

**COUNTY OF RACINE
GOVERNMENT SERVICES COMMITTEE**

Janet Bernberg, Chairman
Thomas Roanhouse, Vice Chairman
Melissa Kaprelian-Becker, Secretary

Supervisor John A. Wisch
Supervisor Scott Maier
Supervisor Tom Kramer
Supervisor Eric Hillery

*** THIS LOCATION IS HANDICAP ACCESSIBLE. If you have other special needs, please contact the Racine County Board Office, 730 Wisconsin Avenue, Racine, Wisconsin 53403 (262) 636-3571, fax (262) 636-3491 or the TTD/RELAY 1-800-947-3529. ***

**NOTICE OF MEETING
OF THE
GOVERNMENT SERVICES COMMITTEE**

DATE: TUESDAY, JANUARY 15, 2019

TIME: 6:00 p.m.

PLACE: CONFERENCE ROOM BEHIND
COUNTY BOARD CHAMBERS
14200 WASHINGTON AVENUE
STURTEVANT, WI 53177

A G E N D A

1. Public Comments
2. Chairman Comments
3. Approval of Minutes from previous meeting(s).
4. Old Business
5. Referrals from The County Board
 - A. Resolution No. 43-18 from Columbia County Support Increasing the Compensation for Defense Counsel Appointed by the Wisconsin Public Defender's Office
 - B. Resolution No. R-68-18 from Marathon County to Support Increased compensation for Defense Counsel Assigned by the State Public Defender
 - C. Resolution No. 2018-87 from Door County Requesting State Law Change Allowing Counties the use of the Design-Build Construction Method and update the Statutory Bidding Requirements
 - D. Resolution No. 2018-88 from Door County Support for Legalization of Medical Cannabis
6. Youth in Governance - review current year attendance, and recruitment plan and process for selecting 2019-2020 representatives.
7. Discussion regarding future meeting dates.
8. Adjournment

GOVERNMENT SERVICES COMMITTEE MEETING MINUTES
December 11, 2018

AUDITORIUM
IVES GROVE OFFICE COMPLEX
14200 WASHINGTON AVENUE
STURTEVANT, WISCONSIN 53177

Vice-Chairman Roanhouse called the meeting of the Government Services Committee to order at 6:00 p.m.

The meeting was attended by Supervisors: Wisch, Maier, Hillery, Roanhouse, Kramer, and Youth Rep Reschke.

Excused: Chairman Bernberg, Supervisor Kaprelian-Becker and Youth Rep Cafferty. Absent: None.

#1 – Public Comments None.

#2 – Chairman Comments

Vice-Chairman Roanhouse requested youth rep Reschke read the Youth in Governance statement.

#3 – Approval of Minutes from previous meeting(s)

Action: To approve the minutes from the November 13, 2018 meeting as printed. **Motion passed.** Moved: Supervisor Hillery. Seconded: Supervisor Wisch. Vote: All Ayes, No Nays. Youth Vote: Aye.
Supervisor Kramer joined the meeting at 6:02 p.m.

#4 - Old Business None.

#5A - Referral from County Board of Resolution R2018-10-02 from Oconto County, In support of Increased Public Defender Access and Pay.

Action: To receive and file Oconto County Resolution R2018-10-02. **Motion passed:** Moved Supervisor Wisch. Seconded: Supervisor Maier. Vote: All Ayes, No Nays. Youth Vote: Aye.

#6A - Draft Resolution 2018-xx by the Government Services Committee Authorizing a Three-Year Contract with Two One-Year Options with PIE Management to Provide the Racine County Jail With Clerical Positions

Captain Brad Friend from Racine County Sheriff's office spoke regarding the draft resolution. There are three positions this would cover, they are in the jail, non-inmate contact jobs; two are 24-hour 7 day a week and one is a daytime Monday through Friday job. The change is being requested because the current agency, Securitas, is unable to keep the positions filled within their staff pool. Often the county must fill those positions with county employees. Securitas employees use the temporary positions as a stepping stone to jobs within the law enforcement field so don't stay in these jobs. Pay ranges from \$12-\$18/hour which puts the jobs in direct conflict with firms in the area such as Amazon. Bids were requested from both PIE and Securitas. PIE is believed to be better able to staff the positions and some Securitas staff may go to PIE to retain their positions. The committee questioned if the County can recoup labor costs of staffing the open positions that Securitas was unable to provide, while paying Securitas to do so. There will be language in the new contract with PIE addressing that issue so that problem will not carry over.

