

SIXTH DAY'S SESSION

Port Washington, Wisconsin
July 7, 2010

The County Board reconvened at 9:00 A.M. pursuant to adjournment and was called to order by Chairperson Brooks.

The Clerk took the roll. All members were present except: Excused - Supervisors: Stumpf, Cronce, and Rothstein.

Board members stood and recited the Pledge of Allegiance.

Motion made by Supervisor Nelson, seconded by Supervisor Kletti, that the Journal of the Fourth and Fifth Day's Sessions be approved as mailed. All members present voting aye, the motion was declared adopted.

RESOLUTION NO. 10-10

COMMENDATION – MARILYN M. GEISLER

WHEREAS, Marilyn M. Geissler began employment with Ozaukee County on January 4, 1995 as an Account Clerk I in the County Clerk's office. She served in this capacity until January 12, 1999 when she was reclassified to Accounting Specialist. In 2001 the Finance Department was created and Marilyn continued in her position of Accounting Specialist until her retirement date of July 16, 2010; and

WHEREAS, Marilyn was always penny-wise with Ozaukee County's taxpayer dollars as she carefully scrutinized every invoice prior to payment. When she reviewed employee expense reimbursements all knew she applied the County's allowable expenses fairly and accurately. Marilyn's work ethics and handling of disbursements is commendable; and

WHEREAS, Marilyn is always focused and dependable; she knows what needs to be done and accomplishes it. She is self-motivated, hard-working and has an acute attention to detail. Marilyn displays great interpersonal communication skills when interacting with various departments; is a most professional and conscientious employee whose skill, experience and dedication are just a few of the assets that have greatly benefited the county.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors commends Marilyn M. Geissler for the 15 plus years of dedicated service given by her to the citizens of Ozaukee County.

Dated at Port Washington, Wisconsin, this 7th day of July, 2010.

<u>ADMINISTRATIVE COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mark A. Cronce
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Daniel P. Becker
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jean M. Zens
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lee Schlenvogt
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gustav W. Wirth, Jr.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Robert A. Brooks

Motion made by Supervisor Wirth, seconded by Supervisor Schlenvogt, that Resolution No. 10-10 be adopted. The vote was taken. All members present voting aye, the motion was declared adopted. The commendation will be presented to Marilyn M. Geissler by the head of her department.

Under communications, the clerk noted two corrections to resolutions that were mailed in the packet.

9:05AM Supervisor Callen in attendance.

There were no claims.

Under public comment, Gladys Huber, Terry Anewenter, Cathy Stern, and Jim Konowalski spoke in support of Resolution No. 10-16 regarding apologizing to the citizens of Arizona for the action taken by the MATC Board.

The County Administrator presented his monthly report, which included information on the start of reviewing labor contracts; compliments received on the restoration of the County Board Chambers from the YMCA; schedule for County Board mid-month meetings; and the Distinguished Budget Presentation Award from the Government Finance Officers Association to Ozaukee County with special thanks of a Certificate of Recognition to Assistant County Administrator Dzwinel, Finance Director Lamb, and Budget and Grants Manager Brandner.

RESOLUTION NO. 10-11

ACCEPTANCE OF 2010 – 2011 WISCONSIN COASTAL MANAGEMENT PROGRAM GRANT FOR SUCKER CREEK COASTAL WATERSHED PROJECT

WHEREAS, The Wisconsin Coastal Management Program was established in 1978 under the Federal Coastal Zone Management Act to protect and wisely use this valuable natural resource for present and future generations; and

WHEREAS, the Wisconsin Coastal Management Program works to strengthen the capacity of local governments to undertake effective coastal management, advocate the wise and balanced use of the coastal environment, and inform the public about coastal issues and increase opportunities for citizen participation in decisions affecting the Great Lakes; and

WHEREAS, the Environment and Land Use Committee authorized the Land and Water Management Department to apply for Wisconsin Coastal Management Program funding under a competitive request for proposals administered by the Wisconsin De-

partment of Administration for initiatives to improve the water quality of Sucker Creek at their November 4, 2009 meeting; and

WHEREAS, this project is consistent with the approved *Ozaukee County Land and Water Resource Management Plan*; and

WHEREAS, the overall water quality of Sucker Creek is fair to poor, based on the *State of the Sheboygan River Basin Report, October 2001*; and

WHEREAS, increased efforts are necessary to improve the water quality of Sucker Creek which flows directly to Lake Michigan in the proximity of two public beaches; Upper Lake Park and Harrington Beach, which experience frequent beach closings.

