

HUMAN SERVICES COMMITTEE  
Minutes of Meeting  
February 2, 2010  
Kenosha County Administration Building

Committee Members Present: Ed Kubicki, Terry Rose, Jeff Gentz, Dick Kessler, Jennifer Jackson

Committee Members Absent: Alice Wei (excused), Ali Khaleel

Staff Present: John Jansen, Mary Beier, Ron Rogers

Others Present: Supervisor John O'Day, Mary Jonker, Bob Simmons, Joe Potente-Kenosha News

1. Call to Order

The meeting was called to order at 6:30 p.m. by Ed Kubicki.

2. Citizen's Comments - None

3. Approval of Minutes - 1/5/10, 1/19/10

MOTION to approve minutes by Terry Rose, seconded by Jennifer Jackson. MOTION CARRIED UNANIMOUSLY.

4. Resolution to Approve the County Executive Appointment of Robert Pitts to the Brookside Board of Trustees

John Jansen explained that Bob Pitts is in Madison today at the Nursing Home Lobby Day, which he attends every year. A contingent from Kenosha is meeting with legislators on issues facing nursing homes and the funding they get. Mr. Pitts has served for a number of years on the Brookside Board of Trustees and is currently the chair. He attended 35 out of 35 meetings during his last appointment. He has been a very active member of the Brookside Board and continues to advocate for our nursing home.

Dick Kessler (also a member of the Brookside Board of Trustees) added that Bob Pitts is very dedicated and is doing a great job.

MOTION to approve by Dick Kessler, seconded by Terry Rose. MOTION CARRIED UNANIMOUSLY.

5. Resolution to Approve the County Executive Appointment of Bob Simmons to the Administrative Board of Appeals

Ron Rogers said that Bob Simmons is a former employee of Kenosha County, having started in 1975. He worked a total of 33 years, most of them as Economic Support Supervisor, before retiring in April, 2008. The Administrative Board of Appeals currently has 3 members, but it should have 5. Mr. Simmons will be the 4th member. The Appeals Board currently hears appeals from day care providers who have been denied certification or have been suspended or revoked. Mr. Simmons will be a very good addition to this panel.

Terry Rose said that he has known Bob Simmons for many years and has nothing personal against him. But he feels the deck is being stacked against the people appealing to this Board of Appeals. It was confirmed to Mr. Rose that the current panel members are Sy Adler, Anne Bergo, and Sandie Bisciglia. Mr. Rose feels that too many former Human Service people are being added to this Board. He doesn't like this and said it's time to speak up on this issue. He wanted a commitment from Mr. Simmons that he will be objective when hearing the issues.

Bob Simmons replied that Mr. Rose's point is well taken. He believes that people who file for an appeal deserve a fair, unbiased review. The Department will have their evidence and the appealing party will have their evidence. Each case will be weighed on its own merits. He is still somewhat attached to the Department emotionally, but he will be objective.

Ron Rogers said that the appointment of Ben Harbach to the Appeals Board is on the County Board agenda tonight to be referred to this committee. He will be the 5th and final member.

Jennifer Jackson asked Mr. Simmons, if he was hearing an appealed case that he felt should be overturned, would he fear repercussions. Mr. Simmons replied, 'no'. Ms. Jackson further asked, if he felt people were not being objective, would he report it. He replied, 'yes'.

Mr. Rogers said that this could be reported to John Jansen, Chris Hribal, or himself. He added that when this Appeals Board was created, it was decided not to use County employees to populate this Board to keep it fair.

Mr. Simmons stated that as he understands it, there will be 3 people at each of the hearings. He will cast his vote according to his conscience. Anne Bergo and Sy Adler are devoted people and he knows them well. He doesn't believe that objectivity will be an issue, but he would say something if it happened.

John Jansen said that this is just one of many steps in the process. We thought it was important to have people who understand the business. Their decisions will be made according to regulations and state statutes.

MOTION to approve by Jennifer Jackson, seconded by Terry Rose. MOTION CARRIED UNANIMOUSLY.

6. Resolution to "Re-Authorize" the Use of Juvenile Secure Detention for the Juvenile Court as an alternative at Disposition, as a Short Term Hold, and as a Sanction for Habitual School Truants

Mary Beier said that this is the 4th time she has prepared this resolution. It needs to be approved by the County Board before the Court can utilize this option. In 1996, the legislature added this to the statutes, stating that this must be approved by the County Board. Short-term holds are imposed by DCFS workers. There is a very thorough process for social workers to authorize these holds. While the juvenile is under supervision, they cannot be held longer than 72 hours in detention. This provision is used very conservatively. Ms. Beier cited an example of when it was used. 'A juvenile was suspected of armed robbery while on supervision. Law enforcement was still investigating. The social worker took the juvenile into custody and placed him in detention while the investigation was taking place.' We do not use detention as a consequence. The social worker must

meet with the juvenile and have a face-to-face while in detention or immediately upon release. It is only done with both supervisor and Juvenile Intake approval.