Action: To approve draft Resolution 2018-XX by The Government Services Committee Authorizing a Three-Year Contract with Two One-Year Options with PIE Management to Provide the Racine County Jail with Clerical Positions and refer to County Board for 1st and 2nd reading at the December 18, 2018 meeting. **Motion Passed.** Moved: Supervisor Wisch. **Seconded:** Supervisor Kramer. Vote: All Ayes, No Nays. Youth Vote: Aye

#7 - Date of January meeting to be determined.

The next meeting was set for January 15, 2019.

#8 Adjournment

Action: To adjourn the meeting at 6:13 p.m. **Motion passed.** Moved: Supervisor Hillery. Seconded: Supervisor Wisch. Vote: All Ayes, No Nays. Youth Vote: Aye.

RESOLUTION NO. 43-18

SYNOPSIS: Support Increasing the Compensation for Defense Counsel Appointed by the Wisconsin Public Defender's Office INTRODUCED BY: Judiciary Committee

To the Honorable Board of Supervisors of Columbia County:

WHEREAS, both the United States Constitution and the Wisconsin State Constitution provide that persons accused of a crime have the right to counsel; and,

WHEREAS, the Wisconsin State Public Defender's Office ("SPD") provides legal representation to the indigent, utilizing staff attorneys as well as (about 40% of the time) private attorneys certified to take SPD appointments to handle conflict and overflow cases; and,

WHEREAS, in May, 2018, the Wisconsin Supreme Court increased, effective January, 2020, the hourly rate of pay for county-funded, court-appointed, attorneys from \$70 to \$100 per hour; and,

WHEREAS, the rate of pay for State-funded SPD appointments is \$40 per hour, has not been increased since 1995, and is the lowest in the nation; and,

WHEREAS, the pay for State-funded SPD appointments is so low that it has been and is hard to find private attorneys willing to accept such appointments in many counties, resulting in some persons charged with crimes sitting in jail for weeks while they waited for legal representation; and,

WHEREAS, the disparity in pay (i.e., the decision to increase pay for county-funded attorneys, but not State-funded SPD appointments) will lead private attorneys to refuse State-funded SPD assignments and instead hold out for county-funded, court-appointed, assignments; and,

WHEREAS, a greater share of the cost of indigent defense is going to fall on the counties, resulting in (what may reasonably be viewed as) an unfunded mandate.

NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Wisconsin State Public Defender's Office to ensure the criminal justice system operates effectively and efficiently, including increasing the rate of pay for State-funded SPD appointments to \$100 per hour and tie future increases to the rate of inflation; and,

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this Resolution to Governor Scott Walker, the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the State Legislature representing Columbia County, and to each Wisconsin County.

Fiscal Note: None. Fiscal Impact: None.

STATE OF WISCONSIN COUNTY OF COLUMBIA CERTIFIED COPY

I certify that this is a true and exact copy of the original of which I am legal custodian for the County Clerk of Columbia County.

Signed by [Signature] County Clerk or Deputy County Clerk

Date 12/19/18

[Signature] Bob Koch

[Signature] Susanna R. Bradley Susanna R. Bradley

[Signature] Mark Slegler Secretary

[Signature] Craig Robson Vice Chair

**RESOLUTION R-68-18
RESOLUTION TO SUPPORT INCREASED COMPENSATION FOR DEFENSE COUNSEL
ASSIGNED BY THE STATE PUBLIC DEFENDER**

WHEREAS, both the United States Constitution and the Wisconsin State Constitution provide that persons accused of a crime have the right to a speedy, public trial by jury, the right to confront accusers, and the right to counsel, and

