

Milwaukee County

COUNTY BOARD OF SUPERVISORS

County Courthouse
901 N. 9th Street, Rm. 201
Milwaukee, WI 53233



Journal of Proceedings - Final

Thursday, November 3, 2011

9:30 AM

Courthouse Rm 200

Milwaukee County Board of Supervisors

Members of the Board by District:

*1st, Theodore Lipscomb, Sr. -- 2nd, Nikiya Harris
3rd, Gerry Broderick -- 4th, Marina Dimitrijevic
5th, Chair Lee Holloway
6th, Joseph Rice 7th, Vice Chair Michael Mayo, Sr.
8th, Patricia Jursik - 9th, Paul Cesarz
10th, Eyon Biddle, Sr. - 11th, Mark Borkowski
12th, 2nd Vice Chair Peggy Romo West
13th, Willie Johnson, Jr. - 14th, Jason Haas
15th, Lynne De Bruin - 16th, John Weishan, Jr.
17th, Joseph Sanfelippo - 18th, Johnny Thomas
19th, James Schmitt*

Joseph J. Czarnecki, County Clerk

CALL TO ORDER

Chairman Holloway called the meeting to order at 9:45 a.m.

ROLL CALL

Present 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Holloway followed by a moment of silence.

PRESENTATIONS BY SUPERVISORS

CORRECTION AND APPROVAL OF THE JOURNAL OF PROCEEDINGS

A motion was made by Supervisor Mayo Sr. that the Journal of Proceedings for September 29, 2011 and October 31, 2011 be APPROVED. The motion PREVAILED by unanimous vote.

UNFINISHED BUSINESS

NONE

PRESENTATION OF PETITIONS AND COMMUNICATIONS

[REF 11-3](#) Reference file established by the County Board Chairman, relative to Summons and Complaints.

[REF 11-6](#) Reference file established by the County Board Chairman, relative to Notice of Claims.

[REF 11-20](#) Reference file established by the County Board Chairman, relative to reports/communications and resolutions/ordinances referred to Standing Committees.

RESOLUTIONS AND ORDINANCES REFERRED TO STANDING COMMITTEES

- [ORD 11-19](#) From the Employee Benefits Workgroup, requesting authorization to amend Sections 201.24(4.1) of the Milwaukee County Code of General Ordinances as it pertains to the "Rule of 75" for the Federation of Nurses and Health Professionals. **(Referred to the Committees on Finance and Audit and Personnel.)**
- [ORD 11-20](#) From the Employee Benefits Workgroup, requesting authorization to amend Sections 17.18 and 17.184 of the Milwaukee County Code of General Ordinances as it pertains to sick leave policies regarding sick allowance accrual and payout or credit at retirement. **(Referred to the Committees on Finance and Audit and Personnel.) (11/03/11: Referred back to the Committee on Personnel by the Board.)**
- [ORD 11-21](#) From Principal Assistant Corporation Counsel, requesting approval of a proposed ordinance to govern the carrying of concealed weapons, and the carrying of concealed and unconcealed weapons in Milwaukee County building, and to amend s. 63.09 of the Milwaukee County General Ordinances, the schedule of cash deposits and maximum penalties, accordingly.
- [ORD 11-22](#) From the Director, Department of Transportation and Public Works, requesting authorization to amend Chapter 17 of the Milwaukee County Code of General Ordinances as it pertains to compensation and off-time accruals for Assistant Chiefs of Airport Rescue and Firefighting at General Mitchell International Airport.
- [RES 11-609](#) A resolution authorizing and directing the development of a consumer-driven healthcare plan for Milwaukee County employees and retirees to better educate consumers and control costs.
Sponsors: Thomas
- [RES 11-622](#) A resolution establishing the Milwaukee County Task Force on Human Trafficking to study and make recommendations on policies, practices, prevention and service models that will protect Milwaukee County's youth from being victimized and sexually exploited.
Sponsors: Biddle Sr., Broderick and Jursik

RES 11-631

A resolution establishing the Milwaukee County Equal Rights Task Force to evaluate and make recommendations on Milwaukee County policies and procedures, including recommending revisions to the Milwaukee County Code of General Ordinances Chapter 51, County Advisory Commission on Human Rights, to preserve the equal rights of persons served and/or employed by Milwaukee County.

Sponsors: Biddle Sr.

RES 11-635

A resolution expressing intent to collaborate with the City of Milwaukee to utilize federal funds of \$54.9 million to enhance Milwaukee County Transit System (MCTS) services.