Mr. Rose said he is opposed to this in the form it's written. It gives social workers too much authority, more than a judge. A judge must always have a hearing before imposing 30 days or 10 days of detention. He wanted the language changed to state that the juvenile could be placed in detention but to bring it before the judge within 72 hours. He further asked what this is going to cost.

Mary Beier replied that the 5th paragraph of the resolution was taken directly from the State Statutes. It's from the Wisconsin law. The law states that the social worker does not need to bring the juvenile in for a hearing. As to the cost, in 2009, there were 81 juveniles held in detention for a total of 342 days. At \$134 per day, this totaled \$45,828 for short-term holds. For all 3 types of detention, the total was 453 days for a total of \$60,702. We will be paying \$115 per day at Washington County.

Terry Rose moved to amend the 5th paragraph of the resolution to state "may, with a hearing in 72 hours before the judge..."

Ron Rogers said that we have been using this for quite a while. He respects what Mr. Rose is saying, but when you are working with adjudicated juvenile delinquents, very close monitoring and quick actions are what keep kids from getting into more trouble. If one of our programs that is monitoring the juvenile finds something (maybe fighting, marijuana, etc.), they might recommend the juvenile be put in a safe place so an investigation can take place. We can then regroup and put in new services as needed. We intervene quickly and cut off bad behavior before it gets worse. Sending kids to placements costs more money.

John Jansen added that these juveniles are warned at their dispositional hearings that they could be put in detention. Putting juveniles in front of judges more often presents an opportunity for the DA to pursue charges that could be different from what the social worker would recommend. The juvenile might get placed when that wasn't our intention. It would be a snowball effect. Jeff Gentz agreed with Mr. Jansen.

Mr. Rose said that Mr. Jansen doesn't want the DA meddling with the DCFS plan.

Mr. Rogers said that to bring the child before the court, before we know what the problem is, would make this process much more cumbersome. It is not necessary.

Detention is now in Washington County, not Racine County. Parents sometimes transport their child to detention.

Mary Beier said that this has been going to the County Board since 1996 and has been passed every time. This is the first time to come before the Human Services Committee.

Ed Kubicki said that he does not want to change the Wis. State Statute language in the resolution.

MOTION to approve by Jeff Gentz, seconded by Dick Kessler. MOTION CARRIED, with Terry Rose voting 'no'.

7. DWD: Resolution to Modify the 2010 Budget to Add an Office Support Worker

John Jansen requested that this item be tabled to the next meeting on Feb. 17th. Personnel wants to get more information before bringing it before this committee.

8. DADS: Resolution to Modify 2010 Budget to Add Bureau of Justice Assistance Funding

John Jansen stated that the Division of Aging & Disability Services received a Justice Assistance grant with Racine several months ago. It was a planning grant. We then submitted a 30-month plan to provide some diversion programming and received \$132,444 for 3 years ending 9/30/12. We will set up a program for persons with a mental health diagnosis arrested for misdemeanor non-violent offenses. This is to assist in an early release process. Ms. Jackson asked why only 'non-violent' persons. Mr. Jansen replied that we are tackling only non-violent persons first. This is also a requirement of receiving this funding.

Mr. Rose stated that he is in support of this. It was clarified that there is "no" county levy, and the word 'additional' was removed from the language in the resolution. Mr. Rose said that his only criticism would be that this doesn't do enough. It's been a problem since St. Catherine's Hospital closed about 10 years ago.

MOTION to approve by Jeff Gentz, seconded by Terry Rose. MOTION CARRIED UNANIMOUSLY.

9. Such Other Business as Authorized by Law

John Jansen asked the committee members what type of presentation they would like on homelessness. There is the HUD definition of kids living on the streets, in cars, vacant buildings, etc. Then there's the KUSD definition, from the McKinley Vento Act, where kids don't have a home but they are living with another family, bouncing from house to house. The committee members unanimously requested a presentation of both.

Sharon Davis stated that there will be a special meeting held on Wednesday, Feb. 17th at 6:30 p.m. with agenda items to include another appointment to the Administrative Board of Appeals, the DWD resolution tabled tonight adding an office support worker, and hopefully the presentation on homelessness.

10. Committee Members Comments - None

11. Adjournment

It was moved to adjourn by Jeff Gentz, seconded by Dick Kessler. Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Sharon Davis  
KCDHS Secretary

F:Sharon/HSCmin 2-2-10