

**JEFFERSON COUNTY BOARD MINUTES  
TUESDAY, FEBRUARY 10, 2009, 7:00 P.M.**

Ms. Sharon Schmeling presiding.

Mr. Christensen led the Pledge of Allegiance.

A moment of silence was observed.

County Clerk Barbara A. Frank called the roll, all members being present except Mr. Burow, Mr. Jaeckel and Mr. Borland.

District 1 .....	Richard C. Jones	District 2.....	Vic Imrie, Jr.
District 3.....	Greg David	District 4.....	Gail Towers MacAskill
District 5.....	Jim Braughler	District 6.....	Ron Buchanan
District 7.....	Dwayne C. Morris	District 8 .....	Rick L. Kuhlman
District 9 .....	Scott Seefeldt	District 10.....	Lloyd Zastrow
District 11.....	Donald Reese	District 12 .....	Mike Burow
District 13 .....	Vacant	District 14 .....	Pamela Rogers
District 15 .....	Steven J. Nass	District 16.....	John Molinaro
District 17 .....	Carol Ward Knox	District 18 .....	Sharon L. Schmeling
District 19.....	Amy Kramer	District 20 .....	John C. Kannard
District 21 .....	Robert G. Yachinich	District 22 .....	Blane Poulson
District 23 .....	George Jaeckel	District 24 .....	Gregory M. Torres
District 25 .....	Walt Christensen	District 26.....	Carlton Zentner
District 27.....	Glen D. Borland	District 28.....	Julie J. Nelson
District 29.....	Paul Babcock	District 30 .....	Jim Mode

County Administrator Gary Petre certified compliance with the Open Meetings Law.

County Board Chair Schmeling informed the Board that the meeting would proceed as outlined in the agenda with the exception of Items 11a-d (Finance Committee) following Item 7 (Public Comment) to accommodate the large number of interested persons in attendance.

**Mr. Nass moved that the minutes of the January 13, 2009, meeting be approved as corrected.** Seconded and carried.

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY, WISCONSIN  
FEBRUARY 1, 2009**

Available Cash on Hand		
January 1, 2009	\$	429,998.17
January Receipts		<u>13,138,928.58</u>
Total Cash		\$13,568,926.75
Disbursements		
General - January 2009	\$	11,736,100.73
Payroll - January 2009		<u>1,536,461.86</u>
Total Disbursements		<u>13,272,562.59</u>
Total Available Cash		\$ 296,364.16
Cash on Hand (in banks) February 1, 2009	\$	803,174.45
Less Outstanding Checks		<u>506,810.29</u>
Total Available Cash		\$ 296,364.16
AIM Government & Agency Portfolio		\$ 3,980,986.52
Local Government Investment Pool - General		18,421,460.65

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Institutional Capital Management	1,756,595.83
Local Government Investment Pool – Clerk of Courts	159,739.14
Local Government Investment Pool – Farmland Preservation	260,139.53
Local Government Investment Pool – Parks/Liddle	179,911.74
	<u>\$34,758,833.41</u>
2009 Interest - Super N.O.W. Acct.	\$ 313.47
2009 Interest - L.G.I.P. - General Funds	13,538.95
2009 Interest - ICM	21,568.90
2009 Interest - AIM	2,134.29
2009 Interest - L.G.I.P. - Parks/Carol Liddle Fund	162.33
2009 Interest – L.G.I.P. - Farmland Preservation	139.53
2009 Interest - L.G.I.P. - Clerk of Courts	139.74
Total 2009 Interest	<u>\$ 37,997.21</u>

JOHN E. JENSEN  
JEFFERSON COUNTY TREASURER

**Barbara A. Frank, County Clerk, presented the following communications:**

1. Memo from Corporation Counsel Philip Ristow dated February 5, 2009, regarding the buyer’s withdrawal of an offer to purchase 3 acres of county property at the corner of Collins Road and Wisconsin Drive in Jefferson.
2. Letter dated February 9, 2009, from Steve Jones, President of the Jefferson County Farm Bureau, regarding the property at County Trunk Highway D/Bakertown Road, Town of Farmington (Resolution No. 2008-88).
3. A Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on February 19, 2009, at 7:00 p.m., in Room 205 of the Jefferson County Courthouse.

