

**SPECIAL SCREENING OF UNIQUELY WISCONSIN
TREK BICYCLE CORPORATION**

Jefferson County Courthouse
311 S. Center Avenue, C20063
Jefferson, WI 53549

Tuesday, December 10, 2024 | 6:45 p.m.

AGENDA

JEFFERSON COUNTY BOARD MEETING

TUESDAY December 10, 2024 7:00 p.m.

**Jefferson County Courthouse
311 S. Center Avenue, Room C2063
Jefferson, WI 53549**

[Livestream on YouTube](#)

Register in advance for this webinar:
https://zoom.us/webinar/register/WN_N2ghwZR3TQenotKF1KEwmQ
After registering, you will receive a confirmation email containing information
about joining the webinar.

1. **CALL TO ORDER**
 - a. Roll Call by County Clerk
2. **PLEDGE OF ALLEGIANCE**
3. **CERTIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW**
4. **APPROVAL OF THE AGENDA**
5. **APPROVAL OF NOVEMBER 12, 2024 MEETING MINUTES**
6. **COMMUNICATIONS**
 - a. Notice of Public Hearing – Planning and Zoning – December 19, 2024 (Page 1)
 - b. Plan for Jefferson County Library Services 2025-2029
 - c. Treasurer’s Monthly Report
7. **PUBLIC COMMENT (agenda items)**
8. **SPECIAL ORDER OF BUSINESS**
 - a. 2025 Budget amendment presentation
9. **ANNUAL REPORTS**
 - a. Emergency Management – Tracy Hameau
 - b. Literacy Council – Pamela Waters
 - c. Veterans Service – Yvonne Dueterhoeft
 - d. Administration – Ben Wehmeier

COMMITTEE REPORTS / RESOLUTIONS / ORDINANCES

10. **FINANCE COMMITTEE**

- a. Ordinance – Repealing and Replacing Ordinance 2002-12 Pertaining to the Administration and Management of Tax Foreclosed Lands (Page 3)
- b. Resolution- Adopting Revised Real Estate Tax Foreclosure Policy (Page 7)
- c. Ordinance – Amending sections of the Jefferson County Purchasing Ordinance (Page 8)
- d. Resolution – Amending the 2024 and 2025 County Budgets (Page 23)
- e. Resolution – Authorizing the County Administrator to execute a Cost Share Agreement with City of Jefferson for the Food & Beverage Innovation Campus (Page 27)
- f. Resolution – Accepting a \$10,000 grant from the Wisconsin Department of Health Services for ADRC Marketing, Rebranding & Outreach and amending the 2025 Human Services Department budget (Page 29)
- g. Resolution- Authorizing the sale of County-owned land (Page 31)
- h. Resolution- Authorizing the sale of tax-foreclosed property to the City of Jefferson (Page 33)

11. **PARKS COMMITTEE**

- a. Resolution – Authorizing the transfer of donations to the Jefferson County Parks Endowment with the Natural Resources Foundation of Wisconsin and establishing a policy for future use of the funds and amending the 2024 budget (Page 35)

12. **HUMAN SERVICES BOARD**

- a. Resolution – Authorizing the Human Services Department to contract for the Senior Dining and Home Delivered Meals Program (Page 37)

13. **PLANNING AND ZONING COMMITTEE**

- a. Report (Page 39)
- b. Ordinance – Amending Official Zoning Map (Page 40)
- c. Resolution – Referring Petition R4379A-22 to the Planning & Zoning Committee for further proceedings consistent with the Court’s order in Jefferson County Case No. 22CV334, Defend Town Plans, U.A., et. Al. vs Jefferson County Board of Supervisors (Page 42)

14. **APPOINTMENTS BY COUNTY BOARD CHAIR** (Page 43)

- a. Shane Hart, Nick Thompson, Keith Hrobsky and Brian Udovich, as representatives of owners and operators of facilities, to the Local Emergency Planning Committee (LEPC) for an indeterminate term.

15. **APPOINTMENT BY COUNTY ADMINISTRATOR** (Page 43)

- a. Brandon White to the Veterans Service Commission for a three-year term ending December 13, 2027
- b. William Gaugert and Kevin Purcell to the Sheriff’s Civil Service Commission for a five-year term ending January 1, 2030.

16. **PUBLIC COMMENT** (General)

17. **ANNOUNCEMENTS**

18. **ADJOURN**

NEXT COUNTY BOARD MEETINGS

TUESDAY, JANUARY 14, 2025

7:00 P.M.

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker; Cassie Richardson

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits
DATE: Thursday, December 19, 2024
TIME: 7:00 p.m. (Doors will open at 6:30)
PLACE: **JEFFERSON COUNTY COURTHOUSE, ROOM C2063**
311 S. CENTER AVE, JEFFERSON, WI 53549
OR Via Zoom Videoconference

PETITIONERS OR MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS IF THEY CHOOSE NOT TO ATTEND IN PERSON:

You are invited to a Zoom meeting.
When: December 19, 2024, at 07:00 PM Central Time (US and Canada)
Meeting ID: 957 3344 0565
Passcode: Zoning
Register in advance for this meeting:
<https://zoom.us/j/95733440565?pwd=eHZRbHZXWXhlUnlkdkhtOXhoTmtNz09>
After registering, you will receive a confirmation email containing information about joining the meeting.

1. Call to Order
2. Roll Call
3. Certification of Compliance with Open Meetings Law
4. Approval of Agenda
5. Public Hearing

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, December 19, 2024, in Room C2063 of the Jefferson County Courthouse, Jefferson, Wisconsin. Members of the public will be allowed to be heard regarding any petition under consideration by the Planning and Zoning Committee. **PETITIONERS, OR THEIR REPRESENTATIVES SHALL BE PRESENT EITHER IN PERSON OR VIA ZOOM.** Matters to be heard are petitions to amend the official zoning map and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff finding of fact, are available for viewing between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

Decisions on Conditional Use Permits will be made on **December 30, 2024**
Recommendations by the Committee on Rezones, will be made on **December 30, 2024**
Final decision will be made by the County Board on **January 14, 2025**

FROM A-1 EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS WITH CONDITIONAL USE

All are in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance

R4572A-24 & CU2136-24 –Whitewater Islamic Center Inc: Rezone 5-acres from A-1 to A-2 to allow for a 5-acre private religious cemetery (public/semi-public use) with capacity for approximately 4000 gravesites along **Tri-County Road** in Town of Koshkonong, PIN 016-0514-3643-000 (23.74 ac.) and 016-0514-3643-002 (4.967 ac).

FROM A-1 EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

All are in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance

R4573A-24 – Joshua Edwards: Rezone to create two 2.0-acre lots at **N5118 Bakertown Road** in the Town of Concord, PIN 006-0716-3313-001 (14 ac). The property is owned by Patrick A. & Susan B. Pelikan.

R4574A-24 –Evan & Kate Karow: Rezone to create a 2.0-acre lot west of **W6116 Star School Road** in the Town of Koshkonong, PIN 016-0514-2111-000 (37.671 ac). The property is owned by Dale Karow.

R4575A-24 – Febock Brothers: Rezone to create a 1-acre residential lot north of **N5190 State Road 134** in the Town of Lake Mills from PIN 018-0713-3121-000 (60.68 ac).

**FROM A-3, AGRICULTURAL/RURAL RESIDENTIAL TO A-1 EXCLUSIVE AGRICULTURAL WITH
CONDITIONAL USE**

All are in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance

R4576A-24 – Michels Road & Stone LLC: Rezone A-3 to A-1 for non-metallic mining at **N9614 Doepke Road** in the Town of Waterloo, PIN 030-0813-0321-001 (2.1 ac). Property is owned by P&Q Waterloo LLC.

R4577A-24 – Michels Road & Stone LLC: Rezone A-3 to A-1 for non-metallic mining at **W8301 Doepke Road** in the Town of Waterloo, PIN 030-0813-0331-002 (4 ac). Property is owned by P&Q Waterloo LLC.

R4578A-24 – Michels Road & Stone LLC: Rezone A-3 to A-1 for non-metallic mining at **W8333 Doepke Road** in the Town of Waterloo, PIN 030-0813-0331-001 (7.19 ac). Property is owned by P&Q Waterloo LLC.

R4579A-24 – Michels Road & Stone LLC: Rezone A-3 to A-1 for non-metallic mining at **W8337 Doepke Road** in the Town of Waterloo, PIN 030-0813-0331-003 (4 ac). Property is owned by P&Q Waterloo LLC.

CU2137-24 – P&Q Waterloo LLC: Conditional Use to allow operation of a non-metallic mining site on 8 parcels along **Doepke Rd.** in the Town of Lake Mills, PINs 030-0813-0322-001 (3.789 ac), 030-0813-0321-001 (2.1 ac), 030-0813-0331-003 (4 ac), 030-0813-0331-002 (4 ac), 030-0813-0323-002 (19.507 ac), 030-0813-0321-000 (40.233), 030-0813-0331-001 (7.19 ac), 030-0813-0324-000 (40 ac).

**FROM A-3, AGRICULTURAL/RURAL RESIDENTIAL TO A-2 AGRICULTURAL AND RURAL
BUSINESS WITH CONDITIONAL USE**

All are in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance

R4580A-24 & CU2138-24–Matthew P. Hasel: Rezone 1.09-acres from A-3 to A-2 to allow for landscaping and tree service business to store equipment and personal materials at **W7778 Conservation Road** in Town of Lake Mills, PIN 018-0713-2644-003 (2.3 ac.).

CONDITIONAL USE PERMIT APPLICATIONS

All is in accordance with Sec. 11.04(f)1 & 2 of the Jefferson County Zoning Ordinance

CU2139-24 – Robb Brinkmann: Conditional Use to allow for retail sales of landscape supplies in an Industrial zone at **N6131 County Road Y** in the Town of Farmington, PIN 008-0715-1833-000 (22.385 ac). The property is owned by Thomas E. & Kathy L. Gallitz Trust.

CU2140-24 – Chad Coomer: Conditional Use to allow an extensive storage structure 1500 sq. ft., 24 ft. high, in C-zone for personal use at **W230 Madison Ave.** in the Town of Ixonia, PIN 012-0816-2513-015 (.72 ac).

CU2141-24 – Station Ixonia: Conditional Use to allow for eating and drinking place to be added in a B- zone to the gas station at **W1168 American St.** in the Town of Ixonia, PIN 012-0816-2224-000 (1.037 ac).

6. Adjourn

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at this meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

ORDINANCE NO. 2024-_____

**Repealing and Replacing Ordinance 2002-12 Pertaining to the
Administration & Management of Tax Foreclosed Lands**

Executive Summary

The Wisconsin legislature recently enacted the 2023 Wisconsin Act 207 (“Act 207”) regarding the sale of tax-deeded properties. This Act cleaned up some issues from the revisions to the tax foreclosure process set forth in 2021 Wisconsin Act 216 (“Act 216”). Under prior law, Jefferson County could, at its discretion, allow the former owner of all property types to repurchase their property following a tax foreclosure. Act 207 now requires that repurchase be offered to former owners of single-family, owner-occupied homes, and former owner’s heirs and beneficiaries. Act 207 further requires that in addition to paying all past taxes, interest and penalties, the former owner must also pay to satisfy any liens (e.g. mortgage, child support liens, judgments, etc.) that existed on the property prior to the foreclosure in order to repurchase. This means that repurchasing will be less financially feasible for most homeowners.

The recent changes in the law also expanded those entitled to surplus proceeds (the sale proceeds less related costs that exceed tax debt and fees) from homestead properties to all property owners. Additionally, it set forth a revised procedure for distribution of those proceeds.

