

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

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

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Jursik – 1

SCHEDULED ITEMS:

1. 09-58 A resolution by Supervisor Borkowski, adopting an Ordinance restricting the use of mobile telephones while operating a motor vehicle in Milwaukee County.

APPEARANCE(S):

Supervisor Mark A. Borkowski (11th District)

Supervisor Borkowski provided comments relative to the subject resolution and its intent.

Questions and comments ensued.

MOTION BY: (RICE) Refer to the Sheriff's Office, Corporation Counsel and the District Attorney's Office for a report and layover to the call of the chair pending receipt of those reports.

Supervisor De Bruin stated that she wants to make sure that there is adequate notice to the public about this ordinance if it is approved.

Vote on the referral: 6-0

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

NOES: 0

EXCUSED: Jursik – 1

2. 09-45 From the District Attorney, requesting authorization to contract with Financial Crimes Services, LLC, to operate a deferred prosecution worthless check program in the district attorney's office.

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Bill Domina, Corporation Counsel
John Chisholm, District Attorney
Ron Dague, Assistant District Attorney
Rufus McNealy, Retired Milwaukee Police Detective

District Attorney Chisholm reviewed the subject report.

MOTION BY: (DE BRUIN) Approve the resolution, with the caveat that the DA's office report to this Committee prior to branching out to domestic violence cases.

Questions and comments ensued.

Mr. Dague provided comments and answered questions raised by the Committee.

Mr. Domina addressed questions and concerns raised relative to the contract and the district attorney operating this program. He stated that the legislature has given the authorization to the District Attorney.

Mr. McNealy provided information relative to the meetings and steps taken prior to the program's startup. He advised that the program should be starting up in April and classes will probably begin in May.

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Jursik – 1

3. 09-49 From Director, Child Support Enforcement, requesting authorization to enter into the 2009 State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (DE BRUIN) Amend the WHEREAS clause, beginning on line 24 of the resolution, as follows: WHEREAS, the Director, Child Support Enforcement, has requested authorization to execute the 2009 State/County Contract resulting in anticipated 2009 State and Federal Funding under the terms of the contract in the amount of \$9,181,875; and (Vote 6-0)

SCHEDULED ITEMS (CONTINUED):

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

NOES: 0

EXCUSED: Jursik – 1

MOTION BY: (RICE) Approve, as amended.

Questions and comments ensued.

Vote on the motion to approve, as amended: 6-0

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

NOES: 0

EXCUSED: Jursik – 1

4. 09-50 From Director, Child Support Enforcement, requesting authorization to execute a one month extension to the professional services contract for generic testing with Laboratory Corporation of America Holding of Burlington, North Carolina, effective January 1, 2009 through January 31, 2009 at a rate of \$39 per person tested.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

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

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

NOES: 0

EXCUSED: Jursik – 1

5. 09-51 From Director, Child Support Enforcement, requesting authorization to execute a professional services contract for genetic testing with Orchid Cellmark, Inc., Princeton, New Jersey, effective February 1, 2009 through December 31, 2011, with the ability to execute two one-year extensions.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Bener, Child Support Enforcement

Ms. Marks reviewed the subject report.

SCHEDULED ITEMS (CONTINUED):

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

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

NOES: 0

EXCUSED: Jursik – 1

6. 09-55 From Director, Child Support Enforcement, requesting authorization to execute Children First program contracts with United Migrant Opportunity Services, Inc (UMOS) and New Concepts, George M. Sanders Fathers and Family Resources Center effective January 1, 2009 through June 30, 2009;with a maximum length through December 31, 2009.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Jursik – 1

7. 09-57 From the Chief Judge, requesting authorization to increase expenditure authority in the amount of \$193,674 on existing (2008) contracts with Wisconsin Community Services (WCS) and Justice 2000.

APPEARANCE(S):

Chief Judge Jeffrey Kremers

Chief Judge Kremers reviewed the subject report.

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

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

NOES: 0

EXCUSED: Jursik - 1

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

8. 09-J-1 From Chief Information Officer, Information Management Services Division (IMSD), submitting an informational report regarding the 800 MHz Rebanding Project. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Dennis John, Chief Information Officer, IMSD

Mr. John reviewed the subject report.

Questions and comments ensued.

The Committee took no action on this informational report.

9. 09-37 From the Sheriff's Office, House of Correction (HOC) and Community Correctional Center (CCC) Status Report. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
(a)(a)

APPEARANCE(S):

Bill Domina, Corporation Counsel

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Penni Secore - AFSCME

Inspector Carr reviewed the subject report.

Questions and comments ensued.

The Committee raised concerns relative to follow-up reports from the Sheriff's Office on how the department is responding to the National Institute of Corrections operational issues outlined in the report.

Inspector Carr advised that the Sheriff's Office would provide quarterly reports to this Committee, as well as the Finance and Audit Committee.

Ms. Secore expressed concerns relative to who is the appointing authority of the House of Correction and what this does for the Civil Service. She stated that Civil Service is very clear on whom the appointing authority is and at this point she stated that, as far as the Union knows, it is Ron Malone. She asked who has the right to change this under their (Union) contract. She stated that the Union has never been notified that the HOC is now under the Sheriff's constitution. She addressed overtime issues and concerns.

SCHEDULED ITEMS (CONTINUED):

Mr. Domina advised that the HOC is under the Sheriff's constitution. The HOC is a statutory creature and it says that the County Board has the ability to put it and manage it however it deems most appropriate. The County Board made the determination in the budget process that the best management for the HOC was under the management of the Sheriff. Mr. Domina agreed that the ordinance(s) should be cleaned up. There was not a companion ordinance change with the budget; but, there should be relative to the position of the Superintendent of the HOC. The Superintendent of the HOC is not a statutory entity. It is not referred to in the HOC statutes. However, it is referred to in our Ordinances. There ought to be a follow-up consideration by the County Board to make that reflect the management authority that was delegated to the Sheriff in the budget.

Inspector Carr advised that the Sheriff has every intention of following the labor agreement.

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

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

NOES: 0

EXCUSED: Jursik – 1

This item was taken out of order.

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:

10. 09-J-2 From the Interim Director, Transportation and Public Works, regarding Sterling Aviation.

