

Waukesha County Board of Supervisors

**Minutes of the Judiciary & Law Enforcement Committee  
Friday, September 17, 2021**

Chair Wolff called the meeting to order at 8:30 a.m.

**Present:** Supervisors Peter Wolff, Christine Howard, Mike Crowley, Darlene Johnson, and Larry Nelson. **Absent:** Tyler Foti and Jacob LaFontain.

**Also Present:** Legislative Policy Advisor Alex Ignatowski, Chief of Staff Sarah Spaeth, Administrative Specialist Mary Pedersen, Budget Management Specialist Michelle Beasley, Financial Analyst Michelle Czech, Emergency Management Coordinator Gail Goodchild, Radio Systems Manager Chris Petterson, Facilities Manager Shane Waeghe, Departmental Executive Assistant Tony Di Frances, Public Works Director Allison Bussler, Jon Wallenkamp of Kueny Architects, Matt Bickel of Wold Architects, Laura Hause of Gilbane, Chief Judge Jennifer Dorow, Clerk of Courts Monica Paz, District Attorney Sue Opper, Sheriff Eric Severson, Principal Information Technology Professional Zack Tremaine, Senior Financial Analysts Stephanie Kirby and Clara Daniels, Administration Director Andy Thelke, Judge William Domina, District Court Administrator Mike Neimon, Victim Witness Program Coordinator Jen Dunn, Senior Human Resources Analyst Natalie Durr, Accounting Services Manager Danielle Igielski, Business Manager Josh Joost, Jail Administrator Angela Wollenhaupt, and Inspector Jim Gumm.

**Ordinance 176-O-066 Modify the Department of Emergency Preparedness 2021 Budget and Authorize the Department to Accept the Fox River Watershed Mitigation Grant**

Goodchild and Czech discussed this ordinance which authorizes the Emergency Preparedness to accept grant funds administered through the State of Wisconsin Department of Military Affairs Division of Emergency Management (WEM). The funding will be provided by Federal Emergency Management Agency (FEMA) (75%) and WEM (12.5%). The grant amounts are as follows:

75% FEMA Funding for Consulting Services Administered through WEM	\$	125,355
FEMA Required Local Match (12.5%) provided by WEM		20,893
FEMA Required Local Match (12.5%) in-kind work provided by SEWRPC *		20,892
<b>Total Award</b>	<b>\$</b>	<b>167,140</b>

**FEMA funding for Administrative Reimbursement** \$ 8,357

The additional 12.5% FEMA required local match will be provided by Southeastern Wisconsin Regional Planning Commission (SEWRPC) through in-kind work. The County will be billed for the consulting services net the in-kind amount provided by SEWRPC. This funding will be used to pay for the planning and implementation of the regional Fox River watershed mitigation plan over multiple years.

This ordinance will increase Emergency Preparedness 2021 operating expenses budget by \$37,607 to pay for the planning and implementation of the plan. In addition, this ordinance will increase interdepartmental charges by \$1,044 for indirect cost recovery. The remainder of the grant will be

included in the department's 2022 and 2023 budget requests. This ordinance results in no additional direct tax levy impact.

MOTION: Howard moved, second by Crowley to approve Ordinance 176-O-066. Motion carried 5-0.

**Ordinance 176-O-067 Modify the 2021 Budget of the Department of Emergency Preparedness and Accept Grant Funding from the Federal Emergency Management Agency (FEMA) to Complete the Waukesha County Hazard Mitigation Plan**

Goodchild discussed this ordinance which authorizes Emergency Preparedness to accept \$41,299 of Federal Emergency Management Agency grant funds administered through the State of Wisconsin Department of Military Affairs. This ordinance will increase operating expenses by \$30,974 to hire Integrated Solutions Consulting to do the planning and implementation of the 2021 Waukesha County All Hazard Mitigation Plan. The remaining \$10,325 in grant funds has been included in the 2022 budget request. In addition, this funding requires a 25% (\$13,766) local match which will be provided through in-kind community participation and county staff time included in the 2021 base budget and 2022 budget request. This ordinance results in no additional direct tax levy impact.

MOTION: Howard moved, second by Nelson to approve Ordinance 176-O-067. Motion carried 5-0.

**Ordinance 176-O-068 Sixth Amendment to Lease Agreement with New Cingular Wireless PCS, LLC**

Petterson discussed this ordinance to approve a Sixth Amendment to Lease Agreement with New Cingular Wireless PCS, LLC for the Old HHS Smokestack Tower. New Cingular Wireless desires to install a redundant emergency power source and update aged equipment at the Site and to modify the footprint of the ground space leased at the Site. The County is willing to permit the upgrades and otherwise amend the Lease with New Cingular Wireless PSC, LLC without requiring an increase in rent.

