

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 18, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 1: Side A, #001 to EOT
TAPE No. 1: Side B, #001 to #98 (Experienced technical difficulties)
TAPE No. 2: Side A, #001 to EOT
TAPE No. 2: Side B, #001 to #48 (Experienced technical difficulties)
TAPE No. 3: Side A, #001 to 479

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

SCHEDULED ITEMS:

1. 07-53 From County Executive, appointing Mr. David Bradley Carr to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2013. Mr. Carr is replacing Ms. Hannah Dugan whose term will expire on February 28, 2007. (Tape #1A-#45)

APPEARANCES:

Fran Rudig, County Executive's Office
David Bradley Carr

Questions and comments ensued.

MOTION BY: (DEVINE) Approve. (Vote 7-0)

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

NOES: 0

*Supervisor Rice was not present at the time of the roll call, but appeared shortly thereafter and requested unanimous consent to be added as voting with the majority. There being no objection, it was so ordered.

SCHEDULED ITEMS (CONTINUED):

2. 07-51 A resolution by Supervisor Cesarz, authorizing the Medical Examiner to work with the Department of Administrative Services – Division of Economic Development to begin a search for a new location for the Medical Examiner’s Office. (Tape #1A-#110)

APPEARANCE:

Medical Examiner Jeffrey Jentzen

Dr. Jentzen provided comments relative to the subject resolution.

Questions and comments ensued.

Supervisor Broderick requested to be added as a co-sponsor of this resolution. Supervisor Cesarz stated that Supervisor Borkowski would also like to be added as a co-sponsor of this resolution.

MOTION BY: (CESARZ) Approve the resolution.

Supervisor DeBruin offered a friendly amendment to delete the words “consideration and/or” from line 44 of the BE IT FURTHER RESOLVED clause and add the Finance and Audit Committee.

Supervisor Cesarz accepted the friendly amendment.

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

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

3. 07-45 From Deputy Director, Child Support Enforcement, requesting authorization to execute W2 contracts with Maximus and United Migrant Opportunity Services, Inc. (UMOS) and YWCA for 2007. (Tape #1A-#280)

APPEARANCES:

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve.

SCHEDULED ITEMS (CONTINUED):

Supervisor DeBruin requested follow-up information from Ms. Marks.

Questions and comments continued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

4. 07-46 From Deputy Director, Child Support Enforcement, requesting authorization to execute Children First contracts with Maximus and United Migrant Opportunity Services, Inc. (UMOS) for 2007. (Tape #1A-#492)

APPEARANCES:

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

5. 06-504 From Deputy Director, Child Support Enforcement, requesting authorization to execute Racine County Call Center contract for 2007. (Tape #1A-#561)

APPEARANCES:

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (RICE) Approve.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

6. 07-69 From Deputy Director, Child Support Enforcement, requesting authorization to execute the 2007 State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs. (Tape #1A-#600)

APPEARANCES:

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

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

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

7. 07-55 From the Chief Judge, requesting authorization to execute a professional services contract with Justice 2000 for provision of services at the Criminal Justice Facility under the Treatment and Diversion (TAD) Program grant. (Tape#1A-#612)

APPEARANCES:

Chief Judge Kitty Brennan

Holly Szablewski, Circuit Courts Pretrial Services Programs

Chief Judge Kitty Brennan and Ms. Szablewski provided comments relative to the subject report.

MOTION BY: (SCHMITT) Approve.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

8. 06-395 Adopted Budget Amendment 1A042, directing the Chief Judge and Sheriff, to
(a) submit a report regarding a service level agreement for the provision of bailiff personnel and the methodology by which charges for such services shall be charged. **(Also to the Committee on Finance and Audit)** (Tape #1A-#742)

APPEARANCES:

Chief Judge Kitty Brennan
Inspector Kevin Carr, Sheriff's Office

Chief Judge Kitty Brennan provided comments relative to court changes. She said she would know by the end of January what, if any, changes will be made in the courts.

MOTION BY: (DE BRUIN) Layover.

There being no objection, it was so ordered.

9. 06-475 From the Sheriff, requesting authorization to enter into a contract with Diamond
(a)(a) Drugs to allow the Inmate Medical Services Unit to provide necessary drug treatment to inmates. (Tape #2A-#492)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Dr. Michael Grebner, Sheriff's Office
Wendy Gerlach, Roeschins Omnicare

MOTION BY: (DE BRUIN) Temporary layover until after item #12.

There being no objection it was so ordered.

Inspector Schmidt reviewed the subject report.

Questions and comments ensued at length.

The Committee took a five-minute break and returned with the same members present as before.

Chairman Johnson advised that Committee members received information from Stuart Piltch, Managing Director of Cambridge Advisory Group, Inc. and Freida Webb, Director of Milwaukee County Community Business Development Partners.

Questions and comments continued.

SCHEDULED ITEMS (CONTINUED):

Supervisor DeBruin offered an amendment and explained its intent.

MOTION BY: (DE BRUIN) Approve the following amendment: MODIFY the BE IT RESOLVED clause beginning on line 27 of the resolution as follows: BE IT RESOLVED, the Sheriff's Office is authorized to enter into a contract with Diamond Drugs for a period of ~~three (3)~~ one (1) year, including two (2) ~~one two~~ (2) year renewal options per the terms and conditions summarized above and as contained in the draft contract, a copy of which has been attached to and made a part of this file; and ADD a BE IT RESOLVED clause beginning on line 32 of the resolution as follows: BE IT FURTHER RESOLVED, that the Sheriff and Diamond Drugs shall work with the Division of Community Business Development Partners to develop a meaningful disadvantaged business enterprise component for this contract and report the specific nature of that component to the Committee on Judiciary, Safety and General Services by the March 22 meeting of the Committee; and

Questions and comments ensued relative to the lack of a DBE component for the Diamond Drugs contract.

Ms. Gerlach provided comments relative to Roeschins Omnicare Pharmacy.

Vote on the amendment offered by Supervisor DeBruin: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7
NOES: 0

MOTION BY: (SCHMITT) Approve, as amended. (Vote 6-1)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick and Devine – 6
NOES: Johnson (Chair) – 1

This item was taken out of order.

10. 07-56 From the Sheriff, requesting authorization to apply for and accept grants available under Homeland Security Grant Programs to assist counties with homeland security preparedness. (Tape #1B-#67)

APPEARANCES:
Inspector Kevin Carr, Sheriff's Office

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

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

11. 07-J-4 From the Sheriff, reporting on the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) – Reprogramming of City of West Allis Grant Funds.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Tape #1B-#82)

APPEARANCES:

Molly Pahl, Public Safety Fiscal Analyst

Ms. Pahl reviewed the subject report.

The Committee took no action on this informational report.

12. 07-J-5 From the Sheriff, status report on the Electronic Medical Records (EMR) system.
(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Tape #2A-#001)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Dr. Michael Grebner, Sheriff's Office

Bud Borja, Director, IMSD

Inspector Carr, Inspector Schmidt and Dr. Grebner provided comments relative to the subject report.

Inspector Carr stated that the entire matter of their contractual relationship with Sequest has been referred to Corporation Counsel for an opinion regarding the breach of contract that may have occurred.

Mr. Domina advised that the matter has been assigned to Attorney Tim Karaskiewicz in Corporation Counsel, who is reviewing the contract and the nature of the claim. Mr. Domina is expecting a report back soon. He will bring the report to this committee for informational purposes as a "closed session" item so the Committee can be briefed on the position of the County.

Questions and comments ensued at length.

Chairman Johnson advised that this item will be scheduled for the next Judiciary agenda. He requested a status report, including comments from Dr. Shanky.

The Committee took no action on this information report.

SCHEDULED ITEMS (CONTINUED):

13. 07-54 From Superintendent, House of Correction, notification of \$82,700 in grant funds awarded to the House of Correction and requesting authorization to extend contracts with Attic Correctional Services, and Wisconsin Community Services, Inc. (Tape #3A-335)

APPEARANCES:

Superintendent Ron Malone, House of Correction
Molly Pahl, Public Safety Fiscal Analyst

MOTION BY: (DE BRUIN) Approve.

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 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.):*

14. 06-492 A resolution, referred back 12/14/06, approving the terms of the negotiated settlement as set forth in the said resolution and authorizing the Corporation Counsel to enter into a binding settlement agreement containing those terms with the approval of the Court and that all claims arising out of said litigation be resolved and the Champine sick allowance lawsuit dismissed. (Tape #3A-#409)

APPEARANCE:

Bill Domina, 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 14, 15, 17, 18 and 19. 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, Johnson - 7

NOES: 0

The Committee adjourned into closed session at approximately 11:40 a.m. and reconvened in open session at approximately 12:45 p.m. with the same members present as before.

The Committee took the following action on item #14.

MOTION BY: (SCHMITT) Amend the resolution by deleting the last sentence in #5 (lines 77-79); the last sentence in #6 (lines 83-84); delete #8 (lines 92-94) and the second last sentence in #9 (lines 105-107).

Questions and comments ensued.

Vote on the amendment offered by Supervisor Schmitt: 7-0

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

NOES: 0

MOTION BY: (SCHMITT) Approve the resolution, as amended. (Vote 6-1)

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

NOES: DeBruin - 1

The Committee took no action on items 17, 18 and 19.

15. 07-58 From Principal Assistant Corporation Counsel, requesting approval for payment of \$93,750 in full settlement to the Plaintiff Class Attorney fees in the Christensen Lawsuit. (Tape #3A-#461)

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve the settlement of the Plaintiff Class claims in the Christensen lawsuit terms outlined in the memorandum from Corporation Counsel dated January 4, 2007, subject to Corporation Counsel preparing an appropriate resolution relative to this action. (Vote 7-0)

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

16. 07-18 From Principal Assistant Corporation Counsel, requesting approval for payment of \$5,000 in full settlement to Donna Kowske. (Tape #3A-#471)

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

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

17. 07-J-1 From Corporation Counsel, status report on the Susan Baldwin and Thomas Forbes lawsuit against Milwaukee County.

SEE ACTION UNDER ITEM 14.

18. 07-J-2 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

SEE ACTION UNDER ITEM 14.

19. 07-J-3 From Corporation Counsel, status report on claims for damages filed by Wisconsin Energy Corporation and WE Energies arising out of a water main break on March 9, 2006 on the County Grounds.

