

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, September 10, 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. 09-309 Report referred, 7/23/09, a resolution by Supervisor Holloway, Mayo, Broderick, Johnson and West, seeking legislation to amend Wisconsin Statutes to remove the requirement to elect a county executive in counties with a population of 500,000 or more and allow the appointment of a county administrator. **(Also referred back to the Committee on Intergovernmental Relations)**

Discussion ensued. Committee members provided their reasons for supporting or not supporting the subject resolution.

***MOTION BY: (RICE) Layover to the call of the Chair. (Vote 2-4)***

***AYES:*** Rice and Sanfelippo – 2

***NOES:*** De Bruin, Broderick, Jursik and Johnson (Chair) – 4

***EXCUSED:*** Cesarz – 1

**Motion failed.**

***MOTION BY: (BRODERICK) Approve the subject resolution. (Vote 2-4)***

***AYES:*** Broderick and Johnson (Chair) – 2

***NOES:*** Rice, De Bruin, Jursik and Sanfelippo – 4

***EXCUSED:*** Cesarz – 1

**Motion failed.**

**SCHEDULED ITEMS (CONTINUED):**

2. 08-437 From the Sheriff's Office, providing notification of an amendment to a Professional Services Contract with Attic Correctional Services to provide Alcohol and Other Drug Abuse Treatment and Cognitive Intervention Classes at the County Correctional Facility – South. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Jon Priebe, Fiscal Administrator, Sheriff's Office

Mr. Priebe reviewed the subject report.

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

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

**NOES:** 0

**EXCUSED:** Cesarz – 1

3. 09-354 From the Chief Judge, requesting authorization to receive a three-year Bureau of Justice Assistance Drug Court Discretionary Grant in the amount of \$349,995 to support Milwaukee County's Drug Treatment Court. **(Also to the Committee on Finance and Audit)**

**APPEARANCE(S):**

Holly Szablewski, Court Services  
Rick Ceschin, County Board Staff

Ms. Szablewski reviewed the subject report.

Questions and comments ensued.

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

Supervisor De Bruin expressed concerns relative to the BE IT RESOLVED clause not reflecting the dollar amount.

Mr. Ceschin advised that the resolution would be amended to clarify the requested action.

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

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

**NOES:** 0

**EXCUSED:** Cesarz – 1

**SCHEDULED ITEMS (CONTINUED):**

4. 09-355 From the Chief Judge, requesting authorization to receive funding from the Office of Justice Assistance in the amount of \$929,400 to continue the Milwaukee County Treatment Alternatives and Diversion (TAD) Program for the period of July 1, 2009 to December 31, 2011 and to execute a professional services contract with Justice 2000, Inc. for provision of services in the TAD Program in an amount not to exceed \$187,000 for the period of July 1, 2009 to December 31, 2009. **(Also to the Committee on Finance and Audit)**

**APPEARANCE(S):**

Holly Szablewski, Court Services

***MOTION BY: (DE BRUIN) Approve items 4, 5 and 6 together.***

Supervisor De Bruin requested information on the outcomes of the WCS Repeat Intoxicated Driver Intervention Program.

Questions and comments ensued.

**Vote on the motion to approve items 4, 5 and 6 together: 6-0**

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

**NOES:** 0

**EXCUSED:** Cesarz – 1

5. 09-356 From the Chief Judge, requesting authorization to receive funding from the Office of Justice Assistance in the amount of \$990,000 to continue the Assess, Inform and Measure (AIM) Program in Milwaukee County for the period of January 1, 2010 to December 31, 2011. **(Also to the Committee on Finance and Audit)**

**SEE ACTION UNDER ITEM 4.**

6. 09-357 From the Chief Judge, requesting authorization to receive funding from the Wisconsin Department of Transportation in the amount of \$159,100 for the WCS Repeat Intoxicated Driver Intervention Program for the period of July 1, 2009 to June 3, 2010. **(Also to the Committee on Finance and Audit)**

**SEE ACTION UNDER ITEM 4.**

**SCHEDULED ITEMS (CONTINUED):**

7. 09-J-5 From the Chief Judge, submitting the final version of the Universal Jail Screening  
09-382 Proposal. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) On 6/11/2009: Referred to County Board staff and Universal Screening Workgroup for a follow-up report due in September cycle)**

**APPEARANCE(S):**

Holly Szablewski, Court Services

Ms. Szablewski reviewed the subject report.

Questions and comments ensued at length.

The Committee requested additional information on this item relative to who will be screened and where they would be going.

Supervisor De Bruin requested that staff contact Audit Director, Jerry Heer, to see what he would recommend for a structure, if this program goes forward, and some of the basics from an audit perspective as to how it should operate and what the management oversight should be.

Inspector Carr requested that the Committee find a way to get this done.