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). 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, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 11:30 a.m. and did not reconvene back into open session.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Lisa Marks, Director, Child Support Enforcement
Barbara Berner, Child Support Enforcement
Chief Judge Jeffrey Kremers
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Dennis John, Chief Informational Officer (IMSD)

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

Adjourned: 11:45 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

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

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, March 5, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz – 1

SCHEDULED ITEMS:

1. 09-93 From Clerk of Circuit Court/Director of Court Services, requesting authorization to enter into a two-year contract with the Legal Aid Society in the amount of \$1,708,672 for 2009 and in the amount of \$1,747,116 for 2010.

APPEARANCE(S):

Jim Smith, Clerk of Circuit Courts

Carmen Ortiz, Legal Aid Society, Attorney, Family Local Branch, Downtown Court

Shelia Hill-Roberts, Attorney, Legal Aid Society Society, Guardian Ad Litem Division

Katie Doyle, Attorney, Legal Aid Society

MOTION BY: (BRODERICK) Approval of the Legal Aid Society two-year contract.

Discussion ensued, with questions and comments relative to the number of clients The Legal Aid Society serves and whether or not that number has increased.

Ms. Ortiz advised that her program alone served approximately 1,200 cases with five attorneys and one social worker. The Legal Aid Society takes the cases that are deemed to be indigent where the parties are not able to pay a private attorney. At this time, the Legal Aid Society is seeing an increase in cases because most people are not able to afford an attorney.

Ms. Hill-Roberts advised that her Division handles children. They handled 2,712 cases last year and has seen an increase this year in child abuse and neglect cases, as well, as fatal child abuse cases.

Ms. Doyle answered questions raised by Committee members relative to any lawsuits the Legal Aid Society has against Milwaukee County. She advised that the Legal Aid Society has had an on-going lawsuit with the Milwaukee County Jail system (Christensen case). That is the only lawsuit to her knowledge.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (SANFELIPPO) Layover and request that a study be done to see if there are other individuals who are interested in providing this type of work and report back at the next cycle.

Discussion ensued at length, with questions and comments.

Mr. Domina commented that the State Bar Association of Wisconsin undertook an extensive study on issues related to legal access for the poor in terms of civil cases. They looked across the State and found a number of failings in terms of access for individuals in the court system, specifically children.

Chairman Johnson requested that Mr. Domina provide the Committee with a copy of the study he referenced in his comments.

Supervisor De Bruin expressed her disappointment in not having the Legal Aid Society contract before the Committee for their review. She suggested, as an alternative to Supervisor Sanfelippo's motion, to divide the contract and move approval for 2009 and give the Department time to bring back information as to what The Legal Aid Society does and whether or not there is any potential for a Request for Proposal (RFP).

Supervisor Sanfelippo withdrew his initial motion and resubmitted the following:

MOTION BY: (SANFELIPPO) Approve the Legal Aid Society contract for 2009.

Supervisor Broderick suggested, as a consideration in the motion, that the Committee be provided with a best estimate of the market value of the services currently being performed by the Legal Aid Society, were they to be done at market rates in the private sector.

Chairman Johnson requested that the Legal Aid Society provide a report relative to comparables suggested by Supervisor Broderick above. Also provide a copy of the Legal Aid Society Contract to the full Board before Board Day.

MOTION BY: (RICE) Offered an amendment to the original motion to approve the contract for 2009. (Vote 3-3)

AYES: Rice, De Bruin and Sanfelippo – 3

NOES: Broderick, Jursik and Johnson (Chair) – 3

EXCUSED: Cesarz – 1

Amendment failed.

SCHEDULED ITEMS (CONTINUED):

Vote on motion by Supervisor Broderick to approve the 2 year contract: 5-1

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

NOES: Sanfelippo – 1

EXCUSED: Cesarz – 1

2. 09-103 From the Sheriff's Office, requesting approval of a payment to Dr. Florence L. Johnson & Associates in the amount of \$3,990 for training provided at the House of Correction in August of 2008.

APPEARANCE(S):

Inspect Kevin Carr, Sheriff's Office

Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Office

Inspector Carr reviewed the subject report.

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Cesarz

3. 07-320 An adopted resolution directed the Director of Audit to provide follow-up reports on
(a)(c) the Audit of Jury Selection Process in the Milwaukee County Circuit Court System.
(Final report due on its continued success in achieving jury pools that are reflective of the community.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Jerry Heer, Director of Audits

Mr. Heer reviewed the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that staff prepare a letter to the State for all Committee members to sign in support of Mr. Barrett's efforts at the State level recommending that the jury selection pool be broadened. After a brief discussion regarding Supervisor De Bruin's request, the Committee decided to pursue a resolution regarding same at next month's meeting.

SCHEDULED ITEMS (CONTINUED):

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

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

NOES: 0

EXCUSED: Cesarz - 1

4. 09-73 From Corporation Counsel requesting authorization to amend Section 17.30 of the Milwaukee County General Ordinances as it pertains to the appointment and supervision of the Superintendent of the House of Correction. **(Also to the Committee on Personnel)**

APPEARANCE(S):

Bill Domina, Corporation Counsel
Inspector Kevin Carr, Sheriff's Office

Questions and comments ensued.

MOTION BY: (RICE) Approve.

Questions and comments continued.

Mr. Domina advised that the request to amend Section 17.30 of the Milwaukee County General Ordinances gives clarity. He considers it clean up to the ordinances.

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz - 1

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

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. 08-18 From Principal Assistant Corporation, recommending approval of the settlement amount of \$4,023.50 for claims of **Bonnie Thompson**, in return for the dismissal of the pending lawsuit.

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Approve items 5, 7-10 together.

Supervisor De Bruin requested information regarding the dollar amount for #10 from Corporation Counsel before Board day (March 19, 2009).

Vote on the motion to approve item 5, 7-10 together: 6-0

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

NOES: 0

EXCUSED: Cesarz – 1

6. 09-18 From Deputy Corporation Counsel, recommending approval of the settlement amount of \$1,181.45 to **Paul A. Towler**, in settlement of this claim.

APPEARANCE(S):

Bill Domina, Corporation Counsel

Supervisor Sanfelippo advised that he would abstain from voting on this item because the person involved is a former employee of his.