SEE ACTION UNDER ITEM 14.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Chief Judge Kitty Brennan
Holly Szeblewski, Circuit Courts Pretrial Services Programs
Inspector Kevin Carr, Sheriff's Department
Inspector Richard Schmidt, Sheriff's Department
Dr. Michael Grebner, Medical Director, Health Services
Bud Borja, Director, IMSD
Molly Pahl, Public Safety Fiscal Analyst
Lisa Marks, Deputy Director, Child Support Enforcement
Barbara Berner, Fin. Div. Manager, Child Support Enforcement

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: 12:50 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, February 15, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 3: Side A, #484 to EOT
TAPE No. 3: Side B (Experienced technical difficulties)
TAPE No. 4: Side A, #001 to EOT
TAPE No. 4: Side B (Experienced technical difficulties)
TAPE No. 5: Side A, #001 to EOT
TAPE No. 5: Side B, #001 to EOT
TAPE No. 6: Side A, #001 to #632

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

SCHEDULED ITEMS:

1. 06-475 From the Sheriff, requesting authorization to enter into a contract with Diamond
(a)(a) Drugs to allow the inmate Medical Services Unit to provide necessary drug
treatment to inmates. **(Referred back from 2/1/07 County Board meeting)**
(Tape #6A-#250)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Freida Webb, Director, Community Development Business Partners

This item was temporarily laid over.

Inspector Carr and Inspector Schmidt provided comments relative to the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Refer back to the department directing them to obtain from all vendors their best and final offer.

SCHEDULED ITEMS (CONTINUED):

Considerable discussion ensued regarding the motion.

Vote on the motion by Supervisor DeBruin: 3-4

AYES: DeBruin, Cesarz and Johnson (Chair) – 3

NOES: Rice, Schmitt, Broderick and Devine – 4

Motion failed.

MOTION BY: (BRODERICK) Approve the following amendment: Amend the resolution by inserting the words, “subject to review and approval by the County Board after the first year” in the first BE IT RESOLVED clause, after the word “options” (line 36).

Discussion ensued regarding the amendment.

Vote on the amendment offered by Supervisor Broderick: 7-0

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

NOES: 0

MOTION BY: (BRODERICK) Approve the resolution, as amended. (Vote 4-3)

AYES: Rice, Schmitt, Broderick and Devine – 4

NOES: DeBruin, Cesarz and Johnson (Chair) – 3

This item was taken out of order.

2. 07-J-5 From the Sheriff, status report on the Electronic Medical Records (EMR) system. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #4A-#563)

This item was temporarily laid over.

APPEARANCES:

Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Deputy Debra Burmeister, Sheriff's Office
Ms. Schwiker, Nurse Educator, House of Correction
Mary Reddin, IMSD
Debra Lewis, IMSD
Dawn Gelhof, Project Manager for the EMR Project

SCHEDULED ITEMS (CONTINUED):

Linda Federighe, Wisconsin Federation of Nurses and Health Professionals
Lorraine Schmidt, Wisconsin Federation of Nurses and Health Professionals

Inspector Carr referenced documents provided to the Committee from himself and Dr. Michael Grebner, Medical Director, dated February 14, 2007 and a faxed letter from Dr. Ronald Shansky, Medical Monitor, relative to the current status of the EMR system (a copy of both letters are contained in the subject file). He stated that it is the Sheriff's Office's recommendation, along with Dr. Shanky's and IMSD that, considering the investment and the financial and human resources that went into the EMR system and the progress that has been made thus far, that it is prudent to continue to utilize the current EMR system and work on maximizing it's potential.

Questions and comments ensued at length.

Ms. Reddin provided comments and answered questions raised by Committee members.

Ms. Burmeister provided comments relative to the tier program and addressed questions and concerns raised by Committee members regarding the medication module of the EMR system.

Ms. Schwiker stated that it is her role to support the nurses in the process of learning the modules and working with the existing modules.

Ms. Federighe provided comments and requested that the implementation of the EMR system be stopped.

Ms. Schmidt provided comments and requested that the EMR system be halted until changes have been made and tested by staff before it's implementation. She gave examples of how the EMR system is not presently working.

Committee members expressed concern as to the appropriateness of discussion in open session regarding this item, given the history of past litigation.

Mr. Andrews stated that the information being discussed relative to this item is appropriate and has not crossed the line.

Inspector Carr stated that the Sheriff's Office would meet with all concerned parties to address concerns relative to this item and provide a report to this Committee after their initial meeting, outlining what issues were discussed and what actions will be taken to resolve those issues.

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

3. 07-J-6 From the District Attorney, an informational report on the structural reorganization of the District Attorney's Office. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #3A-#497)

APPEARANCES:

District Attorney John Chisholm
Jon Reddin, Deputy District Attorney

District Attorney Chisholm provided a power point presentation relative to reorganization of the District Attorney's Office and his vision of where he wants to take the department. He addressed staff make up, major changes, geographical responsibility, General Crimes Division, Violent Crimes Division, Community-based Prosecution Division, alternatives, number of criminal incidents related to homicide charges, active general average of felony cases and gun/drug active cases.

DA Chisholm stated that he would e-mail his presentation to Rick Ceschin for distribution to Committee members.

Questions and comments ensued at length.

DA Chisholm advised that he will provide a follow-up report to the Committee addressing what his overall goals are and how the system will be different than it is today.

Supervisor DeBruin expressed an interest in the potential Mental Health court.

The Committee took no action on this informational report.

4. 06-395 Adopted Budget Amendment 1A042, directing the Chief Judge and Sheriff, to
(a) submit a report regarding a service level agreement for the provision of bailiff personnel and the methodology by which charges for such services shall be charged. **(Laid over 1/18/07) (Also to the Committee on Finance and Audit)**
(Tape #4A-#382)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Office
Bruce Harvey, Courts

Inspector Carr provided comments regarding the current level of staffing and future changes. He stated that, based upon the report from the District Attorney, the Sheriff's Office still has to finalize how the changes will impact their staffing level as it pertains to the courts. The Sheriff's Office is working with the Chief Judge's office and the DA's office regarding staffing levels.

SCHEDULED ITEMS (CONTINUED):

Mr. Harvey addressed cross-charging issues between the Chief Judge's Office and the Sheriff's Office.

Questions and comments ensued.

The Committee took no action on this item.

The Committee may adjourn into closed session under the provisions of Section 110.08(b) of the Milwaukee County Code of General Ordinances for the purpose of discussing the following matter and under the provisions of Section 19.85(1)(g), Wisconsin Statutes in order to confer with legal counsel about litigation in which the county might be involved. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

5. 07-J-7 From Roeschen's Omnicare Pharmacy, an appeal, pursuant to Chapter 110 of the Milwaukee County Code of General Ordinances, regarding the contract award for the inmate pharmacy services contract. (Tape #5A-#734)

APPEARANCES:

Bill Domina, Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Deputy Debra Burmeister,
Mark Celebre, R. Ph., Roeschen's Omnicare Pharmacy

After Mr. Celebre was sworn in by Mr. Domina, he provided comments relative to the reasons for the appeal from Roeschen's Omnicare Pharmacy. He referenced his January 25, 2007 letter to Chairman Johnson addressing his concerns relative to the Request for Proposal (RFP) process (a copy of which is contained in the subject file).

Questions and comments ensued.

Inspectors Carr and Schmidt were sworn in by Mr. Domina. They provided comments relative to Roeschen's RFP.

Questions and comments ensued relative to formulary medication, DBE issues and technical components relative to the Roeschen's Omnicare RFP.

Deputy Burmeister was sworn in by Mr. Domina and provided comments.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) adjourn into closed session under the provisions of Section 110.08(b) of the Milwaukee County Code of General Ordinances for the purpose of discussing the following matter and under the provisions of Section 19.85(1)(g), Wisconsin Statutes in order to confer with legal counsel about litigation in which the county might be involved. 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

The Committee adjourned into closed session at approximately 12:45 p.m. and reconvened in open session at approximately 1:25 p.m. with the same members present as before.

MOTION BY: (SCHMITT) Deny the appeal from Roeschen's Omnicare based upon the evidence that the Sheriff's Office acted within the scope of its authority in making its determination and DID NOT violate any of the following four points: (1) The department kept within its jurisdiction; (2) The department acted according to law; (3) The action of the department was not arbitrary, oppressive or unreasonable, representing its will and not its judgment; and (4) The evidence was such that the department might reasonably make the determination in question.

Supervisor Rice in the Chair.

Questions and comments continued.

Vote on the motion by Supervisor Schmitt to deny the appeal from Roeschen's Omnicare: 6-1

AYES: DeBruin, Schmitt, Cesarz, Broderick, Devine and Rice (Chair) - 6
NOES: Johnson - 1

This item was taken out of order.

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.):

6. 07-124 From Corporation Counsel, requesting authorization to pay the Wisconsin Soccer Association \$305,000 plus cost and interest to satisfy a judgment confirming an arbitration award regarding the soccer complex. **(Also to Committee on Finance and Audit)** (Tape #6A-#563)

APPEARANCES:

Bill Domina, Corporation Counsel

MOTION BY: (DE BRUIN) Approve items 6 and 8 together.

Supervisor Rice requested separate action on item 8.

Supervisor DeBruin withdrew her motion.

Supervisor Cesarz requested information from staff relative to the total cost to the County, what the financing for the entire complex was, what the actual cost to the County is and how long it will take to pay this off.

Questions and comments ensued.

MOTION BY: (SCHMITT) 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):

7. 07-123 From Principal Assistant Corporation Counsel, requesting authorization to pay \$14,000 in full settlement of this lawsuit (\$10,000 represents attorney fees and costs, which will be payable to Cross Law Firm and the balance of \$4,000 will be payable to Sandy Biscontine, which represents wage loss benefits). (Tape #6A-#520)

APPEARANCES:

Bill Domina, Corporation Counsel

Bob Andrews, Deputy Corporation Counsel

Supervisor Rice pointed out that the BE IT RESOLVED clause of the resolution should include the date of February 2004.

Chairman Johnson requested that Corporation Counsel also clarify the \$10,000 vs. \$4,000 in the corrected resolution.

MOTION BY: (RICE) Approve the resolution, with the understanding that Corporation Counsel will correct the resolution. (Vote 7-0)

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

NOES: 0

This item was taken out of order.