This proposed ordinance reflects the changes in the law related to the sale of tax foreclosed properties, the former owner’s right to repurchase, and the distribution of surplus proceeds. The Finance Committee considered this ordinance at its meeting on December 3, 2024, and recommended forwarding it to the County Board for adoption.

NOW, THEREFORE, BE IT ORDAINED by the Jefferson County Board of Supervisors that Jefferson County Ordinance 2002-12 is repealed and replaced as follows:

Section 1.

1.01 DEFINITIONS.

- (1) In this section, unless the context clearly requires otherwise:
 - (a) “Former Owner” means the person, persons, or business entity last holding title to lands which have been taken by the County by tax foreclosure.
 - (b) “Beneficiaries” shall have the meaning given in Wis. Stat. §851.03.
 - (c) “Heirs” shall have the meaning given in Wis. Stat. §851.09.
 - (d) “Surplus proceeds” shall mean the amount calculated as set forth in Wis. Stat. §75.36(2m).

- (e) “Owner-occupied, single-family residence” means any single-family residential unit used by one family which owns the property as their domicile (permanent and primary residence) and, upon request, is able to provide the County Treasurer with evidence establishing the satisfaction of these terms (e.g. utility bill). This term does not include rental properties, multiple unit buildings (e.g. duplexes, condominiums), or multiple-family units, nor does this term include a mixed-use building, structure, or installation that contains a residential unit.
- (f) “Tax-deeded lands” shall have the meaning ascribed to such term in Wis. Stat. § 75.35(1).

1.02 ADMINISTRATION AND MANAGEMENT OF TAX-DEEDED LANDS.

- (1) The County shall comply with the provisions of Wis. Stats. §§ 75.35, 75.36 and 75.69 in the disposition of tax-deeded lands.
- (2) Pursuant to Wis. Stat. § 75.35(2)(d), the County Board of Supervisors hereby delegates to the Finance Committee the power to acquire, manage and sell tax-deeded lands including the power to determine which properties to acquire.
- (3) The County Board of Supervisors recognizes there may be properties where it is undesirable for the County to acquire the property through the process set forth in Wis. Stats. Chap. 75 due to issues including, but not limited to, liability, environmental contamination or the presence of certain structures. Each year the Treasurer shall present to the Finance Committee, a listing of such undesirable properties. The Finance Committee shall determine whether to proceed with foreclosure of these properties. If a property is not acquired for any reason authorized in this section, the Treasurer shall notify the appropriate assessor and request that the value of such property be reduced.
- (4) Within 20 days of the County’s acquisition of a tax-deeded land, the Treasurer shall notify the former owner, by registered mail or certified mail sent to the former owner's mailing address on the tax bill, that the former owner may be entitled to a share of the proceeds of a future sale of the tax-deeded land.
- (5) Within 90 days of the County’s acquisition of a tax-deeded land, the Finance Committee shall determine the appraised value of the tax-deeded land. The appraisal may be made by the Finance Committee or a certified appraiser as defined in Wis. Stat. § 458.01(7).
- (6) The following provisions in this Section (6) relate to tax-deeded lands that are owner-occupied, single-family residences. This Section (6) may, in the sole discretion of the Finance Committee be applied to tax-deeded lands that are not owner-occupied, single-family residences.
 - (a) Pursuant to the authority granted by Wis. Stat. §75.35(3), the purpose of this section is to permit the repurchase of single-family, owner-occupied properties to the former owner who lost title through

delinquent tax collection enforcement, or that person's beneficiaries or heirs, upon compliance with the terms and conditions of this section.

- (b) Within 20 days of the County's acquisition of a tax-deeded land, the Treasurer shall provide notice to the former owner of the former owner's, the former owners heirs or the former owners beneficiaries right to repurchase the tax-deeded land. Such notice shall be mailed to the former owner's last known address on file with the Treasurer.
 - (c) If a former owner of tax-deeded land, or such former owner's heir or beneficiary, notifies the Treasurer of an intent to repurchase the tax-deeded land within 60 days of the date the County acquired the tax-deeded land, the Treasurer shall order a title report from a title insurance company showing all liens of record against the tax-deeded land in existence on the day prior to the judgment of foreclosure in favor of the County, the cost of which shall be paid in advance by the person notifying the Treasurer of the intent to repurchase the tax-deeded land.
 - (d) If the former owner, or such former owner's heir or beneficiary, provides proof of satisfaction of all liens of record as established in the title report within 30 days of the date of the title report, the County shall convey the tax-deeded land to the former owner, or such former owner's heir or beneficiary, provided the former owner, or such former owner's heir or beneficiary, has provided the County with funds necessary to satisfy all delinquent taxes, interest, costs and expenses due the County as provided in Wis. Stat. § 75.35(3). The manner of conveyance shall be at the discretion of Corporation Counsel and can be in the form of an amended/vacated judgment.
- (7) Unless a tax-deeded land is repurchased under Section (6), within 180 days of the County's acquisition of a tax-deeded land the Treasurer, with the assistance of Corporation Counsel, shall publish on the County's website and publish a class 1 notice of the availability of a tax-deeded land for purchase and the appraised value of the tax-deeded land, as determined in Section (5). The publications shall include information regarding the method of sale to be utilized.
 - (8) The Treasurer shall notify, by mail, the clerk of the municipality in which a tax-deeded land is located of the sale of a tax-deeded land at least three weeks prior to the time of the sale.
 - (9) The Finance Committee is authorized to sell tax-deeded lands by open or closed bid or engage a licensed real estate broker or salesperson to assist in selling any tax-deeded land.
 - (a) The Finance Committee may accept the bid most advantageous to it but, at the first attempt to sell a tax-deeded land, every bid less than the appraised value of the tax-deeded land shall be rejected.

- (b) Tax-deeded land previously advertised for sale may be sold for any amount determined by the Finance Committee but only after advertising the sale of such tax-deeded land by publication of a class 1 notice, under Wis. Stat. Chap. 985.
 - (c) No tax-deeded land may be sold for an amount that is less than the tax-deeded land's appraised value determined under Section (5) unless the Finance Committee has reviewed and approved such a sale and no tax-deeded land may be sold for an amount that is less than the amount of the highest bid unless the Finance Committee prepares a written statement, available for public inspection, that explains the reasons for accepting a bid that is less than the highest bid.
- (10) The Treasurer shall send to the former owner notice of any surplus proceeds to which the former owner is entitled under Wis. Stat. § 75.36(2m)(a) by certified mail to the former owner's last known address. If the surplus payment notice to the former owner is returned to the County or the funds are otherwise not claimed by the former owner within one year following the mailing of the notice, the payment shall be considered unclaimed funds and disposed of pursuant to Wis. Stat. § 59.66(2). Neither the former owner nor any person making a claim for any funds under this Section (10) is entitled to interest on sums owed by the County hereunder.
- (11) Pursuant to Wis. Stat. § 75.69(2), Sections (7), (8) and (9) do not apply to the withdrawal and sale or county forest lands, nor to the sale or exchange of lands to or between the County and a municipality or the state.

Section 2. This ordinance shall be effective after passage and publication.

Fiscal Note: The impact of Wis. Stat. § 75.36 is such that Wisconsin Counties are no longer eligible to retain amounts received from the sale of property tax foreclosed properties in excess of the delinquent tax and associated interest and penalties, less any related expenses as defined by Wis. Stat. § 75.36 (3).

Strategic Plan Reference: None

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT; Finance Director: MAD

RESOLUTION NO. 2024-_____

Adopting Revised Real Estate Tax Foreclosure Policy

Executive Summary

Jefferson County previously elected by ordinance to utilize the “*in rem*” foreclosure process to enforce tax liens. Pursuant to the County Board Rules, the Finance Committee oversees the *in rem* foreclosure process and the sale of tax foreclosed properties in accordance with an established policy last reviewed in 2022.

Recent changes in the law regarding tax foreclosures required staff to rewrite the existing Real Estate Tax Foreclosure Policy to ensure legal compliance. These changes primarily relate to the sale of tax-foreclosed properties and distribution of surplus proceeds. Additionally, the policy was updated to increase efficiency and clarify staff roles and responsibilities. The revised policy increases collection efforts on the front end in an attempt to reduce the number of delinquent properties requiring formal action and streamlines the sale process to reduce costs and increase participation.

This resolution adopts the attached revised Real Estate Tax Foreclosure Policy. The Finance Committee considered this resolution at its meeting on December 3, 2024, and recommended forwarding it to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, changes in Chapter 75 of the Wisconsin Statutes necessitate significant revisions to the existing Real Estate Tax Foreclosure Policy; and

WHEREAS, the revised Real Estate Tax Foreclosure Policy complies with current Wisconsin law and provides a roadmap for staff to ensure a consistent process, and


NOW, THEREFORE, BE IT RESOLVED the attached Real Estate Tax Foreclosure Policy is hereby adopted by the Jefferson County Board of Supervisors.

Fiscal Note: The impact of Wis. Stat. § 75.36 is such that Wisconsin Counties are no longer eligible to retain amounts received from the sale of property tax foreclosed properties in excess of the delinquent tax and associated interest and penalties, less any related expenses as defined by Wis. Stat. § 75.36 (3)

Strategic Plan Reference: None

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: 

ORDINANCE NO. 2024- _____

Amending Sections of the Jefferson County Purchasing Ordinance

Executive Summary

Jefferson County adopted a Purchasing Ordinance in 2018 which governs the process to be used for the procurement of all goods and services by Jefferson County. The purpose of the ordinance is to ensure the most efficient and responsible use of public funds. In an effort to align purchasing procedures with the current needs of Jefferson County and increase consistency in implementation, the following amendments to the Purchasing Ordinance are proposed:

1. Clarifications regarding the applicability of the ordinance.
2. Revising and refining language throughout the ordinance to address frequently asked questions and increase clarity for staff implementing the ordinance.
3. Outlining alternative procurement procedures and providing for greater flexibility where the standard competitive bidding process is impractical or contrary to the best interests of the County due to market conditions and the County's current needs.
4. Updating language to comply with Wisconsin statutes.

The Finance Committee reviewed the proposed amendments to the Purchasing Ordinance at its meeting on December 3, 2024, and recommended forwarding the amendments to the County Board for approval.

NOW THEREFORE, BE IT ORDAINED by the Jefferson County Board of Supervisors that the Purchasing Ordinance, is amended as follows:

SECTION 1. SHORT TITLE. This ordinance shall be known as the "Jefferson County Purchasing Ordinance".

SECTION 2. PURPOSE. The purpose of this ordinance is to provide for the fair and equitable treatment of all persons involved in public purchasing by this County, to maximize the purchasing value of public funds, and to provide a framework of internal controls to achieve these objectives.

SECTION 3. APPLICATION. (a) This ordinance applies to the procurement of all goods and services by Jefferson County, whether professional or nonprofessional. It shall apply to every expenditure of public funds by Jefferson County for public purchasing regardless of the funding source, subject to the exceptions noted in this ordinance.

(b) When the procurement involves purchase from another governmental entity of the expenditure of Federal or State assistance or contract funds, the procurement shall be conducted in accordance with any applicable Federal or State laws or regulations which are not reflected in this ordinance. When mandatory applicable state or federal laws or regulations are inconsistent with the provisions of this ordinance, compliance with such state or federal laws or regulations shall constitute compliance with this ordinance. Nothing in this ordinance shall prevent any public agency from complying with the terms and conditions of any grant, gift or bequest which are otherwise consistent with law.