MOTION BY: (DE BRUIN) Approve. (Vote 5-0: 1 Abstention)

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

NOES: 0

EXCUSED: Cesarz – 1

7. 08-75 From Gruber Law Offices, LLC in behalf of **Takako Quinn**, submitting a claim for the alleged injuries and damages sustained when the vehicle she was driving was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$3,300.00 to Ms. Quinn and her attorneys in full settlement of all claims arising out of the August 4, 2008 accident and in return for a dismissal of her pending lawsuit.)**

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:

8. 08-73 From Gruber Law Offices, LLC in behalf of **Anita Jackson**, submitting a claim for the alleged injuries and damages sustained when the vehicle she was a passenger in was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$12,000.00 to Ms. Jackson and her attorneys in full settlement of her claims arising out of the August 4, 2008 accident and in return for a dismissal of her pending lawsuit.)**

SEE ACTION UNDER ITEM 5.

9. 08-74 From Gruber Law Offices, LLC in behalf of **Shauna Stilo**, submitting a claim for the alleged injuries and damages sustained when the vehicle she was driving was a passenger in was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$10,000.00 to Shauna Stilo and her attorneys in full settlement of her claims arising out of the August 4, 2008 accident and in return for a dismissal of her pending lawsuit.)**

SEE ACTION UNDER ITEM 5.

10. 08-253 From Action Law Offices, submitting a claim in behalf of **Ora Gholson** for injuries and damages allegedly sustained while riding in an inmate transport bus. **(Corporation Counsel recommends payment in the amount of \$10,353.00 to Ms. Gholson and her attorney in full settlement of all claims arising out of the July 30, 2007 accident.)**

SEE ACTION UNDER ITEM 5.

11. 08-J-13 From Corporation Counsel, recommending approval of \$55,750.72 in back pay and
09-119 interest to Ersol Henry and \$30,798.60 to Terri Lewis (less all applicable federal and state withholdings); and \$25,000 in compensatory damages to each plaintiff; in addition, \$79,583.43 in attorney fees to Sandra Graf Radtke and \$9,522,57 to Arthur Heitzer.

APPEARANCE(S):

Bill Domina, Corporation Counsel

The Committee adjourned into closed session at approximately 10:20 a.m. and reconvened back into open session at approximately 10:55 a.m. with the same members present as before.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve the settlement amounts in the resolution, as recommended by Corporation Counsel. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

12. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Jim Smith, Clerk of Circuit Courts
Jerry Heer, Director of Audits
Inspector Kevin Carr, Sheriff's Office
Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Office

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

Adjourned: 11:00 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, April 9, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, March 26, 2009.

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, April 9, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7

SCHEDULED ITEMS:

1. 09-150 From the County Executive, appointing Mr. Henry Hamilton to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2014.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Henry Hamilton, Appointee

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

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

2. 09-149 From the County Executive, appointing Mr. Christian Bryan Flores to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2015. Mr. Flores is replacing Brother Bob Smith whose term expired on February 28, 2009.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Christian Bryan Flores, Appointee

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

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

3. 09-143 A resolution by Supervisor Coggs, in support of modifying state judicial districts to achieve better ethnic diversity of elected circuit court judges. **(Also to the Committee on Intergovernmental Relations)**

APPEARANCE(S):

Chief Judge Jeffrey Kremers

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Approve.

MOTION BY: (CESARZ) Refer to Corporation Counsel for a written legal opinion and consultation with the Chief Judge and report back at the next cycle.

Discussion ensued with questions and comments relative to the motion requesting a written legal opinion from Corporation Counsel.

Chief Judge Kremers advised that he has not read this resolution, but indicated that there was a lawsuit filed a number of years ago with the same goal in mind as this resolution and that lawsuit was rejected by the federal court, with respect to the notion of carving out sub-districts in a county for electing judges, for a variety of reasons.

Supervisor De Bruin withdrew her motion to approve.

Vote on the referral to Corporation Counsel: 7-0

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

4. 08-85 An adopted resolution directed the Director of Audits to provide follow-up reports on
(a)(d) the Audit of the Sheriff's Electronic Medical Records. **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Jerry Heer, Director of Audits

Mr. Heer reviewed the subject report.

Questions and comments ensued.

Supervisor De Bruin requested a report back at the next cycle from Dennis John, with input from the appropriate departments, as to what the timeline will be for developing policy guidelines. She also requested further information as to what he intends to do for the 2010 budget as far as replacing the Sheriff's Electronic Medical system and how those two affect each other.

MOTION BY: (BRODERICK) Receive and place on file. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Molly Pahl, Sheriff's Office

Inspector Carr reviewed the subject report.

Questions and comments ensued relative to the process by which the municipalities in the report were identified.

Supervisor Jursik requested an e-mail from either of the inspectors as to whom the city of St. Francis should contact to make sure that they have not been improperly eliminated from receiving any of these funds.

Inspector Carr advised that the grant requires that the County Executive and the Mayor (all the Mayors receiving funds) sign the grant application. If the City and County fail to come to an agreement, nobody gets any money. He advised that it is in everybody's best interest to come to a fair agreement based on a reasonable assessment of needs.

Supervisor De Bruin indicated that she would like to see someone from the County Executive's Office or the County Executive himself appear on this item when it comes back to the Committee.

Considerable discussion continued, with questions and comments relative to the City of Milwaukee.

MOTION BY: (DE BRUIN) Layover to the call of the Chair. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7

NOES: 0

6. 09-37 From Inspector, Office of the Sheriff submitting an informational status report on the
(a) operations and programming at the House of Correction (HOC). **(Also to the Committees on Finance and Audit and Personnel)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office

SCHEDULED ITEMS (CONTINUED):

Inspector Carr provided an overview of a letter written by Dr. Jeffrey A. Schwartz regarding the quarterly report from Inspectors Carr and Schmidt relative to the merger of the Sheriff's Office and the House of Correction (HOC).

Discussion ensued at length, with questions and comments.

Supervisor Sanfelippo requested a report from the Sheriff's Office regarding a fiscal analysis of the Farm and Fish Hatchery and its cost to operate, prior to budget time.

Supervisor De Bruin stated that the report submitted by Inspectors Carr and Schmidt is very well written and is the most comprehensive report she has received as a policy maker, regardless of any Sheriff, in her 17 years on the Board.

Committee members commended Inspectors Carr and Schmidt, as well as the Sheriff, on the progress made thus far relative to the merger.

Supervisor Broderick requested, as part of the analysis requested by Supervisor Sanfelippo, that the Audit Department assess the value of the Farm & Fish Hatchery and quantify those values in monetary terms.