WHEREAS, the United States Supreme Court established that the government must afford effective counsel to indigent defendants, and

WHEREAS, the Wisconsin Office of the State Public Defender (SPD) is charged with the responsibility to provide effective counsel to indigent defendants. Where the SPD staff is unable to provide representation, due to conflict or other reasons, the SPD appoints private attorneys to provide effective representation. Nearly 40% of all SPD cases are appointed to private attorneys, and

WHEREAS, the compensation rate for private bar appointed attorneys in Wisconsin is \$40.00 per hour, and has not been increased since 1995. The \$40/hour rate is the lowest compensation rate in the nation, failing to cover an appointed attorney's overhead costs. As a result of the nominal compensation rate, private attorneys are increasingly declining to accept SPD appointments, which is creating an increasing burden on the courts and Wisconsin Counties, and

WHEREAS, financial costs to Counties are increasing as accused persons are being held in jail longer pending appointment of counsel and circuit court judges are being forced to appoint counsel at county expense, and

WHEREAS, in addition to the financial costs to Counties, delayed appointments of counsel adversely affect the accused, lead to inefficiency for courts and law enforcement agencies, and delay justice and potential closure for crime victims, and

WHEREAS, in May of 2018 the Wisconsin Supreme Court authorized an increase in the hourly rate for attorneys appointed by courts at county expense from \$70.00/hr. to \$100.00/hr., effective January 1st, 2020, and

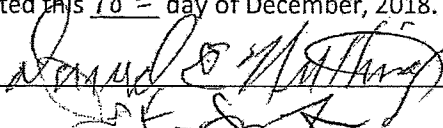
WHEREAS, the disparity created between the two rates, SPD \$40.00/hr., County \$100.00/hr., will cause private attorneys to refuse SPD cases, further exacerbating costs to the Counties, the accused, victims, and justice system stakeholders and

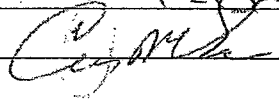
NOW, THEREFORE, BE IT RESOLVED, that the Marathon County Board of Supervisors does hereby implore the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure the criminal justice system operates effectively and efficiently, including increasing the rate of reimbursement for private attorneys appointed by the Public Defender to a market rate that will ensure prompt appointment of counsel and that cases are handled in a timely and efficient manner, by at minimum, increasing the hourly rate paid to SPD appointed private attorneys to the same amount as those recently authorized by the Wisconsin Supreme Court.

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor, the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the State Legislature and to each Wisconsin County, and

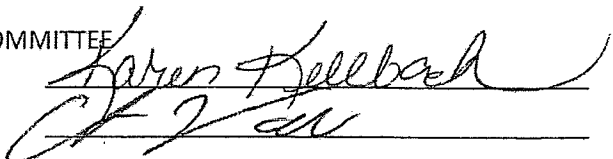
BE IT FURTHER RESOLVED that publication of this resolution may occur through posting in accordance with Section 985.02 of the Wisconsin Statutes.


Dated this 18th day of December, 2018.





PUBLIC SAFETY COMMITTEE





Fiscal Impact: No direct cost. It is anticipated that if public defender pay is increased that the County's cost of court appointed defense counsel will be reduced. There will also be some reduction of jail bed days, as delays will be minimized.



DOOR COUNTY

**Resolution No. 2018-87
REQUESTING STATE LAW CHANGE ALLOWING COUNTIES THE USE OF
THE DESIGN-BUILD CONSTRUCTION METHOD AND UPDATE THE
STATUTORY BIDDING REQUIREMENTS**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL		X	
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WATT		X	
	19	2	0

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Austad Defeated

2nd Bacon

Yes: 19 No: 2 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: While the passage of this resolution will have some operational efficiency for Door County, there is no direct fiscal impact. STW

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Under Wisconsin Statutes § 59.52(29), counties are required
2 to engage in a competitive bidding process on public work construction projects
3 greater than \$25,000 and provide a Class I notice on any public work with a cost
4 between \$5,000-\$25,000; and