MOTION: Crowley moved, second by Howard to approve Ordinance 176-O-068. Motion carried 5-0.

**Ordinance 176-O-069 First Amendment to Lease Agreement with United States Cellular Operating Company LLC**

Petterson discussed this ordinance to approve a First Amendment to Lease Agreement with United States Cellular Operating Company LLC for the Northview Road Radio Tower. USCC desires to replace, modify or relocate various equipment, antennas and/or feedlines on the Tower in order to update aged equipment. The County is willing to permit the upgrades and otherwise amend the Lease with USCC without requiring an increase in rent.

MOTION: Howard moved, second by Nelson to approve Ordinance 176-O-069. Motion carried 5-0.

**Approve Minutes of July 27, 2021**

MOTION: Crowley moved, second by Howard to approve the minutes of July 27. Motion carried

**Next Meeting Date**

- October 1, 2021

**Executive Committee Report of August 16 and September 13**

Wolff advised the Executive Committee, at their August 16 meeting, approved three ordinances and four appointments, denied his appeal to forward his resolution pertaining to Critical Race Theory to

the full County Board, and discussed the redistricting timeline. At the September 13 meeting, they heard a presentation by Land Information Systems staff on the new County Board district maps and then approved the supervisory district plan.

**Legislative Update**

Ignatowski said there is currently not much going on at the state capitol but he is tracking a few bills that could affect the County.

**Review, Discuss and Consider 2022-2026 Capital Project Plan: Communication Center Roof (Item 7); and Courthouse Project Phase 2 (Item 6); and LEC Window Replacement (Item 9)**

Bussler and Waeghe explained the process for determining new Public Works capital projects and gave a PowerPoint presentation on Courthouse Project Phase 2 project. Dorow, Opper, and Severson conveyed their support for courthouse project Option A, included in the 2022-2026 Capital Projects Plan. They also briefly discussed the Communication Center Roof project and the Law Enforcement Center Window Replacement project. No major concerns were voiced.

MOTION: Howard moved, second by Johnson to recommend approval of Courthouse Project Phase 2 to the Executive Committee. Motion carried 5-0.

MOTION: Crowley moved, second by Nelson to recommend approval of Communication Center Roof project to the Executive Committee. Motion carried 5-0.

MOTION: Howard moved, second by Johnson to recommend approval of the LEC Window Replacement project to the Executive Committee. Motion carried 5-0.

**Ordinance 176-O-071 Modify the 2021 Circuit Court Services’, District Attorney’s, and Sheriff’s Budgets to Authorize Grant Expenditures and Create Nine Regular Full-Time Sunset Positions and Five Part-Time Sunset Positions to Address the Criminal Court Backlog**

Opper, Dorow, Paz, and Dunn were present to discuss this ordinance which modifies the 2021 budgets for the Circuit Courts, District Attorney, and Sheriff’s Department to address the criminal court backlog caused by the COVID-19 pandemic, as shown in the table below.

	<b>Circuit Courts*</b>	<b>District Attorney*</b>	<b>Sheriff</b>	<b>Total</b>
Personnel Costs	\$57,385	\$94,263	\$18,108	\$169,756
Operating Expenses	\$2,000	\$2,818	\$ -	\$4,818
Interdepartmental Charges	\$18,358	\$400	\$ -	\$18,108
<b>Total Expenses</b>	<b>\$77,743</b>	<b>\$97,481</b>	<b>\$18,108</b>	<b>\$193,332</b>
General Government (ARPA)	\$77,743	\$94,981	\$ -	\$172,074
Charges for Services	\$ -	\$2,500	\$ -	\$2,500
Interdepartmental Revenue	\$ -	\$ -	\$18,108	\$18,108
<b>Total Revenue</b>	<b>\$77,743</b>	<b>\$97,481</b>	<b>\$18,108</b>	<b>\$193,332</b>

Dorow discussed the backlog in the courts in detail, primarily due to the pandemic, and their justification for this ordinance. Paz discussed current positions and the need for additional. Opper discussed the large caseload in her office and court processes, some of which are lengthy and time consuming. Dunn discussed the large felony caseload which is still increasing.

For managing and reporting purposes, these expenses and revenues will be accounted for in the Special Purpose Grant Fund. The budget modification for the Sheriff’s Department will be in the department’s General Fund budget with a cross-charge to the Special Purpose Grant Fund for Circuit Court bailiff services.