(c) The Highway Department shall not be governed by the provisions of this ordinance for purchases of repair parts and for repair work involving Highway machinery or equipment, but the Highway Department shall comply with the provisions of Sec. 59.52(29) and Sec. 66.0901, Wis. Stats.

(d) The County recognizes occasionally it may be in the best interest of the County to enter into contracts, leases or other agreements that have been bid, negotiated, or otherwise entered into in a manner which is not in strict conformity with the terms of this ordinance. Upon adoption or ratification of any such contract, lease, or other agreement by the County Board or Purchasing Agent where applicable, any such nonconformity shall be deemed to have been waived by the County.

(e) This ordinance shall not be construed to create a private right of action or enforcement against the County for any person seeking to do business with Jefferson County. Compliance with the terms of this ordinance shall rest solely with Jefferson County.

(f) Except as otherwise expressly provided, this ordinance does not apply to real estate transactions.

SECTION 4. DEFINITIONS.

Aggregate Total Cost. The reasonable expectation of how much a particular purchase will cost, or a series of purchases of the same or substantially similar goods or services made in a 12-month period to accomplish or in furtherance of a specific project or internal service provided by a department. For a contract with an expected life which will span multiple years, the aggregate total cost shall include the cost of all years of the contract.

Bid. The written or verbal commitment of a contractor or vendor to furnish goods or services, or a combination thereof, in specific quantities at a firm price.

Bidder. Anyone who submits a bid in response to a Request for Bids or Proposals.

Brand name specification. A specification limited to one or more items by manufacturers' names or catalogue numbers.

Brand name or equal specification. A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard or quality, performance or other important characteristics needed to meet County requirements and which provides for the submission of equivalent products.

Business. Any corporation, partnership, individual, sole proprietorship, joint stock company, limited liability company, joint venture or any other private legal entity.

Change order. A written order approved and issued by the Purchasing Agent, directing a Business to make changes to a contract and project.

Confidential information. Any information which is available to an employee only because of the employee's status as an employee of this County and is not a matter of public knowledge or is not available to the public on request.

Construction. The process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvements of any kind to any public real

property. Construction does not include the routine operation, routine repair or routine maintenance of existing structures, buildings, or real property.

Contract. All types of County agreements, regardless of what they may be called, for the procurement of supplies, services, or construction or any other agreement that legally binds the County.

Contract modification. Any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity or other provision of any contract accomplished by mutual action of the parties to the contract.

Contractor. Any person having a contract with a public agency of the County.

Cost data. Factual information concerning the cost of labor, material, overhead and other cost elements which are expected to be incurred or which have actually been incurred by the contractor in performing the contract.

Cost reimbursement contract. A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this ordinance and a fee or profit, if any.

Direct or indirect participation. Involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation or auditing or in any other advisory capacity.

Employee. An individual drawing a salary from the County, whether elected or not, and any noncompensated individual performing personal services for the County or any department, agency, commission, council, board, of any other entity established by the executive or legislative branch of this County.

Financial interest.

(a) Ownership of any interests or involvement in any relationship from which or as a result of which a person within the past year has received, or is presently or in the future entitled to receive, any amount that is prohibited by county or state law;

(b) Ownership of any property, or business; or

(c) Holding a position in a business such as an officer, director, trustee, partner, employee or the like, or holding any position of management.

Gratuity. A payment, loan, subscription, advance, deposit of money, services or anything of value, present or promised, unless consideration of substantially equal or greater value is received.

Immediate family. A spouse, children, parents, brothers and sisters.

Lease. A contract for use of equipment or other supplies under which title will not pass to the County at any time.

Person. Any person, individual, union, committee, club, other organization or group of individuals.

Professional Services. Services rendered by independent contractors who are members of a recognized profession or possessing a unique or technical skill such as, but not limited to, doctors, lawyers, architects, engineers, accountants, etc. Such services are characterized by extended analysis, the exercise of discretion and independent judgment in their performance, and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience in the field.

Public agency. A public entity subject to or created by local ordinance.

Public Work Project. The construction, repair, remodeling, or improvement of any public work or building or the furnishing of supplies or materials of any kind as defined by Wis. Stat. §59.52(29), Public Work.

Purchase order. A written contract with a vendor or provider which formalizes the terms and conditions of a proposed transaction, such as a description of the requested items, delivery schedule and terms of payment.

Qualified products list. An approved list of supplies, services or construction items described by model or catalogue numbers which, prior to competitive solicitation, the County has determined will meet the applicable specification requirements.

Request for bids. All documents, whether attached or incorporated by reference, utilized in a formal request to prospective vendors soliciting price quotations. The request contains the specifications or scope of work and contractual terms and conditions applicable to the procurement for which a bid is solicited.

Request for proposals. All documents, whether attached or incorporated by reference, utilized for soliciting proposals when exact specifications are unknown and when it is expected that negotiations with one or more bidders may be required with respect to any aspect of the requirements for a procurement or when other qualitative factors will be considered in the selection of a vendor in addition to price.

Responsible bidder or offeror. A person who has the capability in all respects to perform fully the contract requirements with the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment and credit which will assure good faith performance.

Responsive bidder. A person who has submitted a bid which conforms in all material respects to the request for bids.

Small purchases. Any purchase not exceeding \$25,000 when made according to the small purchase procedures in this ordinance.

Specification. Any description of the physical or functional characteristics, or the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction of an item for delivery.

SECTION 5. PURCHASING AGENT.

(1) Appointment. The Purchasing Agent shall be the County Administrator or his or her designee.

(2) Authority and duties. The Purchasing Agent shall serve as the principal public purchasing official for the County and shall be responsible for the procurement of supplies, services, equipment, and construction in accordance with this ordinance as well as the management and disposal of supplies, materials and equipment. The Purchasing Agent shall purchase or supervise the purchase of all supplies, materials, equipment and construction needed by the County, shall sell, trade or otherwise dispose of supplies, materials, and equipment, and shall establish and maintain programs for the specification development, contract administration, and inspection and acceptance of supplies, services, materials and construction. The Purchasing Agent may establish operational procedures and administrative rules relating to the execution of the Purchasing Agent's duties to ensure compliance with the terms of this ordinance.

SECTION 6. SOURCE SELECTION AND CONTRACT FORMATION.

(1) Competitive sealed bidding.

(a) Conditions for use. All contracts of this County shall be awarded by competitive sealed bidding, except as otherwise provided in subsections (2), (3), (4), (5), , , , and (12) of this Section.

(b) Proof of responsibility – Proof of responsibility may be required of all bidders under Wisconsin Statutes Section 66.0901 (2), (3) and (4).

(c) Request for bids. A request for bids shall be issued and shall include specifications and all contractual terms applicable to the procurement.

(d) Notice. Adequate notice of the request for bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. Notice shall be given no later than 14 calendar days prior to the bid opening. Such notice shall, when required by State Statute, include publication in a newspaper of general circulation. The notice shall state the date, time, and place of the bid opening.

1. Legal notice. Any Public Works contract or procurement with an aggregate total cost greater than or equal to \$25,000 shall be noticed by publication in a newspaper that is circulated within the County.

2. Public notice. Any Public Works contract or procurement with an aggregate total cost greater than or equal to \$25,000 shall be noticed by publication on the County's website.

(e) Questions and Clarifications. The request for bids shall designate persons who may respond to questions or clarifications on the request. Solicitation of information from sources other than the designated individuals may result in rejection of bid. Any modification to the request shall be issued as an addendum to the request and be made to all known responsible bidders.

(f) Bid opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the request for bids. The amount of each bid and other such relevant information as the Purchasing Agent deems appropriate shall be recorded.

(g) Bid evaluation and acceptance. Bids shall be evaluated based on the requirements set forth in the request for bids. The request for bids shall set forth the evaluation criteria to be used for selection. Nothing herein shall prevent the Purchasing Agent from standardizing property, inventory, supplies, and equipment if by doing so it is determined by the Purchasing Agent to be in the best interest of the County.

(h) Withdrawal or modification of bids. Bids may be modified or withdrawn any time prior to the time of opening bids. No bid may be withdrawn or modified after the time of opening bids has passed, however, correction in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence that a mistake was made, the nature of the mistake and the bid price actually intended. However, downward correction of a bid, which would displace the apparent low bidder, shall only be permitted if the error made and intended bid price can be determined solely from the bid documents.

(i) Rejection of bids. The County reserves the right to reject any or all bids or parts thereof and to award to the bidder who, in the judgment of the County will best serve the County. Reasons for rejecting bids shall be documented and transmitted to the bidder with reasonable promptness.

(j) Award. The contract shall be awarded with reasonable promptness by written notice to the responsible and responsive bidder whose bid provides the best value for the County. The County Board of Supervisors shall approve all awards, except that the County Board of Supervisors may delegate this approval authority to a standing committee.

(k) Request for Qualifications. The County may issue an invitation for potential bidders to submit qualifications, followed by a request to bid to those bidders whose qualifications have been determined to be acceptable.

(l) Specifications.

1. Maximum practicable competition. All specifications shall be drafted so as to promote overall economy for the purposes intended and encourage free and open competition in satisfying the County's needs and shall not be unduly restrictive. The ordinance enunciated in this section applies to all specifications including, but not limited to, those prepared for the County by architects, engineers, designers and draftsmen.

2. Qualified products list. A qualified products list may be maintained by the Purchasing Agent.

3. Brand name or equal specification.

a. Use. Brand name or equal specifications may be used when the Purchasing Agent determines that:

i. No other design or equal specification or qualified products list is available;

ii. Time does not permit the preparation of another form of purchase description, not including a brand name specification;

iii. The nature of the product or the nature of the County's requirements makes use of a brand name or equal specification suitable for the procurement; or

iv. Use of a brand name or specification is in the County's best interest.

b. Designation of several brand names. Brand name or equal specifications shall seek to designate three or as many different brands as are practicable as "or equal" references and shall further state that substantially equivalent products to those designated will be considered for award.

c. Required characteristics. Unless the Purchasing Agent determines in writing that the essential characteristics of the brand names included in the specifications are commonly known in the industry, he or she shall provide a description of the required design, function, or performance characteristics.

d. Nonrestrictive use of brand name or equal specifications. Where a brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics and is not intended to limit or restrict competition.

4. Brand name specification.

a. Use. Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Agent makes a determination that only the identified brand name item or items will satisfy the County's needs. The Purchasing Agent must be prepared to substantiate the basis for the selection of the chosen material.

b. Competition. The Purchasing Agent shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section 6(4)(a).

(2) Competitive sealed proposals.

(a) Conditions for use. When the Purchasing Agent determines that the use of competitive sealed bidding is either not practicable or not advantageous to the County, a contract may be entered into by use of the competitive sealed proposals method described herein.

(b) Request for proposals. Proposals shall be solicited through a request for proposals.

(c) Notice. Adequate notice of the request for proposals shall be given in the same manner as provided in subsection (1)(d) of this Section, provided the minimum lead time shall be 14 calendar days.

(d) Receipt of proposals. No proposals shall be handled so as to permit disclosure of the contents of any proposal to competing offerors during the process of negotiation. A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after contract award.

(e) Evaluation factors. The request for proposals shall set forth the evaluation factors to be used with the County reserving the right to accept or reject proposals if deemed in the best interest of the County.

(f) Questions and Clarifications. The request for proposals shall designate persons who may respond to questions or clarifications on the request. Solicitation of information from sources other than the designated individuals may result in rejection of proposals. Any modification to the proposals shall be issued as an addendum to the request for proposals and be made to all known responsible offerors.

(g) Award. Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the County taking into consideration past performance, price and evaluation factors set forth in the Request for Proposals.