8. 05-162 From Duffey Law Office, S.C., submitting a claim in behalf of Tina Anderson for injuries and damages allegedly sustained when she was a passenger on a Milwaukee County Transit bus that was rear-ended by a Milwaukee County snowplow. **(Corporation Counsel recommends payment in the amount of \$12,983.28 in full settlement of Ms. Anderson's personal injury claims, together with any subrogation claims, all arising out of the motor vehicle accident of April 9, 2003).** (Tape #6A-#605)

APPEARANCES:

Bill Domina, Corporation Counsel

MOTON BY: (DE BRUIN) 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):

9. 06-J-17 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 9 and 10. 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

The Committee adjourned into closed session at approximately 2:00 p.m. and reconvened in open session at approximately 2:45 p.m. Supervisor Schmidt was excused.

No action was taken on this item.

10. 06-J-24 From Corporation Counsel, status report regarding compensation issues of deputy
07-129 sheriff's who are canine handlers. **(Corporation Counsel may request that action be taken.) (Also to the Committee on Personnel)** (Tape #6A-#623)

APPEARANCES:

Bill Domina, Corporation Counsel
Mary Ann Grimes, Deputy Corporation Counsel
Greg Gracz, Director, Labor Relations
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office

MOTION BY: (RICE) Approve the resolution for settlement on the terms recommended by Corporation Counsel. (Vote 6-0)

AYES: Rice, DeBruin, Cesarz, Broderick, Devine and Johnson (Chair) – 6
NOES: 0
EXCUSED: Schmitt

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Bruce Harvey, Courts
Mary Ann Grimes, Deputy Corporation Counsel
Greg Gracz, Director, Labor Relations
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Deputy Debra Burmeister, Sheriff's Office

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: 2:45 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, March 22, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 6: Side B, #001 to EOT
TAPE No. 7: Side A, #001 to 117

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

SCHEDULED ITEMS:

1. 07-158 From County Executive, proposing to forever name the offices which house the Department of Child Support Enforcement the John P. Hayes Center.
(Tape #6B-#23)

APPEARANCES:

County Executive Scott Walker

Supervisor Rice offered the following amendment: Insert a WHEREAS clause after the second WHEREAS clause, as follows: WHEREAS, John P. Hayes was a distinguished graduate of Marquette University, College of Business, and Marquette University Law School; and

MOTION BY: (RICE) Approve the amendment.

Supervisor DeBruin requested to add a friendly amendment by adding the County Executive in the BE IT RESOLVED clause. Supervisor Rice accepted.

County Executive Walker provided brief comments.

Vote on the amendment: 7-0

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

SCHEDULED ITEMS (CONTINUED):

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

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

NOES: 0

2. 07-135 From County Executive Walker, appointing Lisa Jo Marks to the position of Director of Child Support Enforcement for Milwaukee County. (Tape #6B-#145)

APPEARANCES:

County Executive Scott Walker

Lisa Jo Marks, Acting Child Support Enforcement Director

County Executive Walker provided comments.

MOTION BY: (RICE) Approve the appointment.

Comments ensued.

Ms. Marks addressed the committee.

Vote on the motion by Supervisor Rice: 7-0

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

NOES: 0

3. 07-147 From County Executive, appointing Chief Ann Wellens of the South Milwaukee Police Department, to serve on the Milwaukee County Local Emergency Planning Committee. (Tape #6B-#303)

APPEARANCES:

County Executive Scott Walker

Chief Ann Wellens

County Executive Walker provided comments.

Chief Ann Wellens addressed the Committee.

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

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

NOES: 0

SCHEDULED ITEMS (CONTINUED):

4. 07-164 A resolution/ordinance by Supervisor Rice to amend Chapter 14 of the Milwaukee County General Ordinances to provide a separate fee structure for non-profit entities and to provide an exemption for communications by lobbyists at public meetings. (Tape #6B-#331)

Supervisor Rice provided background information relative to the Ordinance and the intent of the resolution.

MOTION BY: (RICE) Approve the resolution/ordinance.

Questions and comments ensued.

Supervisor DeBruin requested separate action on Section 1 (14.06. Exceptions.) and Section 2. (14.08. Fees.) of the ordinance.

Vote on SECTION 1 (14.06. Exceptions.) lines 51-53: (Vote 7-0)

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

Vote on SECTION 2 (14.08. Fees.) lines 70-73: (Vote 6-1)

AYES: Rice, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 6
NOES: DeBruin - 1

5. 07-J-8 From Acting Director, Child Support Enforcement, submitting a status report on efforts to negate federal funding reductions and restore full funding for child support activities in Milwaukee County and the State of Wisconsin. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #6B-#447)

APPEARANCES:

Lisa Jo Marks, Acting Director, Child Support Enforcement

Ms. Marks provided brief comments relative to a document distributed to Committee members, a copy of which is contained in the subject file.

Questions and comments ensued.

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.):

6. 05-539 From Jacques Mann, submitting a claim on behalf of Katrina Williams for injuries and damages allegedly sustained when a Milwaukee County Highway Truck caused her to have a collision on September 6, 2005. **(Corporation Counsel recommends payment in the amount of \$6,800 to Katrina Williams; \$800 to Aasiya Harris; and \$1,747.53 to Lee Ella Davis in full settlement of all claims.)** (Tape #7A-#88)

MOTION BY: (RICE) Approve the recommendations by Corporation Counsel for items 6-19. (Vote 7-0)

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

7. 07-117 From Deputy Corporation Counsel, requesting approval for full settlement of a claim in the amount of \$7,824.75 to Budget Rent A Car.

SEE ACTION UNDER ITEM 6.

8. 07-157 From Deputy Corporation Counsel, requesting approval for full settlement of a claim in the amount of \$5,569.00 to Larry Gross.

SEE ACTION UNDER ITEM 6.

9. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of \$4,786.11 to Leighann Marek.

SEE ACTION UNDER ITEM 6.

SCHEDULED ITEMS (CONTINUED):

10. 07-18 From Deputy Corporation Counsel, requesting authorization to approve the settlement agreement regarding Monique R. McNutt v. Milwaukee County House of Correction and payment of **\$3,760** for attorney's fees to the Law Offices of Mark A. Sweet, LLC in full settlement of this case.

SEE ACTION UNDER ITEM 6.

11. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of **\$2,620** to Rajaboopathi K. Selvaraj.

SEE ACTION UNDER ITEM 6.

12. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of **\$2,350** to Melissa Humphrey.

SEE ACTION UNDER ITEM 6.

13. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of **\$2,259** to Cassandra and Thomas Bruce.

SEE ACTION UNDER ITEM 6.

14. 07-18 From Deputy Corporation Counsel, requesting approval of a settlement agreement crediting 80 hours to the compensatory time bank of Kerry L. Turner and the payment of **\$1,800** for attorney's fees to the Law Offices of Mark A. Sweet, LLC.

SEE ACTION UNDER ITEM 6.

15. 07-18 From WE Energies, submitting a claim for the alleged damage to a pole caused during an accident involving Sergeant Sylvia Rodriguez of the Milwaukee County Sheriff's Department. **(Corporation Counsel recommends payment in the amount of \$1,419.45 in full settlement of the claim arising out of the February 11, 2006 motor vehicle accident.)**

SEE ACTION UNDER ITEM 6.

16. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of \$1,355 to Faye Schmidt. **(Corporation Counsel recommends payment in the amount of \$1,355.43 to State Farm Insurance to settle all claims arising out of the October 4, 2006 motor vehicle accident.)**

SEE ACTION UNDER ITEM 6.

SCHEDULED ITEMS (CONTINUED):

17. 06-352 From We Energies, submitting a claim for damages allegedly sustained to a pole when the operator of a front-end loader caught the SBC lines. **(Corporation Counsel recommends payment in the amount of \$1,322.01 to satisfy the claim arising out of the May 12, 2005 incident.**

SEE ACTION UNDER ITEM 6.

18. 07-18 From Deputy Corporation Counsel, requesting authorization to pay **\$740** to the Law Offices of Mark A. Sweet, LLC in the case of Monique R. McNutt v. County of Milwaukee Personnel Review Board.

SEE ACTION UNDER ITEM 6.

19. 07-18 From Deputy Corporation Counsel, requesting approval for settlement of a claim in the amount of **\$581** to Heather Poster.

SEE ACTION UNDER ITEM 6.

20. 07-179 Resolution by Supervisor DeBruin, authorizing and directing the Department of Audit to conduct an audit of the development, implementation and direct and indirect costs of the electronic medical record (EMR) system being implemented for inmate medical services at the Criminal Justice Facility and the House of Correction. **(Also to the Committee on Finance and Audit)** (Tape #6B-#503)

APPEARANCES:

Mary Reddin, IMSD

Jerry Heer, Director, Department of Audit

Barbara Kelsey, Federation of Nurses and Health Professionals, Local 5001

Lorrie Schmidt, Federation of Nurses and Health Professionals, Local 5001

Supervisor DeBruin advised that Chairman Johnson, as well as Supervisors Broderick, Devine and Cesarz requested to be added as co-sponsors of this resolution. There being no objection, it was so ordered.

Supervisor DeBruin reviewed the resolution and explained its intent.

MOTION BY: (DE BRUIN) Approve the resolution.

Questions and comments ensued.

Ms. Schmidt and Ms. Kelsey provided comments.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

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

NOES: 0

Ms. Reddin and Mr. Heer commented that they are in support of the audit.

This item was taken out of order.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel
Lisa Jo Marks, Acting Director, Child Support Enforcement
Mary Reddin, IMSD
Jerry Heer, Director, Department of Audit

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: 10:00 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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 3, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 7: Side A, #119 to #640

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

EXCUSED: Supervisor DeBruin

SCHEDULED ITEMS:

1. 06-283 From the Code of Ethics Study Committee, an interim progress report regarding the 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 #7A-#349)

APPEARANCES:

Rick Ceschin, County Board Research Analyst
Charles Mulcahy, Senior Advisor, McKinley Reserve (Former County Board Sup.)
Dr. Joan Prince, Vice Chancellor, Partnerships and Innovations, UW-Milwaukee
Attorney David Feiss, District Attorney's Office

Supervisor Rice provided a status report relative to the activities of the Code of Ethics Study Committee. He advised that the Code of Ethics Study Committee is a six-member group that has been working professionally and diligently to examine the current code and make some recommendations on revisions to that code. The members, in addition to himself, are Hannah Dugan, Charles Mulcahy, Dr. Joan Prince, Rick Ceschin and Bob Andrews.