5
6 **WHEREAS**, These statutory limits of \$5,000 and \$25,000 have been in
7 place for decades and need to be updated; and

8
9 **WHEREAS**, The State of Wisconsin has recognized the advantages of the
10 Design-Build Method and authorizes that process to be followed for state-
11 controlled building projects and certain other entities; and

12
13 **WHEREAS**, At the current time, Wisconsin counties are not authorized to
14 use the Design-Build Method for construction projects; and

15
16 **WHEREAS**, Under the Design-Build Construction Method, counties would
17 contract with a single entity to provide both the design and the construction of a
18 public work project as opposed to having to bid those projects separately; and

19
20 **WHEREAS**, In addition to a single source of responsibility, other
21 advantages of Design-Build include enhanced creativity, guaranteed costs,
22 faster project completion, improved risk management, fewer change orders
23 and less administrative burden.

24
25 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
26 Supervisors hereby requests that our State Legislators introduce and support
27 legislation authorizing counties to utilize the Design-Build option.

28
29 **BE IT FURTHER RESOLVED**, That the legislature take action to update
30 the antiquated project limit in Sec. 59.52(29), Stats., from \$25,000 to \$250,000,
31 and the requirement of a Class I notice be raised for any public work to a cost
32 in excess of \$50,000.

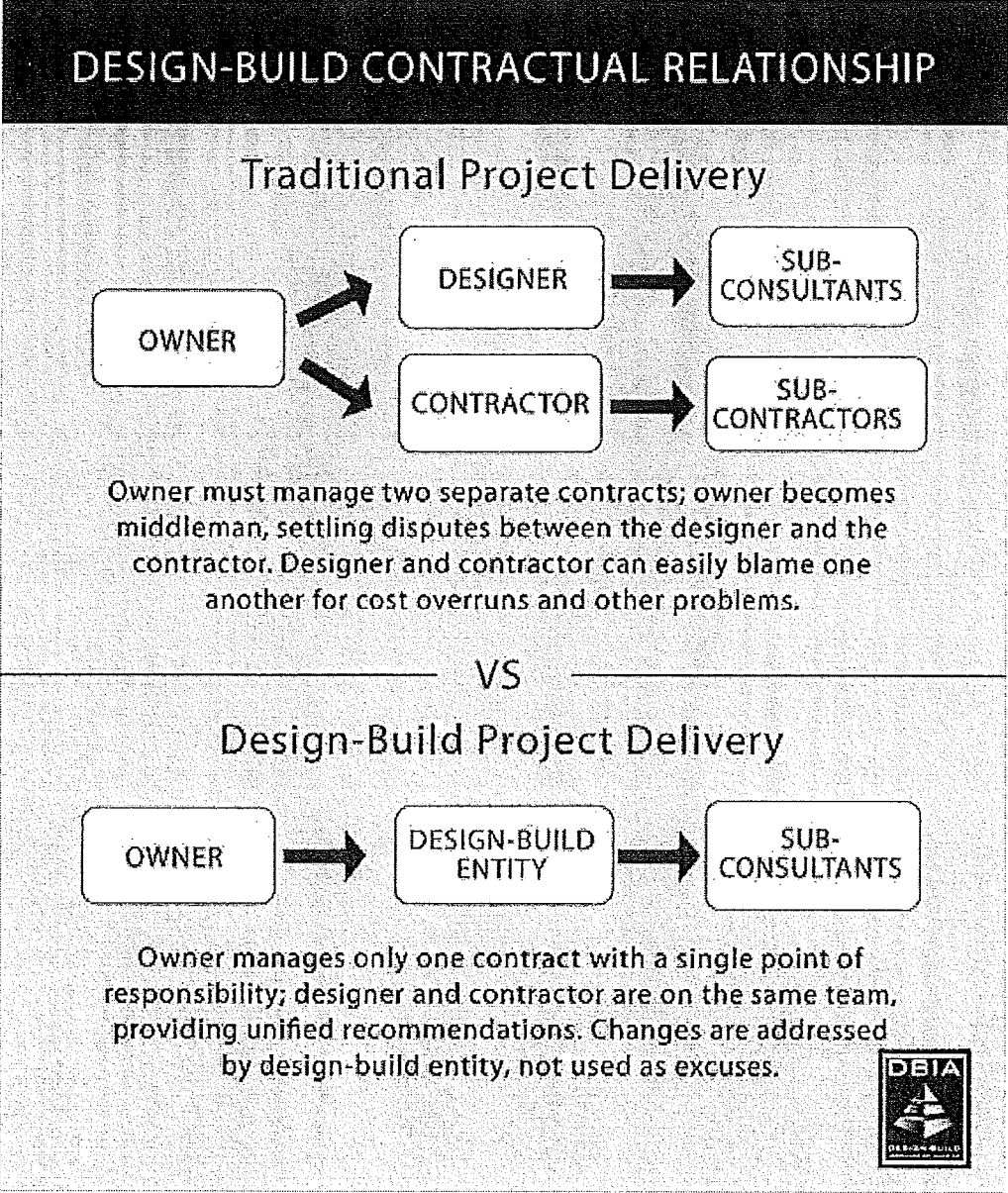
33
34 **BE IT FURTHER RESOLVED**, That the County Board directs the County
35 Clerk to forward a copy of this resolution to our Legislators, Governor Scott
36 Walker, Governor-elect Tony Evers, the Wisconsin Counties Association, and
37 all other Wisconsin counties, to elicit support for this requested change in state
38 law.