(3) Small purchases. Any purchase with an aggregate total cost less than \$25,000 may be made in accordance with small purchase procedures, however, purchases shall not be artificially divided so as to constitute a small purchase under this section.

(a) Purchases less than \$5,000 do not require a quote, bid, requisition, or purchase order.

(b) Purchases between \$5,000 and \$25,000 shall be approved through a requisition process by the Purchasing Agent or his or her designee. Once a requisition is approved by the Purchasing Agent, a Purchase Order shall be generated as evidence of approval for the purchase. Except as otherwise provided for by subsection (4) of this Section, written quotations from at least three vendors, if available, shall be required for all purchases between \$5,000 and \$25,000. The name of the vendor and date and amount of quotation shall be recorded and maintained as a public record. If a purchase qualifies as a public works project, the requirements of (12) (a) below shall be followed.

(4) Special Purchases. The competitive procurement process as set forth above is not required in the following circumstances:

- a. Sole source procurement. A contract may be awarded without competition when the Purchasing Agent determines in writing, after conducting a good faith review of the available sources, that there is only one source for the required supply, service or construction item and when allowed by law.
- b. Emergency procurements. In the event of an emergency, the Purchasing Agent may make or authorize others to make emergency procurements , provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. Circumstances warranting an emergency procurement include but are limited to: situations threatening public health or safety, where immediate repairs are required to county property to protect or prevent against further loss or damage, where immediate action is needed to prevent or minimize disruption to county services, where immediate action is required to ensure integrity of county records, or where immediate action is necessary to avoid a lapse or loss of grant funding. A written determination of the basis for the emergency and for the selection of the vendor or contractor shall be included in the contract file and forwarded to the Purchasing Agent. The Purchasing Agent shall report any non-budgeted purchases greater than \$5,000 made under this section to the committee having jurisdiction over the purchase as soon as practicable after the purchase is complete.
- c. Cooperative and group purchasing. Where feasible, the Purchasing Agent may elect to forgo competitive bidding by the County in favor of participating in a cooperative purchase with other units of government. In order to forgo these requirements, the sponsoring agency must be able to demonstrate that it has performed the due diligence necessary to satisfy the requirements of this ordinance and have a current contract in place with the selected contractor. Purchases may be made directly from approved vendors on contracts which have been previously competitively bid and approved by the State of Wisconsin without being competitively bid by the County. The County may also purchase from any other governmental entity without the need for bids per Wis. Stat. §66.0131(2), as may be amended from time to time. The Purchasing Agent will retain documentation evidencing these requirements have been met as a public record.
- d. Regular & Routine Vehicle Equipment, Maintenance, and Repair. Departments that purchase supplies and equipment for regular and routine vehicle outfitting, maintenance and repair shall ensure that they are purchasing those supplies, equipment, and labor so as to achieve the lowest reasonable price given the availability, location, frequency of purchase, or other relevant factors. In order to ensure that the Departments are obtaining the lowest reasonable price, Departments shall periodically

review the price of frequently purchased good or materials from multiple sources.

- e. Impracticality. The Purchasing Agent may waive the competitive process requirements and negotiate with vendors directly for professional services that are not conducive to competition, for goods with specific requirements or need for compatibility, software, for pre-owned goods, or when the competitive process is otherwise determined to be impractical or not advantageous to the County. The Purchasing Agent shall require department heads to provide written justification for the need to waive the competitive process prior to purchase.
- f. Employee Related Benefits & Insurance Coverage. Contracts for employee benefits and any County insurance coverages shall not be subject to the provisions of this ordinance. However, these contracts shall be regularly reviewed with the appropriate standing committee. The Purchasing Agent, with review and approval of the appropriate standing committee, shall be authorized to renew contracts for employee benefits and insurance coverages without a procurement process if it is determined to be in the best interest of the County.
- g. Fair Park Contracts. The Purchasing Agent may negotiate and authorize contracts regarding Fair Park activities for amounts up to \$100,000 provided that the contracted activities are approved in the annual budget adopted by the County Board of Supervisors. All contracts shall be approved by the County's Corporation Counsel or his or her designee, and signed by the County Administrator. The County Clerk shall be the custodian of all contracts entered into by the County.
- h. Service contracts, Human Services Department. The Human Services Department shall purchase services in accordance with the procedures set forth in Wisconsin Statute Section 46.036. The Human Services Department shall circulate rules and procedures governing purchases of service for the Human Services Department and shall submit such procedures to the Human Services Board for approval. Purchase of care and service contracts that are subject to regulation under Wis. Stat. ss. 46.036 and 49.34 may be executed by the director of the Human Services Department. The Human Services Department shall submit all contracts to Corporation Counsel for review and approval prior to entering into contracts.

(5) Highway Department.

- (a) The Highway Commissioner is authorized to make purchases directly related to highway construction in accordance with s. 83.015(2)(b) Wis. Stats.
- (b) Maintenance and construction commodities. Where feasible, annual written quotes will be solicited for road construction and maintenance related commodities such as asphalt, asphaltic emulsions, gravel, concrete, and other aggregate materials. Vendors providing quotes will provide a not-to-exceed price per unit for the upcoming year to be approved by the County Board. The

Purchasing Agent may authorize the selection of any vendor that provides the best value for the County based on the circumstances of the individual project provided that the basis for the authorization is documented and that documentation is retained in the County's authorized retention system.

(c) Subcontractors. Where feasible, the Highway Department will seek quotes for labor and equipment rates annually. Prospective vendors will provide not-to-exceed rates for labor and equipment for the upcoming year to be approved by the County Board. The Purchasing Agent may authorize the selection of any vendor that provides the best value for the County based on the circumstances of the individual project provided that the basis for the authorization is documented and that documentation is retained in the County's authorized retention system.

(d) The Highway Commissioner, with the approval of the Highway Committee, is authorized to enter into contracts with cities, villages, and towns within Jefferson County to enable the County to construct or maintain streets and highways within those municipalities. Maintenance shall include the furnishing of any road supplies and equipment to such municipalities.

(6) Contracts. All purchases procured under Sections 6(1), (2), and (4) of this ordinance, where purchases under subsection (4) do not meet the requirements of subsection (3), shall require a contract setting forth, at a minimum, the duties and responsibilities of all interested parties. The use of cost-plus-a-percentage-of-cost or cost-plus-a-percentage-of-construction-cost contracts are prohibited. All contracts shall be entered into in the name of the County, executed by signature of the County Administrator, and be approved as to content, form, and substance by the County's Corporation Counsel . The County Clerk shall be the custodian of all contracts entered into by the County.

(7) Lease or rental contracts. A lease or rental agreement may be entered into provided it is determined to be in the best interest of the County, and all conditions for renewal and costs of termination are set forth in the lease. Where the County has an option to lease, rent, or purchase an item, a written analysis will be prepared supporting the County's decision to lease, rent, or purchase. Lease or rental agreements shall follow the procurement requirements of this Section.

(8) Changes to contracts. If during the term of a contract, any party wishes to change the contract terms, the changes must be agreed to in writing and signed by all interested parties. The Purchasing Agent shall approve all contract changes on behalf of the County. Once all changes are approved in writing by all parties, the Purchasing Agent shall approve a change order to be processed for any purchase that exceeds the lesser of \$500 or 10% of the original purchase order. Changes to contracts that affect the County budget shall cause adjustments to the County budget in accordance with the County's Budget Adjustment Request Policy.

(9) Environmentally Preferable Purchasing Policy. County purchasing procedure shall include review of proposed purchases in light of the guidelines set forth in the Environmentally Preferable Purchasing Policy approved by the Solid Waste & Air Quality Committee. Department heads, the County Administrator and committees shall, when fiscally feasible, consider purchases that are in accord with such policy. Consideration of environmentally preferable factors may be a reason to accept other than the low bid for a particular product or project not required by law to be let to the lowest bidder.

(10) Contracts with no funds involved. Any contract which does not require the expenditure of County funds, but which creates legally binding obligations for one year or less on the part of the County, shall not be executed until approved by the Purchasing Agent. Such contracts exceeding one year, shall be approved by majority vote of the County Board of Supervisors.

(11) Renewal of contracts.

(a) Except as provided for in subsection (b), contracts for procurement may be bid for a duration not in excess of three (3) years where costs for years after the first year are specified or are established on a percentage basis over the first year. The Finance Committee, on a case-by-case basis, can authorize contracts in excess of three years.

(b) Contracts for employee benefits and insurance coverages shall not be subject to the provisions of subsection (a) above, however these contracts shall be reviewed with the appropriate standing committees on an annual basis. The Purchasing Agent with approval from the standing committees shall be authorized to renew contracts for employee benefits and insurance coverages annually without a procurement process if it is determined to be in the best interest of the County.

(12) Public works contracts.

(a) If the estimated cost of any public work is between \$5,000 and \$25,000, the department or agency head that is initiating the contract shall inform the Purchasing Agent and the Agent shall give a Class 1 notice under Chapter 985 before contracting for the work or shall contract with a person qualified as a bidder under Section 66.0901, Wis. Stats. The County Administrator shall establish written criteria concerning contracts, payment and performance bonds for public work projects between \$10,000 and \$100,000, in accordance with Section 779.14(1)(d), Wis. Stats.

(b) As provided in Section 59.52(29), Wis. Stats., all public work, include any contract for the construction, repair, remodeling or improvement of any public work, building or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$25,000 shall be let by contract to the lowest responsible bidder, provided such bid complies with the specifications. The contract shall be let and entered into pursuant to Sec. 66.0901, Wis. Stats., except the Board may, by a three-fourths vote of all the members entitled to a seat, provide that any class of public work or any part thereof may be done directly by the County without submitting the same for bids.

(13) Revenue contracts. Provided that revenue is approved by the County Board of Supervisors in the County's annual budget, County Department Heads may authorize contracts for the provision of County services, including fee for service and grant contracts, or receipt of contributions or donations for a designated purpose, of up to \$5,000 annually. Contracts more than \$5,000 and less than \$25,000 annually may be approved by the purchasing agent. Contracts more than \$25,000 annually shall be approved by the Board of Supervisors.

(14) Competition.

(a) The County will not place unreasonable requirements on firms in order for them to qualify to do business.

(b) The County will not require unnecessary experience or excessive bonding.

(c) The County will not engage in noncompetitive pricing practices between firms or between affiliated companies.

(d) The County will not engage in noncompetitive contracts to consultants that are on a retainer basis.

(e) The County will not specify only a “brand name” product instead of allowing a “brand name or equal to” product for reasons of contracting with a specific vendor.

(f) The County will not impose geographical preferences in its selection of contractors except where required by federal law, or where contractors require certain state licenses.

SECTION 7. DEBARMENT OR SUSPENSION. The County will not select any contractor that is suspended or debarred from doing business with any Federal agency. The Purchasing Agent will search the System for Award Management website (SAM), or any other Federally endorsed website to determine eligibility for contract award prior to recommending the award.

The County may also maintain a list of contractors that it chooses to suspend or debar. After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Purchasing Agent, after consulting with the appropriate County boards, committees and commissions and Corporation Counsel, is authorized to debar a person for cause from consideration for award of contracts. The debarment shall not be for a period of more than three years. The Purchasing Agent is authorized a person for award of contracts if there is probable cause to believe that the person engagement in any activity which might lead to debarment. The causes for debarment include:

(1) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in performance of such contract or subcontract.

(2) Conviction under State and Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or other offense indicating a lack of business honesty which currently, seriously and directly affects responsibility as a County contractor.

(3) Conviction under State or Federal antitrust statutes arising out of the submission of bids or proposals.