NOW, THEREFORE, BE IT RESOLVED by the Ozaukee County Board of Supervisors that Ozaukee County Land and Water Management Department is authorized to act on behalf of Ozaukee County to accept and implement the Wisconsin Coastal Management Program Grant for initiatives to improve the water quality of Sucker Creek.

BE IT FURTHER RESOLVED that Ozaukee County will comply with state rules for the program and will meet the financial obligations under the grant.

Dated at Port Washington, Wisconsin, this 7th day of July 2010.

<u>ENVIRONMENT & LAND USE COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	William S. Niehaus
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Donald G. Dohrwardt
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Timothy F. Kaul
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Joseph A. Dean
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John J. Slater
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Carl Dobberfuhl (FSA Rep)

Motion made by Supervisor Dohrwardt, seconded by Supervisor Niehaus, that Resolution No. 10-11 be adopted. Supervisor Leider recognized Land & Water Management Director Holschbach to answer questions. The vote was taken as follows: Ayes – 28, Nays - 0, Absent - 3. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 10-12
TRANSFER OF FUNDS - 2010

RESOLVED, by the Ozaukee County Board of Supervisors, that funds be transferred as follows:

	ACCOUNT NUMBER	DEPARTMENT/ACCOUNT NAME	AMOUNT	AMOUNT
TO:	117-3-01-51101-000	Land & Water Management - Wisconsin Coastal - Grant Program / Regular Salaries & Wages	\$ 6,350	
	117-3-01-51201-001	Land & Water Management - Wisconsin Coastal - Grant Program / Social Security Tax	\$ 388	
	117-3-01-51201-002	Land & Water Management - Wisconsin Coastal - Grant Program / Medicare Tax	\$ 91	
	117-3-01-51202-000	Land & Water Management - Wisconsin Coastal - Grant Program / Retirement	\$ 706	
	117-3-01-51203-000	Land & Water Management - Wisconsin Coastal - Grant Program / Health Insurance	\$ 765	
	117-3-01-52002-000	Land & Water Management - Wisconsin Coastal - Grant Program / Travel	\$ 500	
	17-3-01-53111-000	Land & Water Management - Wisconsin Coastal - Grant Program / Other Equipment	\$ 5,000	
	117-3-01-53599-000	Land & Water Management - Wisconsin Coastal - Grant Program / Other Supplies	\$ 5,000	
	117-3-01-54106-000	Land & Water Management - Wisconsin Coastal - Grant Program / Contractual Services	\$ 11,625	
	117-3-01-54114-000	Land & Water Management - Wisconsin Coastal - Grant Program / Laboratory Services	\$ 1,800	
	117-3-01-58170-000	Land & Water Management - Wisconsin Coastal - Grant Program / Grant to Other Organizations	\$ 1,500	
FROM :	117-3-01-42322-000	Land & Water Management - Wisconsin Coastal - Grant Program / State Aids - Grant		\$ 33,725
TO:	113-1-03-53111-004	Emergency Management - EPCRA SARA / Other Equipment - Homeland Security Grants	\$ 3,400	
FROM :	113-1-03-42320-004	Emergency Management - EPCRA SARA / State Aid - Homeland Security Grants		\$ 3,400

Dated at Port Washington, Wisconsin, this 7th day of July, 2010

*Vote for Land & Water Management Transfer

ENVIRONMENT & LAND USE COMMITTEE

YES NO ABSTAIN ABSENT SUPERVISOR

X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	William S. Niehaus
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Donald G. Dohrwardt
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Timothy F. Kaul
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Joseph A. Dean
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John J. Slater
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Carl Dobberfuhl (FSA Rep)