39
SUBMITTED BY: FACILITIES AND PARKS COMMITTEE

Daniel Austad Daniel Austad, Chair
Richard Virlee Richard Virlee
Ken Fischer Ken Fischer
Randy Halstead Randy Halstead
Helen Bacon Helen Bacon
Roy Engelbert Roy Engelbert
Susan Kohout Susan Kohout

What is Design-Build?


Design-build is a method of project delivery in which one entity – the design-build team – works under a single contract with the project owner to provide design and construction services. One entity, one contract, one unified flow of work from initial concept through completion – thereby re-integrating the roles of designer and constructor. Design-build is an alternative to the traditional design-bid-build project delivery method. Under the latter approach, design and construction services are split into separate entities, separate contracts, separate work. Across the country and around the world, design-build successfully delivers both horizontal and vertical construction projects with superior results – no matter what the project type.



Streamlining project delivery through a single contract between the owner and the design-build team transforms the relationship between designers and builders into an alliance, which fosters collaboration and teamwork. United from the outset of every project, an integrated team readily works to successfully complete a project faster, more cost effectively and with fewer change orders.

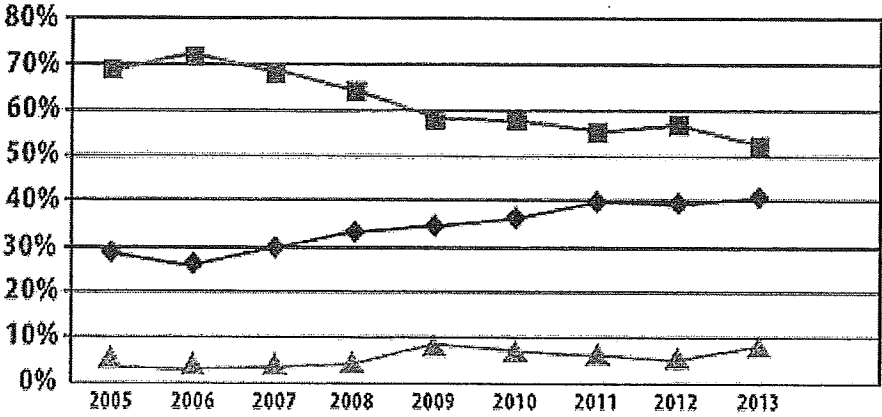
COMPARISON OF PROJECT DELIVERY METHODS		
METRIC	DESIGN-BUILD VS. DESIGN-BID-BUILD	DESIGN-BUILD vs. CM@R
UNIT COST	6.1% lower	4.5% lower
CONSTRUCTION SPEED	12% faster	7% faster
DELIVERY SPEED	33.5% faster	23.5% faster
COST GROWTH	5.2% less	12.6% less
SCHEDULE GROWTH	11.4% less	2.2% less

Source: Construction Industry Institute (CII)/Penn State research comprising 351 projects ranging from 5,000 to 2.5 million square feet. The study includes varied project types and sectors.