The letters and notice were received and placed on file.

**The floor was open for public comment.** Speaking were Bill Moberly, Madison, an AFSCME representative, on the proposed county referendum and the County’s budget issues. Also speaking were Kathy Steindorf, Watertown, on developing a strategic plan and Catherine Kleiber, Waterloo, on the tax foreclosed property at CTH D/Bakertown Road, Town of Farmington.

**Ms. Rogers presented Resolution No. 2008-87.**

WHEREAS, Jefferson County is a qualified political subdivision of the State of Wisconsin, and

WHEREAS, the Wisconsin Worker’s Compensation Act (Act) provides that an employer covered by the Act either insure its liability with worker’s compensation insurance carriers authorized to do business in Wisconsin, or be exempted from insuring liabilities with a carrier by assuming the responsibility for its own worker’s compensation risk and payment, and

WHEREAS, the State and its political subdivisions may self-insure worker’s compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department, and

WHEREAS, a resolution to self-insure must be filed with the Department every three years,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County shall continue its self insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3), and

BE IT FURTHER RESOLVED that:

- (1) The County Board shall provide for the continuation of the self-insured worker's compensation program that is currently in effect.
- (2) Barbara A. Frank, County Clerk, is authorized to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.
- (3) The County Administrator is directed to sign a certified copy hereof in accordance with Wisconsin Administrative Code DWD 80.60 (3)(b).

*Fiscal Note: The County has self-insured worker's compensation liability since 1981. The average annual cost of this program over the past three years has been \$393,000. Conventional insurance would be in excess of \$1 million annually.*

**Ms. Rogers moved that Resolution No. 2008-87 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Ms. Rogers read Resolution No. 2008-88.**

WHEREAS, through tax foreclosure, Jefferson County took title to 77 acres of property located at the intersection of County Trunk Highway D and Bakertown Road which property consisted of dilapidated buildings and was littered with junk, and

WHEREAS, the junk has been removed along with the dilapidated house, and

WHEREAS, the property has been leased for the past 2 years for agricultural use through December 31, 2008, after which time the property was to be sold, and

WHEREAS, at its January meeting, the Finance Committee was considering methods for sale, and received a citizen request to consider subjecting the property to a conservation easement prior to sale, and

WHEREAS, the Finance Committee desires to sell the property timely so that buyer may have adequate time to plant crops this year, and

WHEREAS, the Finance Committee and Zoning Committee had previously reviewed land use controls for the property, and reduced the number of potential buildable lots from five to two, consisting of the original farmstead and one other lot, with the twenty acre piece south of Bakertown Road being deed restricted for agricultural use only, and

WHEREAS, putting a conservation easement on the property and eliminating either one or both of the two buildable lots currently established on the property could reduce the sale price of the property in an estimated amount of up to \$180,000 or more, and

WHEREAS, the Finance Committee believed it was appropriate for the County Board to consider the citizen request for a conservation easement on the property in lieu of the building sites, and makes no recommendation in that regard,

NOW, THEREFORE, BE IT RESOLVED that the Finance Committee is directed to proceed to sale of the property with 2 building sites and without subjecting it to a conservation easement.

*Fiscal Note: The County has accepted donations of conservation easements in recent times. The Burlingham conservation easement was appraised at \$248,000 with three*

*potential building sites. The Miller conservation easement was appraised at \$225,000 with four potential building sites. These two had a range of about \$56,000 to \$83,000 per building site. The two sites on the county property are probably more valuable in that one has two outbuildings, and the other one is four acres in size. A review of recent sales show \$70,000 to \$90,000 being reasonable prices for such parcels. It is unknown what the current effect of the real estate market will have on parties interested in purchasing the property with or without the conservation easement.*

**Ms. Rogers moved that Resolution No. 2008-88 be adopted. Seconded.**

**Mr. Zentner moved to amend Resolution No. 2008-88 to read “NOW, THEREFORE, BE IT RESOLVED that the Finance Committee is directed to proceed to sale of the property with 1 building site and subject to a conservation easement.”**  
Seconded.

**Mr. Nass moved to amend Mr. Zentner’s amendment to Resolution No. 2008-88 to read: “. . .that the Finance Committee is directed to proceed to sale of the property with a building site confined to the original 3 acre homestead and site subject to a conservation easement on 77 acres.”** Seconded.

