

Waukesha County Board of Supervisors

Minutes of the Executive Committee Monday, January 22, 2024

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

Present: Supervisors Paul Decker, Tyler Foti, Keith Hammitt, Jacob LaFontain, Larry Nelson and Peter Wolff. **Absent:** Supervisor Jim Heinrich

Also Present: Chief of Staff Sarah Spaeth, Legislative Policy Advisor Sarah Fraley, Administrative Specialist Barbara Hollander, Principal Assistant Corporation Counsel Demetra Christopoulos, Corporation Counsel Erik Weidig, Waukesha County Animal Humane Officer Cassie Gugin, Director of Parks and Land Use Dale Shaver, Supervisor Darlene Johnson, City of Waukesha Detective Benjamin M. Stern, City of Waukesha Fire Department EMT Jeffrey Chadwick, Environmental Health Manager Sarah Ward, Financial Analyst Willem Weigel, Budget Manager Bill Duckwitz, Shane Gardner, Julie Gardner, Tyler Gardner, Shayna Gardner, Guadalupe Miller, Jerry Klug, Park System Manager Steve Brunner, Business Manager Steve Trimborn, Engineering Services Manager Brett Wallace

Administrative Appeal Hearing Regarding Belgian Malinois "Spirit" Prohibited Dangerous Animal Declaration

This hearing began at 8:30 a.m. and Spaeth discussed the process as outlined in the County Code and summarized the Gardner's appeal. The Gardners represented themselves and Christopoulos represented the county. S. Gardner began with his opening statement and requested that they be able to keep their family pet, Spirit (canine). Christopoulos explained the two bite incidents. S. Gardner was sworn in and also explained the two reported bite incidents and the measures and protocols they have followed since the incidents. Exhibits 1-3 were distributed on behalf of the Gardners and video Exhibits 4 – 10 were viewed during closed session. Exhibits C1 – C9 were reviewed by Christopoulos and her witnesses. Some exhibits were referenced during the hearing.

The following witnesses were sworn in and spoke in support of the Gardners and Spirit: J. Gardner (cross-examined by Christopoulos), Shayna Gardner (not cross-examined by Christopoulos), Guadalupe Miller (not cross-examined by Christopoulos), Tyler Gardner (not cross-examined by Christopoulos), and Jerry Klug (not cross-examined by Christopoulos).

The following witnesses were sworn in and spoke in support of the county: Jeffrey Chadwick - City of Waukesha Fire Department (cross examined by S. Gardner), Detective Benjamin Stern (cross examined by S. Gardner), Cassie Gugin (cross examined by S. Gardner and J. Gardner), and Dale Shaver (cross examined by S. Gardner and J. Gardner)

Exhibits 1 – 10 and C1 - C9 were accepted and submitted into evidence.

The Gardners gave their closing statements requesting removal of the Prohibited Dangerous Animal declaration. Christopoulos gave her closing statement requesting affirmation of the Parks and Land Use Department's Prohibited Dangerous Animal declaration. Christopoulos put an objection on the record that video Exhibits 4 - 10 should have been shown during testimony and submitted as evidence.

Closed Session

MOTION: Hammitt moved, second by LaFontain to convene in closed session at 10:14 a.m. pursuant to Section 19.85 (1)(A), Wisconsin Statutes, to deliberate concerning Belgian Malinois "Spirit" Prohibited Dangerous Animal Declaration and approve closed session minutes of 3/20/23. Motion carried 6-0

Open Session

The committee returned to open session at 10:44 a.m.