Sponsors: Borkowski

RES 11-666

A resolution stating opposition to Assembly Bill 329 relating to changing the Milwaukee County Treasurer to an elected Comptroller position.

Sponsors: Holloway

REPORTS OF COUNTY OFFICERS

Matters Returned Unsigned by the County Executive from the Previous County Board Meeting.

Veto Actions by the County Executive from the Previous County Board Meeting

- 1 [RES 11-551](#) A resolution providing for an advisory referendum on the plan by the Milwaukee Metropolitan Sewerage District to pay approximately \$41.1 million to the City of Franklin for the costs related to building the Ryan Creek Interceptor project. **(Referred to the Committees on Parks, Energy & Environment and Intergovernmental Relations)**
- Sponsors: Weishan and Biddle Sr.
- A motion was made by Supervisor Weishan that this Resolution be POSTPONED TO A DAY CERTAIN - DECEMBER 15, 2011. The motion PREVAILED by the following vote:
- Aye:** 12 - Biddle Sr., Broderick, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Lipscomb Sr., Mayo Sr., Romo West, Thomas and Weishan
- No:** 7 - Borkowski, Cesarz, Johnson Jr., Jursik, Rice, Sanfelippo and Schmitt
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- 2 RES 11-595 A resolution to authorize the negotiation of an agreement to fund an artistic bus shelter with the Bay View Business Improvement District.
- Sponsors: Dimitrijevic and Haas
- A motion was made by Supervisor Mayo Sr. that this Resolution be ADOPTED NOTWITHSTANDING THE COUNTY EXECUTIVE'S OBJECTION. The motion PREVAILED by the following vote:
- Aye:** 16 - Biddle Sr., Broderick, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Romo West, Sanfelippo, Schmitt, Thomas and Weishan
- No:** 3 - Borkowski, Cesarz and Rice

Confirmation of Appointments

NONE

RESOLUTIONS AND ORDINANCES BY AND FROM STANDING COMMITTEES

COMMITTEE ON PERSONNEL

By the Committee on Personnel

NONE

From the Committee on Personnel

- 3 [ORD 11-20](#) From the Employee Benefits Workgroup, requesting authorization to amend Sections 17.18 and 17.184 of the Milwaukee County Code of General Ordinances as it pertains to sick leave policies regarding sick allowance accrual and payout or credit at retirement. **(Referred to the Committees on Finance and Audit and Personnel.) (11/03/11: Referred back to the Committee on Personnel by the Board.)**
- A motion was made by Supervisor Sanfelippo that this Ordinance be REFERRED to the Personnel Committee. The motion PREVAILED by unanimous vote.**
- Aye:** 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan
- 4 [ORD 11-22](#) From the Director, Department of Transportation and Public Works, requesting authorization to amend Chapter 17 of the Milwaukee County Code of General Ordinances as it pertains to compensation and off-time accruals for Assistant Chiefs of Airport Rescue and Firefighting at General Mitchell International Airport.
- A motion was made by Supervisor Sanfelippo that this Ordinance be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

COMMITTEE ON FINANCE AND AUDIT

By the Committee on Finance and Audit

NONE

From the Committee on Finance and Audit

- 5 [11-370](#) From the Office of the District Attorney requesting authorization to create one paralegal position effective October 2, 2011. **(Referred to the Committees on Finance and Audit and Personnel, the Department of Administrative Services, and the Division of Human Resources.)**

A motion was made by Supervisor Thomas that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 6 [11-319](#) From the Interim Director, Department of Health and Human Services, requesting authorization to create six Human Services Worker Pool positions for the Disabilities Services and the Delinquency and Court Services Divisions. **(Referred to the Committees on Finance and Audit and Personnel, the Department of Administrative Services, and the Division of Human Resources.)**

A motion was made by Supervisor Thomas that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 7 [11-444](#) 2011 Appropriation Transfer Packet - October/November Cycle

A motion was made by Supervisor Thomas that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 8 [ORD 11-19](#) From the Employee Benefits Workgroup, requesting authorization to amend Sections 201.24(4.1) of the Milwaukee County Code of General Ordinances as it pertains to the “Rule of 75” for the Federation of Nurses and Health Professionals. **(Referred to the Committees on Finance and Audit and Personnel.)**

A motion was made by Supervisor Thomas that this Ordinance be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

COMMITTEE ON HEALTH AND HUMAN NEEDS

By the Committee on Health and Human Needs

NONE

From the Committee on Health and Human Needs

NONE

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

By the Committee on Judiciary, Safety and General Services

NONE

From the Committee on Judiciary, Safety and General Services

- 9 [ORD 11-21](#) From Principal Assistant Corporation Counsel, requesting approval of a proposed ordinance to govern the carrying of concealed weapons, and the carrying of concealed and unconcealed weapons in Milwaukee County building, and to amend s. 63.09 of the Milwaukee County General Ordinances, the schedule of cash deposits and maximum penalties, accordingly.