Supervisor Rice provided comments regarding an Activities Summary distributed to Committee members, a copy of which is attached to the original of these minutes.

Code of Ethics Study Committee members provided comments. Future meetings for the Code of Ethics Study Committee are scheduled for May 16th, May 30th, June 20th and July 11th.

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

2. 07-223 From the Sheriff, requesting authorization to create, by resolution, the Community Criminal Justice Council (CCJC). (Tape #7A-#142)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Office

Inspector Carr provided comments relative to the subject resolution.

Questions and comments ensued.

Inspector Carr advised that the word "of" should be deleted from line 66 of the resolution and "Faith-based Community Organization" should be added as the last line under Community Criminal Justice Council Membership. There being no objection, it was so ordered.

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

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

EXCUSED: DeBruin

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:

3. 07-J-11 From the Sheriff, reporting on the operational improvements in the Jail. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
(Tape #7A-#547)

APPEARANCES:

Bill Domina, Corporation Counsel

Inspector Kevin Carr, Sheriff's Office

Inspector Carr provided comments relative to the subject report.

Questions and comments ensued.

Mr. Domina answered questions raised by Committee members and provided general comments regarding the Christensen consent decree.

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.):

4. 07-18 From Lowe's Companies, Inc, submitting a claim for damages allegedly sustained to a vehicle damaged when struck by a closing gate at General Mitchell International Airport. (**Corporation Counsel recommends payment of \$2,010.50**) (Tape #7A-#619)

MOTION BY: (SCHMITT) Approve items 4- 6 together. (Vote 6-0)

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

EXCUSED: DeBruin

5. 07-209 From Deputy Corporation Counsel, requesting authorization to commence a civil action to recover pay and benefits from Cassandra Garner who was discharged from Milwaukee County.

SEE ACTION UNDER ITEM 4.

6. 07-210 From Deputy Corporation Counsel, requesting authorization to commence a civil action to recover pay and benefits from Aaron Heine who was discharged from Milwaukee County.

SEE ACTION UNDER ITEM 4.

7. 06-J-17 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 7-9. 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, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 6

EXCUSED: DeBruin

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 9:45 a.m. and did not reconvene back into open session.

8. 07-J-9 From Corporation Counsel, regarding potential litigation involving the Milwaukee Public Museum.

SEE ACTION UNDER ITEM 7.

9. 07-J-10 From Corporation Counsel, potential claims regarding the demolition of the Courthouse Annex.

SEE ACTION UNDER ITEM 7.

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

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Adjourned: 11:45 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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 7, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 7: Side B, #001 to #466

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

EXCUSED: Supervisor DeBruin

SCHEDULED ITEMS:

1. 07-259 An Ordinance by Supervisors DeBruin and Borkowski to amend Chapter 23 of the Milwaukee County General Ordinances to prohibit loitering by criminal gang members. (**Recommended Action: Refer to Corporation Counsel**) (Tape #7B-#26)

APPEARANCE(S)

Supervisor Mark Borkowski, 11th District
Rick Ceschin, County Board Research Analyst
Bill Domina, Corporation Counsel
Kit Murphy McNally, Benedict Center

Supervisor Borkowski provided comments relative to the ordinance and its intent.

Questions and comments ensued.

Mr. Ceschin advised that this ordinance closely parallels what's being done by the City of Milwaukee.

Mr. Domina stated that he reviewed this ordinance and the City of Milwaukee's proposal and they are similar. There were earlier challenges out of the City of Chicago which caused some recrafting of their ordinance and also affected the language the City of Milwaukee has. Milwaukee County's ordinance is consistent with what is now used constitutional.

Chairman Johnson stated that Supervisor DeBruin indicated to him that the Sheriff's Office is on board with this ordinance.

Questions and comments continued.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Refer to Corporation Counsel and the Sheriff's Office for their review and report back at the call of the Chair.

Ms. McNally provided comments in opposition of the ordinance. She stated that an ordinance such as this comes down disproportionately and unfairly on minorities. She urged that the Committee look carefully into experiences elsewhere, how this ordinance is going to be deployed if it goes into affect and look at a lot of the criticism that was brought out by young people, Latino and African American, when the City first failed to pass an ordinance like this one last year.

Vote on the motion by Supervisor Rice: 6-0

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

NOES: 0

2. 07-J-14 From the County Clerk, reporting on the practice and policy of publication and distribution of County Ordinances. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #7B-#229)

APPEARANCE(S):

County Clerk Mark Ryan

Bill Domina, Corporation Counsel

Bob Andrews, Deputy Corporation Counsel

Maribeth Welchman, County Clerk's Office

County Clerk Ryan provided an overview of the subject report.

Questions and comments ensued.

Mr. Andrews answered questions relative to the official record of Milwaukee County ordinances. He provided comments as to what is required by State statutes. Mr. Domina also provided comments.

Committee members thanked County Clerk Ryan and Ms. Welchman for their hard work.

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:

3. 07-261 From Principal Assistant Corporation Counsel, requesting approval of a settlement in the amount of **\$8,333.00** to Bernice Fagan and the Estate of Benjamin Fagan. (Tape #7B-#421)

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

Supervisor Broderick suggested taking items 3-14 together.

MOTION BY: (RICE) Approve the recommendation by Corporation Counsel for items 3-14.

Questions ensued about claims relating to items missing from the jail. Mr. Andrews advised that the incidences have decreased.

Vote on the motion to approve items 3-14: 6-0

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

NOES:

EXCUSED: DeBruin

4. 07-196 From American Family Insurance Company, submitting a claim under their subrogation rights of their insured, Michael G. Pavlik, for damages allegedly sustained to vehicle when a rotted out tree owned by Milwaukee County fell onto 1999 Ford Explorer. **(Corporation Counsel recommends payment in the amount of \$5,627.33 to American Family and Michael Pavlik in full settlement of all claims arising out of the March 14, 2007 incident)**

SEE ACTION UNDER ITEM 3.

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.):*

5. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,378.85** to Sherrell Rice in full settlement of her claim.

SEE ACTION UNDER ITEM 3.

6. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,187.80** to Mark Mikorski in settlement of his claim.

SEE ACTION UNDER ITEM 3.

7. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,100.00** to Marquita Farsee to settle all claims.

SEE ACTION UNDER ITEM 3.

8. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,000.00** to Margarita Miranda in full settlement of all claims.

SEE ACTION UNDER ITEM 3.

9. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,654.83** to repair the light pole owned by Fredericks Food Shop.

SEE ACTION UNDER ITEM 3.

10. 07-40 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,430.00** to David Shea in settlement of his claim.

SEE ACTION UNDER ITEM 3.

SCHEDULED ITEMS (CONTINUED):

11. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,300.00** to Pastor Gary Ruckman in settlement of his claim.

SEE ACTION UNDER ITEM 3.

12. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,250.67** to Willie Cathey, Jr. in settlement of his claim.

SEE ACTION UNDER ITEM 3.

13. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,197.00** to the City of Milwaukee in full settlement of their claim.

SEE ACTION UNDER ITEM 3.

14. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$557.71** to WE Energies to repair the damage to a light pole when struck by a County plow.

SEE ACTION UNDER ITEM 3.

15. 07-J-12 From Corporation Counsel, status report on claim of Midwest Airlines for damages to an aircraft in August 2005 due to making impact with a service vehicle at General Mitchell International Airport. (Tape #7B-#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 15-17. 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, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 6

NOES:

EXCUSED: DeBruin

The Committee adjourned into closed session at approximately 9:30 a.m. and did not reconvene back into open session.

SCHEDULED ITEMS (CONTINUED):

16. 07-J-13 From Corporation Counsel, status report regarding decision of Provider Reimbursement Review Board on claim of County for medicare reimbursement for post-retirement health benefits arising out of closure of John L. Doyne Hospital in 1995.

SEE ACTION UNDER ITEM 15.

17. 07-J-2 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

SEE ACTION UNDER ITEM 15.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
County Clerk Mark Ryan
Maribeth Welchman, County Clerk's Office

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Adjourned: 10:15 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 12, 2007 - 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 7: Side B, #468 to EOT
TAPE No. 8: Side A, #001 to EOT
TAPE No. 8: Side B, #001 to 531

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

EXCUSED: Supervisor Schmitt

SCHEDULED ITEMS:

- 07-303 A resolution by Supervisor Weishan, endorsing the concept of providing property tax relief by increasing the county use and sales tax by one percent (1%) for the express purpose of removing Milwaukee County's transit service, parks, recreation and culture programs and services from the property tax levy. **(Also referred to the Committees on Parks, Transportation and Public Works and Finance & Audit)**
(Tape #7B-#474)

APPEARANCE(S):

Supervisor John F. Weishan, Jr. (16th District)

Supervisor Weishan reviewed the subject resolution and explained its intent.

MOTION BY: (BRODERICK) Refer to the newly created Parks Advisory Commission.

Discussion ensued at length.

Supervisor Broderick modified his motion to include referral to the Intergovernmental Cooperation Counsel of Milwaukee County (ICC) and the Transit Services Advisory Committee.

Vote on the motion to refer this item to the Parks Advisory Commission, ICC and The Transit Services Advisory Committee: 6-0

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

NOES: 0

EXCUSED: Schmitt - 1

SCHEDULED ITEMS (CONTINUED):

2. 07-304 A resolution by Supervisor Weishan, providing for an advisory referendum on the question of whether the State of Wisconsin should grant Milwaukee County the authority to levy a one percent (1%) county use and sales tax, the revenues of which will be dedicated to support property tax relief, Milwaukee County parks, recreation and culture programs and services, transit services and public safety. **(Also referred to the Committees on Parks, Transportation and Public Works and Finance & Audit) (Tape #8A-#652)**

APPEARANCE(S):

Supervisor John F. Weishan, Jr. (16th District)

Supervisor Weishan provided comments relative to this resolution.

Questions and comments ensued.

MOTION BY: (BRODERICK) Approve.

Questions and comments continued.

MOTION BY: (CESARZ) Amend the language on lines 121 and 122 of the Advisory Referendum included in the resolution to read as follows: Shall the State of Wisconsin grant Milwaukee County the authority to levy a one percent (1%) county sales and use tax, the revenues of \$120 million, which will be dedicated to property tax relief of \$60 million or more and the ~~funding of~~ \$60 million balance to fund the Milwaukee county parks, recreation and culture programs and services, transit and municipal public safety programs and services?

