

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 24, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

TAPE No. 1: Side A, #001 to EOT  
TAPE No. 1: Side B, #001 to EOT  
TAPE No. 2: Side A, #001 to EOT  
TAPE No. 2: Side B, #001 to #746

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

#### SCHEDULED ITEMS:

1. 08-51 A resolution by Supervisors Cesarz and Borkowski, creating a courthouse campus workgroup that would examine the condition of County facilities in the courthouse campus area, make recommendations on future facilities needs as it relates to better customer service, workflow design and increased energy efficiency and assess economic benefits associated with the proposed recommendation. **(Also to the Committee on Transportation, Public Works and Transit)** (Tape #1A-#22)

#### **APPEARANCE(S):**

Supervisor Mark Borkowski, 11<sup>th</sup> District

Supervisor Cesarz provided comments relative to the subject resolution's intent.

***MOTION BY: (CESARZ) Concur with the recommendation by the Committee on Transportation, Public Works and Transit to layover this item for one cycle for additional information.***

Questions and comments ensued.

Supervisor Borkowski provided comments. He shared concerns relative to the inefficiency of transporting patients or items from the House of Corrections to the Courthouse.

**SCHEDULED ITEMS (CONTINUED):**

**Vote on the motion: 7-0**

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

**NOES:** 0

2. 06-100 Published notice, dated February 17, 2006 for special meeting of Milwaukee County Board of Supervisors. Provisional response from the State of Wisconsin, Department of Justice, Attorney General Peggy A. Lautenschlager, dated February 17, 2006. **(12/4/07: Referred to Corporation Counsel to amend the County Ordinances to conform to Attorney Van Hollen’s opinion and report back to the Judiciary Committee with the appropriate language at the January cycle)**  
(Tape #1A-#229)

**APPEARANCE(S):**

Supervisor Patricia Jursik, 8<sup>th</sup> District  
Bill Domina, Corporation Counsel

Mr. Domina provided comments and answered questions relative to the draft resolution/ordinance prepared by Corporation Counsel.

Questions and comment ensued.

***MOTION BY: (RICE) Approve the resolution/ordinance as drafted by Corporation Counsel.***

Questions and comments continued.

***MOTION BY: (BRODERICK) Layover for one cycle and refer to staff to help develop potential options.***

Supervisor Devine requested a flow chart of procedures regarding County Board Chairman issues.

Several Committee members provided comments as to why they did not support the layover.

Supervisor Broderick suggested an option of a three/fifths vote as opposed to a simple majority or super majority vote.

**Supervisor Rice in the Chair.**

Supervisor Johnson provided comments and stated that he has a big problem with the simple majority and will be supporting the motion to layover this matter to explore other options.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Jursik stated that the County Executive weighs in on whatever is decided by the County Board regarding this issue. She mentioned in-house rules, which do not have to go through the County Executive. Her concern is the possibility of the County Executive vetoing County Board procedures.

Mr. Domina explained that there are in-house rules in terms of processing County Board agendas and dealing with scheduling of committee meetings which are not ordinances or resolutions; but the rules of the County Board are contained in Chapter 1 of the ordinances that contain all of the language relative to motions, committee structures and the voting requirements when there is a requirement for suspension of the rules. He stated that the draft resolution/ordinance prepared by Corporation Counsel amends Chapter 1, which is the proper place for this issue.

**Vote on the motion to layover: 4-3**

**AYES:** Johnson, Schmitt, Broderick and Devine – 4

**NOES:** DeBruin, Cesarz and Rice (Chair) – 3

3. 07-422 From the Director, Child Support Enforcement, requesting authorization to execute the 2008 State/County Contract for the Administration of Child and Spousal Support and Establishment of Paternity and Medical Support Liability Programs in Milwaukee County. (Tape #1B-#155)

**APPEARANCE(S):**

Lisa Marks, Director, Child Support Enforcement

Ms. Marks reviewed the subject report.

***MOTION BY: (DEBRUIN) Approve. (Vote 7-0)***

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

**NOES:** 0

4. 07-482 From the Operations Manager, Medical Examiner's Office, requesting authorization to enter into a contract with DMS Imaging, Inc. for a period of 15 months (October 1, 2007 through December 31, 2008) plus two one year options for X-ray services for the Medical Examiner's Office. (Tape #1B-#175)

**APPEARANCE(S):**

Karen Domagalski, Operations Manager, Medical Examiner's Office

Ms. Domagalski reviewed the subject report.

**SCHEDULED ITEMS (CONTINUED):**

Questions and comments ensued.

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

**MOTION BY: (DEBRUIN) Amend page 5 of the Professional Service Agreement, under Section 13. DISADVANTAGED BUSINESS ENTERPRISE, second paragraph, end of first line, by deleting 0% DBE and adding 17% DBE and also deleting (0% race conscious and 0% race neutral of the total contract. Additionally, add a WHEREAS clause to the resolution to read as follows: WHEREAS, prime consultant/service provider shall utilize DBE firms to a minimum of 17%; now, therefore.**

Questions and comments ensued.

**Vote on the amendment: 7-0**

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

**MOTION BY: (BRODERICK) Approve, as amended. (Vote 7-0)**

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

The Committee thanked and commended Dr. Jentzen for his services to Milwaukee County.

Supervisor Rice indicated that there is a citation for Dr. Jentzen being circulated by his office and welcomed other supervisors to join in formally recognizing his services.

5. 08-59 From the Sheriff's Office, requesting authorization to enter into a contract with Correct RX Pharmacy for a period of three years with two one year extensions. (Tape #1B-#317)

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Bill Domina, Corporation Counsel  
David Halbrooks, Omnicare  
Rick Ceshin, County Board Research Analyst  
Thomas Nardelli, County Executive's Office  
Dr. Ronald Shansky, Court Appointed Medical Monitor for the Christensen Decree

## SCHEDULED ITEMS (CONTINUED):

Inspector Carr reviewed the subject request and provided a history relative to this item.

Questions and comments ensued.

Mr. Domina answered legal questions from the Committee regarding the contract.

Supervisor Cesarz stated that it was his understanding that the reason for the one year contract with Correct RX was to allow the Sheriff's Office and Behavioral Health Division (BHD) Administration to take a look globally at all pharmacy services offered through the County. He asked if there were any updates from the Sheriff's Office or Behavioral Health.

Inspector Carr stated that the Sheriff's Office did have conversations with BHD and it was determined that they were not interested in a formulary. He stated that the Sheriff's Office was advised by Mr. Stuart Piltch that the only people likely to respond to this type of proposal are people who primarily serve prisoners. Per Inspector Carr, BHD was not interested in pursuing a joint contract.

Mr. Halbrooks provided comments relative to Omnicare not receiving the contract for pharmacy services.

Supervisor DeBruin requested a written report from the Sheriff's Office and BHD (Mr. Chianelli) as to why it's not advisable for BHD and the Jail to have their pharmacy services blended before Board Day (February 7, 2008). She expressed concerns relative to the medication carts.

Inspector Schmidt advised that medication carts were sent to them by Correct RX, however, they were the wrong size (small ones). They were all sent back and the new bigger carts are beginning to come in. They've received four so far.

Mr. Ceschin commented that he spoke with the Director of Administrative Services and the Director of BHD. He confirmed Inspector Carr's comments relative to BHD not being interested in pursuing a joint contract; however, Mr. Ceschin agreed with Supervisor DeBruin that BHD's comments should be in a written document.

***MOTION BY: (RICE) Amend the term of the contract from three years to two years.***

Mr. Nardelli advised that the County Executive has no objection to this contract going forward, even if it is modified. He stated that the County Executive fully supports the idea of merging and trying to find a more cost effective way to buy prescription drugs.

**SCHEDULED ITEMS (CONTINUED):**

Dr. Shansky provided comments relative to formularies at the BHD and the Jail.

Supervisor DeBruin requested a broader report by Board day than initially requested. The report should include comments from the County Executive, the Director of the Department of Health & Human Services (DHHS) and the Sheriff as to whether or not they feel there is any promise in Milwaukee County moving forward to consolidate pharmacy services both from cost effectiveness, as well as patient care outcomes and if so, what timeframe would they feel is necessary to work out those provisions. And if not, a clear statement to adopt the contract. Also, address how approval of the contracts currently before the County Board should be handled.

**Vote on the amendment: 7-0**

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

Supervisor Rice stated that in the event the answer comes back indicating that consolidation is not feasible, then the Committee could send a clear signal stating that in the next two years, they want serious effort made in looking at options of development of a plan for consolidation. He suggested that 12 months is a reasonable period of time and therefore, requested that the report come back at that time.

Mr. Domina suggested that the Committee ask Mr. Piltch what his opinion is relative to consolidation.

***MOTION BY: (RICE) Approve the contract, as amended.***

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

6. 08-60 From the Sheriff's Office, requesting authorization to enter into a contract with Dynacare Laboratories for a period of three years plus two one year options. (Tape #2A-#470)

**APPEARANCE(S):**

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

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

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

**SCHEDULED ITEMS (CONTINUED):**

7. 08-61 From the Sheriff's Office, requesting authorization to enter into a contract with Dr. Ronald Shansky, court appointed medical monitor for the Christensen Decree, for a period of three years plus two one year options. (Tape #2A-#483)

**APPEARANCE(S):**

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

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

Questions and comments ensued.

Supervisor DeBruin stated that she has concerns about some of Dr. Shansky's performances and does not support increasing his fee.

**Vote on the motion to approve: 6-1**

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

**NOES:** DeBruin – 1

8. 08-62 From the Sheriff's Office, requesting authorization to apply for and accept Adult Education and Family Literacy Act Grant Funds. **(Also to the Committee on Finance and Audit)** (Tape #2A-#547)

**APPEARANCE(S):**

Jan Brylow, Criminal Justice Program Manager, HOC

***MOTION BY: (RICE) Approve items 8 and 9 together. (Vote 7-0)***

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

**NOES:** 0

9. 08-63 From the Superintendent, House of Correction, requesting approval to provide a 25% cash match to qualify for Adult Education and Family Literacy Act Grant Funds applied for by Milwaukee Area Technical College. **(Also to the Committee on Finance and Audit)**

**SEE ACTION UNDER ITEM 8.**

## SCHEDULED ITEMS (CONTINUED):

10. 08-J-2 From the Sheriff's Office and Superintendent, House of Correction, an informational update regarding recent inmate incidents at the Criminal Justice Facility, the Community Correctional Center and the House of Correction. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #2B-#559)

### **APPEARANCE(S):**

Supervisor Borkowski, 11<sup>th</sup> District  
Supervisor Weishan, 16<sup>th</sup> District  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Superintendent Ron Malone, House of Correction  
Jeff Mayer, Acting Assistant Superintendent

Inspector Carr provided comments relative to the escape by an inmate that occurred on Sunday, December 30<sup>th</sup> by switching wristbands with another inmate. The deputy that was in the Housing unit did not check the wristband and turned the inmate over to a different deputy, who also was supposed to check the wristband, but did not and the inmate was released. Both deputies have been separated from Milwaukee County employment by the Sheriff. The inmate was charged, recovered and is now in custody.