(4) Violation of contract provisions, as set forth below, of a character which is regarded by the Purchasing Agent to be so serious as to justify debarment action:

(a) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(b) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that failure to perform or unsatisfactory performance caused by acts beyond the control of contractor shall not be considered basis for debarment.

(5) Any other cause the Purchasing Agent determines to be so serious and compelling as to affect responsibility as a County contractor.

(6) For violation of the County’s Ordinance on ethics.

SECTION 8. ETHICS IN PUBLIC CONTRACTING.

(1) Criminal penalties. To the extent that violations of the ethical standards of conduct set forth in this section constitute violations of state criminal law, they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this section. Criminal, civil, and administrative sanctions against employees or nonemployees which are in existence on the effective date of this subchapter shall not be impaired.

(2) Elected official and employee conflict of interest. In accordance with the County's ordinance on Ethics, any elected official or appointed employee of the County shall not participate directly or indirectly in a procurement when:

(a) the elected official, employee, or any member of the employee's immediate family has a financial interest pertaining to the procurement; or

(b) any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

(3) Gratuities and kickbacks.

(a) Gratuities. In accordance with the County's ordinance on Ethics, an elected official or employee may not solicit, demand, accept, or agree to accept from another person a gratuity greater than \$25 of value or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation or any part of a program requirement or purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement in a contract or subcontract, or to any solicitation or proposal therefor.

(b) Kickbacks. It shall be unethical for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contractor to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

(4) Contingent fees. It shall be unethical for a person or to retain a person, to solicit or secure a County contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

(5) Contemporaneous employment. It shall be unethical for any employee who is participating directly or indirectly in the procurement process to become or to be, while such an employee, the employee of any person contracting with the County.

(6) Use or disclosure of privileged information. In accordance with the County's ordinance on ethics, it shall be unethical for any employee or elected official to use or disclose privileged information for actual or anticipated gain of the employee or any member of the employee's immediate family.

(7) Personal purchases. Elected officials and employees are prohibited from purchasing items for personal use.

(8) Sanctions.

(a) Employees. The County Board in the case of the County Administrator or the County Administrator in the case of County employees may impose sanctions on employees for violation of the ethical standards in this section up to and including termination, and further may seek additional damages or criminal prosecution if warranted.

(b) Nonemployees. The County Board may impose sanctions on any nonemployee for violations of the ethical standards herein, up to and including termination of contract and/or debarment or suspension as provided in Section 7 herein, and further may seek additional damages or criminal prosecution if warranted.

SECTION 9. RECORD RETENTION. The County will maintain records sufficient to document the history of each procurement. Retention of any bid documents, proposals, specifications, responses to requests for bids or proposals, contracts, requisitions, purchase orders, quotations written or verbal, invoices for payment, and any documentation supporting the aforementioned documents and documented approval of any of these items shall

be retained according to the County's designated County records retention system and in accordance with the County's records retention schedule.

SECTION 10. INDIVIDUAL CHARGE ACCOUNTS. The County shall favor the use of procurement or credit cards over the use of individual vendor charge accounts.

SECTION 11. UNAUTHORIZED PURCHASES. Any County purchases which do not adhere to this ordinance may be considered void. The individual responsible for the purchase may be held personally liable for the cost of the purchase.

SECTION 12. SALE OF SURPLUS PROPERTY. When personal property owned by the County of Jefferson no longer serves any useful purpose in the department in which it is located, the Purchasing Agent shall first determine whether any other County department or agency needs such property. In the event such property can no longer be used by any department or agency of the County, the Purchasing Agent shall determine if such property should be offered for sale and sell such property if sale is determined to be appropriate. If the Purchasing Agent determines that the property has no resale value or that the resale value may be less than the costs associated with selling the property, the Purchasing Agent may authorize that the property be properly disposed of as trash, refuse or recycled material. The Purchasing Agent shall determine a method of sale or disposition for each item. Sale proceeds, net of related sales costs, shall be deposited by the authorized selling employee, with the County Treasurer, in the fund through which the original purchase was made. In regard to surplus property originally acquired through state or federal grants, due diligence shall be required to determine whether those net sale proceeds must be returned to the state or federal government.

SECTION 13. ABANDONED OR UNCLAIMED PROPERTY. Pursuant to Sec. 66.0139, Wis. Stats., property which has been abandoned or remains unclaimed in the possession of any County officer or employee for 30 days after such officer or employee took possession is deemed abandoned property and is subject to disposal. The Purchasing Agent shall determine whether disposal is to be by public sale or other commercially reasonable means. If such abandoned property is not saleable it shall be disposed of as trash, refuse or recycled material in any reasonable manner. Where disposal is by any means other than public sale, the Purchasing Agent shall maintain a record of the following facts for two years after disposal:

1. Inventory of property.
2. Date of disposal.
3. Method of disposal.
4. Price received, if any.
5. The name and job assignment of the person who took possession of the property.

The cost of keeping and selling such property shall be charged against any resulting moneys. Any remaining amounts shall become the property of the County and shall be deposited with the County Treasurer in the General Fund of the County. For surplus property originally acquired through state or federal grants, due diligence shall be required to determine whether those net sale proceeds must be returned to the state or federal government.

SECTION 14. REPEAL OF PRIOR ORDINANCE. Any ordinance in conflict herewith shall be repealed upon the effective date of this ordinance.

SECTION 15. EFFECTIVE DATE. This ordinance shall be effective upon passage and publication.

Adopted: 04/17/18, Ord. No. 2018-05

Fiscal Note: The Purchasing Ordinance is designed to achieve the purposes described in Section 2 of the Ordinance. Adoption of this Ordinance provides assurance that the County is advocating for free and open competition and receiving the best value for its taxpayers.

Strategic Plan Reference: YES

Transformative Government: Data driven budgets and policy management

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT; Finance Director: MAD

RESOLUTION NO. 2024-_____

Amending the 2024 and 2025 County Budgets

Executive Summary

During the 2025 budget process, it became apparent that the County did not have adequate tax levy to fund both ongoing operations and capital purchases. The capital purchases that were included in the original 2025 budget were only those items that were funded through sources other than levy. At that time the Finance Committee directed Administration and Finance to project the year end results for 2024 to determine whether adequate funds existed for 2025 capital requests.

On December 3, 2024, the Finance Committee met to review the year end results. While the County expects to end the year with a modest General Fund surplus, this surplus will not be adequate to fund all capital requests. The Finance Committee has recommended that the County use fund balance for the purchase of 2025 capital, and to investigate alternative financing methods for capital purchases going into the 2026 budget.

Jefferson County also received its needs assessment study from Wipfli LLP outlining strategies for addressing the opioid crisis.

Other staffing requests arising from the 2025 budget process but needing further study were presented to the Finance Committee as well.

The Finance Committee also recommends the reclassification of a full-time IT Specialist Position in the Sheriff's Office, on a limited term employment (LTE in FY 2025) which had been approved by the Human Resources Committee at its November 19th meeting. This has a \$0 net effect on the 2025 budget and it better reflects the current role's responsibilities.

As part of the 2025 budget process, County Administration presented for approval the procurement of a contract with the Karl James & Company for Public Relations/Marketing/Communications Consulting. This will be paid for using ARPA funds, and given the nature of the procurement the County will be using the exception available under 2 CFR 200.320(c)(2), described in the body of the resolution.

Finally, the County is finalizing all projects that were funded by American Rescue Plan Act (ARPA) dollars. Some projects were underspent and the County desires to repurpose funding from these projects to other needs that have arisen.

The Finance Committee considered this resolution at its December 3, 2024 meeting and recommended forwarding to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the 2025 budget was passed with a capital plan that was limited only to items that were funded by sources other than levy, and

WHEREAS, the County has received funding from the settlement of lawsuits with various opioid manufacturers and distributors and has commissioned a study for the use of these funds, and now desires to implement some of the suggestions arising from the study, and

WHEREAS, certain staffing requests were postponed until the County could determine a path for financial feasibility, and

WHEREAS, the Sheriff's Department position of IT Project Manager is reclassified to an IT Specialist role, and will be authorized as an LTE role in FY 2025 and

WHEREAS, the contract with Karl James & Company for strategic messaging is approved, recognizing that it was done under the single source exemption for noncompetitive procurement under 2 CFR 200.320(c)(2), and

WHEREAS, this exemption is valid because the nature of the contracted work can only be done by a communications company with the specific insights into the dynamics of the local media landscape, the stakeholder analysis Karl James & Company possesses, and the relationships with key local leaders they maintain, and

WHEREAS, Karl James & Company is the sole source for the County to achieve this specific goal, and

WHEREAS, the ARPA program is planned to expire as of December 31, 2024, with some unobligated funds remaining from underspent projects.

NOW, THEREFORE, BE IT RESOLVED that the 2024 and 2025 budgets are amended according to the attached schedule.

Fiscal Note: This resolution authorizes the Finance Director to make the necessary budget adjustments to enact the resolution. As a budget amendment, this resolution requires twenty (20) of thirty (30) affirmative votes for passage.

Strategic Plan Reference: YES



Transformative Government: Create a sustainable financial future; Data driven budgets and policy management

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: 