A motion was made by Supervisor Johnson Jr. that this Ordinance be ADOPTED. The motion PREVAILED by the following vote:

Aye: 18 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Schmitt, Thomas and Weishan

No: 1 - Sanfelippo

- 10 [RES 11-622](#) A resolution establishing the Milwaukee County Task Force on Human Trafficking to study and make recommendations on policies, practices, prevention and service models that will protect Milwaukee County's youth from being victimized and sexually exploited.

Sponsors: Biddle Sr., Broderick and Jursik

A motion was made by Supervisor De Bruin that this Resolution be AMENDED with AMENDMENT NO. 1. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

A motion was made by Supervisor Johnson Jr. that this Resolution be ADOPTED AS AMENDED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 11 [CLAIM 11-47](#) From Deputy Corporation Counsel, recommending payment in the amount of \$10,000 to Anne L. De Leo of the firm Nelson, Irvings & Waeffler, S.C., as the Milwaukee County defendants' share of the attorney fee award in the case of April West et al v. Dennis Smith, et al.

A motion was made by Supervisor Johnson Jr. that this Claim or Litigation be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

COMMITTEE ON PARKS, ENERGY AND ENVIRONMENT

By the Committee on Parks, Energy And Environment

Supervisor Broderick asked unanimous consent to **SUSPEND THE RULES** to consider all items By the Committee. There being no objection the rules were **SUSPENDED**.

- 12 [INF 11-456](#) From the Director of Transportation and Public Works, submitting an informational report regarding the status on the Implementation of the Green Print Resolution Provisions. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

A motion was made by Supervisor Broderick that this Informational Report be RECEIVED AND PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 13 [INF 11-476](#) From the Director, Department of Parks, Recreation and Culture, revising the Long Range Lakefront Planning Committee's final report by including an "Acknowledgements" page.

A motion was made by Supervisor Broderick that this Informational Report be RECEIVED AND PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

From the Committee on Parks, Energy And Environment

- 14 [11-442](#) From the County Board Chairman, appointing Keith Holt to the Milwaukee County Parks Advisory Commission. Mr. Holt will replace Nancy Devlantes, who has left the area. His appointment is for a term expiring August 1, 2014.

A motion was made by Supervisor Broderick that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 15 [11-401](#) From the Director, Department of Parks, Recreation and Culture, recommending that the Milwaukee County Board of Supervisors adopts the Long-Range Lakefront Planning Committee's Report for the development of Milwaukee's lakefront.
- A motion was made by Supervisor Broderick that this Action Report be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 18 - Biddle Sr., Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan
- No:** 1 - Borkowski
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- 16 [11-440](#) From the Director, Department of Parks, Recreation and Culture, seeking authorization to grant temporary and permanent easements to the City of Wauwatosa to construct, operate, restore and maintain sanitary and storm sewer drainage facilities and related improvements in the Menomonee River Parkway and the Grantosa Creek Parkway.
- A motion was made by Supervisor Broderick that this Action Report be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan
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- 17 [11-441](#) From the Director, Department of Parks, Recreation and Culture, seeking authorization to grant temporary and permanent easements to the City of Milwaukee and the State of Wisconsin to construct, operate, restore and maintain bridge and roadway improvements on the Grantosa Creek Parkway at Capitol Dr.
- A motion was made by Supervisor Broderick that this Action Report be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

COMMITTEE ON TRANSPORTATION, PUBLIC WORKS and TRANSIT

By the Committee on Transportation, Public Works And Transit

NONE

From the Committee on Transportation, Public Works And Transit

- 18 [RES 11-635](#) A resolution expressing intent to collaborate with the City of Milwaukee to utilize federal funds of \$54.9 million to enhance Milwaukee County Transit System (MCTS) services.