Inspector Carr commented that the piece of equipment that could confirm the identity of the inmate going out was inoperable. He stated that the Sheriff's office will hold accountable the person(s) who knew or should have known that that piece of equipment wasn't operational and didn't do their jobs to get it fixed. This part of the investigation is still ongoing. Inspector Carr stated that every supervisor (sergeants, captains and lieutenants) in the jail will be interviewed to determine what they knew and when they knew it.

Considerable discussion ensued regarding this item, with questions and comments.

Mr. Felber provided comments relative to machines being broken and not repaired. He stated that it is not fair that the deputies and correctional officers are being held accountable when the accountability should come from the top down. He advised that the system is not working.

Supervisor Weishan stated that he wants to know what is going to be done to stop the escapes, deaths, etc. in the jail. He would like to see some corrective action. To date, he stated that no corrective action plan has been made available to the County Board.

## SCHEDULED ITEMS (CONTINUED):

Inspector Schmidt provided comments relative to the inmate who expired while exercising. He stated that the inmate had an enlarged heart and came into the jail without any medical history.

***MOTION BY: (DEBRUIN) Request a report from the Sheriff's Office and the Superintendent of the House of Correction (HOC) providing data from 2003-2007 on the number of escapes, improper releases and deaths occurring at the jail and HOC, identifying primary causes and corrective action plans if needed.***

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

Superintendent Malone provided comments relative to the death of an inmate on Thanksgiving morning of 2007. He stated that the inmate expired as the result of a methadone overdose. There were no improprieties by staff, no staff are being disciplined and procedures were followed. He further stated that in all of the deaths in custody, even before he was at the HOC, there was no indication that there was any wrongdoing or that staff contributed to the deaths or that there was a lack of following policy and procedure that contributed to the death.

Supervisor Borkowski commented that he has met with the family and the family's attorneys. There is some very damaging evidence that will come out.

Supervisor Weishan raised concerns relative to whether or not the work environment contributed to some of the incidents that happened at the HOC. He asked if studies/reports done by the County Audit Department or the National Institute of Corrections would be made available to the Judiciary Committee and/or the County Board.

Superintendent Malone advised that the internal audit and the report by the National Institute of Corrections will be released to the County Board Chairman as well as the Chairman of the Judiciary Committee. He stated that it is his understanding that the National Institute of Corrections report will be released within 24 hours. He could not comment as to when the report by the Audit department would be completed and released.

Supervisor Borkowski reminded the Committee that the report from the Audit department was due at the end of December. He advised that he was told it wouldn't be completed until the end of February.

Superintendent Malone provided comments relative to the inmate who was on Huber that ran off from the transportation van. He advised that the inmate turned himself in within 48 hours to the Police Administration Building.

**SCHEDULED ITEMS (CONTINUED):**

11. 08-J-1 From Clerk of Circuit Court/Director of Court Services, reporting on a 2008 Potential Revenue Shortfall (**INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE**) (Also to be considered by the Committee on Finance and Audit) (Tape #2B-#638)

**APPEARANCE(S):**

Jim Smith, Chief Deputy Clerk - Fiscal Manager  
Deborah Bachun, Court Services

Questions and comments ensued.

Supervisor DeBruin expressed her frustration with the budget process and dealing with this issue.

Mr. Smith highlighted additional revenue sources that are aggressively being pursued.

**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:**

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**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.):

12. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$4,890.00** to Troy Burke for damages sustained to his vehicle when struck by a County-owned vehicle. (Tape #2B-#708)

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

**MOTION BY: (SCHMITT) Approve items 12 and 13 together. (Vote 6-0)**

**AYES:** Rice, DeBruin, Schmitt, Broderck, Devine and Johnson (Chair) – 6

**NOES:** 0

**EXCUSED:** Cesarz

**SCHEDULED ITEMS (CONTINUED):**

13. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$750.00** to settle in full the claim of Daniel F. Sykora for damages sustained to his vehicle when struck by a County-owned plow.

**SEE ACTION UNDER ITEM 12.**

**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. 08-53 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$67,000** to David & Louis McGlothian and their attorney for full settlement of all claims arising out of the December 8, 2005 motor vehicle accident. (Tape #2B-#717)

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

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

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

***NOES:*** 0

***EXCUSED:*** Cesarz

15. 07-J-2 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

***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 15 and 16. 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 1:15 p.m. and reconvened back into open session at approximately 1:38 p.m. with the same members present as before. Supervisor Cesarz was excused.

The Committee took no action on this item.

**SCHEDULED ITEMS (CONTINUED):**

16. 08-69 From Corporation Counsel, reporting on the potential insurance settlement of the claim of the Milwaukee Public Museum for officer liability. (Tape #7B-#741)

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

**MOTION BY: (RICE) Approve the resolution as presented and recommended by Corporation Counsel. (Vote 6-0)**

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

**NOES:** 0

**EXCUSED:** Cesarz

**STAFF PRESENT:**

Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Lisa Marks, Director, Chief Support Enforcement  
Karen Domagalski, Operations Manager, Medical Examiner's Office  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Ronald Malone, Superintendent, House of Correction  
Jan Brylow, Program Manager, House of Correction

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board office.

Adjourned: 1:40 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, March 6, 2008 - 9:00 A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**SCHEDULED ITEMS:**

1. 08-84 From County Executive, appointing Paul J. Hinkfuss to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2011.

**APPEARANCE(S):**

Fran McLaughlin, County Executive's Office  
Paul J. Hinkfuss

Ms. McLaughlin provided comments.

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

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

2. 08-51 A resolution by Supervisors Cesarz and Borkowski, creating a courthouse campus workgroup that would examine the condition of County facilities in the courthouse campus area, make recommendations on future facilities needs as it relates to better customer service, workflow design and increased energy efficiency and assess economic benefits associated with the proposed recommendation. **(Also to the Committee on Transportation, Public Works and Transit) (1/24/08: Laidover) (Reports from the Director, Transportation and Public Works)**

**APPEARANCE(S):**

Supervisor Mark A. Borkowski, (11<sup>th</sup> District)

Supervisor Borkowski provided comments:

***MOTION BY: (CESARZ) Concur with the Committee on Transportation, Public Works and Transit to layover this item for one cycle.***

**SCHEDULED ITEMS (CONTINUED):**

Questions and comments ensued.

**Vote on the motion to layover: 7-0**

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

3. 08-102 A resolution by Supervisor Borkowski, directing the Superintendent, House of Correction to prepare a report detailing incidents, penalties, costs and corrective actions related to vandalism by inmates at the House of Correction.

**APPEARANCE(S):**

Supervisor Mark A. Borkowski, (11<sup>th</sup> District)  
Inspector Kevin Carr, Sheriff's Office

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

Questions and comments ensued.

Inspector Carr provided comments relative to vandalism at the jail.

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

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

4. 06-100 Published notice, dated February 17, 2006 for special meeting of Milwaukee County Board of Supervisors. Provisional response from the State of Wisconsin, Department of Justice, Attorney General Peggy A. Lautenschlager, dated February 17, 2006.  
(a)(a) **(1/24/08: Laidover and referred to staff to help develop potential options)**

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

Discussion ensued at length, with questions and comments relative to what action the Committee should take on this item.

***MOTION BY: (SCHMITT) Approve "Amendment No. 2" from County Board staff indicating that the election of a successor to an incumbent County Board officer shall require a three-fifths vote of the members elect.***

Questions and comments continued.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Rice requested that the phrase “with or without cause” be added to the third line, after the word “time” in section 1.02 (am) of the proposed ordinance.

Supervisor Schmitt accepted this request as a friendly amendment.

***MOTION BY: (DE BRUIN) Approve the resolution for a simple majority vote.***

Questions and comments ensued relative to which motion takes precedence.

Mr. Domina provided comments.

**Vote on the motion by Supervisor Schmitt, requiring a three-fifths vote: 6-1**

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

**NOES:** De Bruin – 1

***MOTION BY: (SCHMITT) Approve the resolution/ordinance, as amended.  
(Vote 7-0)***

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

**NOES:** 0

5. 08-85 From Director of Audits, an Audit of the Office of the Sheriff Electronic Medical Records System, dated February 2008. **(Also to the Committee on Finance and Audit) (Copies Previously Provided)**

**APPEARANCE(S):**

Jerry Heer, Director, Department of Audits

Inspector Kevin Carr, Sheriff’s Office

Candace Owley, Wisconsin Federation of Nurses and Health Professionals

Steve Zais, Wisconsin Federation of Nurses and Health Professionals

Jack Hohrein, Milwaukee County Citizen

***MOTION BY: (DE BRUIN) Concur with the recommendations by the Audit Department with a follow-up six month report and a three month status report. Also that Audit and County Board staff prepare a report for the Judiciary, Safety and General Services Committee to consider, outlining recommendations on how to modify the County Procurement process so that appropriate administrative staff disclosure requirements are put in place during the entire vendor selection process and the monitoring of the contract implementation process.***

Discussion ensued at length.

**SCHEDULED ITEMS (CONTINUED):**

Ms. Owley commented that the nurses should be complemented because for years they have been consistently saying that the electronic medical records system is flawed and needs to be replaced. She stated that she appreciates the Committee's willingness to pay attention to this matter and continuously request reports.

Mr. Zais thanked the Committee for hearing the nurses.

**Vote on the motion by Supervisor De Bruin: 7-0**

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

**NOES:** 0

6. 07-320 (a)(a) An adopted resolution directed the Director of Audit to provide a follow-up report on the Audit of Jury Selection Process in the Milwaukee County Circuit Court System and that Corporation Counsel provide a report back addressing the jurisdictional issues and the Federal courts jury issue. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

Jerry Heer, Director, Department of Audit

Mr. Heer and Mr. Domina reviewed the reports they submitted relative to this item.

Questions and comments ensued.

***MOTION BY: (SCHMITT) that the report from the Director of Audits, dated February 27, 2008 entitled, "Status of Implementation of Audit Recommendations on the Jury Selection Process (File No. 07-320)" be placed on file and that the Courts provide an update report in six months and a full report in one year on its continued success in achieving jury pools that are reflective of the community. (Vote 7-0)***

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

**NOES:** 0

7. 08-J-9 From the Director, Department of Child Support Enforcement, responding to a request for information on performance incentive standards, staffing patterns for bilingual staff, and the use of paralegals in the department. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Beverly Ferrin, Program Coordinator, Department of Child Support Enforcement

John O'Shea, Supervising Legal Counsel for Department of Child Supp. Enforcement

**SCHEDULED ITEMS (CONTINUED):**

Beth Werve, AFSCME Local 645

Ms. Ferrin reviewed the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that the department provide her with the actual performance measures that Milwaukee County achieved in each of the four areas specified in the report.

***MOTION BY: (DE BRUIN) Receive and place the subject report on file.***

Ms. Werve expressed concerns relative to paralegals working out of their job classification in the Department of Child Support Enforcement. She also expressed concerns relative to positions funded by the County Board that were never filled.

Chairman Johnson requested that Ms. Werve put her concerns in writing.

Supervisor De Bruin withdrew her motion to receive and place the report on file.