Over the past 15 years, use of design-build has greatly accelerated in the United States, making this delivery method one of the most significant trends in design and construction today.

Project Delivery Method Market Share for Non-Residential Construction



■ Design-Build ◆ CM-at-Risk ▲ Design-Bid-Build

Analysis by RSMean's Market Intelligence a div. of Reed Construction Data

EXECUTIVE SUMMARY

Under § 59.52(29), Wis. Stats., county construction contracts that exceed \$25,000 must be awarded to the lowest responsible bidder using the competitive bidding process. In addition, if the estimated public work is between \$5,000 and \$25,000, the County must give a Class I notice before it contracts for such work. These dollar limits have been in place for decades and are unrealistic and need to be updated to a more current number.

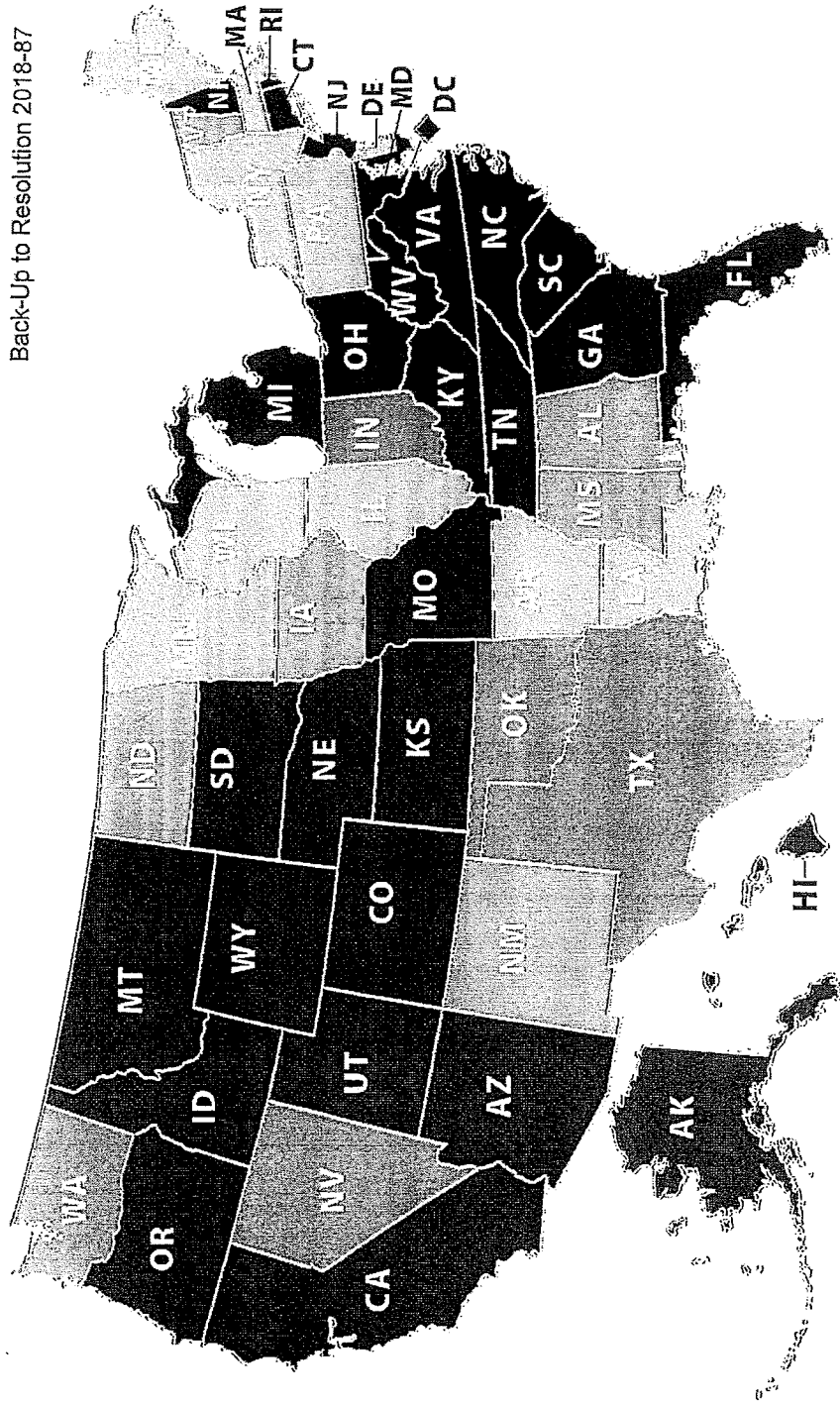
Under the current practice, an architect first designs the construction project, construction designs are then let for bid and contractors submit bids to construct the project based on those design plans. There are inherent disadvantages to a competitive bidding process. Most notably are the lengthy processes and the incentive to low-ball the bid and make up the difference through change orders. Though change orders are a normal condition of any construction project, currently they have become an income generating tool. The time and effort required in negotiating change orders is significant and increases the overall cost of the project.

