

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

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

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

1. 09-414 From the County Executive, appointing Mr. Larry K. Stephens to serve on the Local Emergency Planning Committee. Mr. Stephens will be replacing Mr. Dean Schultzbank of We Energies due to a reorganization of assignments.

APPEARANCE(S):

No one from the County Executive's Office appeared.

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

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

NOES: 0

EXCUSED: Cesarz – 1

2. 09-413 From Executive Director, Ethics Board, requesting that \$170,000 be transferred from the Allocated Contingent Fund to the Ethics Board budget, Org. Unit 1905 to be expended over a three year period in the amount of \$56,660 per year and/or encumbered to project completion.

APPEARANCE(S):

Supervisor Elizabeth Coggs, 10th District
Susan Shields, Executive Director, Ethics Board
Gina Ozelie, Associate, Centofanti Phillips, S.C

Supervisor Rice provided comments relative to the chronology of this item.

Discussion ensued with questions and comments.

SCHEDULED ITEMS (CONTINUED):

Supervisor Coggs, Chairperson of the Committee on Finance and Audit, provided comments as to why she doesn't support putting this item on the October agenda of the Committee on Finance and Audit.

MOTION BY: (DE BRUIN) Approve, with the understanding that if the Committee on Finance and Audit reviews this and decides we cannot afford to do this, she will support the recommendation from the Committee on Finance and Audit.

Ms. Ozelie advised that she is from the law firm (Centofanti Phillips) that was selected to spearhead the ethics training. They've done some work in the past for the Ethics Board and also do work for counties all over the state of Wisconsin. The law firm of Centofanti Phillips specializes in this area.

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz - 1

3. 08-J-14 From the Chief Information Officer, Information Management Services Division
09-427 (IMSD), informational report regarding the 800 MHz Rebanding Project.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Dennis John, Chief Information Officer, IMSD
Inspector Kevin Carr, Sheriff's Department

Mr. John reviewed the subject report.

Questions and comments ensued.

Inspector Carr provided comments relative to having meetings with the City of Milwaukee to explore how the City and County could operate in a more cooperative fashion that would result in cost savings to both systems.

MOTION BY: (JURSIK) Receive and place on file the subject report. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

4. 09-397 From the Chief Information Officer, IMSD, requesting authorization to grant a conservation easement at the House of Correction, 8885 S. 68th Street, Franklin, Wisconsin to the City of Franklin. **(Also to the Committee on Economic and Community Development)**

APPEARANCE(S):

Dennis John, Chief Information Officer, IMSD
Inspector Kevin Carr, Sheriff's Office
John Schapekahm, Principal Corporation Counsel
Lauri Panella, IMSD

Ms. Panella provided comments relative to the subject report.

MOTION BY: (RICE) Approve.

Discussion ensued at length, with questions and comments as to what the City of Franklin's real intentions are and clarity of the language in the contract as it relates to permanency of this easement.

MOTION BY: (SANFELIPPO) Refer to County Board staff for analysis and recommendation.

Questions and comments continued.

Supervisor De Bruin requested that Corporation Counsel be included in the referral.

Mr. Chairman asked Supervisor Sanfelippo if he would entertain a friendly amendment to add Corporation Counsel to his referral motion. Supervisor Sanfelippo responded affirmatively.

Mr. Schapkahm advised that Corporation Counsel could impose a MOU (memorandum of understanding).

Supervisor Rice withdrew his approval motion.

Vote on the motion to refer to County Board staff and Corporation Counsel: 6-0

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

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

5. 09-412 From the Chief Judge, requesting authorization to accept a Substance Abuse and Mental Health Services Administration Adult Drug Treatment Court Grant in the amount of \$900,000 for the period of September 30, 2009-September 29, 2012. **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Holly Szablewski, Court Services

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

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

NOES: 0

EXCUSED: Cesarz - 1

6. 09-420 From the Clerk of Circuit Court/Director of Court Services, requesting authorization to enter into a contract with the Legal Aid Society in the amount of \$1,747,116 in 2010, \$1,764,000 in 2011 and \$1,789,200 in 2012.

