

**WINNEBAGO COUNTY BOARD OF SUPERVISORS**  
**JUDICIARY & PUBLIC SAFETY COMMITTEE**

DATE: MARCH 29, 2010

TIME: 9:00 A.M.

PLACE: PERSONNEL CONFERENCE ROOM  
ORRIN KING ADMINISTRATION BUILDING  
448 ALGOMA BOULEVARD, OSHKOSH

PRESENT: HARVEY RENGSTORF  
LAWRENCE SMITH  
BILL WINGREN  
TOM ELLIS  
DONALD GRIESBACH

ALSO PRESENT: DIANE FREMGEN – CLERK OF COURTS  
DAVID KECK – COURT COMMISSIONER  
PAUL EISEN – COUNTY BOARD/DISTRICT 4  
SUE ERTMER – COUNTY CLERK  
MICHAEL BROOKS – SHERIFF'S OFFICE  
BILL TEDLIE – SHERIFF'S OFFICE  
JOHN MATZ – SHERIFF'S OFFICE  
STEVE VERWIEL – SHERIFF'S OFFICE  
BARB SPANBAUER – SHERIFF'S OFFICE  
JENNIFER WOLDT – OSHKOSH NORTHWESTERN  
REPRESENTATIVES OF CHRISTINE ANN CENTER  
LARRY LAST – PUBLIC/TOWN OF NEKIMI  
DEBRA LAST – PUBLIC/TOWN OF NEKIMI

Chairman Harvey Rengstorf called the meeting to order at 9:00 a.m.

**1. Approve minutes from the March 8, 2010 meeting**

A motion to approve the minutes was made by Donald Griesbach, seconded by Tom Ellis. All in favor, motion carried 5-0.

**2. Communications**

Harvey advised everyone received a letter regarding County Board rules. Discussion will be done under agenda item #6.

**3. Input on agenda items by public**

County Board Supervisor Paul Eisen handed out copies of his suggestions regarding County Board Rules. He believes that the County Board is not always adequately prepared to deal with resolutions for funding and action and would like to see:

- A) Committee Minutes published in a timely manner allowing supervisors time to read the minutes prior to any action being taken on resolutions put before the Board.
- B) A second Vice-Chair position added to the Board
- C) Authorization given to the County Board Chair to employ a Legislative Assistant who would do research on resolutions and assigned projects. The Legislative Assistant would report to the second Vice-Chair.

- D) Quarterly reports from the Chair of the Personnel and Finance Committee as to the outcome and final dispositions of all claims denied by the County Board.

See agenda item #6 for more information.

**4. Resolution for approval to accept firearms grant – Clerk of Courts**

Diane Fremgen advised that under current State law, an individual who has a Domestic Abuse Injunction ordered against them are ordered to surrender any firearms that they have. It is not mandatory at this time for counties to monitor the surrender of firearms, but there is pending legislation on this issue.

Winnebago County applied for, and received, a grant for \$37,399 to help develop a State protocol that would require some monitoring of the surrender of firearms. By being a pilot County it gives Winnebago County some say as to how this is done should the monitoring become mandatory at some point. This grant money would be allocated between the Clerk of Courts and the Sheriff's Office.

Court Commissioner David Keck advised that he hears these cases and does issue Domestic Abuse Injunctions regularly and he is required to order the surrender of firearms. The way the Statute reads now is that the respondent is to surrender any firearms to a 3<sup>rd</sup> party approved by the judge or to the Sheriff's Office. There is nothing in the courts procedures or the Statutes that requires any type of follow-up to check on the surrenders. The new procedure will have a second hearing date set for one week after the initial hearing in which the respondent will then have the opportunity to appear in court and show that they either turned their firearms over to the Sheriff's Office or to bring in the 3<sup>rd</sup> party to verify the firearms were surrendered to them.

A motion to approve the resolution for acceptance of the \$37,399 firearms grant was made by Bill Wingren, seconded by Donald Griesbach. All in favor, motion carried 5-0.

**5. Request to reclassify Secretary II to Court Assistant – Clerk of Courts**

Diane Fremgen advised that during her 2010 budget process last summer she had originally asked for two-(2) Court Assistant positions for the Circuit Courts. This would have given every court an assigned assistant which have allowed them to implement and utilize video conferencing, cut down on overtime and improve efficiencies. She was only able to get one position at that time.

Since that time she has had a clerk from criminal/traffic move into the newly approved Court Assistant position. She then re-evaluated the current processes in criminal/traffic and found that she would be able to eliminate a criminal/traffic position. Due to this she would like to take the eliminated position and have it re-classed to an additional Court Assistant position. The cost of the re-class is \$4,000. The savings in overtime is estimated at about \$5,000.

A motion to approve the re-class of a Secretary II position to a Court Assistant position was made by Donald Griesbach, seconded by Lawrence Smith. All in favor, motion carried 5-0.

**6. County Board Rules update**

Harvey Rengstorf advised what some of the suggested rule changes are:

- A) Rule 7.5 *Every resolution having monetary implications shall have a fiscal note attached or included.*

Suggestion: Add cost benefit analysis so the rule would read: *Every resolution having monetary implications shall have a fiscal note and cost benefit analysis with monies involved attached or included.*

A motion to forward this change to the County Board was made by Bill Wingren, seconded by Lawrence Smith. All in favor, motion carried 5-0.