8. 07-379  
(a) Adopted 2008 Budget Amendment 1A045 directed the Chief Judge and Clerk of Circuit Court furnish a report to the County Board for consideration at its March 2008 meetings on the use of temporary staff services. This report should include actual expenditures for 2007 and the steps being taken to reduce reliance on temporary help in 2008. **(Also to the Committees on Finance and Audit and Personnel) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

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

Mr. Barrett reviewed the subject report.

Discussion ensued, with questions and comments relative to the fiscal affect of temporary positions. Per Mr. Barrett, the use of temporary staff has been higher than the Courts would like it to be.

***The Committee took no action on this informational report.***

## SCHEDULED ITEMS (CONTINUED):

9. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and  
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

### **APPEARANCE(S):**

Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator  
Rick Ceschin, County Board Research Analyst

There was no written report from Superintendent Malone for the Committee's consideration.

Superintendent Malone apologized for not having a written report and requested to be allowed to provide said report at a future meeting. He proceeded to give a brief verbal report in which he stated that the GPS matter was referred to a Committee called the Jail and Utilization Committee, chaired by Inspector Schmidt. At that Committee meeting, the Judges commented that they would be supportive of the GPS if there were a physical plant for individuals to go to at night. Superintendent Malone is working on putting together a pilot; however, this has not been finalized. Meetings are scheduled for March 17th and 19th; one is a subcommittee meeting and the other is an overall meeting. Superintendent Malone stated that he would provide a written document after both meetings.

Mr. Ceschin indicated that some language was changed in the budget process that referred to the GPS and some modifications were made regarding staff.

***The Committee took no action on this informational report.***

10. 08-J-3 From the Sheriff's Office and Superintendent, House of Correction (HOC), a report providing data from 2003-2007 on the number of escapes, improper releases and deaths occurring at the jail and HOC. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

### **APPEARANCE(S):**

Superintendent Ron Malone, House of Correction  
Jeff Mayer, House of Correction  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office

Superintendent Malone and Mr. Mayer addressed the Committee.

**SCHEDULED ITEMS (CONTINUED):**

Discussion ensued, with questions and comments relative to stairwell doors being unlocked at Community Correctional Center (CCC). Superintendent Malone will follow-up on this with the Office of Detention to find out if this applies to all huber facilities or just to Milwaukee's CCC. Supervisor De Bruin stated that she did not understand how State law could prevent Milwaukee County from forcibly detaining prisoners who are supposed to be in a facility at night. Mr. Mayer pointed out that the major issue is liability to the County in the event there is a fire. He advised that because of the age of the building and the fact that it is five stories is the reason why the State can mandate that doors remain unlocked so that a person has the ability to exit the building in case of an emergency or a fire.

Inspector Carr addressed the Committee.

Discussion ensued, with questions and comments relative to the report submitted by the Sheriff's Office.

**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 item 11. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

11. 08-J-8 From the Sheriff, submitting an informational report on bio-hazard clean-ups at the Jail. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Jack Takerian, Facilities Management  
Roy Felber, Milwaukee Deputy Sheriff's Association  
David Eisner, District Council 48, Local 594  
Antonio Rubio, AFSCME, Local 1055

Inspector Carr responded to questions/concerns raised by Committee members.

Jack Takerian advised that his department ceased to do clean-ups behind the walls of the jail.

Mr. Eisner and Mr. Rubio provided comments. They expressed concerns as to whether or not the inmates doing the bio-hazard clean-ups are provided the proper training, that they have personal protective equipment and per the requirements under the State and OSHA, that they've had a hepatitis B vaccine. Mr. Eisner stated that one concern that is particularly disturbing to him is that an inmate who had been involved in the bio-hazard clean-ups has now contracted hepatitis B. He did

**SCHEDULED ITEMS (CONTINUED):**

not have it when he came into the facility.

Deputy Felber expressed concerns relative to chemicals being placed into the hands of inmate workers and also safety concerns about his and his family's health.

Inspector Schmidt provided information relative to what other county jails (Kenosha, Racine, Walworth) do (training, shot requirements, etc.) when utilizing inmate workers for bio-hazard clean-ups. He stated that, it is his understanding that there have not been any inmates diagnosed with illnesses as a result of bio-hazard clean-ups in other counties.

Supervisor De Bruin requested that, if the information Inspector Schmidt provided relative to other counties and inmates doing bio-hazard clean-ups is in writing, she would like to see it. Inspector Schmidt will provide the information if there are notes/minutes from the meeting he attended.

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(d) for the purpose of considering strategy for crime detection or prevention with regard to item 12. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

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12. 08-J-8 From the Superintendent, House of Correction, submitting the Operational Review of the Milwaukee County House of Correction from the United States Department of Justice, National Institute of Corrections Technical Assistance Project.  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Jerry Heer, Director of Audits  
Ron Malone, Superintendent, House of Correction  
Jeff Mayer, House of Correction

Superintendent Malone stated that he asked for this report because he felt the HOC was not the best institution it could be. He provided comments relative to corrective actions that the HOC have taken and will continue to take.

Supervisor De Bruin requested that HOC staff select the top 10 safety and security issues listed in the National Institute of Corrections report and report back to the committee on their progress. Mr. Mayer advised that the top 10 safety and security issues have already been identified and corrected. A report will be provided to the Committee. Per Chairman Johnson, this will be scheduled for the next cycle.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Rice stated that he was impressed with Superintendent Malone's comments and the responsibility he is taking.

Supervisor De Bruin stated that it is her hope that the Audit Department would provide recommendations on how to increase the ability of department heads to move forward on self assessment without waiting until there is a crisis, escape, death or loss of a large Milwaukee County contract.

Mr. Heer provided comments.

***The Committee took no action on this informational report.***

**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 item 11. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

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

13. 08-18 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$5,000.00 to Elizabeth Dean for injuries she sustained when she tripped on a rug, striking her knees and back, while exiting the Courthouse by way of the 10<sup>th</sup> Street doors.

**APPEARANCE(S):**

Bob Andrews, Corporation Counsel

***MOTION BY: (DE BRUIN) Approve items 13-17.***

Questions and comments ensued.

**Vote on the motion to approve items 13-17: 6-0**

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

**NOES:** 0

**SCHEDULED ITEMS (CONTINUED):**

14. 08-18 From Principal Assistant Corporation Counsel and Deputy Corporation Counsel, requesting approval for payment in the amount of \$4,500.00 for attorney fees on behalf of Lisa Washington in settlement of her discrimination claims.

**SEE ACTION UNDER ITEM 13.**

15. 08-18 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$1,330.56 to Lyle McGuire to settle in full his claim for damages to his vehicle when it was struck by County tractor.

**SEE ACTION UNDER ITEM 13.**

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

16. 08-100 From Principal Assistant Corporation Counsel, Otto et al. v. Milwaukee County Settlement Agreement.

**SEE ACTION UNDER ITEM 13.**

17. 08-111 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of **\$10,000** to Sarah Keaton, in settlement of her claim, for injuries she allegedly sustained when an elevator in the Milwaukee County Courthouse suddenly, and without warning, dropped two times after she entered it from the seventh floor.

**SEE ACTION UNDER ITEM 13.**

18. 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 18-21). 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, Schmitt, Broderick, Devine and Johnson (Chair) – 6

**NOES:** 0

**EXCUSED:** Cesarz - 1

**SCHEDULED ITEMS (CONTINUED):**

The Committee adjourned into closed and did not reconvene back into open session.

19. 08-J-5 From Corporation Counsel, report on the Court of Appeals decision in the Christensen jail lawsuit.

**SEE ACTION UNDER ITEM 18.**

20. 08-J-6 From Corporation Counsel, report on the Court of Appeals decision in the Wisconsin State Local Government Property Insurance Fund lawsuit arising out of the 2002 Villa Terrace fire.

**SEE ACTION UNDER ITEM 18.**

21. 08-J-7 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

**SEE ACTION UNDER ITEM 18.**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Beverly Ferrin, Prog. Coordinator, Child Support Enforcement  
John Barrett, Clerk of Circuit Court/Director of Court Services  
Jerry Heer, Director, Department of Audit  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Ronald Malone, Superintendent, House of Correction  
Jeff Mayer, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator  
Jack Takarian, Facilities Management

This meeting was recorded on a tape. 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: 1:40 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**SCHEDULED ITEMS (CONTINUED):**

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 8, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

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

**EXCUSED:** Supervisor De Bruin - 1

#### SCHEDULED ITEMS:

1. 08-179 From County Executive and the Sheriff, requesting approval of a resolution to create the Radio System Advisory Council in Milwaukee County government.

#### **APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Dennis John, Chief Information Officer, IMSD  
Maureen Weiher, IMSD

Mr. John and Inspector Carr provided comments relative to the subject request.

Questions and comments ensued.

Supervisor Jursik suggested that the Committee on Judiciary, Safety and General Services prepare a press release relative to approving the resolution to create a Radio System Advisory Council in Milwaukee County government to review and promote inoperable communications systems for public safety and public service agencies throughout the region. There being no objection, it was so ordered.

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

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

**NOES:** 0

**EXCUSED:** De Bruin - 1

2. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
  - (a)

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Superintendent Ronald Malone, House of Correction  
Molly Pahl, Fiscal Operations Manager, House of Correction

Superintendent Malone reviewed the subject report.

Questions and comments ensued relative to the make up of the Community Justice Council Steering Committee and the Jail and Huber Utilization Committee.

Superintendent Malone advised that the Jail and Huber Utilization Committee meets again on May 19<sup>th</sup>. He will provide Minutes of that meeting, as well as Minutes from the previous meetings, to Rick Ceschin for distribution to Committee members.

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

3. 07-368 From Superintendent, House of Correction and Director of Human Resources, report  
(a) on House of Correction Recruitment and Respite Efforts per resolution File 07-368.  
**(Also to be considered by the Committee on Finance and Audit) (Monthly status report due on implementation of Audit recommendations.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCES:**

Superintendent Ronald Malone, House of Correction  
Molly Pahl, Fiscal Operations Manager

Superintendent Malone reviewed the subject report.

Questions and comments ensued relating to family medical leave (FML) usage and attendance.

Superintendent Malone advised that he will again address this issue at the Personnel Committee meeting on May 16<sup>th</sup> and will provide answers to questions raised by members of this committee regarding usage and attendance and any trends relative to FML at that meeting.

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

**SCHEDULED ITEMS (CONTINUED):**

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(d) for the purpose of considering strategy for crime detection or prevention with regard to item 12. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

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4. 08-J-8 From the Superintendent, House of Correction (HOC), submitting the Operational Review of the Milwaukee County House of Correction from the United States Department of Justice, National Institute of Corrections Technical Assistance Project. (Report due identifying the top 10 safety and security issues raised in the National Institute of Corrections audit report, along with corrective actions taken by the HOC) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

**APPEARANCE(S):**

Rick Ceschin, County Board Research Analyst  
Superintendent Ronald Malone, House of Correction  
Molly Pahl, Fiscal Operations Manager

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

Rick Ceschin advised that he would provide a copy of the National Institute of Corrections audit report, as well as the Milwaukee County audit, to the new County Board Supervisors.