*Vote for Emergency Management Transfer

PUBLIC SAFETY COMMITTEE

YES NO ABSTAIN ABSENT SUPERVISOR

X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Richard C. Nelson
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Daniel R. Buntrock
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerald E. Walker
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nancy Szatkowski
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thomas E. Winker

ADMINISTRATIVE COMMITTEE

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mark A. Cronic
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Daniel P. Becker
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jean M. Zens
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lee Schlenvogt
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gustav W. Wirth, Jr.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Robert A. Brooks

Motion made by Supervisor Nelson, seconded by Supervisor Leider, that Resolution No. 10-12 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 3. With two-thirds of the members elect voting aye, the motion was declared adopted.

RESOLUTION NO. 10-13

APPROVING A \$50,000 LOAN FOR LDC-728 MILWAUKEE, LLC
FROM THE REVOLVING LOAN FUND PROGRAM

WHEREAS, Ozaukee County manages the Ozaukee County Revolving Loan Fund (RLF) Program with Community Development Block Grant (CDBG) monies provided by the Wisconsin Department of Commerce; and

WHEREAS, LDC-728 Milwaukee, LLC is a privately-held company owned by Thomas DeMuth and Brett Grasse, and it currently owns the 100 N. Franklin Street Building (The Former Smith Brothers Building); and

WHEREAS, LDC-728 Milwaukee, LLC has entered into a 90-month lease with Franklin Energy Services, LLC for 11,000 square feet on the building's second floor foot building; and

WHEREAS, Franklin Energy Services, LLC currently employs thirty-two full time employees within the City of Port Washington and will be adding eighteen new employees as part of their relocation to the North Franklin Street Building; and

WHEREAS, LDC-728 Milwaukee, LLC will be utilizing these funds for the build out and furnishing of the new Franklin Energy space on North Franklin Street; and

WHEREAS the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has reviewed the loan application and provided a memo, dated June 29, 2010, detailing the viability of loan; and

WHEREAS, the Ozaukee County Administrative Committee has reviewed the LDC-728 Milwaukee, LLC RLF application and recommended approval of this loan subject to the conditions contained in the SEWRPC memo.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors does hereby approve a \$50,000 loan from its Revolving Loan Fund to LDC-728 Milwaukee, LLC to be used to assist with the build out and furnishing of the second floor of 100 N. Franklin Street in the City of Port Washington, subject to the conditions contained in the SEWRPC memo, dated June 29, 2010.

Dated at Port Washington, Wisconsin, this 7th day of July 2010.

<u>ADMINISTRATIVE COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mark A. Cronic
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Daniel P. Becker
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jean M. Zens
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lee Schlenvogt
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gustav Wirth, Jr.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Robert A. Brooks

Motion made by Supervisor Geracie, seconded by Supervisor Walker, that Resolution No. 10-13 be adopted. Chairperson Brooks recognized Economic Development Director Schilling to answer questions. The vote was taken as follows: Ayes – 27 (Winker, Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Meyer, Kaul, Kletti, Richart, Grosklaus, Hazelwood, Buntrock, Walker, Geracie, Wirth, Callen, Zens, Marchese, Hertz, Bock, Walerstein, Szatkowski, Slater), Nays – 1 (Uselding), Absent – 3 (Stumpf, Cronic, Rothstein). The majority of the members present voting aye, the motion was declared adopted.

9:39AM Supervisor Wirth out of attendance.

RESOLUTION NO. 10-14

DECLARATION OF THE SECOND SATURDAY IN MAY AS INTERNATIONAL MIGRATORY BIRD DAY AND AUTHORIZATION FOR OZAUKEE COUNTY TO APPLY AND IMPLEMENT CRITERIA FOR “BIRD CITY” RECOGNITION

WHEREAS, Ozaukee County, Wisconsin has a long history of supporting actions that support migratory birds and bird habitat through the protection, preservation and management of parks, natural areas, trail corridors and open space; effective community forestry management including the management of invasive species; limiting or removing hazards to birds; the sale of bird houses and creation of bluebird trails; the development of educational information on migratory birds and their habitat; and recognition and celebration of International Migratory Bird Day; and

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that enhance our community and quality of life; and

