

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, May 7, 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. 09-168 From County Executive, appointing Jonathan Stollenwerk to serve on the Milwaukee County Local Emergency Planning Committee as the Public Information representative.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Jonathan Stollenwerk, Appointee

Ms. Hill provided comments relative to the subject appointment.

Committee members provided comments.

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

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

NOES: 0

EXCUSED: Cesarz – 1

2. 09-177 From County Executive, appointing Mr. Raymond Lopez to the Milwaukee County Local Emergency Planning Committee to serve as the representative of County Fire Departments formally held by Mr. James Martins.

Chairman Johnson advised that the County Executive forwarded a communication requesting that this item be withdrawn.

3. 09-199 A resolution by Supervisor De Bruin, authorizing and directing County Board staff to report on feasible alternatives to the current operations of the Farm and Fish Hatchery at the House of Correction by July 1, 2009.

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Jerry Heer, Director of Audits

Supervisor De Bruin advised that Supervisors Broderick, Johnson and Jursik are co-sponsors of this resolution. She provided comments relative to the subject resolution and explained its intent.

Questions and comments ensued.

Supervisor Rice asked if Supervisor De Bruin would accept a friendly amendment to line 49, after the word "to" by inserting the following language: "conduct a cost benefit analysis and to".

Supervisor De Bruin accepted the friendly amendment.

Mr. Heer commented that he understands quite thoroughly what is expected of him and would provide the requested information by July 1, 2009.

Inspector Carr commented that on behalf of the Sheriff, he supports the resolution as submitted.

MOTION BY: (DE BRUIN) Approve the subject resolution, with the friendly amendment: (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

4. 09-58 A resolution by Supervisor Borkowski, adopting an Ordinance restricting the use of mobile telephones while operating a motor vehicle in Milwaukee County.
(1/22/09: Laid over to the call of the Chair) (Reports due from the Sheriff's Office, Corporation Counsel and the District Attorney's Office)

APPEARANCE(S):

Supervisor Mark A. Borkowski, 11th District
Inspector Kevin Carr, Sheriff's Office

Supervisor Borkowski provided comments regarding the letters received from the Sheriff's Office, Corporation Counsel and the District Attorney's Office relative to the subject resolution. He took issue with some of the comments made in the letters. He also provided comments as to why it is important for this resolution to be approved.

SCHEDULED ITEMS (CONTINUED):

Discussion ensued with questions and comments regarding inattentive driving.

MOTION BY: (RICE) Refer to the Committee on Intergovernmental Relations (IGR) with direction that they review it and communicate with our legislative delegation and request that our IGR staff lobby the legislature for the necessary changes that are suggested in the subject resolution.

Questions and comments continued.

Supervisor De Bruin asked Inspector Carr if he knew of any law enforcement data that identifies cell phone usage as more of a distraction or higher priority than other distractions while driving (anything that would cause inattentive driving).

Inspector Carr indicated that he believes that the National Highway Traffic Safety Institute would have some data relating to this matter; however, he did not know what the data concluded but would have a member of his staff look into it and get back to Supervisor De Bruin.

Supervisor Jursik requested statistics on the number of stops or citations of driving without a license. She believes this is a much larger issue. Inspector Carr indicated that this information is readily accessible. He advised that the number of citations that they write for operating without a license or operating after suspension gets reported every month.

Considerable discussion ensued with questions and comments relative to the referral to IGR.

Vote on the referral to IGR: 4-2

AYES: Rice, De Bruin, Sanfelippo and Johnson (Chair) – 4

NOES: Broderick and Jursik – 2

EXCUSED: Cesarz – 1

5. 09-151 From Inspector, Office of the Sheriff, requesting authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds for Federal Fiscal Year 2009 and approval of the Joint Spending Plan with local jurisdictions to combat violent crime. **(4/9/09: Laid over to the call of the Chair)**

(Technical difficulties were experienced with the recorder cutting off on this item)

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Thomas Nardelli, County Executive's Office

SCHEDULED ITEMS (CONTINUED):

Inspector Carr reviewed the subject report.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

Inspector Carr advised that they are asking for permission to apply for and receive the \$6.3 million as a County. A decision as to how the money will be split between the City and the County doesn't have to be decided at this time. However, a MOU (memorandum of understanding) is needed after they apply. He pointed out that their spending plan (agreed upon by the County Executive's Office, the Sheriff's Office, District Attorney's Office and the Courts) represents 47% of the grant money available. The Sheriff's Office is pursuing at least a 45/55 split with the City and their spending plan is requesting 47% of the money. They are in negotiations with the city at this time and are hopeful that a resolution will be reached prior to the May 18, 2009 deadline.

Questions and comments continued.

The Committee requested that a fiscal note be provided before Board Day (May 21, 2009).

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz

6. 09-J-3 From Executive Director, Ethics Board, a status report on the Ethics Education
09-214 Program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Susan Shields, Executive Director, Ethics Board
County Clerk Joseph Czarnecki

Ms. Shields reviewed the subject report.

County Clerk Czarnecki provided comments in support of the \$5000 mentioned in the report being earmarked for the County Clerk's Office to allow for online registration and reporting for lobbyists. He pointed out that it is important at this time, especially since the division that was previously responsible for lobby regulation in the County Clerk's office was eliminated in the 2009 budget.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) that the Judiciary, Safety and General Services Committee approve the goals and objectives outlined in the report provided to the Committee regarding the Ethics Education Program and authorize that the remaining \$5000 in the allocated contingency fund be earmarked for the County Clerk's Office to allow for registration of lobbyists. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

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:

7. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

APPEARANCE(S):

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 item 7. 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)

The Committee adjourned into closed session at approximately 9:10 a.m. and reconvened back into open session at approximately 9:45 a.m. with the same members present as before.

Supervisor De Bruin was not present in the closed session. She was excused.

This item was taken out of order.

The Committee took no action on this item.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Susan Shields, Executive Director, Ethics Board

SCHEDULED ITEMS (CONTINUED):

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: 10:50 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, June 11, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, May 28, 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.