



Milwaukee County

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

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Willie Johnson, Jr.

Clerk: Linda K. Durham, 278-4225

Research Analyst: Rick Ceschin, 278-5003

Thursday, January 19, 2012

9:00 AM

Room 201-B

(Minutes Include Addendum No. 1)

Call To Order

Present 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused 1 - Biddle Sr.

RESOLUTION - 1

1 [12-81](#)

A resolution authorizing and directing the Manager of the Milwaukee County Election Commission to work with Office of the Sheriff as well as the election officials of the Cities of Milwaukee and Franklin to facilitate absentee voting by inmates at Milwaukee County's correctional facilities for primary and general elections in 2012 and further directing the Manager of the Milwaukee County Election Commission to aggregate and report voting irregularities experienced by the electorate as reported by municipal election officials during said elections.

Sponsors: Harris

Attachments: [RESOLUTION](#)
[FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)

APPEARANCE(S)

Supervisor Nikiya Harris, 2nd District
Inspector Edward Bailey, Office of the Sheriff
Major Nancy Evans, Office of the Sheriff

Supervisor Broderick offered the following amendment: On line 65, after the words "rejected ballots" insert "including absentee ballots". The amendment was approved by a vote of 6-0.

Supervisor Jursik requested a report back from the Office of the Sheriff regarding the issue of absentee ballots. The report is due at the March meeting.

A motion was made by Supervisor Broderick that this Resolution be APPROVED AS AMENDED. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

CHIEF JUDGE - 1

2 [11-537](#)

From the Chief Judge, requesting permission to receive an additional \$22,675 in grant funding from the Wisconsin Department of Transportation in support of the WCS Repeat Intoxicated Driver Intervention Program for the period January 1, 2012 to June 30, 2012 and to increase the "not to exceed" amount on the 2012 WCS Repeat Intoxicated Driver Intervention Program contract from \$485,099 to \$507,774.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)

APPEARANCE(S):
Holly Szablewski, Court Services

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

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

COUNTY CLERK - 1

3 [12-75](#)

From the County Clerk, requesting authorization to transfer the original, handwritten Proceedings of the Milwaukee County Board of Supervisors for the years 1838 through 1905, to the Milwaukee County Historical Society for preservation as historical artifacts.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)

APPEARANCE(S):
Joseph Czarnecki, County Clerk

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

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

CLERK OF COURTS - 1

- 4 [12-89](#) From the Clerk of Circuit Courts, requesting authorization to accept not more than \$205,000 in funding from the Wisconsin Department of Justice pursuant to a stipulated judgment obtained in a legal action against Countrywide Financial Corporation.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [ATTACHMENT](#)
 [CB Resolution](#)
 [Audio J 01/19/12](#)

APPEARANCE(S):
John Barrett, Clerk of Circuit Court
Debra Tuttle, Milwaukee Foreclosure Mediation

A motion was made by Supervisor Rice that this Resolution be APPROVED. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

CHILD SUPPORT SERVICES - 1

- 5 [12-86](#) From the Director of Child Support Services, requesting authorization to execute the 2012 State/County contract covering the Administration of Child and Spousal Support and Establishment of Paternity and Medical Support Liability Programs between the Department of Children and Families and Milwaukee County.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [2012 State County Contract \(Final\).pdf](#)
 [CB Resolution](#)
 [Audio J 01/19/12](#)

APPEARANCE(s):
Jim Sullivan, Director, Child Support Services

Supervisor Jursik in the Chair.

Supervisor Johnson was out of the room at the time of the roll call; however, upon his return, he requested unanimous consent to be recorded as voting with the majority on this item. There being no objection, it was so ordered.

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

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

OFFICE OF THE SHERIFF - 3

6 [12-77](#)

From the Office of the Sheriff requesting the creation of a monthly Huber Parking Fee of \$25 at the County Correctional Facility South.

Attachments: [REPORT](#)
[ORDINANCE](#)
[FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)

APPEARANCE(S):

Inspector Edward Bailey, Office of the Sheriff
Major Nancy Evans, Office of the Sheriff
Jon Priebe, Office of the Sheriff
Judge Maxine White, Court Services

Supervisor Jursik in the Chair.

A motion was made by Supervisor Weishan to deny the ordinance; however, after considerable discussion by the Committee on this item, he withdrew his motion to deny and offered the following amendment to the ordinance: On line 43, delete "charged a monthly fee of \$25.00" and insert "allowed to park without charge." The amendment was approved by a vote of 4-2: Noes-Cesarz and Rice.

A motion was made by Supervisor Weishan that this Action Report be APPROVED AS AMENDED. The motion PREVAILED by the following vote:

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

No: 2 - Cesarz and Rice

Excused: 1 - Biddle Sr.

7 [12-78](#)

From the Office of the Sheriff requesting authorization to enter into a contract with Century Link Correctional Communication Service for inmate phone service at the County Correctional Facilities.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[REVISED REPORT](#)
[REVISED RESOLUTION](#)
[REVISED FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)

APPEARANCE(S):
Debra Burmeister, Office of the Sheriff

Supervisor Wiehsan offered the following amendment to the resolution: On line 30, delete "or for a four year period; now, therefore," and in the BE IT RESOLVED clause on line 32, after the words "execute a" and before the word "contract", insert, "two year" and after the word "contract" insert, "with any extensions requiring County Board approval,".