WHEREAS, our citizens recognize and welcome migratory songbirds as symbolic harbingers of spring and enjoy all the opportunities they have to engage in great, recreational endeavors such as bird-watching and nature photography; and

WHEREAS, these migrant bird species also play an important economic role in our community, controlling insect pests and generating revenue related to bird watching activities and tourism; and

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS, public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, on April 2, 2008 the Ozaukee County Board of Supervisors adopted *A Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035* (Resolution 07-72) and enacted ordinance 07-8 as Chapter 13 in the County Code of Ordinances and this plan identifies a number of programs to preserve and protect natural habitat; and

WHEREAS, an inventory of Important Bird Areas in Ozaukee County was developed as part of the *Multi-jurisdictional Comprehensive Plan for Ozaukee County* and specific recommendations for the preservation of these lands was included in the *Multi-jurisdictional Comprehensive Plan for Ozaukee County*; and

WHEREAS, the Ozaukee County Board of Supervisors, acting on the recommendation of the Ozaukee County Park Commission, adopted Resolution 01-13 on May 2, 2001; and

WHEREAS, this resolution adopted the *Park and Open Space Plan for Ozaukee County*, which includes a comprehensive analysis and recommendations for the Open Space Preservation Element from the *Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin* for Ozaukee County, and the Outdoor Recreation Element; whereby, the plan recommends the protection of environmental corridors and natural areas and the provision of outdoor recreation opportunities and public access; and

WHEREAS, the Ozaukee County Board of Supervisors is concerned about the current trend of declining populations of migratory birds and the decrease in their natural habitat through the infringement upon natural areas and environmental corridors in Ozaukee County based on the results of the *Ozaukee County Strategic Plan* and the *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035*; and

WHEREAS, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in Ozaukee County and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean and the southern United States; and

WHEREAS, thousands of people will observe IMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

WHEREAS, Ozaukee County celebrated and recognized IMBD on Saturday, May 8, 2010 at the Forest Beach Migratory Preserve with numerous other partners including the Ozaukee Washington Land Trust, the United States Fish and Wildlife Service, Riveredge Bird Club, and Wisconsin Department of Natural Resources and provided public information about migratory bird conservation through the distribution of the Ozaukee Trailside Birding Guide and a call to action for protecting birds.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors declares the second Saturday in May as International Migratory Bird Day having recognized and celebrated this day on May 8, 2010 and having plans to celebrate again in 2011; and

FUTHER RESOLVED, that the Ozaukee County Board of Supervisors supports efforts to protect and conserve migratory birds and their habitats in our community; and

FURTHER RESOLVED, that the Ozaukee County Board of Supervisors, through the Planning and Parks Department, authorizes the Director of Planning and Parks to submit an application and application fee to Bird City Wisconsin and implement the criteria established by Bird City Wisconsin, so that Ozaukee County can earn a “Bird City” designation that will further enhance the County’s reputation for leadership in protecting its natural environment including bird habitats as well as recognize the interest of many of its citizens in bird conservation.

Dated at Port Washington, Wisconsin, this 7th day of July, 2010.

<u>ENVIRONMENT & LAND USE COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	William S. Niehaus
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Donald G. Dohrwardt
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Timothy F. Kaul
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Joseph A. Dean
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John J. Slater

Motion made by Supervisor Szatkowski, seconded by Supervisor Niehaus, that Resolution No. 10-14 be adopted. The vote was taken as follows: Ayes – 16 (Winker, Niehaus, Brooks, Schlenvogt, Becker, Dean, Meyer, Kaul, Richart, Walker, Geracie, Callen, Zens, Hertz, Bock, Slater), Nays – 11 (Leider, Dohrwardt, Nelson, Kletti, Grosklaus, Hazelwood, Buntrock, Uselding, Marchese, Walerstein, Szatkowski) Absent – 4 (Stumpf, Cronce, Rothstein, Wirth). The majority of the members present voting aye, the motion was declared adopted.

9:41AM Supervisor Wirth in attendance.