Jerry Heer advised the Committee that he could have the reports available for the July cycle.

MOTION BY: (SANFELIPPO) Receive and place on file. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7

NOES: 0

7. 09-160 From Clerk of Circuit Court, requesting authorization to negotiate and sign professional service contracts with Credit Management Control for collection of unpaid fines and forfeitures for a three-year period, beginning May 1, 2009 through April 30, 2012.

APPEARANCE(S):

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

Mr. Barrett reviewed the subject report.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

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

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7
NOES: 0

8. 09-167 From the Chief Judge, requesting authorization to negotiate and sign a professional services contract with Justice 2000, Inc. for the provision of Assess, Inform and Measure services for the period of May 1, 2009 to December 31, 2009.

APPEARANCE(S):

Chief Judge Jeffrey Kremers
Holly Szablewski, Court Services

MOTION BY: (DE BRUIN) Approve.

Questions and comments ensued.

Ms. Szablewski and Chief Judge Kremers provided comments.

Vote on the motion to approve: 7-0

AYES: Rice, De Bruin, Cedarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7
NOES: 0

This item was taken out of order.

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.):

9. 09-19 From Principal Assistant Corporation Counsel, recommending approval of payment in the amount of **\$5,000.00** to Dr. Sharleen Leonard in settlement of her lawsuit against Milwaukee County.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

MOTION BY (RICE) Approve items 9-17 together. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7

NOES: 0

10. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$3,127.07** to Christopher Starr in full settlement of all claims arising out of the December 2, 2008 motor vehicle accident.

SEE ACTION UNDER ITEM 9.

11. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$2,890.47** to Robert Passow in full settlement of all claims arising out of the December 23, 2008 motor vehicle accident.

SEE ACTION UNDER ITEM 9.

12. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$2,100.00** to Dennis Vlahoulis in full settlement of all claims arising out of the December 24, 2008 incident.

SEE ACTION UNDER ITEM 9.

13. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,828.35** to Christopher Ward in full settlement of all claims arising out of the November 30, 2008 incident.

SEE ACTION UNDER ITEM 9.

14. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,534.38** to Enterprise Rent-A-Car in settlement of their claim.

SEE ACTION UNDER ITEM 9.

15. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$1,132.70** to Georgia Tsiampas in settlement of this claim.

SEE ACTION UNDER ITEM 9.

SCHEDULED ITEMS (CONTINUED):

16. 09-19 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$925.72** to Robert Downward in full settlement of all claims arising out of the December 24, 2008 incident.

SEE ACTION UNDER ITEM 9.

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:

17. 09-161 From Deputy Corporation Counsel, recommending approval of payment in the amounts of **\$160,000.00** to Dawn Beaudoin, **\$10,000.00** to David Beaudoin and **\$2,000.00** to American Family Insurance to settle in full any and all claims arising out of the January 25, 2005 motor vehicle accident.

SEE ACTION UNDER ITEM 9.

18. 09-119 A report from Corporation Counsel, referred back 3/19/09, recommending approval of **\$55,750.72** in back pay and interest to Ersol Henry and **\$30,798.60** to Terri Lewis (less all applicable federal and state withholdings); and **\$25,000.00** in compensatory damages to each plaintiff; in addition, **\$79,583.43** in attorney fees to Sandra Graf Radtke and **\$9,522.57** to Arthur Heitzer.

APPEARANCE(S):

Bill Domina, Corporation Counsel

The Committee adjourned into closed session at approximately 10:20 a.m. and reconvened back into open session at approximately 10:55 a.m. with the same members present as before.

MOTION BY: (RICE) Amend the BE IT RESOLVED clause as recommended by Corporation Counsel as follows: BE IT RESOLVED, that Milwaukee County approves the payment of \$55,750.72 in back pay and interest to Ersol Henry and \$30,798.60 in back pay and interest to Terri Lewis (less all applicable federal and state withholdings); and each Plaintiff is entitled to ~~\$25,000.00~~ \$32,000.00 in compensatory damages. In addition, ~~\$79,583.43~~ \$72,583.43 in attorney fees will be awarded to Sandra Graff Radtke and \$9,522.57 in attorney fees to Arthur Heitzer. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

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

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 7

NOES: 0

19. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

The Committee recessed for lunch and reconvened at approximately 1:20 p.m. with the same members present as before, at which time the Committee adjourned into closed session to take up this item and did not reconvene back into open session.

The Committee took no action on this item.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Jerry Heer, Director of Audits
Chief Judge Jeffrey Kremers
Holly Szeblewski, Court Services
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Molly Pahl, Sheriff's Office
John Barrett, Clerk of Circuit Court/Director of Court Services
Deborah Bachun, Court Services

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

Adjourned: 1:25 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, May 7, 2009.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, April 23, 2009.***

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 7, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz – 1

SCHEDULED ITEMS:

1. 09-168 From County Executive, appointing Jonathan Stollenwerk to serve on the Milwaukee County Local Emergency Planning Committee as the Public Information representative.

APPEARANCE(S):

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

Ms. Hill provided comments relative to the subject appointment.

Committee members provided comments.

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

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

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

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

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

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

Questions and comments ensued.

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

Supervisor De Bruin accepted the friendly amendment.

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

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

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

APPEARANCE(S):

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

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

SCHEDULED ITEMS (CONTINUED):

Discussion ensued with questions and comments regarding inattentive driving.

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

Questions and comments continued.

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

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

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

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

Vote on the referral to IGR: 4-2

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

NOES: Broderick and Jursik – 2

EXCUSED: Cesarz – 1

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

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

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Thomas Nardelli, County Executive's Office

SCHEDULED ITEMS (CONTINUED):

Inspector Carr reviewed the subject report.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

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

Questions and comments continued.

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

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz

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

APPEARANCE(S):

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

Ms. Shields reviewed the subject report.

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

SCHEDULED ITEMS (CONTINUED):

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

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

NOES: 0

EXCUSED: Cesarz - 1

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

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

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to item 7. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 6-0)

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

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

This item was taken out of order.

The Committee took no action on this item.

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

SCHEDULED ITEMS (CONTINUED):

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

Adjourned: 10:50 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

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

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

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

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

Friday, May 15, 2009 - 11:00 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

PRESENT: Supervisors Rice, De Bruin, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 5

EXCUSED: Supervisors De Bruin and Cesarz – 2

SCHEDULED ITEMS:

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

1. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to item 7. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 5-0)

The Committee adjourned into closed session at approximately 11:15 a.m. and did not reconvene back into open session.