Another problem is performance quality. If the project is completed and has been done in either a substandard method or with substandard materials in order to meet the low ball bid, the overall project suffers and actual cost is then again increased. We need to have contractors that are willing to prepare fair and accurate proposals for the work and live up to those terms. This also includes the architects and those associated with the preparation and completion of any given project. Design Build concepts allow for that process to happen.

Many of the projects involved in these situations represent millions of dollars and have long-term effects upon counties in the term of operation and maintenance of facilities. This in turn is reflected in taxation of residents and the ability for the county to provide necessary services. We need to have a more affective process in establishing and choosing the appropriate bid for these county projects. Allowing Design Build benefits not only the County, but also the taxpayers.

2017

States Granting Local Design-Build Authorization



Back-Up to Resolution 2018-87

- Design-build is widely permitted
- Design-build is not specifically authorized
- Design-build is a limited option
- Design-build is permitted by all agencies for all types of design and construction

As of August 2017



DOOR COUNTY

Resolution No. 2018-88

SUPPORT FOR LEGALIZATION OF MEDICAL CANNABIS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIJES WOTACHEK			
WAIT			

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WHEREAS, Existing (Wisconsin and federal) law criminalizes the possession and use of cannabis (i.e., tetrahydrocannabinols, commonly known as "THC"); and

WHEREAS, As of November, 2018, the use of cannabis for medical purposes is legal in 33 states; and

WHEREAS, While there is a dearth of rigorous peer-reviewed studies (clinical trials), the relative benefits and risks of medical cannabis are believed to be reasonably well understood; and

WHEREAS, The Door County Board of Supervisors supports Wisconsin taking steps toward cannabis legalization for medical purposes; and

WHEREAS, These steps would include the research, consideration and development of regulations and rules that will enable persons who are in demonstrated need of cannabis for specified medical purposes to obtain and use cannabis under limited circumstances and address any anticipated negative secondary effects to public health, safety, and welfare; and

WHEREAS, The legalization of medical cannabis without appropriate rules and regulations could result in the creation of negative secondary effects to public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors hereby expresses its support for Wisconsin taking steps toward cannabis legalization for medical purposes.

BE IT FURTHER RESOLVED, That the Door County Clerk is directed to provide a copy of this resolution to the all Wisconsin County Clerks, the Wisconsin Counties Association, each state and federal legislator representing Door County, Governor Scott Walker, and Governor-elect Tony Evers.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Fisher Defeated

2nd Lundahl

Yes: _____ No: _____ Exc: _____

Reviewed by: _____ Corp. Counsel

Reviewed by: _____ Administrator

FISCAL IMPACT: There is no fiscal implication with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

SUBMITTED BY:

David Lienau
David Lienau, Chairman
Door County Board of Supervisors