Discussion ensued regarding the motion to amend the resolution.

Vote on the amendment: 4-2

AYES: Rice, DeBruin, Cesarz and Johnson (Chair) – 4

NOES: Broderick and Devine – 2

EXCUSED: Schmitt - 1

MOTION BY (CESARZ) Approve the resolution, as amended. (Vote 3-3)

AYES: Cesarz, Broderick and Johnson (Chair) – 3

NOES: Rice, DeBruin and Devine – 3

EXCUSED: Schmitt - 1

This item will go to the Board with no recommendation from the Judiciary Committee, due to a tie vote.

SCHEDULED ITEMS (CONTINUED):

Note: The Committee on Parks, Energy and Environment at its meeting on July 10, 2007, rejected the resolution (vote 4-2). The Committee on Transportation, Public Works and Transit, at its meeting on July 11, 2007 had no recommendation by reason of a tie vote (vote 3-3).

3. 07-314 From the Sheriff, requesting approval to apply for and accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds for Federal Fiscal Year 2007 and approval of the Joint Spending Plan with the Cities of Milwaukee, West Allis and Wauwatosa for the use of the 2007 JAG. (Tape #8B-#338)

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Carr reviewed the subject report.

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Schmitt - 1

4. 07-J-16 From Superintendent, House of Correction, informational report on the change of vendors providing case management services at the Community Justice Resource Center (Day Reporting Center) **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #8B-#423)

APPEARANCE(S):

Superintendent Ron Malone, House of Correction

Jan Brylow, Programs Manager, House of Correction

Ms. Brylow reviewed the subject report, a copy of which is attached to the original of these minutes. Superintendent Malone provided comments.

Questions and comments ensued.

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.):*

5. 07-18 From State Farm Insurance Companies, submitting a claim for damage to the vehicle of its insured, India Robinson, allegedly caused in a collision with a County vehicle. **(Corporation Counsel recommends payment in the amount of \$1,724.52.)** (Tape #8B-#483)

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

Supervisor Rice suggested taking items 5 and 6 together. There being no objection, it was so ordered.

MOTION BY: (RICE) Approve the recommendations proposed by Corporation Counsel for items 5 and 6. (Vote 6-0)

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

NOES: 0

EXCUSED: Schmitt - 1

6. 07-18 From American Family Insurance Company (Afni), submitting a claim for damage to the vehicle of its insured Johnni Theus allegedly caused in a collision with a County vehicle. **(Corporation Counsel recommends payment in the amount of \$868.70.)**

SEE ACTION UNDER ITEM 5.

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:

7. 07-318 From Principal Assistant Corporation Counsel, requesting approval of the proposed settlement agreement, including payment of \$65,000.00 for Milwaukee County's share of the plaintiff's attorney fees and costs in the case of Bzdawka et al. v. Milwaukee County, et al. (Tape #8B-#521)

APPEARANCE(S):

John Jorgensen, 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 7 and 9. 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 - 1

The Committee adjourned into closed session at approximately 11:00 a.m. and reconvened back into open session at approximately 12:30 p.m. with the same members present as before.

MOTION BY: (DEBRUIN) Approve the recommendation proposed by Corporation Counsel. (Vote 6-0)

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

NOES: 0

EXCUSED: Schmitt - 1

The Committee took no action on item #9.

8. 07-241 From the City of Glendale, submitting a claim for damage to a fire hydrant allegedly caused by a County vehicle. (**Corporation Counsel recommends payment of \$6,293.42.**) (Tape #8B-#497)

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve the recommendation proposed by Corporation Counsel. (Vote 6-0)

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

NOES: 0

EXCUSED: Schmitt

This item was taken out of order.

9. 07-J-15 From Principal Assistant Corporation Counsel, status report regarding "Review of Pension System Compliance Audit." **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Mark Grady, Principal Assistant Corporation Counsel

SEE ACTION UNDER ITEM 7.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel
Mark Grady, Principal Assistant 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: 12:35 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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 13, 2007 - 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 8: Side B, #534 to EOT
TAPE No. 9: Side A, #001 to EOT
TAPE No. 9: Side B, #001 to EOT

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

SCHEDULED ITEMS:

1. 07-351 A resolution by Supervisors Devine and De Bruin, adopting revisions to Chapter 63 of the Milwaukee County Code of General Ordinances to specifically prohibit damage to Milwaukee County Parks property and establish forfeitures for such violations. **(Also to the Committee on Parks, Energy and Environment)**
(Tape #8-#541)

APPEARANCES:

Rick Ceschin, County Board Research Analyst

MOTION BY: (DEVINE) Refer to staff and Corporation Counsel for further review.

Supervisor Devine advised that there is some language under Chapter 47 that does address Parks and he would like to look at possibly merging Chapter 47 with Chapter 63.

Mr. Ceschin provided brief comments.

Supervisor De Bruin requested that at the end of the merging of the two Chapters that staff also looks at signage at the Parks regarding damage so people are aware of the penalties.

Supervisor Cesarz requested that staff discuss with Corporation Counsel if there is any language allowing Milwaukee County to pursue restitution for damaged property.

SCHEDULED ITEMS (CONTINUED):

Vote on the referral: 7-0

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Diving and Johnson (Chair) – 7

NOES: 0

2. 06-283 From the Code of Ethics Study Committee, an interim progress report regarding the resolution by Supervisors 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. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #8-#579)

APPEARANCE(S):

Supervisor Joseph Rice, 6th District, Chairman, Code of Ethics Study Committee

Supervisor Rice provided an update on the Code of Ethics Study Committee's activities. He acknowledged and thanked the diligence and dedication of the committee members. The major objective that the committee has undertaken has been to revise the code in a way that will encourage voluntary compliance. The way to do that is to make the code as clear and as easy to understand as possible, making it a user-friendlier document. Some of the highlights of the recommendations that the committee has acted on thus far include:

- A suggestion to change the governance process;
- Creation of a new protocol – formal communication between the Ethics Board and DA's Office;
- New language that speaks to the provisions barring County officials from the use of County resources in pursuit of political activities;
- Educating County employees and appointees of what the code requirements are.

A public hearing is scheduled for September 19, 2007, 6:00 p.m. at Marquette University.

Questions and comments ensued.

3. 07-343 Resolution/Ordinance by Supervisor Nyklewicz, to model the County Statement of Economic Interests form on the one required by the State of Wisconsin for legislators and designated officials. (Tape #9A-#016)

APPEARANCE(S):

Supervisor Richard D. Nyklewicz, Jr. (14th District)
Terrence Cooley, County Board Chief of Staff

SCHEDULED ITEMS (CONTINUED):

Supervisor Nyklewicz provided comments relative to the subject resolution/ordinance and requested that the Committee refer it to the Ethics Board for their review and recommendation. He indicated that it is his understanding that Chairman Holloway would like this matter also referred to the Code of Ethics Study Committee.

MOTION BY: (DE BRUIN) Refer to both the Milwaukee County Ethics Board and the Code of Ethics Study Committee for their consideration.

Questions and comments ensued.

Mr. Cooley spoke on behalf of Chairman Holloway and reiterated that the Chairman requested that this resolution/ordinance be referred to the Code of Ethics Study Committee. The Chairman has expressed an interest in having this included as part of the packet of materials that are considered at the upcoming public hearing.

Vote on the referral: 7-0

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Divine and Johnson (Chair) – 7

NOES: 0

4. 07-320 From Director of Audits, Submitting an Audit of Jury Selection Process in the Milwaukee County Circuit Court System dated July 2007. (***Referred from the Committee on Finance & Audit for additional information and deliberation.***) Tape #9A-#113)

APPEARANCE(S):

Jerry Heer, Director of Audits
Chief Judge Kitty Brennan
John Barrett, Clerk of Circuit Court
Beth Werwe, AFSCME Local 645

Mr. Heer reviewed the subject Audit. He advised that there is a disparity in the racial composition of Milwaukee County juries and this disparity is being addressed by the courts. He requested that the Judiciary Committee receive and place this report on file with a follow-up status report in six months.

Questions and comments ensued.

Supervisor DeBruin requested that the six month status report include a legal opinion from Corporation Counsel on whether the Federal process is legally allowable in Wisconsin.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Refer to Corporation Counsel for clarification of the legal issues between the legislative and judicial branches on oversight of jury selection, as well as the specific potential long-term option of selecting a different jury selection process.

Chief Judge Brennan provided comments relative to the Audit. She advised of different methods being used to encourage minority jury participation. (i.e., taped public service radio announcements through WMCS, offers from time Warner and Fox 6 to tape television public service announcements).

A lengthy discussion ensued, with questions and comments about legal issues and also an aggressive approach to pursue minority jury participation.

Mr. Barrett answered questions raised by Committee members regarding increasing the pay for jurors for jury participation.

Supervisor DeBruin modified her motion as follows:

MOTION BY: (DE BRUIN) Refer to Corporation Counsel for a report back regarding the jurisdictional issues, as well as the Federal courts jury selection process and place the actual audit on file, with the understanding of a follow-up status report in six months.

Ms. Werwe expressed concerns regarding the following issues pertaining to jurors: the juror courthouse bathroom (no door on handicapped stall and bathroom is not cleaned regularly); the food quality in the cafeteria; parking issues; and smoking issues.

Supervisor DeBruin requested a report from the Clerk of Courts Office, in conjunction with County Board staff, regarding the main complaints of jurors.

Vote on the motion by Supervisor DeBruin: 7-0

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

5. 07-346 Resolution by Supervisors Holloway and Johnson, proclaiming October 2007, as Juror Appreciation Month to honor citizens who serve as jurors in Milwaukee County, thank all employers who support the jury system by paying their employees for jury service, reinforce public confidence in the justice system and promote an important and positive message about jury service. (Tape #9B-#247)

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Chief Judge Kitty Brennan

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

Supervisor Rice in the Chair.

Supervisor Johnson provided comments relative to the subject resolution.

MOTION BY: (JOHNSON) Approve the resolution.

Chief Judge Brennan and Mr. Barrett provided brief comments.

Questions and comments ensued about having a juror appreciation month annually.

Supervisor DeBruin offered a friendly amendment to add a BIFRC that reads, the Milwaukee County Board of Supervisors does hereby declare that starting in 2008 that the Chief Judge will have the authority to designate "Juror Appreciation Month" in Milwaukee County and supports celebration of this month, which shall include various activities in pursuit of the above goals.