RESOLUTION NO. 10-15

SUPPORTING AN INDEPENDENT STUDY OF WISCONSIN’S ECONOMIC DEVELOPMENT COMPETITIVENESS AND POSITIONING

WHEREAS, Ozaukee County understands the Wisconsin Economic Development Association (WEDA), Competitive Wisconsin, Inc. (CWI), the Wisconsin Counties Association (WCA), and the Wisconsin Economic Development Institute (WEDI) are all Wisconsin-based statewide organizations which have agreed to collaboratively conduct a research project that examines Wisconsin’s overall regional, national and global economic development competitiveness and positioning; and

WHEREAS, Ozaukee County understands the *Wisconsin Economic Development Competiveness and Positioning Study* will analyze Wisconsin’s capacity to retain and expand existing businesses, and attract new business investment in a changing economic climate; and

WHEREAS, Ozaukee County understands the *Wisconsin Economic Development Competiveness and Positioning Study* will offer program and policy recommendations to align and advance local, regional, and statewide economic development efforts in Wisconsin; and,

WHEREAS, Ozaukee County understands the *Wisconsin Economic Development Competiveness and Positioning Study* will create the framework for a new, bold statewide economic development plan; and

WHEREAS, Ozaukee County understands the *Wisconsin Economic Development Competiveness and Positioning Study* will be prepared by an independent third-party consulting firm with significant national experience in economic development policy, planning, siting, recruiting, expansion, innovation, industry clusters, and comparative market analysis; and

WHEREAS, Ozaukee County understands the *Wisconsin Economic Development Competiveness and Positioning Study* will be publicly released and presented in numerous venues throughout Wisconsin in 2010; and

WHEREAS, WEDA, CWI, and WCA have requested support for the *Wisconsin Economic Development Competiveness and Positioning Study* from organizations and governmental agencies interested in supporting economic development; and

WHEREAS, Ozaukee County wishes to support economic development initiatives which result in improved economic conditions and business growth throughout the state of Wisconsin; and

WHEREAS, Ozaukee County authorizes this resolution in lieu of financial support to WEDA, CWI, and WCA in pursuit of this initiative.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors hereby supports and endorses preparation of the *Wisconsin Economic Development Competiveness and Positioning Study*, conducted by the Wisconsin Economic Development Association (WEDA), Competitive Wisconsin, Inc. (CWI), and the Wisconsin Counties Association (WCA), with support from the Wisconsin Economic Development Institute (WEDI); and

FURTHER RESOLVED, that the Ozaukee County Board of Supervisors believes the public policy discussion regarding the state's investments in the area of economic development should occur during the 2010 Wisconsin gubernatorial election.

FURTHER RESOLVED, by the Ozaukee County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Wisconsin Counties Association.

Dated at Port Washington, Wisconsin, this 7th day of July 2010.

<u>EXECUTIVE COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Robert A. Brooks
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Mark A. Cronce
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Richard C. Nelson
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	William S. Niehaus
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cynthia G. Bock
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	James H. Uselding
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kathlyn T. Geracie

Motion made by Supervisor Nelson, seconded by Supervisor Szatkowski, that Resolution No. 10-15 be adopted. Discussion. The vote was taken as follows: Ayes – 21 (Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Meyer, Kaul, Buntrock, Walker, Geracie, Wirth, Callen, Zens, Marchese, Bock, Walerstein, Szatkowski, Slater), Nays – 7 (Winker, Kletti, Richart, Grosklaus, Hazelwood, Uselding, Hertz), Absent – 3 (Stumpf, Cronce, Rothstein). The majority of the members present voting aye, the motion was declared adopted.

Motion made by Supervisor Meyer to object to consideration of Resolution No. 10-16. No second to the motion is required. The vote was taken as follows: Ayes – 11 (Leider, Meyer, Richart, Wirth, Uselding, Zens, Marchese, Hertz, Bock, Geracie, Slater), Nays – 17 (Winker, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Kaul, Kletti, Grosklaus, Hazelwood, Buntrock, Walker, Callen, Walerstein, Szatkowski), Absent – 3 (Stumpf, Cronce, Rothstein). With two-thirds of the members present not voting aye, the motion was declared lost.