Discuss and Consider Decision Regarding Belgian Malinois "Spirit" Prohibited Dangerous Animal

MOTION: LaFontain moved, second by Wolff to find that Spirit meets the definition of a Prohibited Dangerous Animal under Section 14-452 (e) of the Waukesha County Code, having inflicted severe bodily injury with no provocation, and to sustain the decision of the Department of Parks and Land Use. Motion carried 6-0

Approve Minutes of November 20

MOTION: Foti moved, second by Hammitt to approve the minutes of November 20. Motion carried 6-0

Discuss and Consider Ordinance 178-O-083 Modify The 2024-2028 Capital Plan And 2024 Capital Projects Budget To Appropriate Additional Expenditures For Capital Project #202208, Golf Course Infrastructure Plan, Funded With Golf Course Fund Balance

Brunner and Trimborn presented that this ordinance modifies the 2024-2028 Capital Plan and 2024 Capital Projects budget for capital project #202208 Golf Course Infrastructure Plan to increase expenditures \$235,000 due to a higher-than-expected public bid for construction, with the higher bid primarily due to increased material and labor costs. These cost increases will be covered with \$235,000 of additional Golf Course Fund balance use.

MOTION: Nelson moved, second by Foti to approve Ordinance 178-O-083. Motion carried 6-0

Discuss and Consider Ordinance 178-O-084 Modify The 2024-2028 Capital Plan And 2024 Capital Project Budget To Appropriate Additional Construction Expenditures For Capital Project #201805 CTH T, Northview Road To I-94 Rehabilitation

Wallace presented that this ordinance will modify the 2024-2028 Capital Plan and 2024 Capital Project Budget to appropriate \$385,000 of additional expenditure authority for construction costs for capital project #201805 CTH T, Northview Road to I-94 Rehabilitation and increases use of Capital Project Fund balance by \$385,000.

MOTION: Nelson moved, second by Wolff to approve Ordinance 178-O-084. Motion carried 6-0

Next Meeting Date

February 19

Discuss and Consider the Following Appointment:

178-A-047 Christine Howard Appointment to the Waukesha County Park and Planning Commission

MOTION: Foti moved, second by Hammitt to approve the appointment of Christine Howard to the Waukesha County Park and Planning Commission. Motion carried 6-0

Update on Internal Audit

Spaeth gave a history of the audit process. She said when the county decided to move internal audit to contracted services, there was a budget for internal audit of \$278,000, and \$166,000 of that was just for the internal audit position itself. To save money, the budget was reduced down to \$175,000 for contracting out. The audit process with Baker Tilly is moving slower than anticipated when putting together the 2024 budget. Money was budgeted to complete 3-4 audits/year, but so far only 2 audits are being completed per year. Spaeth will be asking the Executive Committee to look at the budgeted amount for audit in May/June when she puts together the office's 2025 budget. The contract with Baker Tilly will also be looked at in August when it is up for renewal. Spaeth added that she is currently working with Baker Tilly to establish a scope to audit Medicaid Cost Reporting in the Department of Health and Human Services.

Announcements

Reminder to respond to open records request using language provided by Sarah Spaeth.

Standing Committee Reports

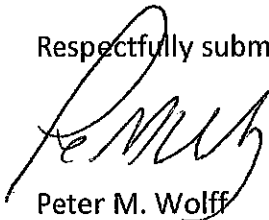
Hammitt and Nelson gave reports on their respective committees.

Legislative Update

Fraley reported that she is working with the Waukesha County Parks and Land Use Department on a bill that is in both houses called the Urban Towns bill, which would allow urban towns to be exempt from county zoning, county comprehensive development, and plat review. Our concern is the exemption from the County's Comprehensive Development Plan and plat review. Fraley and Waukesha Parks and Land Use staff have spoken with various legislators and the Wisconsin Towns Association (who is behind this bill) to express their concerns. Additionally, Fraley is working with Health and Human Services staff on a bill that directs the State Department of Health Services to seek a waiver from CMS to pay for people under 21 years of age to receive care in psychiatric treatment facilities. These facilities will provide care beyond medication management, including behavioral support and safeguards.

MOTION: Wolff moved, second by Foti to adjourn at 11:20 a.m. Motion carried 6-0

Respectfully submitted,



Peter M. Wolff

Secretary – Executive Committee