rawson Avenue. **(Corporation Counsel recommends payment of \$2,320 to Ms. Brooks to settle the property damage portion of her claim.)**

**SEE ACTION UNDER ITEM 3.**

5. 06-360 From Interstate Sealant & Concrete, submitting a claim for the alleged damage to their sweeper when it was struck by a gate that was closing prematurely at General Mitchell International Airport. **(Corporation Counsel recommends payment of \$651.60 in full settlement of all claims.)**

**SEE ACTION UNDER ITEM 3.**

**SCHEDULED ITEMS (CONTINUED):**

6. 06-J-5 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

**SEE ACTION UNDER ITEM 2.**

7. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

**SEE ACTION UNDER ITEM 2.**

8. 06-J-17 From Corporation Counsel, status report on the Mercer pension lawsuit.

**SEE ACTION UNDER ITEM 2.**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Superintendent Ron Malone, House of Correction  
Jan Brylow, Program Manager, House of Correction

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Adjourned: 10:06 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, October 19, 2006 - 9:00 A.M.

**Milwaukee County Courthouse - Room 201-B**

### MINUTES

TAPE No. 18: Side A, #555 to EOT  
Side B, #001 to #642

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

#### SCHEDULED ITEMS:

1. 06-J-18 From the Ethics Board and County Clerk, report(s) on compliance with and enforcement of Chapter 14 - Regulation of Lobbying, including status of registration and reporting by lobbyists and principals and adoption of rules by Ethics Board to enforce same. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #18A-#579)

#### **APPEARANCES:**

Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
County Clerk Mark Ryan  
Dan Hanley, Chairman, Ethics Board  
Susan Shields, Executive Director, Ethics Board

Supervisor Rice provided comments regarding the progress of the Ethics Study workgroup.

County Clerk Ryan provided brief comments and suggested that this be referred to the Ethics Study workgroup.

Mr. Andrews provided comments relative to delineation of Ethics Board responsibilities vs. County Clerk's Office.

Questions and comments ensued at length.

**SCHEDULED ITEMS (CONTINUED):**

Ms. Shields provided comments and indicated that there is some confusion among the lobbying community as to what their requirements are.

***MOTION BY: (BRODERICK) refer to the Ethics Study workgroup for further review.***

There being no objection, it was so ordered.

**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:**

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**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

2. 06-371 From GMAC Insurance, submitting a claim under their subrogation rights of their insured, James E. Walgrave, for injuries and damages allegedly sustained as the result of a motor vehicle accident involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$4,495.56 to satisfy all claims arising out of the June 30, 2006 motor vehicle accident) 7-0** (Tape #18B-#229)

**APPEARANCES:**

Bob Andrews, Deputy Corporation Counsel

***MOTION BY: (DE BRUIN) Approve items 2-5, as recommended by Corporation Counsel.***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

3. 06-356 From Yehia M. El Tabei, submitting a claim for the alleged damage to vehicle when his vehicle was hit by another vehicle while traffic was being directed by a Milwaukee County Sheriff. **(Corporation Counsel recommends payment of a sum not to exceed \$2,100.00 to settle all claims arising out of the July 9, 2006 motor vehicle accident)**

**SEE ACTION UNDER ITEM 2.**

**SCHEDULED ITEMS (CONTINUED):**

4. 06-424 From James Trandell, submitting a claim for damages to his parked vehicle allegedly sustained when it was struck by a County vehicle. **(Corporation Counsel recommends payment of \$1,615.51.)**

**SEE ACTION UNDER ITEM 2.**

5. 06-351 From Troy Schoenrock, submitting a claim for damages allegedly sustained to his automobile when it was diverted off 114<sup>th</sup> Street due to roadwork being done on June 14, 2006. **(Corporation Counsel recommends payment of \$823.34 in settlement of all claims.)**

**SEE ACTION UNDER ITEM 2.**

6. 06-J-13 From Corporation Counsel, status report on action of Supreme Court to grant petition to review Court of Appeal's decision in Milwaukee County v. Williams and Hegney regarding the challenge to the Ordinance regulating taxicabs at the airport.

***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) (items 6-10). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. 7-0 (Tape #18B-#637)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

The Committee adjourned into closed session at approximately 10:10 a.m. and did not reconvene back into open session.