**Mr. Nass’ amendment to Mr. Zentner’s amendment on Resolution No. 2008-88 was approved:** Ayes, 24, Noes 2 (Kramer, Kannard), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Zentner’s amendment as amended was approved:** Ayes, 21, Noes 4 (Rogers, Kramer, Kannard, Torres), Abstain 1 (Mode), Absent 3 (Burow, Jaeckel, Borland), Vacant 1. Mr. Mode wishes to be recorded as “aye” after voting in error.

**Resolution No. 2008-88 as amended was adopted:** Ayes 23, Noes 3 (Kramer, Kannard, Torres), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Ms. Rogers presented the Jefferson County Referendum Fact Sheet.**

**JEFFERSON COUNTY  
REFERENDUM FACT SHEET  
February 2009**

The following informational fact sheet was prepared for distribution by the Jefferson County Finance Committee in an effort to help the public become more informed regarding issues related to the ongoing tax levy associated with operating Countryside Home, and a referendum proposed for the April 7, 2009, spring election to gauge the public’s interest and sentiment concerning continuing to fund a county nursing home from the property tax levy. Financial pressure from allocating significant funding for nonmandated services such as the nursing home affects the ability of all other county departments to provide both state mandated services and other nonmandated quality of life services such as the Fair Park, UW Extension, Parks, etc.

It is anticipated that under current law, the Jefferson County Board will not be able to increase property taxes more than about 2% annually. In order to fund all current county services, both those mandated by law and those that are voluntary at the county level, the County is using about \$3 million per year from its operating cash reserves. That cannot continue as the operating cash reserves will be depleted below levels necessary to function. One of several options to deal with the financing shortfall (sometimes referred to as a structural deficit) is to eliminate annual expenses totaling approximately \$3 million. Currently, the county nursing home is funded by a property tax levy of about \$3.3 million, which, if eliminated through sale of the facility, would generally allow for continu-

ation of all the other mandated and non-mandated services provided by the County. Another alternative is to raise tax revenue by an amount sufficient to fund all of the current programs, including Countryside, which requires the voting public's approval.

### **Referendum Options**

In order to increase taxes sufficiently to cover all costs of current programs including Countryside, an increase of about \$3.5 million would be required for 2010 which increase would arguably need to stay in effect annually thereafter at the higher level. That increase exceeds the probable 2% levy cap and is an increase of 14.73% compared to the County's 2009 tax levy, or \$79.13 on property valued at \$150,000. Such an increase would need to be approved first by the County Board and then in a binding referendum by a majority of the County's electors. If not held at the April election, a referendum of that nature would take approximately eight weeks from the County Board's resolution to raise taxes before the matter could be in front of the public for a vote. A special election would cost about \$40,000. As numerous issues with regard to the State budget and the exact language of the levy cap law as it may affect approving county levy increases will probably be established in June or July of 2009 by the State Legislature when adopting the state budget, the Finance Committee recommends, if one is necessary, waiting with any binding referendum to authorize an increase in taxes and, instead, putting an advisory question on the April 2009 ballot stated as follows:

**In order to continue to own and operate the County's nursing home, would you support allowing the Jefferson County Board of Supervisors to raise property taxes annually for the next four years by an estimated \$3.5 million over the state imposed levy cap which is a 14.73% increase in the county portion of your 2009 property tax bill, or, for example, \$79.13 on a \$150,000 property?**

After consideration of the referendum results and the status of the relevant state law, the County Board may set a binding referendum at a future date to authorize a property tax increase.