***The Committee took no action on this informational report.***

**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 item 11. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

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**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.)*:

**SCHEDULED ITEMS (CONTINUED):**

5. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of \$3,770.31 to The Cincinnati Insurance Companies as full settlement of this claim for damages to a legally parked 2006 Toyota Sienna van insured by them.

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

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

**AYES:** Rice, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) – 6

**NOES:** 0

**EXCUSED:** De Bruin - 1

**STAFF PRESENT:**

Rick Ceschin, Research Analyst, County Board  
Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Ronald Malone, Superintendent, House of Correction  
Molly Pahl, Fiscal Operations Manager

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: 10:00 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, June 12, 2008 - 9:00 A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

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

**EXCUSED:** Supervisor De Bruin and Supervisor Cesarz - 2

**SCHEDULED ITEMS:**

1. 08-219 From the County Executive, appointing Mr. Ronald K. Malone to the position of Superintendent of the House of Correction.

**APPEARANCE(S):**

County Supervisor Mark A. Borkowski, 11<sup>th</sup> District  
Tom Nardelli, County Executive's Office  
Superintendent Ron Malone, House of Correction (HOC)  
Penni Secore, AFSCME District Council 48

Mr. Nardelli provided comments in support of Superintendent Malone's reappointment to the HOC.

Superintendent Malone stated that he and his team have a very difficult job running the state's largest local retention facility; however, he has over 20 years of experience running correctional institutions at all levels and is looking forward to the challenges ahead.

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

Committee members commended Superintendent Malone for his work at the House of Correction.

Supervisor Borkowski provided comments regarding the problems at the HOC not being addressed. He stated he does not support this appointment.

Ms. Secore spoke in opposition of Superintendent Malone's reappointment.

**SCHEDULED ITEMS (CONTINUED):**

**Vote on the motion to approve: 5-0**

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

2. 08-223 From the County Executive, appointing Ms. Lisa Jo Marks to the position of Director of Child Support Enforcement.

**APPEARANCE(S):**

Tom Nardelli, County Executive's Office

Lisa Jo Marks, Director, Child Support Enforcement

Mr. Nardelli provided comments relative to Ms. Marks reappointment.

Ms. Marks provided brief comments.

***MOTION BY (BRODERICK) Approve. (Vote 5-0)***

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

3. 08-234 From the Sheriff's Office, requesting authorization to apply for grants available under Homeland Security Grant Programs to assist with homeland security preparedness.

**APPEARANCE(S):**

Inspector Richard Schmidt, Sheriff's Office

Jon Priebe, Public Safety Fiscal Administrator

Inspector Schmidt provided a brief summary of the subject request.

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

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

## SCHEDULED ITEMS (CONTINUED):

4. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and  
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

### **APPEARANCE(S):**

Superintendent Ron Malone, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the subject report.

Chairman Johnson advised that he is on the Executive Committee of the Milwaukee County Community Justice Council (CJC).

Supervisor Broderick commented that he believes the program was rushed, without adequate preparation or planning, in order to claim savings prematurely. It should have been implemented over a two or three year period to be effective.

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

5. 08-102 An adopted Resolution by Supervisor Borkowski, directing the Superintendent,  
(a)(a) House of Correction to prepare a report detailing incidents, penalties, costs and corrective actions related to vandalism by inmates at the House of Correction. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

### **APPEARANCE(S):**

County Supervisor Mark A. Borkowski, 11<sup>th</sup> District  
Superintendent Ron Malone, House of Correction  
Jeff Mayer, House of Correction

Superintendent Malone provided comments.

Mr. Mayer reviewed the subject report.

Questions and comments ensued.

Chairman Johnson requested an updated report, including dollar amounts.

Supervisor Borkowski provided comments. He stated that he did not receive a copy of the report.

SCHEDULED ITEMS (CONTINUED):

**MOTION BY: (JURSIK) Layover. (Vote 5-0)**

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

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

6. 07-368 (a) An adopted Resolution by Supervisors Borkowski, De Bruin, Cesarz, Quindel, Schmitt, Johnson and Rice authorizing and directing the Director, Department of Administrative Services – Division of Human Resources, and the Superintendent, House of Correction, to prepare and submit a supplemental action plan for enhanced recruitment, retention, and respite efforts for public safety positions at the House of Correction. **(Also to the Committees on Finance and Audit and Personnel) (Monthly status reports due on the implementation of Audit recommendations.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

County Supervisor Mark A. Borkowski, 11<sup>th</sup> District

Jerry Heer, Director of Audits

Superintendent Ron Malone, House of Correction

Mr. Heer reviewed the subject report submitted by Superintendent Malone. He stated that he is pleased with the progress thus far. The next big challenge is to deal with management issues and procedural cultural issues regarding sick leave, time off and Family medical leaves.

Supervisor Borkowski commented that “retention” was not addressed by Mr. Heer or Superintendent Malone.

Superintendent Malone advised that he and Dr. Jackson, Director of the Department of Human Resources, have been submitting monthly reports to the Personnel Committee. The monthly reports will take into consideration and focus on retention. However, the focus today is on the audit recommendations.

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

7. 08-85 (a)(a) From the Director of Audits, an Audit of the Office of the Sheriff Electronic Medical Records System, dated February, 2008. **(Also to the Committee on Finance and Audit) (Three-month status report due).**

SCHEDULED ITEMS (CONTINUED):

**APPEARANCE(S):**

Jerry Heer, Director of Audits  
Robert Andrews, Deputy Corporation Counsel  
Rick Ceschin, County Board Research Analyst  
Inspector Schmidt, Sheriff's Office  
Barbara Kelsey, Chief Steward, Federation of Nurses and Health Professionals

Mr. Heer reviewed the two recommendations outlined in the status report.

Considerable discussion ensued, with questions and comments.

Ms. Kelsey provided comments regarding the audit. She stated that the Electronic Medical Records (EMR) system cannot accommodate some medication orders and it is a very flawed system. She believes that it needs to be scrapped.

Mr. Andrews stated that there are no claims to date arising out of the inadequacy of the EMR System.

Inspector Schmidt agreed that the system does have issues, however, he clarified that the medication administration records are not electronic. They are 100% paper and therefore, that system is not flawed.

***MOTION BY: (BRODERICK) Receive and place on file the three-month status report from the Director of Audits. (Vote 5-0)***

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

***NOES:*** 0

***EXCUSED:*** De Bruin and Cesarz - 2

8. 06-283 From the Ethics Code Study Committee, submitting a report and ordinance revision  
(a) with recommendations for existing and proposed provisions to the Milwaukee County Code of Ethics. **(4/8/08: Referred back from the Committee of the Whole) (Reports due from County Board staff, Corporation Counsel, DA's office and the Ethics Board)**

**APPEARANCE(S):**

Terry Cooley, County Board Chief of Staff  
Glenn Bultman, County Board Research Analyst  
Bill Domina, Corporation Counsel  
Charles Mulcahy, Code of Ethics Study Committee  
Hannah Dugan, Code of Ethics Study Committee  
Chris Kliesmet, Citizens for Responsible Government

## SCHEDULED ITEMS (CONTINUED):

Mr. Bultman proceeded to provide an overview of the documents he submitted relative to this item.

***MOTION BY: (RICE) Approve the Code of Ethics Study Committee recommendations.***

Supervisor Rice provided background information relative to this item. He advised that this has been the product of a great deal of work.

Mr. Cooley requested, on behalf of Chairman Holloway, that this item be laid over to a Special Judiciary Committee meeting on Tuesday, June 24, 2008 at 9:00 a.m. He advised that this would not delay the process if this meeting were to occur.

Committee members expressed confusion as to what the process is today pertaining to this item as well as the way in which Mr. Bultman presented his report.

Discussion ensued, with questions and comments relative to the need for a special Judiciary Committee meeting.

Supervisor Jursik requested that Mr. Bultman prepare suggested language for amendments.

***MOTION BY: (JURSIK) Layover to a special Judiciary Committee meeting on June 24, 2008 at 9:00 a.m.***

Ms. Dugan advised that she is in attendance at today's meeting to help clarify any policy issues that might have been raised. She is willing to attend the special meeting on June 24<sup>th</sup>.

Mr. Mulcahy provided comments. He expressed his support of the layover and also requested copies of the amendments.

Mr. Kliesmet expressed his discontentment with the further delay of action on this item.

Mr. Domina advised that his staff would work with County Board staff to provide a comparison grid that compares recommendations from the Ethics Code Study Committee and the County Board.

Supervisor Rice offered a friendly amendment to include recommended amendment language and resolutions relative to this item. Supervisor Jursik accepted the friendly amendment.

**SCHEDULED ITEMS (CONTINUED):**

**Vote on the motion to layover: 4-1**

**AYES:** Rice, Broderick, Jursik and Johnson (Chair) – 4

**NOES:** Sanfelippo – 1

**EXCUSED:** De Bruin and Cesarz – 2

**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 the following matters. 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. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$1,756.05** to Jeff Cottrell for damages to his vehicle when the gate, without warning, came down striking his van as he entered the parking lot at the McKinley Marina.

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

***MOTION BY: (SANFELIPPO) Approve items 9-16 together. (Vote 5-0)***

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

10. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$1,540.49** to settle in full the claim of David and Jamilla Polk for damages to their vehicle when struck by a Milwaukee County truck that was backing into the loading dock.

**SEE ACTION UNDER ITEM 9.**

11. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,288.32** to Willard Chatt to settle in full his claim for damages to his vehicle when a Milwaukee County snow plow backed into his vehicle.

**SEE ACTION UNDER ITEM 9.**

**SCHEDULED ITEMS (CONTINUED):**

12. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$889.29** to Dyan Ramos for damages to her vehicle when it was struck by a Milwaukee County snow plow.

**SEE ACTION UNDER ITEM 9.**

13. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$743.88** to Progressive Insurance re: Katherine Vandersanden to settle in full all claims for damages to her vehicle when struck in the rear by a Milwaukee County truck.

**SEE ACTION UNDER ITEM 9.**

14. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$679.06** to Daniel F. Sykora for damages to his vehicle when struck by a Milwaukee County plow.

**SEE ACTION UNDER ITEM 9.**

15. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$660.60** to Jeffrey Russell in full settlement of his claim for damages to his vehicle when struck by a Milwaukee County snow plow.

**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 the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

16. 08-233 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$9,200.00** to Mohammad Abu Ain and to American Family Insurance in the amount of **\$13,451.94** to settle all claims arising out of a motor vehicle accident wherein a Milwaukee County truck slid through the stop sign and was struck by Mr. Abu Ain's vehicle.

**SEE ACTION UNDER ITEM 9.**

**SCHEDULED ITEMS (CONTINUED):**

17. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

***MOTION BY: (RICE) Adourn 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 the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 5-2)***

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

**NOES:** 0

**EXCUSED:** De Bruin and Cesarz - 2

The Committee adjourned into closed session at approximately 11:20 a.m. and did not reconvene back into open session.

18. 08-J-17 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

**SEE ACTION UNDER ITEM 17.**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Glenn Bultman, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Jerry Heer, Director of Audits  
Inspector Richard Schmidt, Sheriff's Office  
Ronald Malone, Superintendent, House of Correction  
Jeff Mayer, House of Correction  
Jon Priebe, Public Safety Fiscal Administrator

**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: 12:00 noon

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

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

**COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, July 10, 2008 - 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. 08-239 From the County Executive, appointing Chief James Martins of the Franklin Fire Department to the Milwaukee County Local Emergency Planning Committee.