7. 06-J-15 From Corporation Counsel, status report on action of Supreme Court to grant petition to review Court of Appeal's decision regarding City of Glendale Community Development Authority Condemnation Award concerning the authority of the Clerk of Courts to deposit a condemnation award in the County's general fund with interest accruing to the County.

**SEE ACTION UNDER ITEM 6.**

8. 06-J-19 Report from Corporation Counsel on the claim of Midwest Airlines for damage to an aircraft when it struck a truck during taxi operations at the airport.

**SEE ACTION UNDER ITEM 6.**

**SCHEDULED ITEMS (CONTINUED):**

9. 06-J-17 From Corporation Counsel, status report on Mercer pension lawsuit.

**SEE ACTION UNDER ITEM 6.**

10. 06-J-20 From Corporation Counsel, status report on Court of Appeals decision in Morford case involving the placement of sexual predators. (Tape #18B-#278)

Chairman Johnson acknowledged the presence of Alderman Bob Fuente from the City of Milwaukee.

The Committee discussed this item in open session and in closed session.

**APPEARANCES:**

Bill Domina, Corporation Counsel  
John Jorgensen, Principal Assistant Corporation Counsel  
Alderman Bob Fuente, City of Milwaukee

Mr. Domina and Mr. Jorgensen provided comments relative to the background and the status of this case.

Discussion ensued with questions and comments.

Alderman Fuente provided comments.

***This item was taken out of order.***

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
John Jorgensen, Principal Assistant Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:50 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, November 30, 2006 - 9:00 A.M.

**Milwaukee County Courthouse - Room 201-B**

### MINUTES

TAPE No. 19: Side A, #001to EOT  
TAPE No. 19: Side B, #001 to EOT  
TAPE No. 20: Side A, #001 to 531

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

#### SCHEDULED ITEMS:

1. 06-442 From the District Attorney, requesting permission to contract with PRAXIS, the Wisconsin Department of Corrections, Task Force on Family Violence, Sojourner Truth House and Alma Center to implement a new domestic violence grant. **(Also to the Committee on Finance & Audit)** (Tape #19A-#38)

#### **APPEARANCES:**

Jim Martin, District Attorney's Office  
Paul Dedinski, Domestic Violence Unit

Mr. Martin reviewed the subject report.

**MOTION BY: (BRODERICK) Approve.**

Questions and comments ensued.

Mr. Dedinski addressed questions raised by Committee members.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

**SCHEDULED ITEMS (CONTINUED):**

2. 06-J-21 From the Sheriff's Office, reporting on the 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) – Reprogramming of City of West Allis Grant Funds. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #19A-#253)

**APPEARANCE:**

Molly Pahl, Public Safety Fiscal Analyst

Ms. Pahl reviewed the subject report.

***The Committee took no action on this informational report.***

3. 06-472 From the Sheriff, requesting authorization to enter into a contract with One Call Dental Staffing to allow the Inmate Medical Services Unit to provide on-site dental services to inmates. (Tape #19A-#268)

**APPEARANCES:**

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

***MOTION BY: (DE BRUIN) Approve.***

Questions and comments ensued.

**Vote on the motion to approve. 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

4. 06-473 From the Sheriff, requesting authorization to enter into a contract with Fresenius Medical Care to allow the Inmate Medical Services Unit to provide on-site dialysis care to inmates with kidney problems. (Tape #19A-#405)

**APPEARANCES:**

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (RICE) Approve.***

Questions and comments ensued.

Supervisor Schmitt suggested that line 27 of the resolution be changed to three years, with the option of (2) one year renewals. Supervisor Rice accepted this as a friendly amendment.

**Vote on the motion to approve, including friendly amendment. 7-0**

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

5. 06-474 From the Sheriff, requesting authorization to extend the contract with PPX, Inc. to allow the Inmate Medical Services Unit to provide on-site X-ray services to inmates. (Tape #19A-#521)

***APPEARANCES:***

Inspector Richard Schmidt, Sheriff's Department  
Inspector Kevin Carr, Sheriff's Department  
Dr. Michael Grubner, Medical Director, Health Services for Detention Services

***MOTION BY: (SCHMITT) Approve. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

6. 06-475 From the Sheriff, requesting authorization to enter into a contract with Diamond Drugs to allow the Inmate Medical Services Unit to provide necessary drug treatment to inmates. (Tape #19A-#530)

***APPEARANCES:***

Inspector Richard Schmidt, Sheriff's Department  
Inspector Kevin Carr, Sheriff's Department  
Dr. Michael Grubner, Medical Director, Health Services for Detention Services  
Jon Priebe, Public Safety Fiscal Administrator  
Antonio Rubio, District Council 48, Local 1055

Questions and comments ensued.