- B) Rule 7.6 *Any Committee of Jurisdiction may submit to the County Board a request which has been rejected by Personnel and Finance Committee. However, this request resolution must have a two-thirds affirmative vote of the County Board membership for adoption except at the County Board Annual Budget Session.*

Suggestion: *Remove However, this request resolution must have a two-thirds affirmative vote of the County Board membership for adoption except at the County Board Annual Budget Session.*

It was the consensus of the committee that this portion of the rule not be eliminated.

Another issue presented by Paul Eisen was in regard to The Lakeland Long-Term District being established and approved as a new government agency to administer long-term care without the Board being adequately informed or given the opportunity of choosing a private non-governmental model. Donald Griesbach stated that using privately-run agencies such as is done by Waushara and Outagamie County has not yet been proven to save or cost money either. He believes it is all on a trial-run basis with the results to be known sometime in the future.

Another issue that was raised by Paul Eisen is that *"on June 20, 2006 money was appropriated for change to narrow-band radio in the sheriff's department despite a supervisors appeal that action on this request was premature for federal compliance. This appropriation was approved and passed. Subsequently, this money was transferred to another internal department need and the original intended use is still unmet."*

Sheriff Brooks advised that he does not recall anything being done on June 20, 2006, but did inform the group about the monies still remaining in his original budget setup when the Sheriff's Office moved to the new building. This was the money necessary for the E911 Telephony (E911 phone system), along with the shared CAD and Records Management System. There was roughly \$400,000 left in the fund. This fund was approved not for meeting the FCC mandate for narrow-band; it was approved for previous purchases. At some point he gave a presentation to the Board on the need to study what the costs would be etc. and at that time \$25, 000 was allocated to do a study and have a vendor talk about the different types of systems and make recommendations on what their needs would be. Subsequently there was also a need to change the E911 Telephony and he went to the Board and they transferred money from the left over money from previous purchases (again not the FCC mandate). Then because Outagamie and Calumet decided to go together, the \$25, 000 study was never completed and Winnebago County has not been charged for it, so that money still remains.

Paul Eisen believes that the FCC mandate did not need to be done until 2017 and not 2011. He believes that supervisors should do more research rather than just relying on Department Heads. He stated that Outagamie County has a legislative coordinating department who do this and report to the Chairman. He again referred to having a Legislative Assistant position who would do research on resolutions and assigned projects. A motion was made by Harvey Rengstorf to accept a legislative position, seconded by Bill Wingren; however, Bill also stated that he believes if this resolution is passed, the committee is just as guilty of bad judgment as Paul Eisen is saying. The committee has no information as to the cost of this position, no job description, and it would be irresponsible to approve the position now without that information. A vote was then taken and the motion failed with all members voting against it 0-5.

Harvey Rengstorf then asked the committee about Paul Eisen's earlier suggestion of having quarterly reports from the Chair of the Personnel and Finance Committee as to the outcome and final dispositions of all claims denied by the County Board. The consensus of all committee members was to not make this change.

**7. TV purchase on EOC setup – Sheriff's Office**

Sheriff Brooks requested that this be moved to the next meeting when the Richard Meyer Community Resource Room, which is also the EOC where the TV would be kept, is available so the committee has a better understanding of the type of purchase they are looking to make.

**8. Sheriff's Report**

Sheriff Brooks advised that nine-(9) bids have been received regarding the jail study. He asked the County Board Chair to appoint some County Board members to look at the bids along with three-(3) members of the Sheriff's Office. He asked the Chairman to consider appointing members from the Personnel and Finance Committee and from the Judiciary and Public Safety Committee. He stated that the 2007 deliverables came into question the last time he went to the County Board and he feels having members of the County Board review these bids along with his office as to what they want and don't want will bring better results. The holdover from the Regional Jail Study was roughly \$19,000

Captain John Matz advised that they are currently working on a grant regarding Mental Health Court for both adults and juveniles. Individuals diagnosed with a mental health issue and have alcohol/drug factors that may have been part of the commission of a crime would be diverted to the Mental Health Court. The individuals will enter into contracts with the mental health workers and the court that they will not re-offend and stay on their medication. Many times they re-offend because they stop medications. Other counties currently using this have a day-reporting type system where these individuals come in and they verify that they are taking their medications and have not violated the contract they are under. Sheriff Brooks advised that due to the trend over the last 15 years, halfway houses and other treating mediums were eliminated and these individuals were then placed in the jails, which is a highly inappropriate place for them.

There are currently 349 inmates in the jail with four-(4) of them being State inmates and two-(2) are being held for Calumet County. Sheriff Brooks advised that the national standard is that if a jail is 80% full they are overcrowded. Overcrowding means that a jail is not able to house inmates in the appropriate place based on their classification (type of behavior) which creates the risk of liability issues.

**9. Items for next agenda**

TV purchase on EOC setup – Sheriff's Office

Bill Wingren took this opportunity to advise that this was Donald Griesbach's last Judiciary & Public Safety Committee meeting and he wanted salute Don for being on the committee for 12 years and there was never a question as to his integrity, honesty, and his passion and he thanked Don for everything he has learned from him.

**10. Future meeting date**

April 19, 2010

9:00 a.m.

Richard Meyer Community Resource Room

**11. Adjournment**

A motion to adjourn was made at 10:02 a.m. by Lawrence Smith, seconded by Donald Griesbach. All in favor, motion carried 5-0.

Respectfully Submitted:

Sandy Schauz  
Winnebago County Sheriff's Office