Supervisors De Bruin and Cesarz were excused from the closed session.

The Committee took no action on this item.

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

SCHEDULED ITEMS (CONTINUED):

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

Adjourned: 12:15 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

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

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, June 11, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 7

SCHEDULED ITEMS:

1. 09-216 From County Executive, appointing Ms. Lisa Klindt Simpson to serve on the Milwaukee County Traffic Safety Commission for a term expiring May 13, 2013.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Lisa Klindt Simpson, Appointee

Ms. Hill provided brief comments.

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

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7

NOES: 0

2. 09-J-5 From the Chief Judge, submitting the final version of the Universal Jail Screening Proposal. **(Also to be considered by the Committee on Finance and Audit)**
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Holly Szablewski, Court Services
Inspector Kevin Carr, Sheriff's Office
John Chisolm, District Attorney

Ms. Szablewski provided a synopsis of the universal jail screening proposal.
Inspector Carr also provided comments.

Questions and comments ensued.

Supervisor De Bruin requested the following additional information:
What the anticipated implementation costs are in the second, third and fourth year
(so if there is a reduction in cost, these subsequent years will be factored into it).

SCHEDULED ITEMS (CONTINUED):

Compare that to the current cost of keeping individuals in the jail and House of Correction.

In other examples across the country (including Allegheny County), did they track the individuals that were pre-released, i.e. cost savings and rate of recidivism?

A snapshot of what the standards would mean as to who could be released and who might not be released.

The issue of the targeted population – why would this group be priority?

Questions and comments continued.

District Attorney Chisolm commented that he strongly supports this general movement towards both measuring what we do and intelligently informing the policies that are implemented based on that information.

The following individuals provided comments in support of the universal jail screening proposal:

Kit Murphy McNally, The Benedict Center

Father Brian Braun, St. Benedict Jail Ministry

Lloyd Hubbard, Milwaukee Inner City Congregation Allied for Hope (MICAH)

Sister Rose Stietz (MICAH)

Peter Koneazny, Attorney, Legal Aid Society

William Eatough, MICAH

Marilyn Walzak, Justice 2000

Thomas Reed, First Assistant State Public Defender

Holly Patzer, Wisconsin Community Services (WCS)

Supervisor Jursik asked if there were statistics available from Waukesha County on cost savings.

MOTION BY: (DE BRUIN) Refer to County Board staff and the universal screening workgroup for a follow-up report (addressing questions and concerns raised by Supervisors De Bruin and Jursik above) and report back in the September cycle. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7

NOES: 0

3. 09-143 A resolution by Supervisor Cogg, in support of modifying state judicial districts to achieve better ethnic diversity of elected circuit court judges. **(Also to the Committee on Intergovernmental Relations) (4/9/09: Referred to Corporation Counsel for Legal Opinion)**

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (RICE) Layover to the call of the Chair. (Vote 7-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) –7

NOES: 0

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

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

District Attorney Jon Chisolm

Inspector Carr reviewed the subject report.

Attorney Chisolm provided brief comments.

Questions and comments ensued about the criteria that makes the municipalities eligible.

The Committee took no action on this informational report.

5. 09-240 From the Sheriff's Office, requesting authorization to apply for and accept homeland security funding for specific projects under the Urban Area Security Initiative (UASI) Grants and State Homeland Security Grants.

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Carr reviewed the subject report.

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

AYES: Rice, De Bruin, Cesarz, Broderick, Jursik, Sanfelippo 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.*):

6. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$5,000.00** towards the attorney's fees incurred by the Deputy Sheriff's Association and its president, Roy Felber and the lawsuit against the Milwaukee County Sheriff's Office.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Vote on the motion to approve: 6-1

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

NOES: Sanfelippo -1

*Supervisor Jursik was excused at the time of the roll call for the vote; however, when the meeting reconvened, after the closed session, she appeared and requested unanimous consent to be recorded as voting with the majority on items 6 and 7. There being no objection, it was so ordered.

7. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$692.21** to David Clay, in full settlement of this claim.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (DE BRUIN) Approve.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 7-0

AYES: Rice, De Bruin, Cesarz, Broderick, *Jursik, Sanfelippo and Johnson (Chair) – 7
NOES: 0

*Supervisor Jursik was excused at the time of the roll call for the vote; however, when the meeting reconvened, after the closed session, she appeared and requested unanimous consent to be recorded as voting with the majority on items 6 and 7. There being no objection, it was so ordered.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

8. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to item 8. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 6-0)

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

NOES: 0

EXCUSED: Jursik – 1

The Committee adjourned into closed session at approximately 11:20 a.m. and reconvened back into open session at approximately 11:43 a.m. with the same members present as before, at which time Supervisor Jursik requested unanimous consent to be recorded as voting with the majority on items 6 and 7.

STAFF PRESENT:

Rick Ceschin, Research Analyst, County Board
John Chisolm, District Attorney
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Holly Szablewski, Court Services

SCHEDULED ITEMS (CONTINUED):

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

Adjourned: 11:43a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, July 9, 2009.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, June 25, 2009.***

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 9, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

1. 09-264 From the County Executive, appointing Dr. Helen Sobehart to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2010. Dr. Sobehart will fill a vacancy resulting from the resignation of Rev. Trinnett McCray.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Dr. Helen Sobehart, Appointee

The Committee provided comments and welcomed Dr. Sobehart.

Dr. Sobehart provided brief comments.

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

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

NOES: 0

EXCUSED: Cesarz – 1

2. 09-143 A resolution by Supervisor Coggs, in support of modifying state judicial districts to achieve better ethnic diversity of elected circuit court judges. **(Also to the Committee on Intergovernmental Relations) (6/11/09: Laidover to the call of the Chair)**

APPEARANCE(S):

Supervisor Elizabeth Coggs, 10th District
Bob Andrews, Deputy Corporation Counsel

Supervisor Coggs provided comments relative to the subject resolution and its intent. She commented that if the resolution is approved, she would request that the

SCHEDULED ITEMS (CONTINUED):

County Clerk send an official letter of recommendation, attached to the resolution, to the governor, state senators and state representatives. The premise of this resolution is that we need cultural diversity.