Discussion ensued as to whom the individuals are that Milwaukee County would be contracting with as opposed to the corporate entity.

Supervisor DeBruin expressed concerns relative to DBE goal compliance.

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (DE BRUIN) Layover.***

Questions and comments ensued relative to a one-year contract as opposed to five years.

Supervisor DeBruin withdrew her motion to layover.

***MOTION BY: (DE BRUIN) Amend the resolution on line 24 to delete the words "five years, including two (2) one year renewal options" and insert "one year".***

Comments ensued.

Supervisor Rice suggested that the word "revised" be inserted before the word "draft" on line 25 of the resolution. Supervisor DeBruin accepted this as a friendly amendment.

Mr. Rubio provided comments.

Supervisor DeBruin requested that the Sheriff's Department provide her with a brief letter regarding the reduction in pharmacy costs.

**Vote on the motion to amend the resolution. 7-0**

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

***MOTION BY: (DE BRUIN) Approve the resolution, as amended. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

7. 06-476 From the Sheriff, requesting approval of a Professional Services Contract with Dr. David Edwin Holloway and Dr. Stonefield for the provision of psychiatric services at the House of Correction. (Tape #19B-#267)

**APPEARANCES:**

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor DeBruin requested information regarding Board certification for both doctors before Board day.

***MOTION BY: (RICE) Approve.***

Questions and comments ensued.

Supervisor Cesarz pointed out that on line 21 of the resolution, 1.7 FTE should be changed to .45 FTE.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

8. 06-J-26 From the Sheriff, informational report on the emergency purchase of physician residents services to resolve serious Nurse Practitioner shortages.  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #19B-#512)

**APPEARANCES:**

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Linda Federighe, Federation of Nurses and Health Professionals

Inspector Schmidt, Inspector Carr and Dr. Grubner provided comments.

Discussion ensued at length.

Ms. Federighe provided comments relative to the information she received from the Sheriff's department outlining some of the points that she felt the Federation of Nurses should be in agreement with. She noted that there was information missing pertaining to accurate data. She requested that the Committee layover item #9.

***The Committee took no action on this informational report.***

9. 06-477 From the Sheriff, requesting approval of a Professional Services Contract to be used by the Sheriff's Health Services Unit to purchase the services of medical residents and students to perform basic services for the inmates at the Criminal Justice Facility and House of Correction in an amount not to exceed 500 hours per year per individual, dependent on sufficient funding from Nurse Practitioner vacancies.  
(Tape #19B-#720)

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCES:**

Supervisor Marina Dimitrijevic, District #4  
Inspector Richard Schmidt, Sheriff's Department  
Inspector Kevin Carr, Sheriff's Department  
Dr. Michael Grubner, Medical Director, Health Services for Detention Services  
Linda Federighe, Federation of Nurses and Health Professionals

Questions and comments ensued.

***MOTION BY: (DE BRUIN) Amend the resolution as recommended by staff, add the word "licensed" throughout before the words "residents" or "medical residents" and change the Professional Services Contract accordingly.***

Questions and comments continued.

Supervisor Dimitrijevic requested information pertaining to the overtime for the nurses.

**Vote on the motion to amend the resolution: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

***MOTION BY: (DE BRUIN) Approve the resolution, as amended. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

10. 06-J-27 From Superintendent, House of Correction, informational report on the relocation of the Community Justice Resource Center (Day Reporting Center).  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #20A-#431)

**APPEARANCE:**

Jon Priebe, Public Safety Fiscal Administrator

Mr. Priebe reviewed the subject report.

