



Milwaukee County

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

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Mark Borkowski

Clerk: Janelle Jensen, 278-4225

Research Analyst: Jennifer Collins, 278-5290

Thursday, June 14, 2012

9:00 AM

Room 203R

Addendum item is included in these minutes

Call To Order

At the conclusion of Roll Call, Chairman Borkowski had Kimberly Walker, Corporation Counsel introduce the following staff members: Colleen Foley, Tim Karaskiewicz and Al Polan.

Present 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused 1 - Schmitt

ELECTION COMMISSION - 1

- 1 [12-402](#) From the Election Commission Administrator, submitting an informational report addressing concerns expressed by Supervisors Jursik and Lipscomb regarding ballot issues affecting the April 3, 2012 Spring Election and action plan and budgeting for upcoming Recall and Fall elections. **(05/10/12: Laid over) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
 [ATTACHMENT I](#)
 [Audio JUD 05/10/12](#)
 [ATTACHMENT II](#)
 [ATTACHMENT III](#)
 [ATTACHMENT IV](#)
 [ATTACHMENT V](#)
 [Audio JUD 06/14/12](#)

Vote 6-0

APPEARANCE:

Lisa C. Weiner, Election Commission Administrator

The following people appeared and spoke regarding this item:

Carolyn Toms-Neary, Director of Office Services, City of Cudahy
Anne Uecker, City Clerk, City of St. Francis

A motion was made by Supervisor Harris to RECEIVE AND PLACE ON FILE this item. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 1 - Schmitt

RESOLUTION / ORDINANCE - 1

- 2 [12-485](#) A resolution amending Chapter 3 of the Milwaukee County Ordinances relating to County Board supervisory districts.

Sponsors: Mayo Sr.

Attachments: [REPORT](#)
[RESOLUTION](#)
[REVISED RESOLUTION](#)
[FINAL REVISED RESOLUTION](#)
[FISCAL NOTE](#)
[ATTACHMENT](#)
[Audio JUD 06/14/12](#)

Vote 6-0

APPEARANCE:
Glenn Bultman, Research Analyst

A motion was made by Supervisor Broderick to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 1 - Schmitt

CHIEF JUDGE - 2

- 3 [12-359](#) From the Chief Judge, submitting an informational report on a request to meet with Sheriff David A. Clarke, Jr. to discuss jail population and inmate movement concerns. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
 [ATTACHMENT I](#)
 [ATTACHMENT II](#)
 [ATTACHMENT III](#)
 [Audio JUD 06/14/12](#)
 [Audio JUD 06/14/12 cont](#)

APPEARANCES:

Chief Judge Jeffrey Kremers, First Judicial District
Inspector Richard Schmidt, Office of the Sheriff
Jon Priebe, Fiscal Administrator, Office of the Sheriff

The following people appeared and spoke regarding this item:

Rose Stietz, MICAH
Kit Murphy-McNally, Advocate
Reverend Joe Ellwanger, MICAH
Jeanne Geraci, Executive Director, The Benedict Center

A motion was made by Supervisor Weishan to REFER the report generated by the Office of the Sheriff to the Audit Division in the Office of the Comptroller for analysis prior to the next meeting and a formal request should be sent to Sheriff David A. Clarke, Jr. requesting his appearance before the Committee to discuss jail population and inmate movement concerns. The motion **PREVAILED** by the following vote:

Aye: 5 - Harris, Johnson Jr., Weishan, Broderick and Borkowski

No: 1 - Sanfelippo

Excused: 1 - Schmitt

- 4 [12-461](#) From the Chief Judge, submitting an informational report on the Status of Universal Screening Program Implementation. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
 [ATTACHMENT](#)
 [Audio JUD 06/14/12](#)

Vote 6-0

APPEARANCES:

Chief Judge Jeffrey Kremers, First Judicial District
Holly Szablewski, Judicial Review Coordinator

The following people appeared and spoke regarding this item:

Attorney Peter Koneazny, Legal Aid Society of Milwaukee
Bill Eatough, MICAH

A motion was made by Supervisor Johnson Jr. to **RECEIVE AND PLACE ON FILE** this item. The motion **PREVAILED** by the following vote:

Aye: 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 1 - Schmitt

DEPARTMENT OF HEALTH AND HUMAN SERVICES - 1

- 5 [12-460](#) **2012 Budget Amendment 1A049:** From the Director, Department of Health and Human Services (DHHS), submitting a report providing an update on the study group activities regarding the possible transfer of management of inmate mental health and health care services to DHHS and requesting an extension of the implementation date to October 1, 2012. **(To the Committees on Judiciary, Safety, and General Services and Health and Human Needs.)**

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JUD 06/14/12](#)

APPEARANCES:

Hector Colon, Director, Department of Health and Human Services
Dr. Paula Lucey, Administrator, Behavioral Health Division
Mark Grady, Deputy Corporation Counsel

The following people appeared and spoke regarding this item:

Barbara Beckert, Director, Disability Rights Wisconsin
Brenda E. Wesley, Advocate/Family Member
Attorney Peter Koneazny, Legal Aid Society of Milwaukee

A motion was made by Supervisor Harris to LAYOVER TO THE CALL OF THE CHAIR this item. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 1 - Schmitt

CORPORATION COUNSEL - 6

(CLOSED SESSION):

A motion was made by Supervisor Johnson Jr. to ENTER INTO CLOSED SESSION to discuss items #9, #11 and #12. The motion PREVAILED by the following vote:

Aye: 4 - Johnson Jr., Weishan, Broderick and Borkowski

Excused: 3 - Harris, Schmitt and Sanfelippo

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION

- 6 [12-459](#) From Corporation Counsel, recommending payment in the amount of \$4,000 to Yvonne Sanders in settlement of Yvonne Sanders v. Milwaukee County, ERD No. CR201101535 / EEOC No. 26G201101065C.