RESOLUTION NO. 10-16

APOLOGIZING TO THE CITIZENS OF ARIZONA REGARDING ACTIONS OF THE MILWAUKEE AREA TECHNICAL COLLEGE BOARD

WHEREAS, virtually all of Ozaukee County taxpayers are paying property taxes to the Milwaukee Area Technical College (MATC) district and recently on May 25, 2010 the MATC Board voted to boycott businesses in Arizona because of a law the Arizona Legislature passed regarding illegal immigration; and

WHEREAS, by declaring an economic boycott on another State the MATC Board could inadvertently: force jobs from the United States and send them to other countries, promote discord and possible retaliation from other states, cause national embarrassment to the Milwaukee area, show a lack of respect for the diversity of opinion among states as anticipated by our Founding Fathers; and

WHEREAS, interfering with interstate commerce has been traditionally considered an unconstitutional exercise of local government power under the Commerce Clause of the U.S. Constitution.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors apologizes to the citizens of the great State of Arizona for the intolerant and divisive action taken by the MATC Board and wishes the people of Arizona a strong and speedy recovery from the current economic downturn, and

FURTHER RESOLVED that the Ozaukee County Board of Supervisors encourages the MATC Board to reconsider their actions and directs the Ozaukee County Clerk to forward a copy of this Resolution to the MATC Board, Governor of Arizona and the presiding officers of the Arizona State Senate and Arizona House of Representatives.

Dated at Port Washington, Wisconsin, this 7th day of July 2010.

Robert T. Walerstein
Supervisor

Alan P. Kletti
Supervisor

John C. Grosklaus
Supervisor

Motion made by Supervisor Walker, seconded by Supervisor Szatkowski, that Resolution No. 10-16 be adopted.

Motion made by Supervisor Meyer, seconded by Supervisor Geracie to lay Resolution No. 10-16 on the table. The Chairperson requested clarification from Corporation Counsel Kenealy. It was stated that if this motion passes, the resolution would be laid on the table and could be reversed only by a motion to take off the table.

The vote was taken as follows: Ayes – 11 (Leider, Nelson, Meyer, Richart, Callen, Zens, Marchese, Hertz, Bock, Geracie, Slater), Nays- 17 (Winker, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Dean, Kaul, Kletti, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Walerstein, Szatkowski), Absent – 3 (Stumpf, Cronce, Rothstein). The majority of the members present not voting aye, the motion was declared lost.

Motion made by Supervisor Richart, seconded by Supervisor Winker, to substitute the text of the proposed resolution for the original resolution. Corporation Counsel reviewed the process of a substitute amendment.

10:17AM Recess

10:25AM Reconvene

Supervisors Geracie and Meyer questioned as to the procedure if they choose not to cast a yes or no vote. Chairperson Brooks referred to Corporation Counsel Kenealy, who stated that historically the rules of the Ozaukee County Board have always been that you may vote yes, no or abstain and to vote present would be the same as abstaining. You can abstain without a reason or can be excused with a reason. If you are not in the room you are not present to vote.

10:43AM Supervisors Nelson, Meyer, Geracie, Zens, Bock, and Szatkowski out of attendance.

The vote was taken on substituting the proposed resolution as follows: Ayes – 8 (Winker, Leider, Dean, Kaul, Richart, Callen, Marchese, Hertz), Nays – 14 (Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Kletti, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Walerstein, Slater), Absent – 9 (Stumpf, Cronce, Rothstein, Nelson, Meyer, Geracie, Zens, Bock, Szatkowski). The majority of the members present not voting aye, the motion was declared lost.

Motion made by Supervisor Dean, seconded by Supervisor Kaul, to amend Resolution No. 10-16 by adding after Arizona House of Representatives in the final paragraph *“and asks our State Representatives to review the appointment process for the MATC Board with a specific focus on increasing taxpayer representation.”*

The vote was taken as follows: Ayes – 21 (Winker, Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Dean, Kaul, Kletti, Richart, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Callen, Marchese, Hertz, Walerstein), Nays – 1 (Slater), Absent – 9 (Stumpf, Cronce, Rothstein, Nelson, Meyer, Geracie, Zens, Bock, Szatkowski). The majority of the members present voting aye, the motion was declared adopted.