JEFFERSON COUNTY
2024/2025 PROPOSED BUDGET AMENDMENT

Org	Object	Project	Account Description	Amount	Year	Purpose	Description
	11201	594810	Capital Equipment	19,500.00	2025	Capital	Floor Care Equipment Replacement
	11201	594810	Capital Equipment	5,000.00	2025	Capital	Maintenance Shop Shelving
	11201	594822	Capital Improvement Building	37,472.00	2025	Capital	Replacement of the Elevator Switch
	11201	594822	Capital Improvement Building	35,000.00	2025	Capital	LEC Lint Trap Install
	11201	594822	Capital Improvement Building	21,800.00	2025	Capital	Concrete Sidewalk Replacement - South end of Courthouse
	11201	699999	Budgetary Fund Balance	(118,772.00)	2025	Capital	
	12801	521219	Other Professional Services	45,000.00	2025	Capital	Jefferson County Park and Open Space Plan Update
	12801	594810	Capital Equipment	15,000.00	2025	Capital	Kanow Park - Gate Operator Replacement
	12801	594822	Capital Improvement Building	7,000.00	2025	Capital	Welcome Travelers Shelter Refurbish
	12801	594810	Capital Equipment	60,000.00	2025	Capital	SkidSteer S-570
	12801	594810	Capital Equipment	21,000.00	2025	Capital	Polaris Range 900 Replacement
	12801	594810	Capital Equipment	56,000.00	2025	Capital	Toro Zertoturn
	12801	594810	Capital Equipment	14,000.00	2025	Capital	Suretrack Deck-Over Trailer
	12801	483001	Sale of County Property	(66,000.00)	2025	Capital	Trade in values
	12801	699999	Budgetary Fund Balance	(152,000.00)	2025	Capital	
	12804	594821	Capital Improvement Land	85,000.00	2025	Capital	Korth Park Connector Trail
	12804	485200	Donations Restricted	(68,000.00)	2025	Capital	
	12804	699999	Budgetary Fund Balance	(17,000.00)	2025	Capital	
	12805	594821	Capital Improvement Land	50,000.00	2025	Capital	Carnes East Winter Warming/Shelter Changing Area
	12805	594950	Operating Reserve	(35,000.00)	2025	Capital	
	12805	699999	Budgetary Fund Balance	(15,000.00)	2025	Capital	
	13101	594811	Capital Automobiles	643,176.00	2025	Capital	Six (6) Ford Police Interceptors
	13101	483001	Sale of County Property	(40,000.00)	2025	Capital	Trade in values
	13101	699999	Budgetary Fund Balance	(603,176.00)	2025	Capital	
	61169900	594822	65210 Capital Improvement Building	200,000.00	2025	Capital	Workforce Development Lobby Security
	61169900	594822	65210 Capital Improvement Building	55,000.00	2025	Capital	Compliance Area Improvements
	61169900	594813	65210 Capital Office Equipment	45,000.00	2025	Capital	Lueder House Dining Room Furniture
	250	699999	Budgetary Fund Balance	(300,000.00)	2025	Capital	
	11101	424001	22232 Federal Grants	(200,000.00)	2025	ARPA	Child Care
	11101	531344	22232 Donation	200,000.00	2025	ARPA	Child Care
	11101	521220	22202 Consultant	250,000.00	2024	ARPA	Reclassify Broadband Equipment to Consultant
	11101	594810	22202 Capital Equipment	(250,000.00)	2024	ARPA	Reclassify Broadband Equipment to Consultant
	11801	424001	22203 Federal Grants	90,149.76	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	511210	22203 Wages - Regular	(57,385.28)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	511220	22203 Wages - Overtime	(403.49)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	512141	22203 Social Security	(3,722.31)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	512142	22203 Retirement (Employer)	(4,126.18)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	512144	22203 Health Insurance	(23,359.78)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	512145	22203 Life Insurance	(48.72)	2024	ARPA	Reclassify unused ARPA from District Attorney
	11801	512173	22203 Dental Insurance	(1,104.00)	2024	ARPA	Reclassify unused ARPA from District Attorney
	13401	424001	22204 Federal Grants	20,000.00	2024	ARPA	Reclassify unused ARPA from Veterans Service
	13401	511210	22204 Wages - Regular	(20,000.00)	2024	ARPA	Reclassify unused ARPA from Veterans Service
	11901	424001	22205 Federal Grants	32,000.00	2024	ARPA	Reclassify unused ARPA from Economic Development
	11901	511110	22205 Salary - Permanent Regular	(32,000.00)	2024	ARPA	Reclassify unused ARPA from Economic Development
	11101	424001	22230 Federal Grants	(41,000.00)	2024	ARPA	Original contract with Karl Robe
	11101	424001	22230 Federal Grants	(47,568.00)	2024	ARPA	Extend contract with Karl Robe
	11101	521219	22230 Other Professional Services	88,568.00	2024	ARPA	Contract with Karl Robe
	12201	531303	22218 Computer Equipment and Software	25,000.00	2024	ARPA	Forecast5 budget projection software
	12201	424001	22218 Federal Grants	(25,000.00)	2024	ARPA	Forecast5 budget projection software
	11101	531303	22213 Computer Equipment and Software	24,000.00	2024	ARPA	Zencity software
	11101	424001	22213 Federal Grants	(24,000.00)	2024	ARPA	Zencity software
	12101	594821	22233 Capital Improvement Land	25,000.00	2024	ARPA	Stage replacement
	12101	424001	22233 Federal Grants	(25,000.00)	2024	ARPA	Stage replacement
	65040	561	455792 WPS payments	(5,271.15)	2025	Staffing	Eliminate Lead Worker/add Services Coordinator CLTS
	65040	561	511210 Wages - Regular	4,599.61	2025	Staffing	Eliminate Lead Worker/add Services Coordinator CLTS
	65040	561	512141 Social Security	351.87	2025	Staffing	Eliminate Lead Worker/add Services Coordinator CLTS
	65040	561	512142 Retirement (Employer)	319.67	2025	Staffing	Eliminate Lead Worker/add Services Coordinator CLTS
	12401	424001	24410 State Aid	(350.00)	2025	Staffing	Increase funding for Watercraft Inspector seasonal positions and authorize additional positions
	12401	511240	24410 Wages - Temporary	350.00	2025	Staffing	Increase funding for Watercraft Inspector seasonal positions and authorize additional positions
	11901	511110	19101 Salary - Permanent Regular	55,000.00	2025	Staffing	Create Community Program Specialist - FEC
	11901	512141	19101 Social Security	4,207.50	2025	Staffing	Create Community Program Specialist - FEC

JEFFERSON COUNTY
2024/2025 PROPOSED BUDGET AMENDMENT

Org	Object	Project	Account Description	Amount	Year	Purpose	Description
11901	512142	19101	Retirement (Employer)	23,359.78	2025	Staffing	Create Community Program Specialist - FEC
11901	512144	19101	Health Insurance	3,850.00	2025	Staffing	Create Community Program Specialist - FEC
11901	512145	19010	Life Insurance	48.72	2025	Staffing	Create Community Program Specialist - FEC
11901	512173	19101	Dental Insurance	1,104.00	2025	Staffing	Create Community Program Specialist - FEC
11901	486003	19101	Federal Grants	(20,000.00)	2025	Staffing	CFE Fund Grant
11901	486003	19101	Non-Govt Reimbursements	(30,000.00)	2025	Staffing	FEC Non-profit Grant
11901	699999		Budgetary Fund Balance	(37,570.00)	2025	Staffing	
11101	699999		Budgetary Fund Balance	37,570.00	2025	Staffing	Reclassify fund balance to JCEDC
11101	531303		Computer Equipment and Software	(37,570.00)	2025	Staffing	Move funds for FEC to JCEDC
11101	531303		Computer Equipment and Software	(7,250.00)	2025	Website	Adjust for what was spent in 2024
11101	699999		Budgetary Fund Balance	7,250.00	2025	Website	
13202	593749		Other Losses	68,788.86	2025	Delinquent Property Tax	Budget for payout of excess sale amount over taxes/penalties
13202	699999		Budgetary Fund Balance	(68,788.86)	2025	Delinquent Property Tax	
65038	561	511210	Wages - Regular	49,805.79	2025	Opiate	Appropriate Opioid Funding
65038	561	512141	Social Security	3,382.05	2025	Opiate	Appropriate Opioid Funding
65038	561	512144	Health Insurance	20,738.03	2025	Opiate	Appropriate Opioid Funding
65038	561	512151	HSA Contributrion	1,800.00	2025	Opiate	Appropriate Opioid Funding
65038	561	512173	Dental Insurance	1,104.00	2025	Opiate	Appropriate Opioid Funding
65038	561	512145	Life Insurance	12.00	2025	Opiate	Appropriate Opioid Funding
65038	561	512142	Retirement (Employer)	3,461.50	2025	Opiate	Appropriate Opioid Funding
65038	561	442017	Opioid Settlement	(80,303.37)	2025	Opiate	Appropriate Opioid Funding
12201	521219		Other Professional Services	50,000.00	2025	GFOA	Fund balance study
12201	699999		Budgetary Fund Balance	(50,000.00)	2025	GFOA	

RESOLUTION NO. 2024-__

Authorizing the County Administrator to execute a Cost Share Agreement with the City of Jefferson for the Food & Beverage Innovation Campus

Executive Summary

Jefferson County, in collaboration with the City of Jefferson, has developed the Food and Beverage Innovation Campus on property owned by Jefferson County. To facilitate development, public improvements and utility infrastructure are necessary. The City of Jefferson has borrowed approximately \$9,675,000 to fund the public improvements for the campus. Jefferson County has agreed to share in the cost of construction of a sewer lift station which is sized to accommodate future purchasers of County property. The proposed Cost Share Agreement provides for Jefferson County to assume responsibility for \$450,000 of the City's debt plus interest as its contribution to the cost of the sewer lift station. Per the agreement, the County's first payment of \$30,000 plus interest will be due in 2030 and payments will continue annually thru 2044, unless the County's share is satisfied earlier by prepayment or surplus increment.

This resolution authorizes the County Administrator to execute a Cost-Share Agreement with the City of Jefferson to fund a portion of the sewer lift station as set forth above. The Finance Committee considered this resolution at its meeting on December 3, 2024, and recommended forwarding to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Food and Beverage Innovation Campus is a cooperative effort between Jefferson County and the City of Jefferson to provide a home for industrial activity in the area; and

WHEREAS, the first phase of development is being constructed in 2024 to accommodate a 100-acre site for Kikkoman, with future development anticipated, necessitating utility infrastructure to support that growth; and

WHEREAS, it is appropriate for the County to share in the costs of construction of a sewer lift station which will serve future development; and

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to execute a Cost-Share Agreement with the City of Jefferson in accordance with the terms outlined herein.

Fiscal Note: The Finance Department will work together with Administration and the Finance Committee to implement these payments into the budget process for 2030 and beyond.


Strategic Plan Reference: YES



Intentional Economic Growth: Foster partnerships and collaboration to serve as a catalyst for intentional economic growth for its towns, cities, and villages; Forge strategic partnerships to pool resources and share best practices for maximum impact

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: 

RESOLUTION NO. 2024-____

Accepting a \$10,000 grant from the Wisconsin Department of Health Services for ADRC Marketing, Rebranding & Outreach and amending the 2025 Human Services Department budget

Executive Summary

The State of Wisconsin Department of Health Services (DHS) has received funding to modernize the logo for Aging and Disability Resource Centers (ADRCs), to build awareness of ADRCs, to create a new website and resource directory, and to make other improvements. Local agencies, like the Jefferson County ADRC, are being provided with funding to update materials to align with this effort. Jefferson County Human Services will use the funding to update agency signs, vehicle wraps, and other printed materials.

This resolution authorizes the acceptance of \$10,000 from the Wisconsin Department of Health Services and amends the 2025 Human Services Department budget accordingly. The Finance Committee considered this resolution at its meeting on December 3, 2024, and recommended forwarding it to the County Board for approval.

WHEREAS, the above Executive Summary is incorporated into this resolution; and

WHEREAS, funding is available to the Jefferson County Human Services Department from the Wisconsin Department of Health Services; and

WHEREAS, the funding is to be used for purchasing of updating ADRC materials to align with the new statewide modernization;

NOW, THEREFORE, BE IT RESOLVED that the Human Services Department is authorized to accept grant funding in the amount of \$10,000 and the 2025 County Budget is amended according to the attached Budget Amendment Form.

Fiscal Note: Please see the attached Budget Adjustment or Amendment Request form for the proposed adjustments to the 2025 budget. This is a budget amendment. County Board approval requires a two-thirds vote of the entire membership of the County Board (20 votes of the 30-member County Board).


Strategic Plan Reference: YES



Transformative Government: Ensure compliance with cost-saving measures

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director 

**JEFFERSON COUNTY
BUDGET ADJUSTMENT OR AMENDMENT REQUEST**

<u>Adjustment</u>	<u>Description</u>	<u>Approval Level</u>
<input type="checkbox"/> Level 1	Adjustments of operating appropriations up to \$4,999 from one account to another <u>within</u> the department's budget	Department Head
<input type="checkbox"/> Level 2	<input type="checkbox"/> a. Adjustments of operating appropriations over \$5,000 and up from one account to another <u>within</u> the department's budget.	Administrator
	<input type="checkbox"/> b. Substitution of capital items or adjustment of operating to capital appropriations up to \$24,999 from one account to another <u>within</u> the department's budget.	Administrator
	<input type="checkbox"/> c. Transfers between departments within a budgetary function of up to \$24,999.	Administrator
<input type="checkbox"/> Level 3	Amendments of operating or capital appropriations needing additional funding from contingency funds from that are under 10% of the funds originally appropriated for an individual department.	Finance Committee
<input type="checkbox"/> Level 4	<input type="checkbox"/> a. Amendments of operating or capital appropriations needing additional funding from contingency funds from that are over 10% of the funds originally appropriated for an individual department.	County Board
	<input checked="" type="checkbox"/> b. New programs in a department that were not originally budgeted through increase in expenses with offsetting increase in revenue for that program. (i.e. grant funding or donations)	County Board
	<input type="checkbox"/> c. Substitution of capital items or adjustment of operating to capital appropriations over \$25,000 from one account to another <u>within</u> the department's budget.	County Board
	<input type="checkbox"/> d. Amendments of operating or capital appropriations needing funding from general fund balance.	County Board

Increase	Decrease	Account #	Account Title	Amount
<input checked="" type="checkbox"/>	<input type="checkbox"/>	65049-512007-421001	State Aid	(10,000.00)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	65049-512007-531313	Printing and Duplicating	500.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	65049-512007-531319	Operating Supplies	1,500.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	65049-512007-531326	Advertising	4,000.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	65049-512007-535352	Vehicle Repairs	4,000.00
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____

Description of Adjustment:

The State of Wisconsin Department of Health Services (DHS) has received funding to modernize the ADRC logo, build awareness, create a new website and resource directory, and make other improvements. Local agencies are provided with this funding to update materials to align with this effort. Human Services will use the funding to update agency signs, vehicle wraps, and other printed materials.