### **Background**

The County's nursing home, Countryside, faces a large financial challenge primarily because Medicaid funding rates, which represent its main funding source, have not kept up with increasing expenses, especially for wages and benefits. Nonetheless, Countryside's operating levy is below its 2004 rate when it first occupied its new facility. Facts about Countryside funding and other nursing home options include:

- Of Wisconsin's 72 counties, 36 (50%) own and operate a nursing home. The other half do not. Most larger counties operate nursing homes.
- There is no state requirement for county government to own or operate a nursing home. Counties do need to protectively place persons in nursing homes in certain circumstances, with Jefferson County's nursing home placements being 10 to 12 at any one time.
- The federal Medicaid program is the primary revenue source for the nursing home, funded at 60% by federal money and 40% by the state.
- On average, Medicaid reimburses Countryside \$143 per day for each Medicaid recipient. On average it costs \$277 per day to take care of these residents.
- 77% of Countryside's residents are Medicaid recipients.
- The vast majority of Countryside's employees are represented by labor unions sub-

ject to Wisconsin's mediation/arbitration law. Any changes in wages or benefits must be negotiated between the County and the labor unions. Wages and fringe benefits, particularly the cost of health insurance, have gone up far more in the last five years than the primary Medicaid reimbursement revenue source.

- The Intergovernmental Transfer Program (IGT) which is a federal government payment to Countryside based on the losses incurred by county facilities as a result of serving Medicaid recipients, has declined from a high of \$2.2 million in 2003 to an estimated \$750,000 in 2009.
- Private sector businesses operate nursing homes both in and near Jefferson County.

### **Frequently Asked Questions**

*What will happen if Countryside were sold? (a) Annual savings* - The County would save from about \$1 million to \$2.2 million of operating funds in the first year, which would be available for funding its other programs. Annually thereafter, the county would save about \$3.1 million net in operating expenses. *(b) One-time revenues and reduced debt service* - There very well could be a profit on the sale of the building, which has outstanding debt of about \$3 million as of April 2009. Retirement of the outstanding debt will reduce the annual property tax for debt service through 2012 which is not included in the operating expense figures. In the alternative, these funds could be used for other county capital needs. *(c) Economic impact* - The positive estimated economic impact of operating Countryside is \$9.8 million. As sale is anticipated and not closure, the economic impact may be reduced but will not be eliminated. Perhaps 60% or so of the employees would remain employed by new ownership. Without consideration of reemployment of the 40% not retained, economic activity may be reduced by about \$4 million. Although the reduced nursing home payroll would have a negative economic effect, it may well be offset by local taxpayers retaining the \$3+ million funds otherwise necessary to subsidize the operation, and spending those funds in the local economy. Using the same 1.29 multiplier from the impact analysis, the tax savings could yield about an equivalent positive \$4 million economic impact.

*Why is it that the private sector is able to make a profit and the county home needs a tax levy to operate?* The private not-for-profit and for-profit facilities generally benefit from a higher percentage of private pay residents. In addition, the benefit structure of county employees is such that it is substantially more costly for the County than the private sector to provide nursing home care. Better compensation and fringe benefits generally leads to less employee turnover and a higher quality of care in government run nursing homes. Many Countryside employees have over 20 years of service.

*Is Countryside the only place that will accept Medicaid funded residents?* No, but many private-for-profit facilities that are certified to admit Medicaid residents limit the percentage of Medicaid recipients they will accept. Countryside Home provides over a third of the potential Medicaid beds in the immediate area, and the loss of these beds may not be absorbed by other local facilities. There is no guarantee that a new owner of Countryside Home will choose to be Medicaid-certified, or continue to admit Medicaid residents at the same rate, but the County can require assurances as to continued availability of Medicaid beds as a condition of sale.

*Is Jefferson County alone in dealing with these fiscal challenges?* No. Many nursing homes across the State are struggling financially and are currently downsizing their bed capacity. Both Sheboygan and Manitowoc counties have sold nursing homes in the last two years. Other counties have taken a different approach, as in the recent past, Walworth,

Dane, Winnebago and Brown counties have or are building new nursing homes.

*How will we meet the needs of all the baby boomers in 15-20 years when they need nursing home care?* There has been an evolving trend to provide more community-based services and alternatives for people as their preferences and expectations change. Over the years, Jefferson County has reduced its licensed beds from over 300 to the current 120. The federal and state governments are actively encouraging alternatives to traditional nursing homes. There will always be a need for skilled nursing facilities like Countryside.

*Can Countryside be operated more cost effectively to significantly reduce the use of tax funds now required?* As stated previously, the tax levy for operation of Countryside Home is less for 2009 than it was in 2004. Aggressive action has been taken to reduce management staff by almost one-half over that time period. Other staff has been reduced where possible. Technology upgrades have enhanced efficiency. All significant service contracts have been reviewed and rebid where appropriate. Laundry processes have been adjusted to save substantial sums. There are no remaining adjustments to be made that will generate the significant sums required. The employee unions have been approached about renegotiating current contracts. Substantial reduction in direct care staff could also close the funding gap somewhat as well, but it cannot solve the problem, and would, as the Board of Trustees has noted, lower the quality of care.