Supervisor Cesarz requested that the amendments be divided so that the Committee could vote on them separately. There being no objection, it was so ordered.

The vote on the amendment to line 30 failed by a vote of 2-4: Noes-Jursik, Cesarz, Broderick and Johnson;
The vote on the amendment beginning on line 32 was approved by a vote of 4-2: Noes-Jursik and Rice.

A motion was made by Supervisor Weishan that this Action Report be APPROVED AS AMENDED. The motion PREVAILED by the following vote:

Aye: 4 - Weishan, Cesarz, Rice and Johnson Jr.

No: 2 - Jursik and Broderick

Excused: 1 - Biddle Sr.

8 [12-88](#)

From the Office of the Sheriff, submitting an informational report from IMSD regarding WebFocus Business Intelligence. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
[Audio J 01/19/12](#)

APPEARANCE(S):
Captain Brian Barkow, Office of the Sheriff
Andrew Carrion, IMSD Public Safety Business Lead

This item was DISCUSSED WITH NO ACTION TAKEN

CORPORATION COUNSEL - 3

Claims amounting to more than \$5,000.

9 [12-79](#)

From Corporation Counsel, requesting authorization to contract with Whyte, Hirschboeck & Dudek S.C. ("WHD") to represent Milwaukee County in matters relating to prosecution of any claims that it may have against potentially responsible parties for loss or damages relating to the failure of the O'Donnell Park parking structure.

(Referred to the Committees on Judiciary, Safety and General Services and Finance and Audit)

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[CB Resolution](#)
[Audio J 01/19/12](#)
[Audio F&A 01/26/12](#)

APPEARANCE(S):
Mark Grady, Deputy Corporation Counsel

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

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

10 [12-106](#)

Resolution regarding the formal process for Corporation Counsel legal opinions

Attachments: [RESOLUTION](#)
[Audio 01/19/12](#)

APPEARANCE(S):
Mark Grady, Deputy Corporation Counsel

Supervisor Jursik would like to see language included regarding what happens when a declination to give advice occurs.

A motion was made by Supervisor Weishan that this Resolution be LAIDOVER FOR ONE MEETING. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

11 [12-120](#)

From Corporation Counsel, providing an informational verbal report regarding the temporary restraining order against the Office of the Sheriff by Milwaukee County. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [ATTACHMENT 1](#)
 [ATTACHMENT 2](#)
 [ATTACHMENT 3](#)
 [ATTACHMENT 4](#)
 [CB RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio J 01/19/12 \(1\)](#)
 [Audio J 01/19/12 \(2\)](#)
 [Audio J 01/23/12](#)

APPEARANCE(S):

Kimberly Walker, Corporation Counsel
Inspector Edward Bailey, Office of the Sheriff

After the Committee reconvened back into open session, the Committee directed the following:

The Committee determines that it is imperative that the County Board retain separate legal counsel and directs the Office of Corporation Counsel to identify three qualified attorneys and/or law firms to represent the County Board's interests (relating to, at a minimum, the authority of Milwaukee County to commence a lawsuit without the authorization and approval of the Milwaukee County Board) in the matter of Milwaukee County v. Sheriff David A. Clark, Jr. The names and qualifications are to be provided no later than 12:00 p.m. January 23, 2012. The Committee will hold a special meeting at 2:00 pm on January 23, 2012.

The Committee further authorizes the Committee Chair to promptly transmit correspondence to the Judge presiding over the January 27, 2012 hearing on the Defendant's Motion to Dismiss, advising the Court of the Committee's action in seeking separate counsel and requesting consideration of an adjournment in the proceedings until such time as the Milwaukee County Board of Supervisors may have retained counsel.

A motion was made by Supervisor Weishan that this Informational Report be ENTERED INTO CLOSED SESSION. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

- 12 [12-146](#) From Corporation Counsel, submitting a status report on District Council 48 v. Milwaukee County relating to former Income Maintenance employees. **(To the Committees on Judiciary, Safety, and General Services and Personnel.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [Audio J 01/19/12](#)
 [Audio PER 01/27/12](#)

A motion was made by Supervisor Weishan that this Informational Report be ENTERED INTO CLOSED SESSION. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

- 13 [12-145](#) From Corporation Counsel, submitting a status report on litigation by the Deputy Sheriff's Association and others related to layoffs within the Office of the Sheriff. **(To the Committees on Judiciary, Safety, and General Services and Personnel.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [Audio PER 01/27/12](#)

A motion was made by Supervisor Weishan that this Informational Report be ENTERED INTO CLOSED SESSION. The motion PREVAILED by the following vote:

Aye: 6 - Jursik, Weishan, Cesarz, Broderick, Rice and Johnson Jr.

Excused: 1 - Biddle Sr.

Adjournment

Length of Meeting: 9:05 a.m. to 2:25 p.m.

Linda K. Durham
Committee Clerk

Deadline for the next meeting:

The next regular meeting for this Committee is March 1, 2012. All items must be in the Committee Clerk's possession by the end of the business day on February 16, 2012.