Supervisor Schmitt offered a friendly amendment to add another bullet point on line 36 to read as follows:

- recognizing the role of employers to promote jury service by paying employees for their service;

Supervisor Johnson accepted both friendly amendments.

Supervisors DeBruin, Broderick, Schmitt, Rice, Cesarz and Devine requested to be added as co-sponsors. There being no objection, it was so ordered.

Vote on the motion to approve the resolution, including both friendly amendments: 7-0

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

NOES: 0

SCHEDULED ITEMS (CONTINUED):

6. 07-J-19 From the Medical Examiner's Office, requesting passive approval for Wisconsin Tissue Bank Contract. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Recommendation to be implemented unless Supervisors object)** (Tape #9B-#328)

Questions and comments ensued.

MOTION BY: (DE BRUIN) Layover until September 27, 2007.

Questions and comments ensued.

Mr. Andrews advised that this is a rare instance where County Board action is not needed. The contract takes affect without County Board action. If the County Board objects, then a vote is necessary.

Chairman Johnson advised that a special meeting of this committee will be scheduled for Board day to take up an item from Corporation Counsel. This item will be taken up at that time as well.

Vote on the motion to layover: 7-0

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

7. 07-334 From the Clerk of Circuit Court/Director of Court Services, requesting approval to accept a grant in the amount of \$5,000 from the State Bar of Wisconsin to assist in the expansion of the Pro Se area where self-help litigants can get assistance with court forms and procedures. (Tape #9B-#369)

APPEARANCE(S):

John Barrett, Clerk of Circuit Court/Director of Court Services
Amy Wochos, Attorney, Circuit Court

Mr. Barrett reviewed the subject request and introduced Ms. Wochos to the Committee.

Ms. Wochos provided brief comments.

MOTION BY: (RICE) Approve.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

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

8. 07-347 From Corporation Counsel, requesting authorization to amend Milwaukee County General Ordinance, Section 17.33, relative to seminar reimbursement and payment of the cost of the minimum required mandatory membership dues in the Wisconsin Bar Association for non-represented attorneys. **(Also to the Committee on Personnel)** (Tape #9B-#409)

APPEARANCE(S):

Bill Domina, Corporation Counsel

Mr. Domina reviewed the subject request.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. (Vote 7-0)

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

9. 07-J-18 From Superintendent, House of Correction, submitting an informational report on the status of the printing training program at the House of Correction Print Shop. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #9B-#460)

APPEARANCE(S):

Supervisor Marina Dimitrijevic, 4th District
Ronald Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

Superintendent Malone and Ms. Brylow provided comments. They stated they are very happy with the program.

Questions and comments ensued.

Supervisor Schmitt requested a written report on the total job production – what has happened in the last year (how many jobs) and the possibility of getting a full time instructor.

Supervisor Dimitrijevic provided comments.

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. 07-18 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of **\$4,500.00** to Alex Redmond to settle a claim arising out of a motor vehicle accident. (Tape #9B-#

MOTION BY: (RICE) Approve the recommendations by Corporation Counsel for items 10, 12-14. (Vote 7-0)

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

11. 07-222 From Law Offices of Alan D. Eisenberg, in behalf of Shelley D. Chappelle, submitting a claim for injuries and damages sustained as the result of allegedly being wrongfully incarcerated in the Milwaukee County Jail. **(Corporation Counsel recommends payment in the amount of \$1,500.00 in full settlement of all claims arising out of this matter.)**

This item was taken up in closed session.

SEE ACTION UNDER ITEM 17.

12. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,422.32** to Afra Vance in full settlement of her claim arising out of a motor vehicle accident at Whitnall Park.

SEE ACTION UNDER ITEM 10.

13. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,285.50** to Marilyn Griffith in full settlement of her claim when her parked motor vehicle was struck by a County lawn mower.

SEE ACTION UNDER ITEM 10.

SCHEDULED ITEMS (CONTINUED):

14. 07-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$700.00** to Nicola Johnson to settle in full her claim arising out of a motor vehicle accident at 68th Street and Bluemound Rd.

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:

15. 05-411 From Storm, Balgeman, Miller & Klippel, S. C., submitting a claim on behalf of Zondra and Sharrieff S. Patterson for injuries and damages allegedly sustained when the vehicle driven by a deputy sheriff struck Sharrieff S. Patterson who was waiting to cross the intersection at 4th Street and State Street. **(Corporation Counsel recommends payment in the amount of \$27,500.00, which will be settlement in full of all claims arising out of Sharrieff's injuries on August 15, 2002.)**
(Tape #9B-#568)

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

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

16. 06-222 From Safer & Stein Law Firm, S.C., submitting a claim in behalf of Sally Day for injuries and damages allegedly received at the Children's Court Center as a result of a trip and fall. **(Corporation Counsel recommends payment in the amount of \$12,500.00 as settlement in full of all claims and dismissal of the pending lawsuit.)**
(Tape #9B-#580)

***MOTION BY: (SCHMITT) Approve the recommendation by Corporation Counsel.
(Vote 6-1)***

AYES: Rice, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 6
NOES: DeBruin - 1

SCHEDULED ITEMS (CONTINUED):

17. 06-262 From Marques D. Anderson, submitting a claim for injuries and damages sustained when he remained incarcerated as a pretrial detainee after criminal charges against him were dismissed. **(Corporation Counsel recommends payment in the amount of \$5,000.00)** (Tape #9B-#589)

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, 17, 18-22. 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

The Committee adjourned into closed session at approximately 11:00 a.m. and reconvened back into open session at approximately 1:30 p.m. with the same members present as before.

MOTION BY: (RICE) Approve the recommendations by Corporation Counsel for items 11 and 17. (Vote 7-0)

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

No action was taken on items 18-22.

18. 07-J-17 From the Office of the Sheriff and the Superintendent, House of Correction, an informational report on inmate census trends. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

SEE ACTION UNDER ITEM 17.

19. 06-J-17 From Corporation Counsel, status report on the Mercer pension lawsuit.

SEE ACTION UNDER ITEM 17.

20. 07-J-15 From Corporation Counsel, status report regarding "Review of Pension System Compliance Audit." **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

SEE ACTION UNDER ITEM 17.

SCHEDULED ITEMS (CONTINUED):

21. 07-J-20 From Corporation Counsel, status report regarding potential litigation from a commercial operator at GMIA.

SEE ACTION UNDER ITEM 17.

22. 07-J-21 From Corporation Counsel, status report regarding a possible criminal investigation and prosecution arising out of the treatment of a former Behavioral Health Division patient.

SEE ACTION UNDER ITEM 17.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Terry Cooley, County Board Chief of Staff
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Chief Judge Kitty Brennan
John Barrett, Clerk of Circuit Court/Director of Court Services
Amy Wochos, Attorney, Circuit Court
Jerry Heer, Director of Audits
Ronald Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

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Adjourned: 12:35 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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 27, 2007 – 8:30A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 10: Side A, #001 to #356

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

SCHEDULED ITEMS:

1. 07-368 Resolution by Supervisors Borkowski, De Bruin, Cesarz, Quindel and Schmitt, authorizing and directing the Director, Department of Administrative Services – Division of Human Resources, and the Superintendent, House of Correction, to prepare and submit a supplemental action plan for enhanced recruitment, retention and respite efforts for public safety positions at the House of Correction. **(Also the Committee on Personnel)** (Tape #10A-#19)

APPEARANCE(S):

Supervisor Mark A. Borkowski, 11th District
Dr. Karen Jackson, Director, Human Resources
Jerry Heer, Director, Department of Audit
Patty Yunk, DC 48, AFSCME

Supervisor Borkowski provided comments relative to the subject resolution.

Questions and comments ensued.

Mr. Heer and Dr. Johnson provide brief comments.

Ms. Yunk thanked the sponsors of this resolution.

Chairman Johnson and Supervisor Rice requested unanimous consent to be added as co-sponsors of this resolution. There being no objection, it was so ordered.

MOTION BY: (SCHMITT) Concur with the recommendation of the Personnel Committee. (Vote 7-0)

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

SCHEDULED ITEMS (CONTINUED):

2. 07-J-19 From the Medical Examiner's Office, requesting passive approval for Wisconsin
07-380 Tissue Bank Contract. **(INFORMATIONAL ONLY UNLESS OTHERWISE
DIRECTED BY THE COMMITTEE) (Recommendation to be implemented unless
Supervisors object) (9/13/07: Laidover)** (Tape #10A-#208)

APPEARANCE(S):

Dr. Jeffrey Jentzen, Medical Examiner

Dr. Jentzen provided comments relative to the subject request.

Discussion ensued relative to non-profit organizations potentially profiting from the sale of tissues without making the donor or donor's family aware of this.

MOTION BY: (BRODERICK) Receive and place on file. (Vote 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:

3. 07-355 Resolution by Supervisors Quindel, Holloway, Weishan, Rice, Schmitt, Broderick, Borkowski, Devine, Jursik and Mayo, endorsing the Pension Board's efforts to review, investigate and analyze pension benefit issues, payments, and practices, and further authorizing and directing the Corporation Counsel and the Director, Department of Administrative Services – Division of Employee Benefits, in conjunction with the Pension Board's investigation, to review and assess any prior correspondence, opinions or directives from their respective offices and, if necessary, retract, reissue or reinterpret prior communications, and report their findings to the Personnel and Finance and Audit Committees. **(Also to the Committees on Finance and Audit and Personnel)** (Tape #10A-#266)

APPEARANCE(S):

Supervisor Richard D. Nyklewicz, 14th District

Supervisor Schmitt provided comments relative to the subject resolution. He explained the difference between the amendment by the Finance & Audit Committee and the Personnel Committee.

SCHEDULED ITEMS (CONTINUED):

MOTION BY (SCHMITT) Concur with the recommendation of the Personnel Committee.

Supervisor Nyklewicz provided comments and requested that the Committee concur with the action of the Finance and Audit Committee.

MOTION BY: (DE BRUIN) 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 7-0)

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

The Committee adjourned into closed session at approximately 8:55 a.m. and reconvened back into open session at approximately 9:27 a.m. with the same members present as before.