**Ms. Rogers read Resolution No. 2008-89.**

WHEREAS, the County Board directed the Finance Committee to consider options for referenda concerning resolving financial challenges including closing an approximate \$3.5 million structural budget deficit for 2010 and thereafter, and

WHEREAS, the Finance Committee has studied the option of a binding referendum to raise taxes in excess of the levy cap for 2010, and finds such an action to be premature at this time, given that, among other things, the state budget has not been completed and it is unknown what actual levy cap will be in effect for 2010, and

WHEREAS, the Committee anticipates a probable 2% levy cap and has reviewed the options concerning advisory referenda and recommends that an advisory referendum question be placed before the voters on April 7, 2009, as follows:

**In order to continue to own and operate the County's nursing home, would you support allowing the Jefferson County Board of Supervisors to raise property taxes annually for the next four years by an estimated \$3.5 million over the state imposed levy cap which is a 14.73% increase in the county portion of your 2009 property tax bill, or, for example, \$79.13 on a \$150,000 property?**

and

WHEREAS, the Committee recommends the explanatory statement required for publication in advance of the referendum be stated as follows:

**EXPLANATORY STATEMENT AND EFFECT OF VOTE: The Jefferson County Board of Supervisors desires public input on the question of whether or not the County should raise taxes an estimated \$3.5 million above the state levy cap annually for the next 4 years to continue to operate the county nursing home. The result of the vote is advisory, not binding. A "yes" vote means you want the County to raise taxes to continue to operate the county nursing home. A "no" vote means you do not want the County to raise taxes to continue to operate the county nursing home.**

and

WHEREAS, the Committee has prepared a Fact Sheet which is submitted herewith as

its report which is available for use by supervisors when responding to inquiries concerning this matter.

NOW, THEREFORE, BE IT RESOLVED that the above question shall be placed on the April 7, 2009, ballot as an advisory referendum.

BE IT FURTHER RESOLVED that the explanatory statement required by law be as set forth above.

*Fiscal Note: There will be some small impact with regard to publication of the appropriate notices, and there will be some small cost with regard to additional ballot programming. However, as there is a statewide race to be decided by the April election, there is no additional cost for poll workers or any other significant related costs.*

**Ms. Rogers moved that Resolution No. 2008-89 be adopted.** Seconded.

**Mr. Christensen moved to add the following language to the referendum question: “In order to continue to own and operate the County’s nursing home in addition to all other county services, would you support . . .”** Seconded.

**Mr. Christensen’s amendment to Resolution No. 2008-89 was approved:** Ayes 16, Noes 10 (Jones, Braugher, Morris, Kuhlman, Seefeldt, Rogers, Molinaro, Schmeling, Kramer, Poulson), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Nass moved that the same language be added to the explanatory statement: “The Jefferson County Board of Supervisors desires public input on the question of whether or not the County should raise taxes an estimated \$3.5 million above the state levy cap annually for the next 4 years to continue to operate the county nursing home in addition to all other county services. The result of the vote is advisory, not binding. A “yes” vote means you want the County to raise taxes to continue to operate the county nursing home in addition to all other county services. A “no” vote means you do not want the County to raise taxes to continue to operate the county nursing home in addition to all other county services.”** Seconded.

**Mr. Nass’ amendment to Resolution No. 2008-89 was approved:** Ayes 19, Noes 7 (Morris, Kuhlman, Seefeldt, Schmeling, Kramer, Poulson, Zentner), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Resolution No. 2008-89 as amended was adopted:** Ayes 23, Noes 3 (Molinaro, Kramer, Torres), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Jefferson County Literacy Council Executive Director Jill Ottow and Gail Scott representing the Community Dental Clinic and the Rock River Free Clinic presented annual reports.** The annual reports were received, placed on file but not printed in the minutes pursuant to Board Rule 3.03(12).