MOTION BY: (DE BRUIN) Approve the resolution.

Discussion ensued at length, with questions and comments regarding statistics of women and minorities who have received judgeships and the constitution being changed.

Mr. Andrews provided comments relative to the constitution being changed.

Vote on the motion to approve: 3-3

AYES: De Bruin, Broderick and Johnson (Chair) – 3

NOES: Rice, Jursik and Sanfelippo – 3

EXCUSED: Cesarz – 1

This item will go to the Board with no recommendation by reason of a tie vote.

3. 09-151 From Inspector, Office of the Sheriff, requesting authorization to apply for and
(a)(a) accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds for Federal Fiscal Year 2009 and that a separate trust fund be established to deposit the grant monies.

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Supervisor Rice acknowledged the work of the County Executive's Office and the Sheriff's Office for getting us to this point.

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

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

NOES: 0

EXCUSED: Cesarz – 1

4. 09-37 From the Sheriff's Office, Milwaukee County Sheriff's Office and House of Correction
(a)(c) Merger Second Quarter Report. **(Also to be considered by the Committees on Personnel and Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Nancy Evans, Corrections Captain, Sheriff's Office
Inspector Carr reviewed the subject report.

Questions and comments ensued.

Captain Evans provided comments.

Inspector Schmidt addressed questions relative to the K-9 program.

MOTION BY: (JURSIK) Receive and Place on File. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

5. 09-37 From the Director of Audits, Data on Value of the Milwaukee County Farm and Fish Hatchery Operation Report. **(Also to be considered by the Committee on Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
(a)(d)

APPEARANCE(S):

Jerry Heer, Director of Audits
Sherry Tussler, Executive Director, Hunger Task Force

Mr. Heer reviewed the subject report.

Questions and comments ensued.

Ms. Tussler provided comments.

Supervisor De Bruin advised that this is step 1 and that another report will come back to the Committee in September. She urged the Committee to wait until they see the full report.

The Committee took no action on this informational item.

6. 09-284 From the County Clerk, requesting approval of a resolution/ordinance amending Section 59.15 of the Milwaukee County Code of General Ordinances to increase the fee for marriage licenses from \$100 to \$105 in response to Milwaukee County's 2009 fiscal situation. **(Also to the Committee on Finance and Audit)**

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

County Clerk Joseph Czarnezki

Mr. Czarnezki reviewed the subject request.

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Cesarz – 1

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

7. 09-281 From Principal Assistant Corporation Counsel, recommending approval of payment in the amount \$20,000 to Burdell Vaughn to settle in full his lawsuit against Milwaukee County.

APPEARANCE(S):

Roy Williams, 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, 8 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, De Bruin, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

The Committee adjourned into closed session at approximately 10:55 a.m. and reconvened back into open session at approximately 11:55 a.m. with the same members present as before.

MOTION BY: (RICE) Approve items 7 and 8. (Vote 6-0)

SCHEDULED ITEMS (CONTINUED):

AYES: Rice, De Bruin, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6
NOES: 0
EXCUSED: Cesarz – 1

8. 09-253 From Principal Assistant Corporation Counsel, recommending approval of payment in the amount of \$3,000 to Deputy Kopydlowski and \$250 to Deputy Griffin and \$13,000 for attorney fees in full settlement of Fair Labor Standards Act claims.

SEE ACTION UNDER ITEM 7.

9. 09-J-5 From Corporation Counsel, status report on grievance arbitration and court decisions involving District Council 48.

The Committee took no action on this item.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Roy Williams, Principal Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Captain Nancy Evans, Sheriff's Office
Jerry Heer, Director of Audits
Joseph J. Czarnecki, County Clerk

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

Adjourned: 11:58 A.M.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, September 10, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, August 27, 2009.

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

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

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

Thursday, July 23, 2009 – 8:30 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

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

*Supervisor De Bruin was not present during the roll appeared, but appeared shortly thereafter.

EXCUSED: Supervisor Jursik - 1

SCHEDULED ITEMS:

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

1. 09-J-5 From Corporation Counsel, status report on grievance arbitration and court decisions involving District Council 48.

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 5-0)

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

NOES: 0

EXCUSED: *De Bruin and Jursik – 2

*Supervisor De Bruin was not present during the time of the roll call for closed session; however, she appeared shortly thereafter and was present during the closed session.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel

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

Adjourned: 9:30 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, September 10, 2009. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, August 27, 2009.

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, September 10, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

1. 09-309 Report referred, 7/23/09, a resolution by Supervisor Holloway, Mayo, Broderick, Johnson and West, seeking legislation to amend Wisconsin Statutes to remove the requirement to elect a county executive in counties with a population of 500,000 or more and allow the appointment of a county administrator. **(Also referred back to the Committee on Intergovernmental Relations)**

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

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

AYES: Rice and Sanfelippo – 2

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

EXCUSED: Cesarz – 1

Motion failed.

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

AYES: Broderick and Johnson (Chair) – 2

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

EXCUSED: Cesarz – 1

Motion failed.

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

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

Mr. Priebe reviewed the subject report.

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

APPEARANCE(S):

Holly Szablewski, Court Services
Rick Ceschin, County Board Staff

Ms. Szablewski reviewed the subject report.

Questions and comments ensued.

MOTION BY: (RICE) Approve.

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

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

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz – 1

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

Holly Szablewski, Court Services

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

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

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

SEE ACTION UNDER ITEM 4.

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

SEE ACTION UNDER ITEM 4.

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

Holly Szablewski, Court Services

Ms. Szablewski reviewed the subject report.

Questions and comments ensued at length.

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

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

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

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

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

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

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

MOTION BY: (JURSIK) Receive and Place on File. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

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

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

APPEARANCE(S):

Bill Donmina, Corporation Counsel

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

Questions and comments ensued.

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

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

SEE ACTION UNDER ITEM 8.

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

SEE ACTION UNDER ITEM 8.

SCHEDULED ITEMS (CONTINUED):

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

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

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

APPEARANCE(S):

Bill Domina, Corporation Counsel

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

Questions and comments ensued.

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

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

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

NOES: 0

EXCUSED: Cesarz - 1

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

SEE ACTION UNDER ITEM 18.

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

SEE ACTION UNDER ITEM 18.

SCHEDULED ITEMS (CONTINUED):

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

SEE ACTION UNDER ITEM 18.