**APPEARANCE(S):**

Fran McLaughlin, County Executive's Office  
Chief James Martins

Ms. McLaughlin provided comments.

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

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

**NOES:** 0

**EXCUSED:** Jursik - 1

2. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and  
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Superintendent Ron Malone, House of Correction  
Assistant Superintendent Jeff Mayer, House of Correction

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor De Bruin stated that in the future we have to be much more careful with law enforcement proposals.

***The Committee took no action on this informational report.***

3. 08-102 An adopted Resolution by Supervisor Borkowski, directing the Superintendent,  
(a)(a) House of Correction to prepare a report detailing incidents, penalties, costs and corrective actions related to vandalism by inmates at the House of Correction.  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Superintendent Ron Malone, House of Correction

Assistant Superintendent Jeff Mayer, House of Correction

Chairman Johnson advised that he received a communication from Supervisor Borkowski thanking him and the Committee, as well as HOC staff, for assuring that he received a copy of the subject report.

Superintendent Malone and Assistant Superintendent Mayer provided comments relative to the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that staff provide the Committee with information regarding the number of injuries to HOC staff.

***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)(c), for considering employment, promotion, compensation or performance evaluation data of an employee over which the Committee has jurisdiction and 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. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

4. 08-219 From the County Executive, appointing Mr. Ronald K. Malone to the position of Superintendent of the House of Correction. **(6/26/08: Referred back to Judiciary Committee from County Board)**

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

Superintendent Ron Malone, House of Correction

**SCHEDULED ITEMS (CONTINUED):**

Molly Pahl, Fiscal Operations Manager, House of Correction

Mr. Domina provided comments. He advised the Committee to proceed in open session as far as they can.

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

The following individuals provided testimony relative to Superintendent Malone's reappointment:

Gary D. Orłowski

Sandy Biscontine, HOC Correction Officer

Patty Yunk, DC 48, AFSCME

Kevin Schoofs, AFSCME, #567

Superintendent Malone provided comments in response to the testimonies given.

Questions and comments ensued.

Supervisor De Bruin requested that HOC staff provide her with information regarding how much Milwaukee County spends per inmate at the HOC compared to other medium secured correctional facilities; also, provide a management structure type of comparison.

***MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(c), for considering employment, promotion, compensation or performance evaluation data of an employee over which the Committee has jurisdiction and 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 4. 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 10:35 a.m. and reconvened back into open session at approximately 11:15 a.m. with the same members present as before.

Questions and comments continued.

**SCHEDULED ITEMS (CONTINUED):**

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

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

**NOES:** 0

**EXCUSED:** Jursik - 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. 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 Deputy Corporation Counsel, requesting approval for payment in the amount of **\$4,000** to Paul Sweeney to settle in full his claim for damage to his vehicle which was struck by a County vehicle at the airport.

**APPEARANCE(S):**

Bill Domina, Corporation Counsel

**MOTION BY: (RICE) Approve items 5-13. (Vote 6-0)**

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

**NOES:** 0

**EXCUSED:** Jursik - 1

6. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,514.30** to Safeco Insurance in full settlement of all claims arising out of the March 21, 2008 incident wherein a Milwaukee County vehicle struck and scratched the passenger's side rear quarter panel of a BMW insured by them.

**SEE ACTION UNDER ITEM 5.**

7. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,508.71** to the Wisconsin Department of Transportation in full settlement of its claim for damages to a traffic light signal when struck by a Milwaukee County-owned snowplow.

**SEE ACTION UNDER ITEM 5.**

**SCHEDULED ITEMS (CONTINUED):**

8. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,278.18** to Afni Insurance Services in full settlement of all claims arising out of an incident wherein a Milwaukee County snowplow struck a legally parked vehicle insured by them.

**SEE ACTION UNDER ITEM 5.**

9. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,007.61** to the Wisconsin Department of Transportation in full settlement of its claim for damages to a traffic light and fire hydrant when struck by a Milwaukee County-owned snowplow.

**SEE ACTION UNDER ITEM 5.**

10. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$948.38** to Afni Insurance Services in full settlement of all claims arising out of an incident wherein a Milwaukee County snowplow struck a legally parked vehicle insured by them.

**SEE ACTION UNDER ITEM 5.**

11. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$842.55** to Tola Olubi in full settlement of her claim for damages to her vehicle by a rubber coated push bar attached to the front of a Milwaukee County squad car while being pushed into a parking lot.

**SEE ACTION UNDER ITEM 5.**

**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 the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

12. 08-93 From the City of St. Francis, submitting a claim for damages allegedly sustained when a Milwaukee County vehicle hit a traffic signal on a snow covered ramp exit on Interstate 794 at Howard Avenue. **(Corporation Counsel recommends payment in the amount of \$7,280.65)**

**SEE ACTION UNDER ITEM 5.**

**SCHEDULED ITEMS (CONTINUED):**

13. 08-168 From Millers Classified Insurance Company, submitting a claim under their subrogation rights of their insured, Fred Boness for reimbursement of payment made for alleged damages sustained to his vehicle when involved in an accident with a Milwaukee County snowplow on February 1, 2008. **(Corporation Counsel recommends payment in the amount of \$5,614.76)**

**SEE ACTION UNDER ITEM 5.**

14. 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 item 14. 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 11:25 a.m. and did not reconvene back into open session.

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Ronald Malone, Superintendent, House of Correction  
Jeff Mayer, Assistant Superintendent, House of Correction

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: 11:40 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

**SCHEDULED ITEMS (CONTINUED):**

*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.*

**DEADLINE**

***The next regular meeting of the Judiciary Committee is Thursday, September 11, 2008.  
All items for the agenda must be in the Committee Clerk's possession by the end of the  
business day on Thursday, August 28, 2008.***

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, September 11, 2008 - 9:00 A.M.

**Milwaukee County Courthouse - Room 201-B**

### MINUTES

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

Before the Committee took up item 1, Chairman Johnson congratulated Chief Judge Jeffrey Kremers on becoming Chief Judge. Chief Judge Kremers provided brief comments and advised that his Deputy Chief judges are David Hansher and Maxine White.

Corporation Counsel Bill Domina advised that Attorney Lee Jones, from his office, who handles Behavioral Health Division (BHD) cases, will be leaving County government for an assignment in Iraq. Mr. Jones is a Lieutenant Commander with the U.S. Navy and works as an attorney in the Military. He will be serving in Iraq to work with Iraqi detainees. Mr. Domina wished him good luck. Mr. Jones will be gone for several months. Mr. Jones was present and received accolades and a standing ovation from the Committee.

Chairman Johnson presented Supervisor Rice with a County Ethics Leadership award signed by himself and the County Executive for his contribution to the Milwaukee County Code of Ethics.

### SCHEDULED ITEMS:

1. 08-298 A resolution/ordinance by Supervisor Johnson, modifying Chapter 56.30(5) of the Milwaukee Code of General Ordinances to require full disclosure regarding potential conflicts from contract administrators and evaluation panel members when awarding or managing a contract. **(7/14/08: Referred to the Committee on Judiciary, Safety and General Services by the County Board)**

#### **APPEARANCE(S):**

Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel

**Supervisor DeBruin in the Chair.**

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

SCHEDULED ITEMS (CONTINUED):

Supervisor Rice offered the following amendment:

- **Contract administrators, ~~and~~ evaluation panel members, department administrators and persons selecting evaluation panel members are required to fully disclose any experience, contact or relationship with bidders that would create a potential conflict, real or perceived, in awarding or managing a contract**

1. AMEND Section 1 of the proposed ordinance, beginning on line 97, as follows:

~~\_\_\_\_\_~~ and  
department administrators and persons selecting evaluation  
panel members on forms approved by the Ethics Board

of interest of interest, as defined in Chapter  
9 of these ordinances A conflict of interest  
includes a financial or business relationship or close personal or family relationship  
with a potential vendor. person selecting  
the evaluation panel, and the or  
the administrator's appointing authority who shall forward the disclosure to the  
Ethics Board with a written request for a determination as to whether the disclosing  
party should be disqualified from evaluating, selecting or administering the  
proposed contract The department administrator, or the administrator's appointing  
authority, shall review the disclosure to determine whether to disqualify the  
disclosing person from the process. If, in the administrator's opinion, or the opinion  
of the appointing authority, the disclosure does not justify disqualification, the  
rationale for making that The of the Ethics Board

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

Questions and comments ensued relative to the amendment.

**Vote on the amendment: 5-2**

***AYES:*** Rice, Cesarz, Broderick, Sanfelippo and De Bruin (Chair) - 5

**SCHEDULED ITEMS (CONTINUED):**

**NOES:** Johnson and Jursik - 2

**MOTION BY: (JOHNSON) Approve, as amended.**

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

**NOES:** 0

2. 08-319 From the Medical Examiner, requesting to enter into a contract with the Medical College of Wisconsin Affiliated Hospitals (MCWAH) to provide pathology services to the Medical Examiner's Office. **(Also to the Committee on Finance and Audit)**

**APPEARANCE(S):**

Karen Domalgaski, Medical Examiner's Office

Zelda Ikulumet Okie, M.D.

Bob Andrews, Deputy Corporation Counsel

Ms. Domalgaski reviewed the subject report and provided comments.

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

Questions and comments ensued.

Mr. Andrews answered questions raised by Committee members.

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

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

**NOES:** 0

3. 08-J-14 From Chief Information Officer, Informational Management Services Division  
08-337 (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

Steve Mokrohisky, IMSD

Inspector Kevin Carr, Sheriff's Office

Mr. John advised that two IMSD employees, Leonard Scherer and Mary Reddin, will be retiring after many years of service with Milwaukee County.

Mr. Mokrohisky reviewed the subject report.

SCHEDULED ITEMS (CONTINUED):

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

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

4. 07-379 (a) Adopted 2008 Budget Amendment 1A067 directed that the County Executive and the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Superintendent Ronald Malone, House of Correction  
Molly Pahl, Fiscal Operations Manager

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that HOC staff pass on to the pilot group her concerns about them considering to seek the recommendation of the Community Justice Council (CJC) to request the recall of County Board File No. 01-47. She requested some follow-up information from Corporation Counsel if that becomes an issue.

***The Committee took no action on this informational report.***

5. 07-368 (a)(e) An adopted Resolution by Supervisors Borkowski, De Bruin, Cesarz, Quindel, Schmitt, Johnson and Rice authorizing and directing the Director, Department of Administrative Services – Division of Human Resources, and the Superintendent, House of Correction, to prepare and submit a supplemental action plan for enhanced recruitment, retention, and respite efforts for public safety positions at the House of Correction. **(Also to the Committees on Finance and Audit and Personnel) (Monthly status reports due on the implementation of Audit recommendations.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Jerry Heer, Director, Department of Audits  
Superintendent Ronald Malone, HOC

**SCHEDULED ITEMS (CONTINUED):**

Mr. Heer reviewed the subject report.