Department Head Signature _____ Date _____

County Administrator Signature _____ Date _____

- 1) Salaries and Fringes are not included as operating above, any changes to salaries and fringes must be discussed with the County Administrator.
- 2) The County Administrator shall make the determination if the budget adjustment needs to go to the County Board.
- 3) Any items \$5,000 and above must be capitalized.

RESOLUTION NO. 2024-_____

Authorizing the Sale of County-Owned Land

Executive Summary

Jefferson County entered into a Letter of Intent on November 18, 2024 to set forth the terms and conditions for the sale of 25.913 acres within the Food and Beverage Innovation Campus, located at Innovation Drive, Jefferson, Wisconsin. The County has received a Purchase and Sale Agreement from Onego Bio, Inc., a Delaware corporation, for the amount of \$777,000. Under the terms of that agreement, there exists a twelve-month due diligence period with up to two consecutive extensions, at the County's discretion, each of up to six months.

Onego Bio's mission is to build a more resilient food system with sustainable protein production. Their location within the Food and Beverage Innovation Campus is in alignment with the priority area of food and beverage manufacturing identified by County Economic Development.

The Finance Committee had previously considered authorization of entering into a Letter of Intent, at that time under the name "Project Goldeneye," at their meeting on November 5, 2024, and the full County Board approved a motion to authorize the County Administrator to negotiate and execute a Letter of Intent on behalf of Jefferson County with Project Goldeneye, for the sale of County-owned land, at their meeting on November 12, 2024. The Purchase and Sale Agreement is consistent with the terms approved through that Letter of Intent.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, Jefferson County Economic Development/ThriveED and Jefferson County, through their respective strategic plans, have identified food and beverage manufacturing as a targeted industry for growth, and

WHEREAS, the County is marketing parcels for sale within the Food and Beverage Innovation Campus, and

WHEREAS, the County Comprehensive Plan, Agriculture and Farmland Preservation Plan and Strategic Plan encourage the development of business and high density and intensive use within urban service areas, and

WHEREAS, Onego Bio, Inc. has extended an offer to purchase 25.913 acres for the price of \$777,000, and

WHEREAS, the operations of Onego Bio, Inc. are expected to be of great benefit to the Food and Beverage Innovation Campus and Jefferson County as a whole,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Administrator is authorized to execute all necessary documentation and complete all contingencies related to and in furtherance of this sale, and executing all closing documents.

BE IT FURTHER RESOLVED that the Jefferson County Clerk is authorized to execute all necessary documents as required for the closure of this transaction, including but not limited to the warranty deed conveying said property to Onego Bio, Inc.

Fiscal Note: Proceeds from the sale of the County Farmland related to the purchase agreement with Onego Bio shall initially be deposited into the Capital Projects Fund. At such time the proceeds are received, the Finance Committee will determine an appropriate use for the proceeds and recommend this usage to the County Board of Supervisors for approval.

Strategic Plan Reference: YES



Intentional Economic Growth: Support a thriving business community through business retention, expansion, and attraction efforts; tailor attraction efforts to industries that align with our strengths

Referred By:
Finance Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: 

RESOLUTION NO. 2024-_____

Authorizing the Sale of Tax-Foreclosed Property to the City of Jefferson

Executive Summary

In June of this year, Jefferson County acquired the former Tyson Foods facility, located at 1 River Road and Linden Drive in the City of Jefferson (Parcel Nos. 241-0614-1121-036, 241-0614-1124-005), via the *in rem* tax foreclosure process. The former property owner had not paid real estate taxes since 2019, resulting in delinquent taxes, interests, and fees/costs in excess of \$300,000. Since acquiring the property, the County has incurred holding costs including expenses to secure the buildings, stormwater fees, etc.

Pursuant to the County’s tax foreclosure policy, the County offered the property for sale via a sealed bid process with a minimum bid of tax-assessed value per the tax bill, or \$1,778,500. No bids were received. Per the County’s policy, the County subsequently listed the property for sale for a second round with a minimum bid amount of \$317,000, which was equal to the amount of delinquent taxes, interests, and costs. Again, no bids were received.

To perform its due diligence regarding the value of the property, the County retained Valbridge Property Advisors to conduct a professional appraisal. Valbridge Property Advisors opined the fair market value of the property is \$1.00. Valbridge determined the “highest and best use” of the property is redevelopment given the deteriorating condition of the improvements and its location in the floodplain. The estimated cost of demolition of the improvements exceeds any land value.

The City of Jefferson has offered to purchase the property “as is” for \$1.00. The City intends to explore redevelopment options. Given the condition of the property, any redevelopment will likely require financial assistance from the City of Jefferson. In this case, conveying the property to City of Jefferson is in the County’s best interest.

This resolution authorizes the County Administrator to negotiate the final terms and finalize the sale of the subject property to the City of Jefferson. The Finance Committee considered this resolution at its meeting on December 3, 2024, and recommended forwarding the resolution to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, as a result of the tax foreclosure process, Jefferson County currently holds title to the former Tyson Foods facility in the City of Jefferson, and

WHEREAS, the City of Jefferson has offered to purchase the property “as is” for \$1.00 and intends to explore redevelopment opportunities; and

WHEREAS, Wis. Stat. §75.69 allows the County to transfer its interest in tax foreclosed property to another unit of government and it is the best interest of the County to transfer the property to the City of Jefferson, and

NOW, THEREFORE, BE IT RESOLVED the County Administrator is authorized to negotiate the final terms and prepare all necessary documents for sale of the subject property (Parcel Nos. 241-0614-1121-036, 241-0614-1124-005) to the City of Jefferson, and authorizes the County Clerk to execute all required documentation to finalize the sale.

Fiscal Note: Delinquent taxes, special assessments, and interest for both parcels from 2019 through 2023 total \$300,776.58. The 2024 property taxes are expected to approximate the 2023 taxes at \$35,753.61. Special assessments for the 1 Rock River Road parcel are expected to total \$53,477.48 through 2024. The City of Jefferson has agreed to waive \$43,477.48 of the special assessments. The loss of property tax and interest on the sale of these two parcels for the tax years 2019-2024 would be approximately \$293,051.71, which is \$336,530.19 of total outstanding tax and interest less \$43,477.48 of special assessments waived by the City, plus the \$1 purchase price. This loss amount does not include the utility and maintenance costs for the parcels while they were owned by the County, nor does it include the rent collected from Nestle during the time that the County owned the properties.

Strategic Plan Reference: None

Referred By:
Finance Committee

12-10-2024

REVIEWED:

Corporation Counsel: DHT ; Finance Director: 

RESOLUTION NO. 2024-___

Authorizing the transfer of donations to the Jefferson County Parks Endowment with the Natural Resources Foundation of Wisconsin and establishing a policy for future use of the funds and amending the 2024 budget

Executive Summary

In 2011, Jefferson County established the Jefferson County Parks Endowment fund with the Natural Resources Foundation of Wisconsin to help provide an avenue for private donors to support recreational improvements to the County's parks and trails. The Endowment provides a perpetual annual disbursement of 4.75% of the principal balance annually to support County Park improvement projects. The fund has grown from the original \$10,000.00 in 2011 to \$46,426.88 in 2024, through the generosity of private donations and fundraising events by the Parks Department and its partners.

Additional donations have been bequeathed to the Jefferson County Park Department with the intent of building and supporting the mission of the Department. In reviewing the best long-term outcomes, staff is seeking to add these funds to the current Endowment portfolio to build the fund's ability to provide meaningful annual funding contributions to County Park projects. The transfer of these funds to the existing endowment would provide more flexibility in fund investment as well as a stable income for park improvement projects in perpetuity. Current funds available to invest total approximately \$323,498.35 and include the Garman Estate Fund, Carroll Liddle Estate Fund, and an additional memorial donation.

This resolution authorizes the Jefferson County Parks Department to deposit the donations outlined above into the Jefferson County Park Endowment Fund held through the Natural Resources Foundation of Wisconsin and adopts a policy for future use of the funds. The Parks Committee considered this resolution at its meeting on December 5, 2024, and recommended forwarding it on to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Jefferson County Parks Department has established an Endowment Fund to support the development, improvement, and enhancement of recreational resources across Jefferson County's parks and trails systems, and

WHEREAS, the purpose of the Endowment Fund is to provide long-term funding for County Park system-wide projects that improve and expand the park system, ensuring high-quality recreational opportunities for residents and visitors of Jefferson County, and

WHEREAS, the Jefferson County Parks Department has received multiple private donations totaling \$323,498.35 and seeks to add these donations to the existing fund to build capacity by providing additional support for County Park projects in perpetuity.

NOW, THEREFORE, BE IT RESOLVED, Jefferson County adopts the following policy for use of Jefferson County Parks Department Endowment funds:

1. Purpose and Use of the Endowment Fund Disbursements – The Jefferson County Parks Endowment Fund shall be used solely for capital improvements, the development of new recreational spaces, infrastructure upgrades, and other park enhancement projects that support the long-term vision of the County’s parks and trails system.

2. Annual Planning and Disbursement of Funds – The Jefferson County Parks Department shall be responsible for planning and identifying specific projects for the utilization of funds disbursed annually as part of the annual Capital Budget process.

3. Encouraging Future Donations – The Jefferson County Parks Endowment Fund represents a critical investment in the future of our community’s recreational spaces. The Parks Committee encourages individuals, businesses, and organizations to contribute to the Endowment Fund, knowing that their donations will be used specifically for the growth, development, and enhancement of Jefferson County’s parks and trails.

BE IT FURTHER RESOLVED that the Jefferson County Board directs the Parks Department to transfer the identified funds to the Jefferson County Parks Natural Resources Foundation of Wisconsin Endowment Fund and directs the Parks Department to implement and adhere to these guidelines in the management of the Endowment Fund.

Financial Statement:

- Garman Estate Gift - \$258,971.72
- Caroll Liddle Estate Gift - \$64,526.63

Fiscal Note: The transfer of funds to the Natural Resources Foundation will require an amendment to the 2024 budget in the amount of \$323,498.35. This resolution authorizes the Finance Director to make the necessary budget adjustments to enact this resolution. As a budget amendment, this resolution requires twenty (20) of thirty (30) affirmative votes for passage.