Vote on the motion to concur with the recommendation of the Personnel Committee: 4-3

AYES: Rice, DeBruin, Schmitt and Cesarz – 4
NOES: Broderick, Devine and Johnson (Chair) – 3

4. 07-378 From Deputy Corporation Counsel, requesting approval of the Settlement Agreement and General Release made by and between the Milwaukee Deputy Sheriff's Association, Rollan Parish and David C. Clarke, Jr. and Milwaukee County to settle in full all claims referenced in the resolution with prejudice and without costs or attorney's fees to either party. (Tape #10A-345)

MOTION BY: (RICE) Layover to the call of the Chair.

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
Jerry Heer, Director, Department of Audit
Dr. Karen Jackson, Director, Human Resources
Dr. Jeffrey Jentzen, Medical Examiner

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: 9:30 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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 18, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 10: Side A, #001 to EOT
TAPE No. 10: Side B, #001 to 562

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

SCHEDULED ITEMS:

1. 07-387 From the District Attorney's Office, requesting authorization to enter into an Intergovernmental Agreement with the Milwaukee Police Department, or alternatively to accept a direct \$100,000 grant from the Office of Justice Assistance for the salary and fringe benefits of an Assistant District Attorney in the Milwaukee 5th police district. (Tape #10A-#18)

APPEARANCE(S):

James Martin, Deputy District Attorney

Mr. Martin reviewed the subject request.

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

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

NOES: 0

2. 07-368 From Superintendent, House of Correction and Director of Human Resources,
(a) Report on House of Correction Recruitment and Respite Efforts Per Resolution 07-368. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #10A-#90)

APPEARANCE(S):

Rick Ceschin, County Board Research Analyst

Supervisor Mark A. Borkowski, 11th District

Ron Malone, Superintendent, House of Correction

Dr. Karen Jackson, Director, Department of Human Resources

SCHEDULED ITEMS (CONTINUED):

The following individuals provided comments regarding this item:

Penni Secore, AFSCME

Dale Pallekowsky, House of Correction

Officer Jones-Haynes, House of Correction

Roy Felber, Deputy Sheriff's Association

Mr. Ceschin advised that a revision was made to this item. A revised report from the Superintendent, House of Correction and Dr. Karen Jackson, Director of Human Resources, dated October 16, 2007, was distributed to the Committee (copy attached to the original of these minutes).

Superintendent Malone provided a summary of the report, dated October 16, 2007.

Dr. Jackson provided comments regarding the report.

Discussion ensued with questions and comments regarding background checks and investigations.

After Officer Jones-Haynes' comments, Supervisor Broderick asked her to advise the Committee of the outcome of the situation she described relating to a protective facial mask not being provided to her in a timely fashion.

Superintendent Malone provided comments. He stated that the safety and security for staff is of the utmost importance. When a problem occurs with Management, staff should advise him or his office directly so the problem can be addressed. Everyone should be treated with dignity and respect.

Supervisor Borkowski provided brief comments relative to the October 16, 2007 report. He stated he would reserve most of his comments for the Personnel Committee meeting.

The Committee took no action on this informational report.

3. 07-394 From Principal Assistant Corporation Counsel, requesting approval of an ordinance to repeal Subsection 63.09(2)(h) of the General Ordinances of Milwaukee County, affecting the citation procedure for enforcement of county ordinances.
(Tape #10B-#167)

APPEARANCE(S):

John Jorgensen, Principal Assistant Corporation Counsel

John Reddin, Deputy District Attorney

Mr. Jorgensen reviewed the subject request.

Mr. Reddin provided brief comments.

SCHEDULED ITEMS (CONTINUED):

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

4. 07-J-23 From the Medical Examiner's Office, requesting passive approval for the Lions Eye Bank of Wisconsin Tissue Donor Contract. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Recommendation to be implemented unless Supervisors object).** (Tape #10B-#285)

The Committee had no objections to the subject request.

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.):

5. 07-399 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of **\$20,000.00** in back pay minus appropriate payroll deductions to John Thomas and the payment of **\$15,178.56** in attorney fees in full settlement of all claims arising out of the alleged discrimination at the Department of Health and Human Services. (Tape #10B-#335)

APPEARANCE(S):

Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

Mr. Andrews reviewed the subject request. He advised that this is more of an administrative matter than discrimination.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Mr. Domina answered questions raised by Committee members.

MOTION BY: (DEVINE) Approve.

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

6. 07-18 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$5,000.00 for attorney fees in settlement of the discrimination claim of Arthur A. Okoro against the Department of Health and Human Services. (Tape #10B-#330)

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (DE BRUIN) Approve items 6-8 and items 10-13.

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

7. 07-383 From Raigne Thibaut, submitting a claim for alleged damages sustained to automobile when involved in an accident with a Milwaukee County-owned vehicle on August 28, 2007. **(Corporation Counsel recommends payment in the amount of \$4,000.00)**

SEE ACTION UNDER ITEM 6.

8. 07-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$3,800.00** to Clifford A. Hale III for damages sustained to his automobile when struck by a Milwaukee County-owned vehicle.

SEE ACTION UNDER ITEM 6.

9. 07-18 From Deputy Corporation Counsel, requesting approval of a Settlement Agreement between Milwaukee County and Stephen A. Holt, Sr. **(Corporation Counsel recommends payment in the amount of \$3,329.81 minus appropriate payroll deductions to Mr. Holt in full settlement of this case).**

APPEARANCE(S):

Bill Domina, Corporation Counsel

Mary Ann Grimes, Deputy Corporation Counsel

Ms. Grimes reviewed the subject request.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued relative to Mr. Holt's hiring date and whether or not there was anything that gave the employer additional discretion to take employment action during the probationary period.

Ms. Grimes commented that employees could be separated for any reason during their probationary period, except for illegal reasons. This termination was a violation of the law.

MOTION BY: (CESARZ) Approve.

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

10. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,429.88** to WIDOT in full settlement of this claim as a result of a Milwaukee County Deputy Sheriff losing control of his vehicle and colliding with three attenuator barrels.

SEE ACTION UNDER ITEM 6.

11. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$872.05** to Richard Amen in full settlement of his claim as a result of Mr. Amen falling from his bicycle due to road defect when riding on a County parkway.

SEE ACTION UNDER ITEM 6.

12. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$825.00** to Michael Baus to settle in full the claim he has arising out of the damage caused when a large tree situated on County parkland fell and damaged the fence surrounding his property.

SEE ACTION UNDER ITEM 6.

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:

13. 07-378 From Deputy Corporation Counsel, requesting approval of the Settlement Agreement and General Release made by and between the Milwaukee Deputy Sheriff's Association, Rollan Parish and David C. Clarke, Jr. and Milwaukee County to settle in full all claims referenced in the resolution with prejudice and without costs or attorney's fees to either party. **(9/27/07: Laidover to the call of the Chair)**

SEE ACTION UNDER ITEM 6.

14. 07-J-22 From Corporation Counsel, report on the status of the Susan Baldwin/Thomas Forbes lawsuit against Milwaukee County.

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 and 15. 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 and Johnson (Chair) – 7
NOES: 0

The Committee adjourned into closed session at approximately 10:50 a.m. and did not reconvene back into open session.

15. 07-J-23 From Corporation Counsel, report on employment practice liability claims against the County from 2000 to date.

SEE ACTION UNDER ITEM 14.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
John Jorgensen, Principal Assistant Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Mary Ann Grimes, Deputy Corporation Counsel
Ronald Malone, Superintendent, House of Correction
Dr. Karen Jackson, Director, Department of Human Resources

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: 11:00 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Tuesday, December 4, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 11: Side A, #001 to EOT
TAPE No. 11: Side B, #001 to #85 (Technical difficulties on this side)
TAPE No. 12: Side A, #001 to EOT
TAPE No. 13: Side A, #001 to 610

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

SCHEDULED ITEMS:

1. 06-283 From Ethics Code Study Committee, submitting a report and ordinance revision
(a) with recommendations for existing and proposed provisions to the Milwaukee County Code of Ethics. **(Recommended action: Refer to the Committee of the Whole and County Board Staff)** (Tape #11A-#373)

This item was temporarily laid over.

APPEARANCE(S):

Anna Dugan, Code of Ethics Study Committee
Charles Mulcahy, Code of Ethics Study Committee
Terry Cooley, County Board Chief of Staff

Supervisor Rice provided preliminary background information relative to this item. He advised that from the outset, the Committee had as its objective, not only establishing a set of rules and guidelines for County officials to adhere to, but also had, as its objective, the purpose of communicating with the community that Milwaukee County is serious about ethics enforcement and establishing a culture of compliance with the ethics code in Milwaukee County.

Ms. Dugan and Mr. Mulcahy provided comments and reviewed the highlights of the Code of Ethic Study Committee's recommendations. (A copy of the Milwaukee County Code of Ethics Study Committee's final report is contained in the subject file.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued at length.

MOTION BY: (DE BRUIN) Refer to County Board staff and Corporation Counsel for reports to be submitted to the County Board Chairman with a recommendation that the reports and proposed ordinance be forwarded to the Committee of the Whole for consideration.

Mr. Cooley advised that it is the Chairman's intent to have a meeting of the Committee of the Whole for consideration of this item.

Questions and comments continued.

Vote on the motion: 7-0

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

NOES: 0

This item was taken out of order.

2. 06-100 Published notice, dated February 17, 2006 for special meeting of Milwaukee County Board of Supervisors. Provisional response from the State of Wisconsin, Department of Justice, Attorney General Peggy A. Lautenschlager, dated February 17, 2006. **(9/27/07: Referred from County Board meeting to the Committee on Judiciary, Safety and General Services)** (Tape #12A-#236)

APPEARANCE(S):

Bill Domina, Corporation Counsel

Mr. Domina advised the Committee of their options pertaining to this item. He stated that they could 1) amend Chapter I; 2) refer it to a study Committee to bring back recommendations; 3) authorize Corporation Counsel to seek a declaratory ruling; or 4) do nothing.

Questions and comments ensued at length as to how the Committee should proceed.

MOTION BY: (DE BRUIN) Refer to Corporation Counsel to amend the County Ordinances to conform to Attorney Van Hollen's opinion and report back to the Judiciary Committee with the appropriate language at the next cycle.

Comments continued.

Corporation Counsel Domina stated that one other area where clarity could be sought is the State Legislature. He advised that another option would be to seek

SCHEDULED ITEMS (CONTINUED):

the rules that the Committee think should apply to this office in clear and unambiguous terms. This would involve referral through the Intergovernmental (IGR) Committee.

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

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

NOES: Broderick and Johnson – 2

This item was taken out of order.

