

MINUTES
EXECUTIVE COMMITTEE
SEPTEMBER 13, 2011

Members Present: Supervisors Molinaro, Ekornaas, Elverman, Clark, Michel, Breunig and Noble
YIG Present: Rende and Jekot

- 6:30 pm
1. The meeting was called to order by Chairman Molinaro in the second floor committee conference room at the Administration Building. He indicated Supervisor Clark was on his way and Supervisor Michel was at another meeting and would be here when that finished.
- 6:30 pm
2. Citizen Comments: None
- 6:30 pm
3. Chair, Supervisor and YIG comments:
Chairman Molinaro informed Corporation Counsel that an ordinance on concealed carry was coming out of the Public Works/Facilities Committee and he wanted to know if a violation of that ordinance would be a misdemeanor. If so, do we have the ability to be more stringent on this ordinance. He thinks there should be a significant penalty. He questioned the county's exposure under the new law. Frank Volpintesta said he would have Bernie Vash contact him.
- 6:40 pm
- Supervisor Comments:
Supervisor Clark said he requested the chairman put the contracting policy on the agenda tonight.
- 6:42 pm
- YIG comments: None
- 6:43 pm
4. Approval of minutes of August 9, 2011 meeting:
Supervisor Ekornaas made a motion to approve the minutes. Seconded by Supervisor Bruenig. All aye. YIG voted all aye. Motion carried.
- 6:44 pm
- Chairman Molinaro said he would be taking the agenda out of order.
- 8a. KABA presentation:
Molinaro said we have a High Impact Economic Development Fund containing \$1 Million for 2011. He is looking towards the 2012 budget and asked Todd Battle where he believes he may have a commitment for these dollars, recognizing he has a confidentiality issue.
- Battle said the original funding came from the Chrysler project. We established this fund to encourage capital investment and job creation. We have had the funds since late February of this year. We have no formal commitments at this time. Funding is a valuable tool. We feel optimistic these funds will be put to work. Battle was asked what he thought the correct amount of money in the fund should be. He said the industry standard is 10% to 20% of the dollar value of the project. The more we have, the better. Incentives are the order of the day.
- Molinaro said this committee should make a recommendation to the county executive of our commitment to the program. Now is not the time to pull back on economic development funding.

Supervisor Clark made a motion to recommend to the Administration that we fund an additional \$250,000 to the High Impact Economic Development Fund using levy dollars or surplus sales tax money in the close out. Seconded by Supervisor Noble.

Supervisor Elverman said he is uneasy using the sales tax money in that fashion. He is afraid it will affect the budget. Supervisor Ron Frederick said he does not want to increase property taxes unless he knows there are projects out there. Supervisor Singer said we can add to it later. He was not aware of the \$250,000 surplus. Molinaro said the projected surplus in sales tax has been discussed in the Finance Committee for several months. Clark said there is going to be reluctance to go to the general fund mid-year. Molinaro said we will not be able to go out and bond for a project that may come along. Battle said \$250,000 equals about 50 jobs.

Committee voted all aye. YIG all aye. Motion carried.

7:51 pm

6e. Casino extension request:

Eric Olson spoke on behalf of the development team. He said the Tribal Chairman sent a letter to the Mayor and County Executive with the proposed extension agreement. (Molinaro provided the committee members with a copy of the letter and extension.) Olson said the BIA has passed two applications and rejected one. They felt the Tribe was not protecting their trust land with fire, police, etc. They are meeting with the department next week. We have until October 3 to amend our application. We are looking for a 60 day extension and then we will come back with the long-term request. We want to have a presentation for all board members, city and county, to make sure everyone understands the scope of the project.

Volpintesta recommended a 90 day extension. He said the Highway K information has not come in yet. DC counsel is costing money and the Tribe needs to address that. The Finance Committee is going to have to deal with that at budget time. He referred to the October 3 deadline mentioned by Olson and asked him if there can be no further amendments to the IGA after that date. Olson said we can always make amendments to the IGA and are willing to do that. Volpintesta said he doesn't want to get to 2012 and the BIA has issued approval to put this land in trust and then I have to explain to the county board that we cannot make any amendments. I want to know for sure that is a possibility if there is a need to do that.

Supervisor Clark made a motion to support corporation counsel's recommendation that we grant a 90-day extension. Seconded by Supervisor Ekornaas.

Molinaro said it will go on the agenda for next week's county board meeting but he requested Olson to communicate with the City. If they are not willing to do 90 days, we can amend the resolution on the board floor to match what the city does. Olson said he will talk to the City.

Supervisor Elverman said October 3 is the last date to make changes to your application. A big portion of your application is the IGA. He agreed with Volpintesta's concerns about being able to make amendments to the IGA after that date. Olson said there are a number of openers throughout the IGA. The Tribe wants to work with the city and the county. We are willing to talk about it. It should be brought up at the meeting the first week of October.