Attachments: [REPORT](#)
 [Audio JUD 06/14/12](#)

APPEARANCE:
Mark Grady, Deputy Corporation Counsel

A motion was made by Supervisor Harris to WITHDRAW FROM COMMITTEE this item, unanimous consent was requested, there being no objections it was so ordered. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 1 - Schmitt

Claims amounting to more than \$10,000.

- 7 [12-458](#) From Corporation Counsel, recommending payment in the amount of \$15,000 to Pledl & Cohn, S.C. in settlement of Scott E.M. Spates v. Jo-Jean Clemens, et al, United States Eastern District Case No. 10C1098

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JUD 06/14/12](#)

Vote 5-1: No: Sanfelippo

APPEARANCE:
Mark Grady, Deputy Corporation Counsel

Supervisor Broderick requested a follow up report from the Office of the Sheriff once the internal investigation is complete in this matter.

A motion was made by Supervisor Johnson Jr. to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 5 - Harris, Johnson Jr., Weishan, Broderick and Borkowski

No: 1 - Sanfelippo

Excused: 1 - Schmitt

- 8 [12-462](#) From Corporation Counsel, recommending payment in the amount of \$37,055.84 to the Law Offices of Michael A.I. Whitcomb for attorney's fees incurred in Milwaukee County v. Clarke, Case No. 12-CV-350. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[Audio JUD 06/14/12](#)

Vote 4-2: Noes: Weishan, Broderick

APPEARANCE:
Mark Grady, Deputy Corporation Counsel

A motion was made by Supervisor Harris to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 4 - Harris, Johnson Jr., Sanfelippo and Borkowski

No: 2 - Weishan and Broderick

Excused: 1 - Schmitt

- 9 [12-311](#) From Corporation Counsel, requesting authorization to file an appeal in the matter of Milwaukee County v. Wisconsin Employment Relations Commission (WERC) and American Federation of State, County and Municipal Employees (AFSCME), Case No. 11-CV-12137. **(04/16/12:Referred by the Board) (5/10/12:Laid over)**

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[SUBSTITUTE FISCAL NOTE](#)
[Audio JUD 03/14/12](#)
[CB Resolution](#)
[Audio JUD 05/10/12](#)
[Audio JUD 06/14/12](#)
[Audio JUD 06/14/12 cont](#)

A motion was made by Supervisor Johnson Jr. to LAYOVER TO THE CALL OF THE CHAIR this item. The motion PREVAILED by the following vote:

Aye: 4 - Johnson Jr., Weishan, Broderick and Borkowski

No: 1 - Sanfelippo

Excused: 2 - Harris and Schmitt

- 10 [12-463](#) From Corporation Counsel and the Register of Deeds, requesting authorization to file litigation to recover unpaid real estate transfer fees from the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation and further requests authorization to enter into a contract with Hansen, Riederer, Dickinson, Crueger & Reynolds LLC to represent the interests of Milwaukee County. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JUD 06/14/12](#)

Vote 5-0

APPEARANCE:
John LaFave, Register of Deeds

The following people appeared and spoke regarding this item:
Tim Hansen, Owner/Principal, Hansen, Riederer, Dickinson, Crueger & Reynolds LLC
Erin Dickinson, Partner, Hansen, Riederer, Dickinson, Crueger & Reynolds LLC

A motion was made by Supervisor Johnson Jr. to **APPROVE & RECOMMEND FOR ADOPTION** this item. The motion **PREVAILED** by the following vote:

Aye: 5 - Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 2 - Harris and Schmitt

- 11 [12-39](#) From Corporation Counsel, providing a status update on pending litigation. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [MARCH UPDATE \(JS&GS\)](#)
 [MARCH UPDATE \(PER\)](#)
 [Audio JUD 03/01/12](#)
 [Audio PER 03/09/12](#)
 [MAY UPDATE \(JS&GS & PER\)](#)
 [Audio PER 05/18/12](#)
 [JUNE UPDATE \(JS&GS\)](#)
 [Audio JUD 06/14/12](#)

This item was discussed in **CLOSED SESSION** with no action taken.

- 12 [12-513](#) From Corporation Counsel, requesting authorization to pay an award to affected employees in the matter of Milwaukee County v. Wisconsin Employment Relations Commission (WERC) and American Federation of State, County and Municipal Employees (AFSCME) resulting in the dismissal of the appeal in the Court of Appeals in this matter. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
 [ATTACHMENT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [COM AMENDMENT I](#)
 [Audio JUD 06/14/12](#)

A motion was made by Supervisor Weishan to AMEND this item by inserting "for 2010 fulough days" between the words "employees" and "and" in the BE IT RESOLVED CLAUSE. The motion PREVAILED by the following vote:

Aye: 5 - Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Excused: 2 - Harris and Schmitt

Vote 4-1 No: Sanfelippo

A motion was made by Supervisor Johnson Jr. to APPROVE AS AMENDED & RECOMMENDED FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 4 - Johnson Jr., Weishan, Broderick and Borkowski

No: 1 - Sanfelippo

Excused: 2 - Harris and Schmitt

Adjournment

Length of meeting 9:05 a.m. to 1:29 p.m.

A recess was taken from 9:33 a.m. to 9:45 a.m.

The committee was in Closed Session from 12:17 p.m. to 1:25 p.m. The Committee reconvened into Open Session at 1:25 p.m., a roll call was taken and 5 members were present.

Adjourned,

Janelle M. Jensen
Committee Clerk
Committee on Judiciary, Safety and General Services

Deadline for the next meeting: The next regular meeting for this Committee is July 12, 2012. All items must be in the Committee Clerk's possession by the end of the business day on June 28, 2012.