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

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to Items 22 and 23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

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

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

SEE ACTION UNDER ITEM 22.

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

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Molly Pahl, Sheriff's Office

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

This item was taken out of order.

The Committee took no action on this item.

SCHEDULED ITEMS (CONTINUED):

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

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

Adjourned: 12:05 P.M.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

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

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

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

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

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

APPEARANCE(S):

No one from the County Executive's Office appeared.

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

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

NOES: 0

EXCUSED: Cesarz – 1

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

APPEARANCE(S):

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

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

Discussion ensued with questions and comments.

SCHEDULED ITEMS (CONTINUED):

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

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

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

Vote on the motion to approve: 6-0

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

NOES: 0

EXCUSED: Cesarz - 1

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

APPEARANCE(S):

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

Mr. John reviewed the subject report.

Questions and comments ensued.

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

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

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

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

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

Ms. Panella provided comments relative to the subject report.

MOTION BY: (RICE) Approve.

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

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

Questions and comments continued.

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

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

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

Supervisor Rice withdrew his approval motion.

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

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

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

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

APPEARANCE(S):

Holly Szablewski, Court Services

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

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

NOES: 0

EXCUSED: Cesarz - 1

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

APPEARANCE(S):

Chief Judge Jeffrey Kremers, Courts

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

Mark Grady, Corporation Counsel's Office

Tom Cannon, Legal Aid Society

Deborah Bachun, Fiscal Manager, Courts

Mr. Barrett reviewed the subject request.

Mr. Cannon provided comments relative to the contract.

MOTION BY: (BRODERICK) Approve.

Discussion ensued at length.

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

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

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

On lines 11, 12 and 13, insert the words "up to" before the dollar amount; after the dollar amount, insert "for 2800 cases"; on line 14, delete the word "and";

insert "Additional cases will be paid at the same rate per case; and";

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

SCHEDULED ITEMS (CONTINUED):

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

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

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

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

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

NOES: 0

EXCUSED: Cesarz - 1

Vote on the amendment to line 14: 5-1

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

NOES: Jursik - 1

EXCUSED: Cesarz - 1

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

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

NOES: 0

EXCUSED: Cesarz - 1

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

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Questions and comments ensued.

Inspectors Carr and Schmidt answered questions raised by the Committee.

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

SCHEDULED ITEMS (CONTINUED):

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

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

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

NOES: 0

EXCUSED: Cesarz - 1

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

APPEARANCE(S):

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

Inspector Carr reviewed the subject report.

Questions and comments ensued.

The Committee took no action on this informational item.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

9. 08-37 From Tabak & Tepper, S.C., submitting a claim in behalf of Alvin Richman, for injuries and damages allegedly sustained when he fell in the courtroom of Judge Jeffrey Conen, Room 501 of the Milwaukee County Courthouse. **(Corporation Counsel recommends payment in the amount of \$10,000)**

APPEARANCE(S):

Mark Grady, Principal Corporation Counsel

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

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

NOES: 0

EXCUSED: Cesarz and De Bruin - 2

SCHEDULED ITEMS (CONTINUED):

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

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

Adjourned: 11:30 A.M.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

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

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

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

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, December 3, 2009 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

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

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

1. 09-397 From the Chief Information Officer, IMSD, requesting authorization to grant a conservation easement at the House of Correction, 8885 S. 68th Street, Franklin, Wisconsin to the City of Franklin. **(Also to the Committee on Economic and Community Development)**

APPEARANCE(S):

Greg High, Director, Architecture, Engineering and Environmental Services
Dave Gugowski,
Dennis John, Chief Information Officer, IMSD
Inspector Kevin Carr, Sheriff's Office
John Schapekahm, Principal Assistant Corporation Counsel

Mr. High provided comments relative to the subject report.

MOTION BY: (RICE) Approve the resolution with the expectation that issues addressed in the Mr. Schapekahm's memo be incorporated into the process.

Mr. Schapakahm provided clarity of the language in the BE IT RESOLVED clause of the resolution.

MOTION BY: (JURSIK) Layover until the next cycle.

Discussion ensued relative to the layover motion.

Vote on the motion to layover: 5-1

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

NOES: Rice – 1

EXCUSED: Cesarz – 1

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 the items 21, 22, and 23). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

The Committee adjourned into closed session at approximately 9:25 a.m. and reconvened back into open session at approximately 10:45 a.m. with the same members present as before.

The Committee took no action on items 21, 22 and 23.

2. 09-445 From the Chief Judge, requesting authorization to enter into a professional services contract with Justice 2000, Inc. for the period of January 1, 2010 through December 31, 2010 for provision of 1.0 FTE Drug Treatment Court Coordinator for the Milwaukee County Drug Treatment Court (MCDTC). **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Holly Szablewski, Court Services

Ms. Szablewski reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Amend the BE IT RESOLVED clause (BIRC) of the resolution by inserting “at the terms set forth above” after “Justice 2000, Inc.” (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

MOTION BY: (DE BRUIN) Approve the resolution, as amended: 6-0

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

NOES: 0

EXCUSED: Cesarz – 1

SCHEDULED ITEMS (CONTINUED):

3. 09-438 From the Interim Director of Child Support Enforcement (CSE), requesting authorization to execute extensions of the 2009 Purchase of Service contracts with Maximus, United Migrant Opportunity Services, Inc. (UMOS) and YWCA from January 1, 2010 through March 31, 2010 to provide child support case management services.

APPEARANCE(S):

Janet Nelson, Interim Director of CSE

Ms. Nelson reviewed the subject report.

MOTION BY: (RICE) Approve. (6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

4. 09-439 From the Interim Director of Child Support Enforcement, requesting authorization to enter into a contract with Racine County Child Support from January 1, 2010 through December 31, 2010 to provide call center child support case management services.

APPEARANCE(S):

Janet Nelson, Interim Director of CSE

Ms. Nelson reviewed the subject report.

MOTION BY: (DE BRUIN) Amend the BIRC of the resolution by inserting “at the terms set forth above” after the word “Support” on line 29. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

MOTION BY: (RICE) Approve the resolution, as amended. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

SCHEDULED ITEMS (CONTINUED):

5. 09-440 From the Interim Director of Child Support Enforcement, requesting authorization to accept a grant from the Department of Health and Human Services' Administration of Children and Families in the amount of \$100,000.