Molinaro said he needs to know definitively whether Olson's statement is correct. He would like Volpintesta to get an opinion from the Washington DC counsel. Ekornaas asked what changes are being contemplated that we should be discussing here. Volpintesta said there are a lot of unanswered questions. Is there a need for a new environmental impact statement? What will the projected win be? Highway K and changes to the freeway. My main concern is will the project be built as proposed? I don't know if they will have all these answers in 90 days. We need to know before next Tuesday if we cannot make changes. Ekornaas said if we hold it up and jeopardize it moving forward, they might jettison. We should not be obstructing. Clark said he believes there

are protections in the document. Olson said page 32 of the IGA addresses the mediation process. Clark told Volpintesta to be prepared to answer the question on Tuesday of what is the process if they come back in February and want to make changes. Olson said he will ask counsel to make sure if this moves along, we are able to change the IGA without having to reapply.

On the motion, all aye. YIG all aye. Motion carried.

At 8:20 pm Supervisors Noble and Bruenig left the meeting.

8:22 pm

7d. Criteria to evaluate the effectiveness of new committee structure:

Tedi Winnett, Director of UW-Extension Office has volunteered to compile data and issue a report on the new committee structure. Winnett introduce Kristen Lie of her staff who will be assisting her. Winnett asked what questions the report should answer. Clark said we need to know is it working? Is there an efficiency of staff time? How has attendance at these meetings been relative to other members showing up? Do supervisors feel involved? How do the departments feel? Elverman said people against the reorganization were certain some people would have too much power. Has anything come out of this committee that changed the county board? Ekornaas asked is this structure effective opposed to how the other structure worked. Supervisor Ron Frederick said you should look at the share of the workload and sharing responsibilities. Volpintesta said he did a time study of committees a couple of years ago regarding the size of the county board and it is on his department's website. You can use that as a benchmark under the old system. Winnett will put together a questionnaire with a timeline to get the report back to this committee by the end of November.

8:53 pm

6b. Contracting Policy

6c. Cell phone ordinance

6d. On-line publication

7a. Priority Driven Budget Process

Molinaro said he will defer these items to the next meeting

At 8:54 pm YIG Jekot left the meeting.

8:54 pm

7b. Taxpayer Advocate Position:

Molinaro said it is his desire to put something in the county board budget to provide us an opportunity to have an independent review of issues when we need them. Elverman said he is in favor of the concept. When you are trying to get information from administration, that is not the easiest thing to get.

At 9:03 pm, Supervisor Elverman left the meeting.

Clark said we have to work on the job description and title. He also wanted to go on record that this is not a position he will ever take. He has some information from Waukesha that he will make available. Supervisor Michel asked if this person could go into a department and demand something and expect to get it immediately. Volpintesta said there is a separation of powers. Any committee chairman can issue a subpoena. If your goal is to get information that you think you are not getting, you can issue a subpoena. It sounds like you are looking for someone to double check figures and look at alternatives. They would need qualifications in fiscal as well as operations. Ekornaas said they should look at proposals being made and come up with independent decisions. They will answer to us and not be influenced by the county executive or department head.

- 9:22 pm
7c. County Board Budget for 2012:
Molinaro distributed the proposed county board budget that was prepared by the county clerk.

Supervisor Clark made a motion to add a county board staff person effective April, 2012, title to be determined, and placed in the nonrep pay plan at the same level as the Assistant to the County Executive. Seconded by Supervisor Ekornaas.

Clark said this is a recommendation from the committee. If it is not in the budget, I am prepared to add it and also prepared to make cuts to the budget to pay for it. I want to understand the veto process. If we make cuts to the budget, the county executive cannot add them back. That is the question. Volpintesta said he has asked for two status reports from the Attorney General's office on this issue and has not received an answer. You are stuck with my opinion whether you follow it or not. Volpintesta will provide the committee members with a copy of his request.

On the motion, all aye. YIG aye. Motion carried.

- 9:40 pm
6a. Status of Corporation Counsel budget:
Molinaro said this will be addressed at our next meeting.

9:40 pm
Supervisor Clark made a motion to go into closed session pursuant to section 19.85(1)(g) of the Wisconsin Statutes. Seconded by Supervisor Ekornaas. A roll call vote was taken. Ayes: Molinaro, Ekornaas, Clark, Michel and YIG Rende. No one voted no. Motion carried.

- 10:20 pm
10. Any other business: None

10:20 pm
11. **Supervisor Clark made a motion to adjourn. Seconded by Supervisor Ekornaas. All aye. YIG voted aye. Motion carried.**

Meeting adjourned at 10:20 pm.

Respectfully submitted,

Linda Haney
Legal Assistant