Sponsors: Borkowski

A motion was made by Supervisor Mayo Sr. that this Resolution be REJECTED. The motion PREVAILED by the following vote:

Aye: 12 - Broderick, De Bruin, Dimitrijevic, Haas, Harris, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Schmitt, Thomas and Weishan

No: 7 - Biddle Sr., Borkowski, Cesarz, Holloway, Rice, Romo West and Sanfelippo

- 19 [11-433](#) From the Director, Community Business Development Partners (CBDP), requesting authorization to submit the triennial Airport Concession Disadvantaged Business Enterprise (DBE) goals to the Federal Aviation Administration (FAA) for Federal Fiscal Years (FFYs) 2012-2014 airport concession opportunities. **(Referred to the Committees on Transportation, Public Works, and Transit and Economic and Community Development.)**

A motion was made by Supervisor Mayo Sr. that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

- 20 [11-431](#) From the Director, Department of Transportation and Public Works, and the Airport Director requesting authorization to enter into a Professional Service Contract with Anderson & Kreiger, LLP, for support services in the negotiation for new hydrant fuel agreements.

A motion was made by Supervisor Mayo Sr. that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

21 [11-432](#)

From the Director, Department of Transportation and Public Works, and the Airport Director requesting authorization to enter into two lease agreements with Frontier Airlines, Inc., for the signatory lease of 8,991 square feet of space for air freight transactions and the month-to-month lease of 7,524 square feet of space for ground service equipment maintenance located in the air freight building at General Mitchell International Airport (GMIA).

A motion was made by Supervisor Mayo Sr. that this Action Report be ADOPTED. The motion PREVAILED by the following vote:

Aye: 19 - Biddle Sr., Borkowski, Broderick, Cesarz, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rice, Romo West, Sanfelippo, Schmitt, Thomas and Weishan

COMMITTEE ON ECONOMIC and COMMUNITY
DEVELOPMENT

By the Economic and Community Development Committee

NONE

From the Economic and Community Development Committee

- 22 [RES 11-601](#) A resolution to create an Economic Development Fund in order to develop sustainable jobs and new tax base in Milwaukee County.
(Referred to the Committees on Economic and Community Development and Finance and Audit)
- Sponsors:** Biddle Sr., Lipscomb Sr., Johnson Jr. and Mayo Sr.
- A motion was made by Supervisor De Bruin that this Resolution be ADOPTED.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Biddle Sr., Borkowski, Broderick, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Lipscomb Sr., Mayo Sr., Romo West, Thomas and Weishan
- No:** 5 - Cesarz, Jursik, Rice, Sanfelippo and Schmitt

COMMITTEE ON INTERGOVERNMENTAL RELATIONS

By the Committee on Intergovernmental Relations

NONE

From the Committee on Intergovernmental Relations

- 23 [RES 11-666](#) A resolution stating opposition to Assembly Bill 329 relating to changing the Milwaukee County Treasurer to an elected Comptroller position.
- Sponsors: Holloway
- A motion was made by Supervisor Schmitt that this Resolution be ADOPTED.**
 The motion PREVAILED by the following vote:
- Aye:** 13 - Biddle Sr., Broderick, De Bruin, Dimitrijevic, Haas, Harris, Holloway, Johnson Jr., Lipscomb Sr., Mayo Sr., Romo West, Schmitt and Weishan
- No:** 5 - Borkowski, Cesarz, Jursik, Rice and Sanfelippo
- Abstain:** 1 - Thomas

RESOLUTIONS / ORDINANCES BY AND FROM SELECT COMMITTEES

TRANSIT CLAIMS

Supervisor Mayo asked unanimous consent to **SUSPEND** any and all rules interfering with consideration of all claims. There being no objection the rules were **SUSPENDED**.

[REF 11-4](#)

Reference file established by the County Board Chairman, relative to Transit System Claims.

A motion was made by Supervisor Mayo Sr. that all Transit Claims be **DISALLOWED**. The motion **PREVAILED** by unanimous vote.

COUNTY BOARD CITATIONS AND CERTIFICATES

[REF 11-2](#)

Reference file established by the County Board Chairman, relative to County Board Citations/Certificates.

**A motion was made by Supervisor Mayo Sr. that all Citations be ADOPTED.
The motion PREVAILED by unanimous vote.**

RESOLUTIONS AND ORDINANCES PRESENTED UNDER SUSPENSION OF THE RULES

ANNOUNCEMENTS

Supervisor West thanked colleagues for the show of support for Breast Cancer Awareness.

Supervisor West reminded colleagues to support the Hunger Task Force food drive that is currently taking place.

ADJOURNMENT

A motion was made by Supervisor Mayo Sr. that this meeting be ADJOURNED until November 7, 2011 at 8:30 a.m. The motion PREVAILED by unanimous vote.