

**Minutes**  
**Trempealeau County Personnel/Bargaining Committee**  
August 13, 2010

Committee Chair, Tom Bice called the meeting to order at 9:01 a.m. in the Tremple Room of the Courthouse in Whitehall, Wisconsin.

The open meeting law requirements were met.

**Committee members present:**

Tom Bice  
Doug Winters (left at 11:40 am)  
Bob Duellman (left at 11:40 am)  
Dick Miller  
Wally Geske (arrived at 9:08 am)

**Others in attendance:**

Mark Smick  
Mike Nelson  
Olin Fimreite  
Dave Suchla  
Rod Severson  
Jeri Marsolek  
Jami Kabus  
Jeff McIntyre  
Bobbi Guthrie  
Jon Zander  
Paul Syverson

**Motion by Duellman and seconded by Winters to adopt the agenda. Motion carried.**

**Motion by Duellman and seconded by Winters to approve the 7/15/2010 minutes.** Winters pointed out that roll call votes should be listed separately, with each individual names listed. Bice questioned Duellman on a second to a motion on the agenda. **Motion carried.**

Kabus introduced the personnel requisition for the UW Extension Office Manager position. She explained the history of the process in which it became available. Zander explained the staffing in the office, with the Office Manager being the constant presence in the office, as the Agents are in and out of the office. Zander also explained how there were originally three full-time positions and over the past several years, it has been decreased to just one full time position. Bice stated there are several staff members in this office and feels that a rotation can be developed to occupy the front desk. Zander is concerned with the feasibility of having agents at the front desk, as agent schedules are so busy. Kabus said the ½ time float is being utilized right now to help in that position. Miller suggested more creativity and equally distributing a possible budget shortfall throughout the county, not completely eliminating support staff. Geske suggested we put all support staff in one unit, creating a pool of clerical staff that can be shared throughout the courthouse offices. He explained it as a mathematical unit, not one individual that can be used equitably. He added that it is not reasonable to lay off a person in a specific area, because they will solely be short. Guthrie said that if the County did not replace the position and Agents would be doing the work of this position, there might be an issue with non-union employees doing union job duties. Bice feels this is an ideal opportunity to take money off the levy and have UW Extension agents cover the work of the Office Manager position. Syverson asked Zander if the County will have to renegotiate the 133 Contract with the State, as this would create added duties and eliminating support staff, it may affect funding. The contract is a 60/40 shared cost right now, with a support staff. If that changes, we may have to pay more. Miller suggested filling the position and let the process takes its course, and at the same time, have Kabus research Geske's suggestion of a clerical pool concept. Miller said the pool idea is a long term approach and layoffs are more of a short term fix. Geske said the County taxpayers are paying the bills and want this operation to run as efficiently and as equitable as possible. It is not equitable to lay a position off in one area and everyone else keeps the same level. Further discussion on cross training in different positions. Smick added that any of the staff can perform the duties throughout the courthouse. Miller responded that all positions are not the same, and should not be oversimplified. Winters stated if we do not pass this position they will not have an Office Manager, suggesting this was micro-managing. Bice believed that we would have to discuss how they are going to set up some kind of staffing. Suchla asked if Land Management and UW Extension can share receptionist duties.

**Motion/Second by Miller/Winters to fill the UW Extension Office Manager position. Miller amended the motion that the position be approved to post and asked Kabus to research a clerical pool concept. Winters agreed to the amended motion. Motion by Bice, seconded by Winters to table filling the position for three months. Aye, Winters, Bice, Duellman, with Miller and Geske voting Ney. Motion Carried.**

**Motion/Second by Geske/Miller to assign the Float position to the UW Extension office half time for three months effective 8/20/2010. Motion Carried.**

Kabus updated the committee on the current commercial crime policy. She will be looking at other carriers that offer a broader insurance coverage that would be more beneficial coverage for the county. The current policy is not large enough and has limited coverage. Bice would like to bring the issue back to further discuss at a later date. Not action taken.

Kabus informed the committee that the Health and Human Services Board referred an issue related to the Health Officer/Supervisor position to Personnel/Bargaining. This issue is related to the next item listed on the agenda. There had been discussion as to whether this should be a union position and was referred to Personnel/Bargaining Committee to discuss. Info was included in the P/B committee agenda packet from the WERC, State Statutes, and from the County's Labor Attorney's office regarding unit clarification, what steps to take for parties to determine if a position is confidential, supervisory, management, etc. and if it should be included or excluded from the union. McIntyre added that years ago, Human Services Supervisors were in the union, but it was determined by the Union and County that Managers and Supervisors should not be represented by the union. He said that one of the HHS Board members questioned why the Health Officer/Supervisor could not be union, which it was then forwarded to P/B Committee. Suchla said this issue was more than just the Health Officer/Supervisor position. He offered issues and examples of supervisors in the Sheriff's Department, referencing the State Jail Inspector report. Suchla explained that the Jail Inspector would not allow any individual to come out of the control room to go out on the floor to help an officer if they had problems with an inmate. Nor would the Jail Inspector count or allow a Supervisor to come and help because they were non-union personnel. Suchla said the union is not going to complain if a Supervisor steps in to help another officer if there is an issue on the floor. Suchla said he spoke with the Courthouse Union President and did not hear too much of a complaint about having supervisors in the union. Guthrie, the Courthouse Union President, disagreed, saying the Courthouse contract states that supervisors are excluded from the union, adding that changes to language in the current contract would have to be negotiated. Miller sees potential problems with peers supervising peers. Miller further stated that it is his understanding that the State Health Department does not see that as an appropriate role of a union member to provide that supervision. Geske said it is our job to make this county operate and provide the services to the citizens. He said there is a difference between a person who is in the union and who is not. He said the union's objective is to represent its people and protect their job, to get them the best working conditions and the best pay possible. Kabus stated what is fortunate about our Health Department is that there is a past practice where the Health Director/Officer has always been a working Manager. The union has welcomed the manager to work along side the nurses and staff, where in some other unions at the County, you cannot cross that line. She added, there is already an established working relationship in this position, and asked what the benefit of having this position of this level in a union when it is not expected to be and the job can still help the nurses and staff. Suchla said that this does not pertain to the Health position, but does to other position in the county, such as the Sheriff's Department and the Jail. Suchla would like to see the supervisor exclusion found in the union language out of the contract so the county can have the flexibility. No action taken at this time.