Supervisor De Bruin requested that the report for the next cycle be geared toward whether or not there are implications for the 2009 budget that need to be addressed from both perspectives (Audit and HOC).

Questions and comments ensued.

***MOTION BY: (JURSIK) Receive and Place on File. (Vote 7-0)***

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

***NOES:*** 0

6. 08-85 From the Director of Audits, an Audit of the Office of the Sheriff Electronic Medical  
(a)(b) Records System, dated February, 2008. **(Also to the Committee on Finance and Audit) (Six-month status report due). (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEAREANCE(S):**

Jerry Heer, Director, Department of Audits

Inspector Kevin Carr, Sheriff's Office

Dennis John, Chief Information Officer, IMSD

Rick Ceschin, County Board Research Analyst

Mr. Heer reviewed the subject report.

After asking if the House of Correction (HOC) and the Community Corrections Center (CCC) will be using the electronic medical records system, Supervisor Jursik expressed concerns relative to the way in which medications, including psychotropic meds, are being dispensed at the CCC. She advised that they are being dispensed by Correctional Officers, which she sees as a potential liability to the County. This issue needs to be addressed as soon as possible.

Inspector Carr advised that he was unaware that Correctional Officers were dispensing medication at the CCC and shared Supervisor Jursik's concerns. He will discuss this with the Sheriff as soon as he gets back to the office and hopefully, the situation can be addressed with staffing solutions to provide nurses to dispense the medications at the CCC.

Questions and comments ensued.

## SCHEDULED ITEMS (CONTINUED):

Supervisor De Bruin stated that there needs to be an emergency order declared by the Sheriff that medications are dispensed only by those who are legally allowed to administer the medications.

Mr. Ceschin advised that staff would get clarification on how medication is being dispensed at the CCC.

Supervisor De Bruin requested that some budgetary prep work be presented to this Committee in time for budget preparations as to what the cost would be if the EMR system were scrapped.

The following individuals provided comments relative to the EMR system:

Barbara Kelsey, Wisconsin Federation of Nurses

Lorrie Schmidt, Wisconsin Federation of Nurses

Beth Werve, President, AFSCME Local 645

Mr. John provided clarification to some comments made by Ms. Schmidt.

Supervisor Jursik requested a report back from Inspector Carr at the next Committee meeting regarding medication dispensation at the CCC and HOC.

Supervisor De Bruin indicated that she would like to know about the dispensing of medication at the CCC as soon as possible and would like to see the problem corrected within a couple of days and any other related problems.

***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. 07-320 (a)(b) An adopted resolution directed the Director of Audit to provide a follow-up report on the Audit of Jury Selection Process in the Milwaukee County Circuit Court System and that Corporation Counsel provide a report back addressing the jurisdictional issues and the Federal courts jury issue. **(Also to the Committee on Finance and Audit) (Six-month status report due on the progress in achieving the goal of jury pools that are reflective of the community.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Jerry Heer, Director of Audits

John Barrett, Clerk of Circuit Court, Combined Court Related Operations

Mr. Heer advised that the matter that was referred to Corporation Counsel was resolved in a prior meeting. He would just be reporting on the status of ensuring

**SCHEDULED ITEMS (CONTINUED):**

that the pools of jurors are as diverse as possible and reflective of the community make-up.

Mr. Barrett answered questions relative to the minority make-up of the current lists from which jurors are selected.

Discussion ensued regarding the lack of parking for jurors.

***MOTION BY: (DE BRUIN) Receive and place on file. (Vote 7-0)***

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

***NOES:*** 0

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. 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. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$4,104.82** in full settlement to Paul Sweeney.

***MOTION BY: (RICE) Approve items 8-17, as recommended by Corporation Counsel. (Vote 7-0)***

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

***NOES:*** 0

9. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$3,423.31** in full settlement to Kifah Musa.

**SEE ACTION UNDER ITEM 8.**

10. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$2,410.16** in full settlement to Ryon Migacz..

**SEE ACTION UNDER ITEM 8.**

**SCHEDULED ITEMS (CONTINUED):**

11. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$1,970.58** in full settlement to Travelers Home Insurance in behalf of David Schneider.

**SEE ACTION UNDER ITEM 8.**

12. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$1,686.80** in full settlement to the Wisconsin Department of Transportation.

**SEE ACTION UNDER ITEM 8.**

13. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$1,550.15** in full settlement to We Energies.

**SEE ACTION UNDER ITEM 8.**

14. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$1,278.02** in full settlement to Stephen Geimer.

**SEE ACTION UNDER ITEM 8.**

15. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$958.43** in full settlement to Andrea Lewis.

**SEE ACTION UNDER ITEM 8.**

16. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$769.23** in full settlement to the Wisconsin Department of Transportation.

**SEE ACTION UNDER ITEM 8.**

17. 08-18 From Deputy Corporation Counsel, requesting approval for payment of **\$550.34** in full settlement to Debra Metzfeld.

**SEE ACTION UNDER ITEM 8.**

**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 the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

18. 08-324 From Deputy Corporation Counsel, requesting approval for payment of **\$30,000** in full settlement to the Estate of Luscheena Watts.

SCHEDULED ITEMS (CONTINUED):

***MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 18-23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.***

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

The Committee adjourned into closed session at approximately 11:40 a.m. and reconvened back into open session at approximately 12:44 p.m. with the same members present as before.

***MOTION BY: (RICE) Approve items 18, 19 and 23. (Vote 7-0)***

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

19. 08-269 From Liberty Mutual, submitting a claim under their subrogation rights of their insured, Diane Olroyd for reimbursement of payment made for alleged damages sustained to vehicle when involved in an accident with a Milwaukee County snowplow on February 8, 2008. **(Corporation Counsel recommends payment in the amount of \$7,278.55)**

**SEE ACTION UNDER ITEM 18.**

20. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

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

21. 08-J-12 From Corporation Counsel, report on police diversion at the Behavioral Health Division.

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

22. 08-J-13 From Corporation Counsel, report on the decision of the Seventh Circuit Court of Appeals in Ersol Henry and Terry Lewis v. Milwaukee County.

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

**SCHEDULED ITEMS (CONTINUED):**

23. 08-328 From Principal Assistant Corporation Counsel, requesting approval of payments of \$9,300.00 to Alisa Turner Butler and \$500.00 to her attorney, James Hall, in full settlement of her disability and retaliatory discrimination claims currently pending before the Equal Rights Division.

**SEE ACTION UNDER ITEM 18.**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Karen Domagalski, Medical Examiner's Office  
Jerry Heer, Director of Audits  
Inspector Kevin Carr, Sheriff's Office  
Ronald Malone, Superintendent, House of Correction  
Dennis John, Chief Information Officer, IMSD  
Molly Pahl, Fiscal Operations Manager, HOC  
John Barrett, Clerk of Circuit Court, Combined Court Related Operations

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: 12:45 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**DEADLINE**

***The next regular meeting of the Judiciary Committee is Thursday, October 23, 2008. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, October 9, 2008.***

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

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

**Thursday, September 25, 2008 – 8:30A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

**PRESENT:** Supervisors Rice, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6  
**EXCUSED:** De Bruin – 1

**SCHEDULED ITEMS:**

1. 08-339 From the Medical Examiner, requesting to extend the professional services contract with K. Alan Stormo, M.D. through October 31, 2008 at a rate of \$1,000 per autopsy.

**APPEARANCE(S):**

Dr. Christopher Happy, Medical Examiner  
Karen Domalgalski, Medical Examiner's Office

Dr. Happy provided comments relative to the subject request.

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

Questions and comments ensued.

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

**AYES:** Rice, Cesarz, Broderick, Jursik, Sanfelippo, Johnson (Chair) - 6

**NOES:** 0

**EXCUSED:** De Bruin – 1

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Dr. Christopher Happy, Medical Examiner  
Karen Domalgalski, Medical Examiner's Office

**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: 8:45 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**DEADLINE**

***The next regular meeting of the Judiciary Committee is Thursday, October 23, 2008.  
All items for the agenda must be in the Committee Clerk's possession by the end of the  
business day on Thursday, October 9, 2008.***

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

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, October 23, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

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

Before the Committee took up item 1, Chairman Johnson presented Jason Gates, Risk Manager, with a plaque from the Milwaukee County Mutual Corporation. Chairman Johnson has been a Board member of the Milwaukee County Mutual Corporation since 2006.

#### SCHEDULED ITEMS:

1. 08-370 A resolution by Supervisor Mayo, authorizing and directing Corporation Counsel to provide an opinion for the County Board detailing the statutory obligations and responsibilities of the County Executive, department heads and other administrative representatives when providing information for County Board members, committees and staff. **(Also to the Committee on Intergovernmental Relations)**

#### **APPEARANCE(S):**

Bill Domina, Corporation Counsel

***MOTION BY: (DE BRUIN) Amend the resolution by adding an additional clause as follows: "BE IT FURTHER RESOLVED, that Milwaukee County Corporation Counsel is further authorized and directed to provide an opinion to the County Board as to the rights of the legislative branch in dealing with instances where there is concern that a department head, administrative representative or County Executive does not fully inform the legislative branch in such a way that preempts, circumvents or obstructs policy discussions or decisions made by the legislative branch.***

Questions and comments ensued relative to the amendment.

#### **Vote on the amendment: 4-3**

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

**NOES:** Rice, Cesarz and Sanfelippo – 3

SCHEDULED ITEMS (CONTINUED):

**MOTION BY: (DE BRUIN) Approve the resolution, as amended.**

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

**NOES:** 0

2. 08-329 From the County Executive, appointing Dr. Christopher Happy to the position of Medical Examiner for Milwaukee County.

**APPEARANCE(S):**

County Executive Scott Walker

Dr. Christopher Happy, Medical Examiner

County Executive Scott Walker provided comments relative to the subject appointment.

Dr. Happy provided brief comments.

**MOTION BY: (DE BRUIN) Moved approval and expressed her appreciation to the County Executive for the way in which the search for a new Medical Examiner was conducted and also for choosing Dr. Happy as the Medical Examiner. (Vote 7-0)**

**AYES:** Rice, DeBruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 7

**NOES:** 0

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

3. 08-J-17 From the Ethics Board, an informational report from the Ethics Board regarding  
08-397 implementation of the recently enacted Ethics Code reforms. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Susan Shields, Executive Director, Milwaukee County Ethics Board

Kurt Zunker, AFSCME Local 877

Ms. Shields reviewed the subject report.

Questions and comments ensued.

Supervisor Rice expressed his disappointment that the Ethics Board had not been more aggressive in pursuing the education component that the Ethics Code Study Committee worked so hard on. He was disappointed to learn that the sum total of the efforts of the Ethics Board to implement recommendations by the Ethics Code Study Committee is \$12,234.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor De Bruin stated that she is interested in knowing what the Committee that worked on this feels is most important to be preserved and how it fits into the budget.

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

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

**NOES:** De Bruin – 1

4. 08-352 From the Superintendent, House of Correction, requesting authorization to execute a food service contract with a vendor effective January 1, 2009.