APPEARANCE(S):

Janet Nelson, Interim Director of CSE

Ms. Nelson reviewed the subject report.

Questions and comments ensued.

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

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

NOES: 0

EXCUSED: Cesarz – 1

6. 09-441 From the Interim Director of Child Support Enforcement, requesting to enter into a contract with Policy Studies, Inc. for professional services related to CSE's Special Improvement Project "Ensuring Timely Child Support Services for Foster Care Cases" from December 1, 2009 through August 31, 2010.

APPEARANCE(S):

Janet Nelson, Interim Director of CSE

Ms. Nelson reviewed the subject report.

MOTION BY: (RICE) Approve.

Supervisor De Bruin expressed concerns relative to why there wasn't a Request for Proposal (RFP) done.

Discussion ensued, with questions and comments relative to Policy Studies, Inc. (PSI) and the DOT/DBE Participation Recommendation Form.

The Committee requested quarterly reports regarding PSI's progress.

MOTION BY: (DE BRUIN) Amend the BIRC of the resolution by inserting "at the terms set forth above" after "Policy Studies, Inc." on line 36. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve the resolution, as amended. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

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.):

7. 09-18 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$5,000.00** to Larry Miller in full settlement of all claims arising out of the January 2007 incident in the County Jail.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (RICE) Approve items 7-13 together. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz – 1

8. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,671.63** to Issac Merritt in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

9. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,614.88** to Gilles Frozen Custard in full settlement of this claim.

SEE ACTION UNDER ITEM 7.

10. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,012.97** to Kevin Abendroth in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

SCHEDULED ITEMS (CONTINUED):

11. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$889.63** to Don Ragsdale in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

12. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$881.76** to Petra Hernandez in full settlement of her claim.

SEE ACTION UNDER ITEM 7.

13. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$838.31** to Sentry Insurance for the repair of the vehicle owned by Gary Knueppel.

SEE ACTION UNDER ITEM 7.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

14. 09-446 From Corporation Counsel, requesting authorization to continue to retain O'Neil , Cannon, Hollman, DeJong, S.C. to represent the Milwaukee County Board of Supervisors in connection with *Milwaukee District Council 48 v. Milwaukee County et al.*, and pay the reasonable and necessary fees for that representation, at a rate not to exceed \$325.00 per hour, which fees may exceed the sum of \$50,000, but shall not exceed the sum of \$100,000.

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 14 and 24. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)

The Committee adjourned into closed session at approximately 11:40 a.m. and reconvened back into open session at approximately 12:10 p.m. with the same members present as before.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (BRODERICK) Approve.

Supervisor Rice expressed concerns relative to the contracting process. He provided his reasons for not supporting this item.

Supervisor Sanfelippo advised that he would be abstaining from voting because O'Neil, Cannon, Hollman, DeJong, S. C. has provided extensive legal work for his businesses and continues to represent immediate family members' businesses at this time.

Vote on the motion to approve:

AYES: De Bruin, Broderick, Jursik and Johnson (Chair) - 4

NOES: Rice - 1

ABSTENTION: Sanfelippo - 1

EXCUSED: Cesarz - 1

This item was taken out of order. The Committee took no action on item 24.

15. 09-429 From Thomas Roehl, submitting a claim for the injuries and damages allegedly received when he was involved in an accident with a Milwaukee County Highway truck. **(Corporation Counsel recommends payment in the amount of \$35,474.28 in full settlement of this claim)**

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (RICE) Approve items 15-20 together. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

The Committee took a short recess and returned with the same members present as before.

MOTION BY: (RICE) Approve items 15-20 together. (Vote 6-0)

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

NOES: 0

EXCUSED: Cesarz - 1

These items were taken out of order.

SCHEDULED ITEMS (CONTINUED):

16. 09-455 From Principal Assistant Corporation Counsel, recommending approval of payment in the amount of **\$21,000.00** to Heather Gagnon and her attorneys in full settlement of all claims arising out of the November 9, 2005 vehicular accident and in return for a dismissal of their pending lawsuit.

SEE ACTION UNDER ITEM 15.

17. 09-442 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$9,118.22** to American Family Insurance in full settlement of the property damage claim arising out of the March 29, 2009 accident.

SEE ACTION UNDER ITEM 15.

18. 09-299 From Auto-Owners Insurance, submitting a claim under their subrogation rights of their insured, Forrest and Margaret Bates for reimbursement of payment made for alleged damages sustained when involved in an accident with a Milwaukee County-owned vehicle on March 29, 2009. **(Corporation Counsel recommends payment in the amount of \$9,041.41 in full settlement of this claim)**

SEE ACTION UNDER ITEM 15.

19. 09-407 From Gruber Law Office, LLC, submitting a claim in behalf of Omar Peoples for injuries and damages allegedly sustained when involved in an accident with a County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$8,400.00 to resolve all claims)**

SEE ACTION UNDER ITEM 15.

20. 009-319 From Riteway Bus Service, submitting a claim for the alleged damages to vehicle due to an accident with a Milwaukee County vehicle. **(Corporation Counsel recommends payment in the amount of \$6,043.69 in full settlement of this claim)**

SEE ACTION UNDER ITEM 15.

21. 09-J-7 From Corporation Counsel, status report regarding the Christensen jail lawsuit.

This item was taken out of order.

SEE ACTION UNDER ITEM 1.

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

22. 09-J-8 From Corporation Counsel, status report on the new lawsuit of TLY against the County.

SEE ACTION UNDER ITEM 1.

This item was taken of order.

23. 09-J-9 From Corporation Counsel, report on the status of the lawsuit of Baseman Bros., Inc. regarding services provided at the Franklin Sports Complex.

SEE ACTION UNDER ITEM 1.

This item was taken out of order.

24. 09-J-10 From Corporation Counsel, providing an update on the litigation commenced by Milwaukee District Council 48 regarding the 35-hour workweek.

SEE ACTION UNDER ITEM 14.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
John Shapakahm, Principal Assistant Corporation Counsel
Greg High, Director, Architecture, Engin. & Environmental Svcs.
Dennis John, Chief Informational Officer, MSD
Inspector Kevin Carr, Sheriff's Office
Holly Szablewski, Court Services
Janet Nelson, Interim Director, Child Support Enforcement

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

Adjourned: 12:20 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

SCHEDULED ITEMS (CONTINUED):

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, January 21, 2010.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, January 7, 2010.***

*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.*