APPEARANCE(S):

Chief Judge Jeffrey Kremers, Courts

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

Mark Grady, Corporation Counsel's Office

Tom Cannon, Legal Aid Society

Deborah Bachun, Fiscal Manager, Courts

Mr. Barrett reviewed the subject request.

Mr. Cannon provided comments relative to the contract.

MOTION BY: (BRODERICK) Approve.

Discussion ensued at length.

The Committee expressed concern relative to whether or not Corporation Counsel approved/signed off on the contract.

Supervisor De Bruin requested that the contract be provided to her before Board Day (November 2, 2009).

MOTION BY: (DE BRUIN) Amend the resolution as follows:

On lines 11, 12 and 13, insert the words "up to" before the dollar amount; after the dollar amount, insert "for 2800 cases"; on line 14, delete the word "and"; insert "Additional cases will be paid at the same rate per case; and";

Add the following "WHEREAS" clause (from the fiscal note): The contract amount

SCHEDULED ITEMS (CONTINUED):

provides for 2800 cases at \$623.97 per case for a total of \$1,747,116 in 2010; 2800 cases at \$630.00 per case for a total of \$1,764,000 in 2011; and 2800 cases at \$639.00 per case for a total of \$1,789,200 in 2012; Delete "is an ongoing contract", line 26 and insert "be extended for three years-2010, 2011 and 2012 on the terms set forth above".

Discussion ensued with questions and comments relative to the above amendments.

Supervisor Jursik requested separate action on the amendment pertaining to line 14.

Vote on the amendment, excluding line 14: 6-0

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

NOES: 0

EXCUSED: Cesarz - 1

Vote on the amendment to line 14: 5-1

AYES: Rice, De Bruin, Broderick, Sanfelippo and Johnson (Chair) – 5

NOES: Jursik - 1

EXCUSED: Cesarz - 1

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

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

NOES: 0

EXCUSED: Cesarz - 1

7. 09-37 From the Sheriff's Office, Milwaukee County Sheriff's Office and House of
(a)(e) Correction Merger Third Quarter Report. **(Also to be considered by the Committee on Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Questions and comments ensued.

Inspectors Carr and Schmidt answered questions raised by the Committee.

Supervisor De Bruin expressed concerns relative to hearing about inmates being assessed in the hallways.

SCHEDULED ITEMS (CONTINUED):

The Committee congratulated Inspector Carr on his nomination for U.S. Marshall.

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

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

NOES: 0

EXCUSED: Cesarz - 1

8. 09-J-6 From the Sheriff's Office, informational report regarding notification of intent to contract for commissary services at the County Correctional Facilities.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
John Jorgensen, Principal Corporation Counsel
Amos Owens, Procurement Division
Molly Pahl, Sheriff's Office

Inspector Carr reviewed the subject report.

Questions and comments ensued.

The Committee took no action on this informational item.

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. 08-37 From Tabak & Tepper, S.C., submitting a claim in behalf of Alvin Richman, for injuries and damages allegedly sustained when he fell in the courtroom of Judge Jeffrey Conen, Room 501 of the Milwaukee County Courthouse. **(Corporation Counsel recommends payment in the amount of \$10,000)**

APPEARANCE(S):

Mark Grady, Principal Corporation Counsel

MOTION BY: (RICE) Approve. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: Cesarz and De Bruin - 2

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Susan Shields, Executive Director, Ethics Board
Dennis John, Chief Informational Officer, IMSD
Lauri Panella, IMSD
Chief Judge Jeffrey Kremers, Courts
John Barrett, Clerk of Circuit Court/Director of Court Services
Deborah Bachun, Fiscal Manager, Courts
John Jorgensen, Principal Assistant Corporation Counsel
John Schapekahm, Principal Assistant Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Jon Priebe, Fiscal Administrator, Sheriff's Office
Holly Szablewski, Court Services
Amos Owens, Procurement Division

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

Adjourned: 11:30 A.M.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, December 3, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, November 19, 2009.

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