Strategic Plan Reference: YES



Highly Regarded Quality of Life: Allocate funding to a long-term fund to be used for park resource expansion and Farmland Preservation programs; Continue developing recreational, historical, and cultural resources that build on emerging recreational trends and enhance positive user experiences

Referred By:
Parks Committee

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: MAD

RESOLUTION NO. 2024-____

Authorizing the Human Services Department to contract for the Senior Dining and Home Delivered Meals Program

Executive Summary

Jefferson County, through the Senior Dining & Home Delivered Meals Program, provides persons 60 or older with a healthy, high-quality and safe meal that meet one-third of the dietary reference intakes and recommended daily allowances for seniors. The program also offers opportunities for socialization. Jefferson County contracts with a vendor to prepare and serve the meals.

Jefferson County recently solicited proposals from vendors to provide this service. Two proposals were received in response to the County's solicitation- Feil's Supper Club, Inc. and AtlantisValley Foods, LLC. Feil's bid was \$6.45 per meal for 2025. AtlantisValley's bid was \$8.50 per meal for 2025 with an assurance the price would remain the same in 2026. Pursuant to the County's Purchasing Ordinance and the terms of the Request for Proposals, the proposals were evaluated based on the ability, capacity and skill of the vendor, past performance, availability and price.

The proposals were reviewed by staff, the ADRC Advisory Committee, and the Human Services Board. While Feil's proposal offered the lowest price point, it was determined Feil's is not a qualified vendor based on past performance issues. Feil's is the current vendor and during the past year, Human Services staff has found instances of non-compliant and inadequate meals from Feil's, including but not limited to: non-compliant food temperatures; spoiled and rotten food; an unwillingness to make menu adjustments; meals lacking appropriate vegetable and/or protein options; and menu changes after diners selected a meal based on the published menu. Feil's has been unresponsive in attempts to rectify these issues. Conversely, AtlantisValley was determined to be a responsive, responsible, and qualified vendor.

This resolution authorizes the Human Services Director to contract with AtlantisValley for the 2025 & 2026 Senior Dining and Home Delivered Meals Program. The Human Services Board considered this resolution at its meeting on November 12, 2024, and recommended forwarding to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Human Services Department solicited vendor proposals for the Senior Dining & Home Delivered Meals Program; and

WHEREAS, the ADRC Advisory Committee and the Human Services Board has reviewed the proposals and determined AtlantisValley Foods, LLC's proposal is the most advantageous to the County; and

NOW, THEREFORE, BE IT RESOLVED, the Human Services Director to contract with AtlantisValley Foods, LLC to provide meals for the Senior Dining & Home Delivered Meals Program for the years 2025 and 2026.

Fiscal Note: Funding for this program is included in the 2025 budget. No budget amendment is necessary.

Strategic Plan Reference: YES



Mission Statement: To enhance the quality of life by providing exceptional services and programs to our community.

Referred By:
Human Services Board

12-10-2024

REVIEWED: Corporation Counsel:DHT ; Finance Director:

A handwritten signature in blue ink, appearing to be "DHT", enclosed in a blue circular scribble.

REPORT
TO THE HONORABLE MEMBERS OF THE JEFFERSON COUNTY
BOARD OF SUPERVISORS

The Jefferson County Planning and Zoning Committee, having considered petitions to amend the official zoning map of Jefferson County, filed for public hearing held on November 21, 2024, as required by law pursuant to Wisconsin Statutes, notice thereof having been given, and being duly advised of the wishes of the town boards and persons in the areas affected, hereby makes the following recommendations:

APPROVAL OF PETITIONS

R4566A-24, R4567A-24, R4568A-24, R4569A-24,
R4570A-24, R4571A-24

DATED THIS TWENTY-FIFTH DAY OF NOVEMBER 2024

Blane Poulson, Secretary

THE PRIOR MONTH'S AMENDMENTS

R4558A-24, R4559A-24, R4560A-24, R4562A-24,
R4563A-24, R4564A-24 and R4565A-24

ARE EFFECTIVE UPON PASSAGE BY COUNTY BOARD, SUBJECT TO WIS.

STATS. 59.69(5)

ORDINANCE NO. 2024-_____

Amending Official Zoning Map

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the official zoning map of Jefferson County, and

WHEREAS, Petitions R4566A-24, R4567A-24, R4568A-24, R4569A-24, R4570A-24 and R4571A-24 were referred to the Jefferson County Planning and Zoning Committee for public hearing on November 21, 2024, and

WHEREAS, the proposed amendments have been given due consideration by the Board of Supervisors in open session,

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the official zoning map of Jefferson County as follows:

From A-1 Exclusive Agricultural to N, Natural Resource

Rezone from A-1 to N to create one 19.5-acre and one 15.3-acre parcel at the end of Vannoy Drive along with a dedicated portion for road access, PIN 004-0515-2742-000 (38 ac) and 004-0515-2731-017 (.66 ac) in the Town of Cold Spring. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Rezoning is conditional upon receipt of and recording of the final certified survey map and extraterritorial plat review. R4566A-24 –Mark D. & Eileen M. Lurvey Trust

From A-1 Exclusive Agricultural to A-3 Agricultural and Rural Residential

Rezone to create two 1-acre residential lots at the end of Vannoy Drive along with a dedicated portion for road access, PIN 004-0515-2742-000 (38 ac) and 004-0515-2731-017 (.66 ac). This will require transferring all A-3 parcel splits from PINs 004-0515-2743-000 (29 ac) and 004-0515-2734-000 (34 ac) in the Town of Cold Spring. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditional upon receipt of and recording of the final certified survey map, receipt of suitable soil test, access approval of maintaining authority, extraterritorial plat review, filing of affidavit of zoning status on remaining lands and allow for agricultural use on Natural Resource zones without a conditional use. R4567A-24 –Mark D. & Eileen M. Lurvey Trust

Rezone to create a 2-acre net residential lot west of W4640 Fremont Road from PIN 004-0515-1812-000 (33 ac). This will require transferring all A-3 parcel splits from PINs 004-0515-1813-000 (35 ac), 004-0515-1814-000 (21 ac), 004-0515-1841-000 (51 ac) & 004-0515-1732-000 (39 ac) in the Town of Cold Spring. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditional upon receipt of and recording of the final certified survey map, receipt of suitable soil test, access approval of maintaining authority, and filing of affidavit of zoning status on remaining lands. R4568A-24 – T & R Reeb Trust

Rezone .14 acres from PIN 004-0515-1812-000 (33 ac) to be added to lot at W4640 Fremont Road to create a 1.64-acre total lot size in the Town of Cold Spring, PIN 004-0515-1812-003. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. (1.5 ac). Rezoning is conditional upon receipt of and recording of the final certified survey map and extraterritorial plat review. R4569A-24 – T & R Reeb Trust

Rezone to create two 2.0-acre lots at N3981 County Road E in the Town of Sullivan, PIN 026-0616-1423-000 (76 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditional upon receipt of and recording of the final certified survey map, receipt of suitable soil test, access approval of maintaining authority and extraterritorial plat review. R4570A-24 – Mary Burke. The property is owned by Janice K. Blank Trust

Rezone to create a 4.0-acre lot at intersection of Rockdale Road & Woodside Road in the Town of Sumner, PIN 028-0513-0624-000 (8 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditional upon receipt of and recording of the final certified survey map, receipt of suitable soil test, access approval of maintaining authority, and to follow conditions set forth by the Town of Sumner. R4571A-24 – Lydia Stiemke. The property is owned by Raymond G. Dalby

The above zoning amendments shall be null and void and have no effect one year from the date of County Board approval unless all applicable conditions have been completed.

Referred By:
Planning and Zoning Committee

12-10-2024

REVIEWED: Corporation Counsel DHT ; Finance Director 

RESOLUTION NO. 2024-_____

Referring Petition R4379A-22 to the Planning & Zoning Committee for further proceedings consistent with the Court's order in Jefferson County Case No. 22CV334, *Defend Town Plans, U.A., et. al. vs. Jefferson County Board of Supervisors*

Executive Summary

In April 2022, Jefferson County Board of Supervisors adopted a zoning ordinance, following approval of the Town of Concord, which rezoned approximately 7.4 acres of land located in the Town of Concord from *A-1 Exclusive Agriculture* to *A-2 Agricultural & Rural Business* at the landowner's request per Petition R4379A-22. A group of individuals organized under the name *Defend Town Plans, U.A.* subsequently filed a certiorari action in Jefferson County Circuit Court seeking to invalidate the rezoning ordinance alleging the County did not and could not as a matter of law find the proposed rezoning was consistent with the County's comprehensive plan as required by Wis. Stat. §91.48. The Circuit Court found the County failed to make the findings required by Wis. Stat. §91.48 but did not address the consistency argument and vacated the rezoning ordinance.

Jefferson County subsequently appealed the Circuit Court's decision. The Court of Appeals issued a decision on October 17, 2024, which affirmed but modified the Circuit Court's decision. The Court of Appeals agreed with the Circuit Court's determination that the County failed to articulate the findings required by Wis. Stat. §91.48 for a rezone out of a farmland preservation zoning district. However, the Court of Appeals disagreed with the Circuit Court's determination as the appropriate remedy. Specifically, the Court of Appeals found because failing to articulate the findings was an error that could be potentially cured, the County should be given an opportunity to make the findings required by Wis. Stat. §91.48. In rejecting *Defend Town Plans'* arguments that remand would be futile, the Court of Appeals noted a comprehensive plan is an advisory guide to development rather than a rigid set of rules and found "consistency with the county's comprehensive plan is quintessentially an assessment for the county to make..."

In accordance with the Court of Appeals decision, on November 20, 2024, the Circuit Court issued an order remanding the matter back to the Board of Supervisors for further proceedings consistent with the appellate decision. This resolution refers Petition R4379A-22 back to the Planning & Zoning Committee for further proceedings to consider the findings required per Wis. Stat. §91.48 and make a recommendation to the County Board regarding the proposed rezoning.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Court has ordered Jefferson County to engage in additional proceedings as to Petition R4379A-22 consistent with the requirements of Wis. Stat. §91.48, and

WHEREAS, pursuant to Wis. Stat. §59.69, the Planning & Zoning Committee, as the County's designated zoning agency, is the appropriate body to recommend whether a rezoning ordinance should be approved or disapproved based upon the record, and

NOW, THEREFORE, BE IT RESOLVED Petition R4379A-22 is referred to the Planning & Zoning Committee for further proceedings consistent with the requirements of Wis. Stat. §91.48.

BE IT FURTHER RESOLVED, the Planning & Zoning Committee shall report its findings and recommendations to the County Board of Supervisors.

Fiscal Note: Passage of this Resolution has no determinable fiscal impact.

Strategic Plan Reference: None

Referred By:
Court Order

12-10-2024

REVIEWED: Corporation Counsel: DHT ; Finance Director: 

APPOINTMENTS BY COUNTY BOARD CHAIR

By virtue of the authority vested in me under Board Rule 3.05(1)(n) and Section 59.54(8) I hereby request confirmation of the following appointments:

- a. Shane Hart, Nick Thompson, Keith Hrobsky and Brian Udovich, as representatives of owners and operators of facilities, to the Local Emergency Planning Committee (LEPC) for an indeterminate term.

APPOINTMENTS BY COUNTY ADMINISTRATOR

By virtue of the authority vested in me under Sections 59.18(2)(b) of the Wisconsin Statutes, I respectfully request confirmation of the following appointments:

- a. Brandon White, Jefferson, WI, to the Veterans Service Commission for a three-year term ending December 13, 2027.
- b. William Gaugert, Sullivan, WI to the Sheriff's Civil Service Commission for a five-year term ending January 1, 2030.
- c. Kevin Purcell, Fort Atkinson, WI to the Sheriff's Civil Service Commission for a five-year term ending January 1, 2030.

December 10, 2024