3. 07-423 From Director, Child Support Enforcement, requesting authorization to execute Racine County Call Center contract for 2008. (Tape #11A-#24)

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

Ms. Marks reviewed the subject request.

Questions and comments ensued.

MOTION BY: (CESARZ) Approve. 7-0

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

NOES: 0

This item was taken out of order.

4. 07-424 From Director, Child Support Enforcement, requesting authorization to execute contracts with Maximus and United Migrant Opportunity Services, Inc. (UMOS) to provide child support case management. (Tape #11A-#79)

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

Ms. Marks reviewed the subject request.

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Supervisor DeBruin requested a report regarding the compliance history with programmatic and financial performance measures for Maximus and UMOS.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

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

5. 07-426 From Director, Child Support Enforcement, requesting authorization to execute a contract with the Racine County Child Support Agency for Legal Counsel services. (Tape #11A-#193)

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Bill Domina, Corporation Counsel

Ms. Marks reviewed the subject request.

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Mr. Domina provided comments relative to questions asked regarding mutual indemnification.

Vote on the motion to approve: 7-0

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

6. 07-425 From Director, Child Support Enforcement, requesting authorization to execute contracts with Maximus, United Migrant Opportunity Services, Inc. (UMOS) and YWCA for 2008 to provide child support case management services. (Tape #11A-#298)

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

MOTION BY: (RICE) Approve.

Ms. Marks reviewed the subject request.

Supervisor DeBruin requested a report regarding the compliance history with programmatic and financial performance measures for Maximus, UMOS and the YWCA.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

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

7. 07-427 From Director, Child Support Enforcement, requesting authorization to execute a professional services contract for genetic testing with Laboratory Corporation of America Holdings (LabCorp), effective January 1, 2007 through December 31, 2008 at a rate of \$39 per person tested. (Tape #11A-#318)

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

MOTION BY: (RICE) Approve.

Ms. Marks reviewed the subject report.

Supervisor Johnson requested that information relative to whether or not LabCorp requested a DBE waiver and if that waiver was granted be provided to him before Board Day (December 20, 2007).

Vote on the motion to approve: 7-0

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

8. 07-449 From the Sheriff, requesting approval for an extension of the contract with Dr. David E. Holloway for the provision of psychiatric services to inmates at the House of Correction for a period of three years plus one year option and per other terms contained in the contract. (Tape #12A-#671)

APPEARANCE(S):

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

Supervisor DeBruin requested that items 8 and 9 be taken together. There being no objection, it was so ordered.

MOTION BY: (DE BRUIN) Approve items 8 and 9 with a request that the Department of Human Resources provide a timely review of the pay scale application and report to the Personnel Committee on that matter. (Vote 7-0)

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

SCHEDULED ITEMS (CONTINUED):

9. 07-450 From the Sheriff, requesting approval for an extension of the contract with Dr. Stonefield for the provision of psychiatric services to inmates at the Criminal Justice Facility for a period of three years plus one year option and per other terms contained in the contract.

SEE ACTION UNDER ITEM 8.

10. 07-451 From the Sheriff, requesting authorization to enter into a contract with DMS Imaging, Inc. for a period of three years plus two one year options for X-ray services for inmates. (Tape #12A-#737)

APPEARANCE(S):

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

Inspector Carr reviewed the subject request.

Questions and comments ensued at length relative to the DBE provision of this contract and the fact that DMS Imaging, Inc. has applied for a DBE waiver.

MOTION BY: (BRODERICK) Approve.

Supervisor DeBruin requested a report back from the DBE Office and from the Sheriff's Office within six months regarding vendor compliance with the DBE component of the contract.

Chairman Johnson requested that staff obtain information from the Medical Examiner's Office relative to the DBE component of their contract with DMS Imaging, Inc.

Vote on the motion to approve: 6-1

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick and Devine – 6

NOES: Johnson (Chair) - 1

11. 07-462 From Superintendent, House of Correction, requesting approval to execute Professional Service Contracts with various vendors for the performance of services at the Community Justice Resource Center. (Tape #13A-#268)

APPEARANCE(S):

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

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Approve. (Vote 7-0)

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

NOES: 0

Reconsideration of this item was requested to allow for retroactive authorization for the contract with the Benedict Center.

MOTION BY: (BRODERICK) Reconsider this item. (Vote 7-0)

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

NOES: 0

MOTION BY: (BRODERICK) Approve the Professional Services Contract with the vendors listed and include retroactive approval of the 2007 contract with the Benedict Center. (Vote 7-0)

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

NOES: 0

12. 05-303 From Chief Information Officer, IMSD, informational report regarding the 800 MHz
(a)(a) Rebanding Project. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Also to the Committee on Finance and Audit)**
(Tape #13A-#288)

APPEARANCE(S):

Dennis John, Chief Information Office, DAS-IMSD
Steve Mokrohisky, Information Systems Director, DAS-IMSD
Al Katalono, FCC Counsel for Milwaukee County

Mr. John provided comments.

Mr. Mokrohisky provided a brief overview of the rebanding project.

Questions and comments ensued.

MOTION BY: (SCHMITT) Receive and place the report on file. (Vote 7-0)

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

NOES: 0

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.):

13. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,848.75** to Jeffrey Vahsholtz for damages sustained to his automobile in a collision with a County vehicle. (Tape #13A-#597)

APPEARANCE(S):

Bob Andrews, Corporation Counsel

MOTION BY: (SCHMITT) Approve Items 13–19 together. (Vote 7-0)

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

14. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,111.82** to Mathew Spence to settle in full claims for damages sustained to his vehicle when rear-ended by a County-owned vehicle.

SEE ACTION UNDER ITEM 13.

15. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,108.23** to Walid Yamout for damages sustained to his vehicle when struck by a County-owned vehicle.

SEE ACTION UNDER ITEM 13.

16. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,532.52** to Mary Patton for damages sustained to her vehicle when it crossed a freshly painted lane stripe of which there was no posted warning to motorists.

SEE ACTION UNDER ITEM 13.

SCHEDULED ITEMS (CONTINUED):

17. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,434.53** to Karen Ward for damages sustained to her parked vehicle when it was allegedly struck by debris from a County lawnmower.

SEE ACTION UNDER ITEM 13.

18. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$630.93** to Zoua Her Yang to settle in full her property damage claim against the County for damages she sustained to her vehicle when debris fell from the box of a County-owned truck onto the street.

SEE ACTION UNDER ITEM 13.

19. 07-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$501.60** to Robert Rangel to settle in full his claim for damages sustained to his van when a County worker was cutting grass in the median and some debris was kicked-up by the lawnmower and propelled into Mr. Rangels vehicle.

SEE ACTION UNDER ITEM 13.

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:

20. 07-436 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of **\$250,000.00** to settle the lawsuit of Deana Spinn, et al. v. Milwaukee County Mental Health Complex. (Tape #13A-#645)

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 20-23. 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

The Committee adjourned into closed session at approximately 11:45 a.m. and reconvened back into open session at approximately 12:57 p.m. with the same members present as before.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Approve items 20-23. (Vote 7-0)

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

NOES: 0

The Committee took no action on items 24, 25 and 26.

21. 07-452 From Corporation Counsel, recommending approval of the settlement of the lawsuit of James Fuerst v. David A. Clarke, Jr. calling for the payment of **\$50,000.00** to James Fuerst as back pay and **\$95,000.00** in attorney fees to Cermele & Associates.

SEE ACTION UNDER ITEM 20.

22. 07-437 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$32,000.00** to James Kinney to settle his claim for injuries he allegedly suffered when he was struck by a County vehicle.

SEE ACTION UNDER ITEM 20.

23. 07-438 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$8,000.00** to Brihonna Tate for injuries she sustained while using a defective slide in a County park.

SEE ACTION UNDER ITEM 20.

24. 07-J-25 From Corporation Counsel, status report on the potential insurance settlement of the claim of the Milwaukee Public Museum for officer liability.

SEE ACTION UNDER ITEM 20.

25. 07-J-24 From Corporation Counsel, initial report on the lawsuit of Larry Ellis vs. Milwaukee County, et. al.

SEE ACTION UNDER ITEM 20.

26. 07-J-23 From Superintendent, House of Correction, status report on concerns at the Community Correctional Center. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

SEE ACTION UNDER ITEM 20.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Lisa Marks, Director, Chief Support Enforcement
Inspector Kevin Carr, Sheriff's Office
Jon Priebe, Public Safety Fiscal Administrator
Ronald Malone, Superintendent, House of Correction
Jan Brylow, Program Manager, House of Correction
Dennis John, Chief Information Office, DAS-IMSD
Steve Mokrohisky, Information Systems Director, DAS-IMSD

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: 1:00 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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.

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, December 20, 2007 - 8:00 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

TAPE No. 13: Side B, #001 to #167

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

SCHEDULED ITEMS:

1. 07-488 A resolution by Supervisor Johnson, creating a study group to recommend best practices to departments for compliance with the requirements of Chapter 42 of the Milwaukee County Code of General Ordinances. (Tape #13-#22)

Supervisor Rice in the Chair.

Supervisor Johnson provided comments and explained the intent of this resolution. He advised that this resolution is being offered to "tighten up" the reporting requirements as it relates to the department to make sure that when contracts are presented that there is almost an immediate response to the office of Community Development Business Partners so that department can do its work to assure compliance of Chapter 42.

Questions and comments ensued.

MOTION BY: (JOHNSON) Approve.

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

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:

2. 06-J-17 From Corporation Counsel, status report on the Mercer Pension Lawsuit. (Also
07-491 considered by the Committee of the Whole) (Tape #13B-#154)

APPEARANCE(S):

Bill Domina, Corporation Counsel

Chris J. Trebatoski, Attorney, Weiss Berzowski Brady, LLP

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 2 and 3. 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

The Committee adjourned into closed session at approximately 8:20 a.m. and reconvened back into open session at approximately 8:39 a.m. with the same members present as before.

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

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

3. 07-J-25 From Corporation Counsel, status report on the potential insurance settlement of the claim of the Milwaukee Public Museum for officer liability.

The Committee took no action on this item.

STAFF PRESENT:

Rick Ceschin, Research Analyst, County Board

Bill Domina, Corporation Counsel

Rob Henken, Director, Department of Administrative Services

Jerry Heer, Director, Department of Audit

SCHEDULED ITEMS (CONTINUED):

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Adjourned: 8:40 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

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