Kabus said this was asked to be on the agenda from last month's meeting. Kabus said the County Payroll position is brought up periodically throughout the years as to whether or not this position should be a confidential position and taken out of the union. The questions arise due to the nature of the job, which includes interpreting the union contracts, handling personnel files, etc. Kabus explained that a unit clarification sheet is used as a guideline to help determine if there is enough of that position doing confidential type of work. Syverson added that Payroll is about 40% of her position, with the remainder of the position being non-confidential work. Miller suggested not addressing this issue at this time. Geske added that the Auditors have commented on the current structure of this position. No action taken.

Bice began to speak about requiring committee final approval of hires in the county. Miller questioned the agenda item and the intended topic, saying it was a general agenda item and not specific enough to the topic. Geske thought it was appropriate language. But Bice requested the recruitment practices for County positions topic to be moved to next months agenda, specifying the topic as changing hiring practices to require committee final approval.

Marsolek stated that she was speaking as a taxpayer and County employee, not as the District Attorney on this topic. She said she has heard discussion about employees staying overnight in the courthouse. She has concerns that precedence has now been set. She feels it is a Personnel/Bargaining issue, where if the committee accepts the practice, parameters should be set under which it is acceptable. She questioned if it should be considered a benefit of employment, treated as taxable income and determine if it is a liability issue. Marsolek felt this it is also a Property Committee issue. Fimreite said he has received complaints, pointing out an individual staying in the courthouse and taking showers in the jail. He suggested this as an abuse of power and unethical. Fimreite said he spoke to the Property Committee Chair, but the topic was not put it on the agenda. He further referenced this person's salary and the decision to live out of county and not pay taxes to Trempealeau County, suggesting staying at local hotels or a friend's house. He is concerned that liability is an issue, stating some examples. Bice interrupted Fimreite and said that he cannot make anymore references to individuals or we will need to move into closed session. Marsolek agreed and said she does not think this is an issue regarding any specific individual, but a courthouse wide issue. Winters asked if Property or Executive/Finance Committees should be involved in making this policy. Guthrie added that a policy like this will create a situation where the parking lots will not be plowed in the winter. She explained that in adverse weather, a maintenance employee has stayed overnight at the courthouse and gets up at 3 or 4 am to plow snow prior to employees arrival. Marsolek sees this as the same liability issue. Marsolek said she is confident an action like this will eliminate the discussions she has heard and will avoid precedence from being set in the future.

**Motion by Geske, second by Bice to create a policy that states that people not be in the courthouse after regular hours unless they are actively engaged in work duty. Motion carried.**

Kabus introduced the Courthouse union's Reclassification Request that was submitted by the deadline.

**Motion by Winters, and seconded by Duellman, to go into closed session, per WI Stat. 19.85(1)(c) and (e) to consider employment promotion, compensation or performance evaluation data and to conduct business where competitive or bargaining reasons require a closed session at 11:03 am. Roll call taken. Bice-yea, Duellman-yea, Miller-yea, Geske-yea, Winters-yea. Motion carried**

**Motion by Duellman, and seconded by Winters, to go into open session, at 11:40 am. Roll call taken. Bice-yea, Duellman-yea, Miller-yea, Geske-yea, Winters-yea. Motion carried**

**Motion by Miller, and seconded by Geske to approve the decision made in closed session. Motion Carried.**

**Motion by Geske, and seconded by Miller, to go into closed session, per WI Stat. 19.85(1)(e) to discuss union negotiations where competitive or bargaining reasons require a closed session at 11:42 am. Roll call taken. Bice-yea, Miller-yea, Geske-yea. Motion carried**

**Motion by Miller, and seconded by Geske, to go into open session, at 12:31 pm. Roll call taken. Bice-yea, Miller-yea, Geske-yea. Motion carried**

Next meeting date was set September 9, 2010 at 9:00 am.

Committee Chair, Tom Bice, adjourned the meeting at 12:40 pm.

Respectfully submitted,  
Douglas Winters/jk  
Secretary, Personnel/Bargaining Committee