**APPEARANCE(S):**

Supervisor Toni Clark (2<sup>nd</sup> District)

Ron Malone, Superintendent, House of Correction (HOC)

Nada Uzelec, Food Service Administrator

Jon Priebe, Public Safety Fiscal Administrator

Freida Webb, Director, Community Business Development Partners

Carol Bedford, Martin Distributors/Lena's

Gregory Martin, Martin Concessions

Stella Love, Ponderosa Steak House

Larry Whatley, Ponderosa Steak House

Charles Schuster, Aramark Correctional Services

Superintendent Malone and Ms. Uzelec provided comments relative to the report from Superintendent Malone requesting authorization to enter into negotiations for a contract with Aramark Correctional Services (Aramark) for the provision of food at the HOC and the Criminal Justice Facility.

Discussion ensued at length, with questions and comments.

***MOTION BY: (RICE) Approve the request from the HOC to enter into contract negotiations with Aramark Correctional Services for food services at the HOC and Criminal Justice Facility effective January 1, 2009.***

Supervisor Clark expressed the following concerns: Aramark being the only bidder, too many meal substitutions (what's on the menu is not what is being served to inmates), monitoring the meal substitutions and the DBE component of the contract with Aramark.

Ms. Webb expressed her concerns about this contract going forward.

## SCHEDULED ITEMS (CONTINUED):

Supervisor De Bruin requested that HOC staff provide her with what the menus were and how many menu substitutions there were at the HOC and the Criminal Justice Facility for the month of September.

Mr. Martin and Ms. Bedford provided comments relative to how their contract with Aramark was suddenly and unprofessionally terminated.

Ms. Love advised that Aramark indicated that they had contacted her. She stated that she doesn't have a record of them contacting her. She has not spoken with them.

Ms. Webb advised that she would provide to the Committee information regarding DBE trends with Aramark over the years and include what the DBE percentage has been from the year 2003 to present.

Mr. Shuster answered questions regarding Aramark raised by Committee members. He indicated that he has been with Aramark since the first part of May (2008).

Supervisor De Bruin requested something in writing from Aramark as to why DBE providers are being released, who the vendors will be and also a commitment from them (Aramark) to meet the DBE component.

Supervisor De Bruin pointed out that this item is listed on the agenda as "requesting authorization to *execute* a food service contract with a vendor effective January 1, 2009", however, the motion is to enter into contract negotiations, as per the resolution.

### Vote on the motion by Supervisor Rice: 7-0

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

5. 08-359 From the Chief Judge, requesting authorization to negotiate and sign professional services contracts with Wisconsin Community Services, Inc. and Justice 2000, Inc. for the provision of following pretrial services for the period of January 1, 2009 to December 31, 2011. **(Also to the Committee on Finance and Audit)**

### **APPEARANCE(S):**

Holly Szablewski, Circuit Courts

Ms. Szablewski reviewed the subject report.

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (DE BRUIN) Approve, with the understanding that this is pending approval of each annual pretrial budget.***

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

6. 08-372 From Clerk of Circuit Court/Director of Court Services, requesting authorization to enter into a contract with Midwest Medical Records Association, Inc. for the period of January 1, 2008 through December 31, 2008 for services already being provided for on-site duplication; copying services of court records for the Criminal Division.

***APPEARANCE(S):***

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

Mr. Barrett reviewed the subject report.

Questions and comments ensued.

***MOTION BY: (DE BRUIN) Amend the resolution by extending it to include going through 2009.***

Supervisor Sanfelippo advised that he has a problem with extending the contract through 2009. He would like to see an effort made to attract more local vendors.

Supervisor De Bruin requested that Court services staff work with the DBE office to see if there is another vendor locally that can provide services.

**Vote on the amendment: 4-3**

***AYES:*** De Bruin, Broderick, Jursik and Johnson (Chair) – 4  
***NOES:*** Rice, Cesarz and Sanfelippo – 3

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

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

7. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and  
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCE(S):**

Ron Malone, Superintendent, House of Correction

Superintendent Malone reviewed the subject report.

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

- 8. 08-367 From Inspector, Office of the Sheriff, requesting authorization to enter into a Mutual Aid Agreement with county emergency management programs in the Southeast Wisconsin Emergency Management Region to support response and recovery for emergencies involving natural disasters and/or technological incidents.

**APPEARANCE(S):**

Inspector Kevin Carr, Office of the Sheriff

Carl Stenbol, Administrator, Sheriff's Emergency Management Bureau

***MOTION BY: (BRODERICK) Approve***

Supervisor Jursik requested that information be provided to her relative to emergency management. Chairman Johnson requested that information on the CERT program and any additional training programs be provided to new supervisors on the Committee.

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

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

**NOES:** 0

\*\*\*\*\*

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(e), for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business with regard to Item 9. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

- 9. 08-371 From Inspector, Office of the Sheriff, requesting authorization to enter into a contract with Diamond Pharmacy for a period of four years, including two (2) one year renewal options.

**APPEARANCE(S):**

Supervisor John Weishan, Jr. 16<sup>th</sup> District

Inspector Kevin Carr, Office of the Sheriff

Inspector Richard Schmidt, Office of the Sheriff

SCHEDULED ITEMS (CONTINUED):

Supervisor Weishan offered a substitute resolution and provided comments relative to it.

Questions and comments ensued.

Inspector Schmidt provided comments relative to the process by which the analysis took place.

***MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(e), for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business with regard to Item 9. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-1)***

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

**NOES:** Jursik - 1

The Committee adjourned into closed session at approximately 11:55 a.m. and reconvened back into open session at approximately 12:30 p.m. with the same members present as before.

***MOTION BY: (RICE) Moved that the matter be laid over and that the Committee direct the Office of the Sheriff to negotiate with and obtain last and final offers from Correct Rx, Roeschen's Omnicare and Diamond Pharmacy and to report back to the Committee at the next regularly scheduled meeting with their recommendation. (Vote 7-0)***

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

**NOES:** 0

\*\*\*\*\*

- 10. 08-384 From Inspector, Office of the Sheriff, authorizing the Sheriff to apply for and accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds.

**APPEARANCE(S):**

Inspector Kevin Carr, Office of the Sheriff

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

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

**NOES:** 0

**SCHEDULED ITEMS (CONTINUED):**

11. 08-J-15 From Inspector, Office of the Sheriff, status report on the Electronic Medical Records (EMR) system. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

Inspector Kevin Carr, Office of the Sheriff

**MOTION BY: (DE BRUIN) Layover to a future meeting. (Vote 7-0)**

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

**NOES:** 0

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

**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.):*

12. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,950.02** to Homer Blanks in full settlement of his claim.

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

**MOTION BY: (RICE) Approve items 12-19, 21 and 22. (Vote 7-0)**

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

**NOES:** 0

13. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,941.80** to Richard Swiertz in full settlement of his claim.

**SEE ACTION UNDER ITEM 12.**

14. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,026.22** to Superior Equipment & Supply Co. in settlement their claim.

**SEE ACTION UNDER ITEM 12.**

**SCHEDULED ITEMS (CONTINUED):**

15. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,300.00** to Select Property Group, LLC in full settlement of their claim.

**SEE ACTION UNDER ITEM 12.**

16. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,167.39** to Robert A. Mendoza in full settlement of his claim.

**SEE ACTION UNDER ITEM 12.**

17. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$1,076.59** to Lester Finch in full settlement of his claim.

**SEE ACTION UNDER ITEM 12.**

18. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$795.25** to Patricia Cobb on behalf of her son, Devin Henry, in full settlement of her claim.

**SEE ACTION UNDER ITEM 12.**

19. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$564.39** to Amanda Engar in full settlement of her claim.

**SEE ACTION UNDER ITEM 12.**

**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 the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

20. 08-351 From Principal Assistant Corporation Counsel, requesting approval for payment of **\$25,000** (to be paid out of the \$30,000 retention from the Walsh Construction Company contract Milwaukee County is holding) in full settlement of the Annex Asbestos Forfeiture Action by the Sate of Wisconsin.

***MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 20, 23, 24 and 25. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 7-0)***

**SCHEDULED ITEMS (CONTINUED):**

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

The Committee adjourned into closed session at approximately 1:00 p.m. and reconvened back into open session at approximately 1:35 p.m. with the same members present as before.

**MOTION BY: (RICE) Approve item 20. (Vote 7-0)**

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

**The Committee took no action on items 23, 24 and 25.**

21. 08-356 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$6,000.00** to Lillian Clayton in full settlement of her claim.

**SEE ACTION UNDER ITEM 12.**

22. 08-366 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$6,000.00** to Lacy Smith in full settlement of all claims arising out of the September 2006 incident at the House of Correction.

**SEE ACTION UNDER ITEM 12.**

23. 08-J-16 From Deputy Corporation Counsel, Status report for the federal court lawsuit, West v. Timberlake, concerning the processing of food stamp and Title 19 applications and reviews.

**SEE ACTION UNDER ITEM 20.**

24. 08-J-7 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

**SEE ACTION UNDER ITEM 20.**

25. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit

**SEE ACTION UNDER ITEM 20.**

**SCHEDULED ITEMS (CONTINUED):**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Dr. Christopher Happy, Medical Examiner  
Susan Shields, Executive Dir., Milwaukee County Ethics Board  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Carl Stenbol, Administrator, Sheriff's Emergency Mngt. Bureau  
Holly Szablewski, Circuit Courts  
Freida Webb, Director, Community Business Dev. Partners  
Ronald Malone, Superintendent, House of Correction  
John Barrett, Clerk of Circuit Court, Combined Court Related  
Operations  
Tom Oelstrom, Circuit Court

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: 1:37 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**DEADLINE**

***The next regular meeting of the Judiciary Committee is December 4, 2008.  
All items for the agenda must be in the Committee Clerk's possession by the end of the  
business day on Thursday, November 20, 2008.***

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

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

**Wednesday, November 19, 2008 – 10:30A.M.**

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

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

**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 matters. 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-7 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

**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 1 and 2. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.***

The Committee adjourned into closed session at approximately 10:35 a.m. and did not reconvene back into open session.

2. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

**SEE ACTION UNDER ITEM 1.**

**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: 11:20 a.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**

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

**DEADLINE**

***The next regular meeting of the Judiciary Committee is December 4, 2008.  
All items for the agenda must be in the Committee Clerk's possession by the end of the  
business day on Thursday, November 20, 2008.***

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 4, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

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

\*Supervisor De Bruin was not present at the time of the roll, but appeared shortly thereafter.

#### SCHEDULED ITEMS:

1. 08-444 From Inspector, Office of the Sheriff, requesting authorization to enter into a contract with Roeschen's Pharmacy Services for a period of four years, plus two (2) one year renewal options for inmates at the Criminal Justice Facility and House of Correction.

#### **APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Frieda Webb, Director, Community Business Development Partners

Barbara Kelsey, Chief Steward - Federation of Nurses and Health Professionals  
(Appeared in support of Roeschen's Pharmacy Services)

Inspector Carr reviewed the subject report.

Questions and comments ensued.

Ms. Webb advised the Committee that Roeschen's Pharmacy has met DBE participation.

**MOTION BY: (CESARZ) Approve. (Vote 7-0)**

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

**NOES:** 0

2. 08-435 From the Sheriff's Office, requesting authorization to apply for and accept grant funding under Homeland Security Grant Programs specifically designated by the State of Wisconsin Office of Justice Assistance to purchase nine electronic units to match the Milwaukee Police Department inmate identification units.