Supervisor De Bruin suggested that Inspector Carr try to get the County Executive to put this project in his budget. She stated that it is never a good idea to raise taxes during a recession.

Questions and comments continued at length as to who would use the data from the universal screenings and if staff would be properly trained to know how to use it.

Ms. Szablewski indicated that she would provide information relative to the number of entities using the universal screening assessment tool across the country.

Ms. Szablewski and Mr. Cechin commented that they would provide the requested additional information via a report before Board Day (September 24, 2009).

***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

**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.*):

8. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$4,141.51** to William Kratzke in settlement of all claims arising out of the February 23, 2009 accident.

**APPEARANCE(S):**

Bill Donmina, Corporation Counsel

***MOTION BY: (RICE) Approve items 8-17 together.***

Questions and comments ensued.

Supervisor De Bruin requested additional information as to whether or not multiple estimates are required for repairs.

**Vote on the motion to approve items 8-17: 6-0**

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

**NOES:** 0

**EXCUSED:** Cesarz – 1

9. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$2,859.64** to the City of Greenfield in full settlement of this claim.

**SEE ACTION UNDER ITEM 8.**

10. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$2,842.65** to Chuck Alisauskas in settlement of all claims arising out of the March 29, 2009 accident.

**SEE ACTION UNDER ITEM 8.**

**SCHEDULED ITEMS (CONTINUED):**

11. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$2,123.85** to Lynn Burke in settlement of the claim arising out of the April 30, 2009 incident.
- SEE ACTION UNDER ITEM 8.**
12. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,193.85** to the City of Milwaukee in full settlement of their claim.
- SEE ACTION UNDER ITEM 8.**
13. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,883.34** in full settlement of all claims arising out of this accident.
- SEE ACTION UNDER ITEM 8.**
14. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,820.50** in full settlement of all claims arising out of this accident.
- SEE ACTION UNDER ITEM 8.**
15. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,766.42** to Donald Lange in full settlement of this claim.
- SEE ACTION UNDER ITEM 8.**
16. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,369** to Art Plantiko in full settlement of all claims arising out of this incident.
- SEE ACTION UNDER ITEM 8.**
17. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$600.95** in full settlement of the claim arising out of the April 29, 2008 accident.
- SEE ACTION UNDER ITEM 8.**

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:

18. 09-347 From Corporation Counsel, requesting authorization for Corporation Counsel and the Department of Transportation, Public Works to amend the current parking lot lease agreement with Van Buren Management, Inc., with terms as describe in the report and settlement of a pending lawsuit. **(Also to the Committee on Transportation, Public Works and Transit.)**

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

***MOTION BY: (DE BRUIN) Approve items 18-21 together.***

Questions and comments ensued.

Mr. Domina provided comments relative to the subject report. He advised that it is his recommendation that we settle this case.

**Vote on the motion to approve items 18-21: 6-0**

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

**NOES:** 0

**EXCUSED:** Cesarz - 1

19. 09-346 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$30,000.00** minus appropriate payroll deductions to Denise Tadych and **\$6,500** to Cross Law Firm in settlement of her claims under the Equal Pay Act, Title VII of the Civil Rights Act of 1964, as amended and the Wisconsin Fair Employment Act.

**SEE ACTION UNDER ITEM 18.**

20. 08-340 From Attorney James W. McCann, submitting a claim in behalf of Kifa Musa for injuries and damages allegedly sustained when a snowplow struck her vehicle. **(Corporation Counsel recommends payment in the amount of \$14,000.00 in full settlement of this claim.)**

**SEE ACTION UNDER ITEM 18.**

**SCHEDULED ITEMS (CONTINUED):**

21. 09-332 From Deputy Corporation Counsel, recommending approval of payment in the amount of \$**10,000.00** to Donald Busche in full settlement of this claim.

**SEE ACTION UNDER ITEM 18.**

22. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

***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 22 and 23. 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, De Bruin, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** Cesarz – 1

The Committee adjourned into closed session at approximately 10:45 a.m. and did not reconvene back into open session.

23. 09-J-5 From Corporation Counsel, status report on grievance arbitration and court decisions involving District Council 48.

**SEE ACTION UNDER ITEM 22.**

24. 09-J-4 From the Office of the Sheriff submitting a report regarding the 2009 Edward Byrne Memorial Justice Assistance Grant (**JAG**) (**INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE**)

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office

Molly Pahl, Sheriff's Office

Inspector Carr reviewed the subject report. He advised that this meeting served as a public hearing for this item.

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

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

**SCHEDULED ITEMS (CONTINUED):**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Jon Priebe, Fiscal Administrator, Sheriff's Office  
Holly Szablewski, Court Services

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: 12:05 P.M.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

**DEADLINE**

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

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