10:55AM Supervisor Slater out of attendance.

Discussion. Motion made by Supervisor Kletti, seconded by Supervisor Dohrwardt to call the question. The vote was taken as follows: Ayes – 19 (Winker, Leider, Dohrwardt, Niehaus, Schlenvogt, Becker, Dean, Kaul, Kletti, Richart, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Marchese, Hertz, Walerstein), Nays – 2 (Brooks, Callen), Absent – 10 (Stumpf, Cronce, Rothstein, Nelson, Meyer, Geracie,

Zens, Bock, Szatkowski, Slater). With two-thirds of the members present voting aye, the motion was declared adopted.

The vote was then taken on the motion to adopt Resolution No. 10-16, as amended. The vote was taken as follows: Ayes – 16 (Winker, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Dean, Kaul, Kletti, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Walerstein), Nays – 5 (Leider, Richart, Callen, Marchese, Hertz), Absent – 10 (Stumpf, Cronic, Rothstein, Nelson, Meyer, Geracie, Zens, Bock, Szatkowski, Slater.). The majority of the members present voting aye, the motion was declared adopted.

CLERK’S NOTE: Minor editing was done to the amendment to include in resolution format.

11:03AM Supervisors Meyer, Geracie, Zens, Bock, Szatkowski, and Slater in attendance.

RESOLUTION NO. 10-17
AMENDING POLICY AND PROCEDURE MANUAL –
NAMING RIGHTS POLICY

RESOLVED, that Section 2.06 (7) of the Ozaukee County Policy and Procedure Manual as pertaining to General County Policy and Procedures – Naming Rights Policy be created to read:

2.06 GENERAL COUNTY POLICY AND PROCEDURES

(7) Naming Rights Policy

(a) The following is the policy for the approval of the honorary, philanthropic or administrative naming for County owned or donated real estate, buildings or other donated assets.

1. Honorary or philanthropic naming rights shall take priority:

a. Honorary naming rights may be granted to honor the service, commitment, or significant contribution of an individual, family, civic, or charitable group.

b. Philanthropic naming rights may be granted to honor a charitable donation of an individual, family, civic, or charitable group.

2. Administrative naming rights include:

a. Those that propose a name that reflects the natural, ecological, historical and/or cultural features, uses or landscape of the County owned or donated real estate, buildings or other donated assets.

b. Those recommended in adopted County planning documents or by other County-endorsed measures.

- (b) The naming of County owned or donated real estate and/or buildings require the approval of the County Board.
- (c) The naming of all other County owned or donated assets requires the approval of the appropriate Standing Committee or their designee such as a Department Director or management employee.

Dated at Port Washington, Wisconsin, this 7th day of July 2010.

<u>PUBLIC WORKS COMMITTEE</u>				
<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>SUPERVISOR</u>
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	James H. Uselding
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John C. Grosklaus
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Patrick Marchese
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Alan P. Kletti
X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rose Hass Leider

Motion made by Supervisor Becker, seconded by Supervisor Walker, that Resolution No. 10-17 be adopted. Discussion.

Motion made by Supervisor Wirth, seconded by Supervisor Hazelwood to refer Resolution No. 10-17 back to the Public Works Committee. The vote was taken as follows: Ayes – 21 (Winker, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Meyer, Kaul, Kletti, Richart, Grosklaus, Hazelwood, Buntrock, Walker, Wirth, Uselding, Marchese, Hertz, Bock, Szatkowski, Slater), Nays – 6 (Leider, Dean, Callen, Zens, Geracie, Walerstein), Absent – 4 (Stumpf, Cronce, Rothstein, Nelson). The majority of the members present voting aye, the motion was declared adopted.

11:10AM Supervisor Grosklaus excused and Supervisor Nelson in attendance.

Motion made by Supervisor Wirth, seconded by Supervisor Buntrock, to adjourn, subject to call by the Chairperson, or until Wednesday, July 21, 2010 at 9:00 A.M. All members present voting aye, the motion was declared adopted.

Meeting declared adjourned at 11:13AM.