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCE(S):**

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

Inspector Carr reviewed the subject report.

Questions and comments ensued.

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

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

**NOES:** 0

3. 08-J-15 08-480 From Inspector, Office of the Sheriff, status report on the Electronic Medical Records (EMR) system. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (10/23/08: Laid over)**

**APPEARANCE(S):**

Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Dr. Michael Grebner

Inspector Carr reviewed the subject report.

Inspector Schmidt and Dr. Grebner provided comments.

Questions and comments ensued.

***MOTION BY: (DE BRUIN) Receive and place on file. (Vote 7-0)***

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

**NOES:** 0

4. 08-J-17 08-481 From the Sheriff's Office, an informational report on the transition plans related to the transfer of House of Correction management and operations to the Office of the Sheriff. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

**APPEARANCE(S):**

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

Inspector Carr reviewed the subject report.

**SCHEDULED ITEMS (CONTINUED):**

Questions and comments ensued.

Supervisor De Bruin requested follow-up reports relative to the electronic monitoring program.

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

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

***NOES:*** 0

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

5. 08-440 From the Chief Judge, requesting authorization to accept grant funds from the Office of Justice Assistance for the implementation of the Assess, Inform and Measure (AIM) Program in Milwaukee County in 2009. **(Also to the Committee on Finance and Audit)**

**APPEARANCE(S):**

Holly Szablewski, Circuit Courts

Ms. Szablewski reviewed the subject report.

Questions and comments ensued.

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

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

***NOES:*** 0

6. 08-396 From the Register of Deeds, requesting to create Section 56.285 of the Milwaukee County General Ordinances to required the Register of Deeds to review condominium instruments prior to recording, and establish a fee.

**APPEARANCE(S):**

Bob Andrews, Deputy Corporation Counsel

John LaFave, Register of Deeds

Larry Eckert, Deputy Register of Deeds

Mr. LaFave reviewed the subject report.

Questions and comments ensued relative to a disclaimer if a fee is charged.

**SCHEDULED ITEMS (CONTINUED):**

This item was temporarily laidover.

***MOTION BY: (JURSIK) Amend the resolution by adding the following: “(e) Neither the Register of Deeds nor Milwaukee County intends to warrant or guarantee that a condominium instrument approved for recording under this section is free of errors or defects, and neither the Register of Deeds nor Milwaukee County will be made liable to any party on account of any such errors or defects.” (Vote 7-0)***

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

Mr. Eckert advised that the disclaimer (amendment language) will be mailed via a separate document.

***MOTION BY: (JURSIK) Approve, the resolution/ordinance, as amended.***

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

7. 08-442 From the Director, Child Support Enforcement, requesting authorization to execute W2 contracts with Maximus, United Migrant Opportunities Services, Inc. (UMOS) and YW Works to provide child support case management.

**APPEARANCE(S):**

Lisa Marks, Director, Child Support Enforcement  
Agnes Marcinowski, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

Ms. Marks will provide a new fiscal note.

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

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

8. 08-443 From the Director, Child Support Enforcement, requesting authorization to execute Racine County Call Center contract for 2009.

**APPEARANCE(S):**

Lisa Marks, Director, Child Support Enforcement  
Beth Werve, AFSCME Local 645

**SCHEDULED ITEMS (CONTINUED):**

Ms. Marks reviewed the subject report.

Questions and comments ensued.

Ms. Marks will provide a new fiscal note.

Ms. Werve provided comments relative to the amount of time paralegals and case managers spend answering call center telephones.

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

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

***NOES:*** 0

9. 08-428 From Superintendent, House of Correction, requesting authorization to enter into a contract with Aramark Correctional Services for food service provision at the House of Correction and the Criminal Justice Facility effective January 1, 2009.

***APPEARANCE(S):***

Ronald Malone, Superintendent, House of Correction (HOC)

Nada Uzelac, Contract Coordinator, HOC

Frieda Webb, Director, Community Business Development Partners

Inspector Kevin Carr, Sheriff's Office

Charles Shuster, Aramark Correctional Services

Mr. Sweeny, Aramark Correctional Services

Superintendent Malone provided comments relative to the subject request.

Ms. Webb commented that she has not come to a resolution on the DBE matter with Aramark. To date, they have not identified DBE vendors and she has no written commitment from them relative to the goals they anticipate.

Mr. Sweeny advised that Aramark has intentions to comply the DBE component of the contract.

Questions and comments ensued.

***MOTION BY: (RICE) Approve the contract, as recommended by the House of Correction with a report back from Community Business Partner's Development staff relative to Aramark's compliance with the DBE component of the contract.***

Discussion ensued at length with questions and comments.

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (DE BRUIN) Amend the resolution to add the following language on line 47, "At the conclusion of the initial two year contract term, the department is directed to report back to the Judiciary, Safety and General Services Committee for approval of the next contract extension".***

Supervisor Rice modified his motion as follows:

***MOTION BY: (RICE) Approve the contract, as recommended by the House of Correction with a report back from Community Business Partner's Development staff relative to Aramark's compliance with the DBE component of the contract. Approval of the contract is contingent upon approval by the Offices of Corporation and Risk Management.***

Inspector Schmidt commented that, effective January 1, 2009, the Sheriff's Office is responsible for feeding the inmates. The Sheriff is aware of the current negotiations. Inspector Schmidt advised that it is imperative that a food service vendor is in place by January 1, 2009.

**Vote on Supervisor De Bruin's amendment: 7-0**

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

**Vote on Supervisor Rice's amendment: 6-1**

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

***MOTION BY: (RICE) Approve the contract with Aramark, as amended. (Vote 5-2)***

***AYES:*** Rice, De Bruin, Cesarz, Jursik and Sanfelippo – 5  
***NOES:*** Broderick and Johnson (Chair) – 2

10. 08-436 From Superintendent, House of Correction, requesting authorization to reapply for and accept grant funds in the amount of \$89,435 and renew the Professional Service Contract with the Benedict Center should continued funding be made available.

**APPEARANCE(S):**

Ronald Malone, Superintendent, House of Correction  
Jan Brylow, Program Director, House of Correction

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (JURSIK) Approve. (Vote 7-0)***

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

***NOES:*** 0

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

11. 08-437 From Superintendent, House of Correction, requesting authorization to extend the Professional Service Contract with ATTIC Correction Services, Inc. in the amount of, at minimum, \$42,000.

***APPEARANCE(S):***

Ronald Malone, Superintendent, House of Correction

Jan Brylow, Program Director, House of Correction

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

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

***NOES:*** 0

12. 08-438 From Superintendent, House of Correction, requesting authorization to extend the Professional Service Contract with Wisconsin Community Services for the purpose of providing job seeking skills and job placement services to inmates sentenced to the House of Correction for the contract period January 1, 2009 through December 31, 2009 at a cost not to exceed \$242,217.

***APPEARANCE(S):***

Ronald Malone, Superintendent, House of Correction

Jan Brylow, Program Director, House of Correction

***MOTION BY: (DE BRUIN) Approve. (Vote 6-1)***

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

***NOES:*** Sanfelippo - 1

13. 08-439 From Superintendent, House of Correction, requesting authorization to extend the Professional Service Contract with Wisconsin Community Services for the purpose of providing academic and vocational assessment services to inmates sentenced to the House of Correction for the contract period January 1, 2009 through December 31, 2009 at a cost not to exceed \$58,401.

**SCHEDULED ITEMS (CONTINUED):**

**APPEARANCE(S):**

Ronald Malone, Superintendent, House of Correction  
Jan Brylow, Program Director, House of Correction

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

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

At the conclusion of the items from the House of Correction, Supervisor Rice commented that, since he has been a member of the Judiciary, Safety and General Services Committee, he has found Superintendent Malone to be highly professional and a gentleman at all times; and in the face of some difficult and challenging circumstances, he has been a model government executive and public servant that is ideal and should be followed by others in County government. He thanked him for his services to Milwaukee County.

Supervisor DeBruin echoed the comments of Supervisor Rice and added that Superintendent Malone is a man of integrity and has always been open and honest with the Committee.

Supervisor Broderick agreed with all the comments about Superintendent Malone.

Superintendent Malone thanked the Committee. He commented that he truly appreciates the Judiciary, Safety and General Services Committee, who has always treated him fairly, as well as with dignity and respect.

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

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

14. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,956.94** to Geico Insurance re: Ernestine Tisdell (Lawrence) in settlement of their claim.

**APPEARANCE(S):**

Judiciary, Safety and General Services Committee  
December 4, 2008

**SCHEDULED ITEMS (CONTINUED):**

Bob Andrews, Deputy Corporation Counsel

***MOTION BY: (RICE) Approve items 14-23 together. (Vote 7-0)***

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

15. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$3,000.00** to Kenyetta Hope in full settlement of his claim.

**SEE ACTION UNDER ITEM 14.**

16. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$2,398.75** to the City of West Allis in full settlement of its claim.

**SEE ACTION UNDER ITEM 14.**

17. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,540.10** to Erie Insurance re: Marilyn Newman in full settlement of their claim.

**SEE ACTION UNDER ITEM 14.**

18. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,254.33** to State Farm Insurance re: Brian Zimmerman.

**SEE ACTION UNDER ITEM 14.**

19. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,100.00** to Erich Schmidt in full settlement of his claim.

**SEE ACTION UNDER ITEM 14.**

20. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$980.39** to Mark Diestelmeier in settlement of his claim.

**SEE ACTION UNDER ITEM 14.**

21. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$619.03** to Tyler M. Weber in full settlement of his claim.

**SEE ACTION UNDER ITEM 14.**

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:

22. 08-358 From Hart Park Square, submitting a claim for the alleged damages sustained due to a fire in the Quonset hut located on the Milwaukee County Parking garage. **(Corporation Counsel recommends payment in the amount of \$24,000.00)**

**SEE ACTION UNDER ITEM 14.**

23. 08-300 From Michael Hester, submitting a claim for the injuries and damages allegedly received when he was the passenger on General Mitchell International Airport shuttle that was involved in an accident with a Milwaukee County fire engine. **(Corporation Counsel recommends payment in the amount of \$6,500.00)**

**SEE ACTION UNDER ITEM 14.**

24. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

***MOTION BY: (RICE) Adourn 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 24 and 25. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:***

The Committee adjourned into closed session at approximately 11:50 a.m. and did not reconvene back into open session.

25. 08-J-7 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

**SEE ACTION UNDER ITEM 24.**

**STAFF PRESENT:** Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Bob Andrews, Deputy Corporation Counsel  
Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Dr. Michael Grebner  
Holly Szablewski, Circuit Courts  
John LaFave, Register of Deeds

**SCHEDULED ITEMS (CONTINUED):**

Larry Eckert, Deputy Register of Deeds  
Freida Webb, Director, Community Business Dev. Partners  
Ronald Malone, Superintendent, House of Correction  
Jan Brylow, Program Director, House of Correction  
Lisa Marks, Director, Child Support Enforcement  
Agnes Marcinowski, 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: 1:35 p.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.*