***The Committee took no action on this informational report.***

SCHEDULED ITEMS (CONTINUED):

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:

\*\*\*\*\*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

*(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

11. 06-453 From Principal Assistant Corporation Counsel, regarding the claims of Tania M. McCarthy for racial and gender discrimination, requesting payment of \$40,000 in full settlement. (Tape #20A-#477)

***MOTION BY: (RICE) Approve items 11-17 together. (Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
***NOES:*** 0

12. 05-276 From Afni Insurance Services, submitting a claim under their subrogation rights of their insured, American Family Insurance and Rachel Govan for reimbursement of payment made for alleged damages sustained when involved in an accident with a Milwaukee County-owned vehicle on June 4, 2004. **(Corporation Counsel recommends payment in the amount of \$19,283.27.)**

**SEE ACTION UNDER ITEM 11.**

13. 05-257 From Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., submitting a claim in behalf of Nichole Schill for injuries and damages allegedly sustained while riding a golf cart at Brown Deer Park. **(Corporation Counsel recommends payment in the amount of \$31,000.00.)**

**SEE ACTION UNDER ITEM 11.**

14. 05-189 From Phillips, Cymerman & Stein, S.C., submitting a claim in behalf of Sholonda R. Morris for injuries and damages allegedly sustained when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$13,794.43.)**

**SEE ACTION UNDER ITEM 11.**

**SCHEDULED ITEMS (CONTINUED):**

15. 06-448 From Paula Josephs, submitting a claim for injuries and damages allegedly sustained when a County vehicle struck her vehicle. **(Corporation Counsel recommends payment in the amount of \$7,899.13 in full settlement of all claims.)**

**SEE ACTION UNDER ITEM 11.**

16. 06-449 From Jeff and Terrie Yee, submitting a claim for damages allegedly sustained to their vehicle when it was struck by a County vehicle. **(Corporation Counsel recommends payment in the amount of \$1,700 in full settlement of all claims.)**

**SEE ACTION UNDER ITEM 11.**

17. 06-450 From American Family Insurance in behalf of Bernadette Meagher, submitting a claim for damages sustained to her vehicle when it was struck by a County vehicle. **(Corporation Counsel recommends payment in the amount of \$1,247.61 to American Family to settle all claims.)**

**SEE ACTION UNDER ITEM 11.**

18. 06-J-22 From Corporation Counsel, status report on Mercer pension lawsuit. (Tape #20A-#458)

***MOTION BY: (RICE) that the Committee 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 items 18-23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 5-0)***

**AYES:** Rice, Cesarz, Broderick, Devine and Johnson (Chair) - 5

**NOES:** 0

**EXCUSED:** DeBruin and Schmitt

The Committee adjourned into closed session at approximately 11:30 a.m. and reconvened in open at approximately 1:40 p.m. with the same members present as before.

***The Committee took no action on this item.***

**SCHEDULED ITEMS (CONTINUED):**

19. 06-J-23 From Corporation Counsel, status report regarding a possible criminal investigation  
06-490 and prosecution arising out of the treatment of a former Behavioral Health Division  
patient. **(Corporation Counsel may request that action be taken.)** (Tape #20A-  
#502)

***MOTION BY: (BRODERICK) Approve the resolution from Corporation Counsel.  
(Vote 6-1)***

***AYES:*** Rice, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 6

***NOES:*** DeBruin - 1

20. 06-J-24 From Corporation Counsel, status report regarding compensation issues of Deputy  
Sheriffs who are canine handlers.

***The Committee took no action on this item.***

21. 06-J-25 From Corporation Counsel, a discussion of the retainer agreement with the law firm  
06-491 of Quarles & Brady, LLP as bond counsel for the County. **(Corporation Counsel  
may request that action be taken.)** (Tape #20A-#511)

***MOTION BY: (RICE) Approve the resolution from Corporation Counsel.  
(Vote 7-0)***

***AYES:*** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 7

***NOES:*** 0

22. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.  
06-492 **(Corporation Counsel may request that action be taken.)** (Tape #20A-#523)

***MOTION BY: (SCHMITT) Approve the resolution from Corporation Counsel.  
(Vote 4-3)***

***AYES:*** Schmitt, Broderick, Devine and Johnson (Chair) – 4

***NOES:*** Rice, DeBruin and Cesarz – 3

23. 06-J-28 From Corporation Counsel, status report on the Circuit Court decision of the  
County's challenge to the arbitrator's decision in the matter of the County and the  
Wisconsin Soccer Association. **(Corporation Counsel may recommend that action  
be taken.)**

***The Committee took no action on this item.***

**SCHEDULED ITEMS (CONTINUED):**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, Sheriff's Department  
Inspector Richard Schmidt, Sheriff's Department  
Dr. Michael Grubner, Medical Director, Health Services  
Jon Priebe, Public Safety Fiscal Administrator  
Molly Pahl, Public Safety Fiscal Analyst  
Jim Martin, District Attorney's Office  
Paul Dedinski, Domestic Violence Unit

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Adjourned: 1:45 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**