



OFFICE OF THE COUNTY EXECUTIVE

Chris Abele

MILWAUKEE COUNTY EXECUTIVE

DATE: March 23, 2016

TO: The Honorable Milwaukee Board of Supervisors

FROM: Chris Abele, Milwaukee County Executive

RE: County Board File No. 16-240 authorizing the initiation of the County Board's lawsuit

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I have left File 16-240 unsigned. I do not question the County Board's right to bring lawsuits where it's appropriate. However, as elected officials we must set the highest standards for when taxpayer dollars are spent on legal fees above and beyond the full-time legal department employed by the County. \$150,000 in taxpayer funds have already been authorized for the Board to spend on outside legal counsel.

Last month, the Milwaukee County Circuit Court definitively confirmed that Milwaukee County Board Chairman Theo Lipscomb did not have unilateral authority to file a lawsuit on behalf of the County without County Board authorization and oversight. Earlier this month I asked Supervisors to consider a resolution ensuring that no taxpayer dollars are spent on the unauthorized lawsuit; that resolution didn't even get a public discussion as it was not referred by the Chairman.

The central issues raised in Chairman Lipscomb's unauthorized lawsuit appear to be less about legitimate questions of law and more about the Board's interest in controlling both the legislative and executive branches of government. The Chairman's lawsuit sought power to direct the actions of independently elected officials and department heads who don't report to the Board. This disrupts the County's system of checks and balances.

Another issue raised in the Chairman's unauthorized lawsuit is whether the county executive has the authority to set pay for employees. Corporation Counsel previously issued an opinion that the county executive does have this authority, and I requested a thorough compensation study at the County to ensure County employees are paid fairly and competitively.

The Board has chosen not to listen to expert compensation recommendations or their own lawyer's opinion and instead has taken legal action to stop the issuance of these raises, stalling the process for a year.

Instead of a long, drawn-out legal fight, I ask that the County Board work with me to ensure that 500 hard-working County employees are able to receive the pay increases that have been recommended. These employees include mostly public safety positions like Corrections officers,

Victim/Witness advocates and paralegals in the District Attorney's office, as well as highway workers, who are getting paid less than the industry minimum for their positions.

I believe that the County Board and I much more on which we agree than disagree, and that the people we were elected to serve would much rather we devote our time, energy, and taxpayer resources to solving problems, not creating them.