Personnel costs include the creation of nine full-time sunset positions and five part-time sunset positions. The District Attorney’s two regular, part-time Administrative Assistants can also be filled as one regular, full-time Administrative Assistant if the department deems it more effective. These positions are created as sunset positions and will be sunset when either the court backlog is eliminated or December 31<sup>st</sup>, 2023, whichever date is sooner. The personnel cost estimate reflects a partial year of employment (two months).

<b>Department</b>	<b>Status</b>	<b>Classification</b>	<b>2021 Budget Modification</b>
Circuit Courts	2-RPT	Court Commissioner	\$27,626
Circuit Courts	1-RFT	Senior Administrative Specialist	\$12,037
Circuit Courts	1-RFT	Administrative Specialist	\$11,207
Circuit Courts	1-RPT	Fiscal Specialist	\$6,515
District Attorney	3-RFT	Special Prosecutor	\$43,992
District Attorney	1-RFT	Senior Administrative Specialist	\$12,037
District Attorney	2-RFT	Victim Witness Specialist	\$26,478
District Attorney	2-RPT	Administrative Assistant	\$11,756
Sheriff	1-RFT	Deputy Sheriff	\$18,108
<b>Total</b>			<b>\$169,756</b>

Operating expenses consist of office supplies and trial preparation costs. When the additional court capacity is operational beginning in 2022, there will be additional operating expenses, largely for jury costs, professional outside counsel, and other services, office supplies, and trial preparation. Interdepartmental charges represent the cross-charge between Circuit Courts and Sheriff’s Department for bailiff services and EUTF charges. There will also be additional interdepartmental charges beginning in 2022 which includes transportation of inmates and postage.

The majority of the criminal court case backlog initiative will be funded with American Rescue Plan Act grant revenues received through the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) program. Once additional court activities begin, anticipated in early 2022, department management indicates there will be additional revenues received, partially offsetting the need for ARPA funding. This ordinance would authorize the use of these ARPA funds for assistance eliminating the backlog through 2023 or until the end of the year in which the backlog is deemed eliminated, whichever is sooner. It is estimated that \$2,100,000 of ARPA funds will be needed in total for 2022 and 2023. Expenses and revenues related to eliminating the criminal court case backlog will be included in the 2022 proposed budget. This ordinance does not result in a direct levy impact.

MOTION: Howard moved, second by Crowley to approve Ordinance 176-O-071. Motion carried 5-0.

**Ordinance 176-O-072 Modify the 2021 District Attorney's Office Budget to Accept Grant and Donation Revenue to Support Emotional Support Dog**

Opper and Dunn were present to discuss this ordinance which authorizes the District Attorney's Office to accept \$1,800 in grant funding from the Children's Justice Act and \$6,000 in donated funds and to support the 2021 on-going costs associated with the facility dog program to provide emotional support and comfort to crime victims. Staff are requesting to appropriate \$7,800 of the \$9,400 received in donated funds and grant funds in the operating appropriation unit to support 2021 expenses such as promotional materials about the program, veterinary care, food, equipment, and credit card fees to allow for on-line donations. Donations in excess of expenditures in 2021 will be appropriated through the budget process in future years. This ordinance has no levy impact.

MOTION: Nelson moved, second by Howard to approve Ordinance 176-O-072. Motion carried 5-0.

**Ordinance 176-O-070 Accept an In-Kind Donation to the Sheriff's Department of a One-Year GrayKey Software License Subscription from Non-Profit Organization, Operation Underground Railroad, and Approve Related Agreements**

Gumm and Joost discussed this ordinance which authorizes the Sheriff's Department to accept the donation of a one-year GrayKey software license. The value of the one-year cloud-based license is \$23,500. To accept this donation, the department will be tracking certain metrics related to the software for reporting back to Operation Underground Railroad. This is a requirement from the donating entity and will assist in determining if the department should commit to this software in future years. Should they decide to keep this software beyond the term of the donation, they will evaluate outside funding options or would be otherwise prioritized in future budget requests.

MOTION: Howard moved, second by Crowley to approve Ordinance 176-O-070. Motion carried 5-0.

**Review, Discuss and Consider 2022-2026 Capital Project Plan: Jail Security Audio Upgrade (Item 45)**

Joost discussed the Jail Security Audio Upgrade project. No major concerns were voiced.

MOTION: Johnson moved, second by Nelson to recommend approval of the Jail Security Audio Upgrade project to the Executive Committee. Motion carried 5-0.

MOTION: Howard moved, second by Crowley to adjourn at 10:37 a.m. Motion carried 5-0.

Respectfully submitted,

*Michael A. Crowley*

Michael A. Crowley  
Secretary