Board Chair Schmeling moved up agenda Item 14a (Parks Committee – Resolution 2008-90) to accommodate the large number of interested persons in attendance.

**Mr. Kuhlman presented Resolution No. 2008-90.**

WHEREAS, Jefferson County has received grants for the construction of a snowmobile bridge across the Crawfish River near Hubbleton, and

WHEREAS, an extensive search for a proper location for said bridge, given the necessity for access easements, has led to approval of a site within the Highway 19 right-of-way south of the existing vehicle bridge across the Crawfish River, and

WHEREAS, Westbrook Associated Engineers, Inc. has performed all of the prelimi-

nary engineering with regard to the new site as well as obtained DOT and DNR approval for placement of the structure in this location, and

WHEREAS, it is necessary to contract for design, bidding and construction management services, and

WHEREAS, the Parks Committee recommends continuing the project with Westbrook Associated Engineers, Inc., and therefore waiving the requirement in the Purchasing Ordinance for additional proposals from engineers, given Westbrook's involvement to date, and

WHEREAS, the Parks Committee recommends entering into a contract with Westbrook Associated Engineers, Inc. in the amount of \$29,023 for design and bidding services and a second contract in the amount of \$14,210 for construction management services in the event bids are awarded,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Parks Director is authorized to contract with Westbrook Associated Engineers, Inc. for design and bidding services for the Hubbleton snowmobile bridge in the amount of \$29,023.

BE IT FURTHER RESOLVED that if a bid is ultimately awarded by the County Board, the Parks Director is authorized to contract with Westbrook Associated Engineers, Inc. for construction management services for the project in the amount of \$14,210.

*Fiscal Note: Adequate funds are available in Account 1822.521215 for engineering services. The balance of funds for this project are from state and federal grant sources. The County Board will need to act on the bids received at a future date, currently anticipated to be April 2009.*

**Mr. Kuhlman moved that Resolution No. 2008-90 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Steve Grabow, Suzanne Wade, Gail Roberts, Joe Bollman and Kathleen Eisenmann presented the annual report of the University of Wisconsin-Extension.** The annual report was received, placed on file but not printed in the minutes pursuant to Board Rule 3.03(12).

**Mr. Nass presented the following report:**

**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 zoning ordinance of Jefferson County, filed for public hearing held on September 18 and December 18, 2008, and January 15, 2009, 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 3356A-08, 3256A-07, 3381A-09 and 3382A-09

DATED THIS TWENTY-SIXTH DAY OF JANUARY 2009

Donald Reese, Secretary

THE EFFECTIVE DATE OF THE PRIOR MONTH'S AMENDMENTS, 3368A-08,  
3369A-08, 3370A-08, 3374A-08, 3376A-08, 3377A-08, 3378A-08, 3379A-08 and  
3380A-08, IS JANUARY 17, 2009.

**Mr. Nass moved that the report be adopted.** Seconded and carried.

**Mr. Nass presented Ordinance No. 2008-34.**

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the Jefferson County Zoning Ordinance, and

WHEREAS, Petition 3356A-08 was referred to the Jefferson County Planning and Zoning Committee for public hearing on September 18, 2008, Petition 3256A-07 was referred for public hearing on December 18, 2008, and Petitions 3381A-09 and 3382A-09 were referred for public hearing on January 15, 2009, 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 zoning ordinance of Jefferson County (and official zoning maps) as follows:

**FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL**

Modify the original approval and allow creation of an approximate 6-acre non-prime building site on PIN 024-0516-0521-000 (34.74 acres), along STH 106 in the Town of Palmyra. This lot combination utilizes the last available A-3 zone for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval by the Wisconsin Department of Transportation, upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems, and upon approval and recording of a final certified survey map for the property. (3356A-08 – Francis Hoff Trust)

Create an approximate 4-acre lot on Kreutz Road in the Town of Oakland from part of PIN 022-0613-3442-005 (20 acres). This non-prime ag land lot approval is conditioned upon road access approval, upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems, and upon approval and recording of a final certified survey map for the property. (3256A-07 – Richard Preuninger Trust)

Rezone to create an approximate 1.1-acre building site on Kowski Lane in the Town of Waterloo from part of PIN 030-0813-1413-001 (14.06 acres). This prime ag land lot utilizes the last available A-3 zone for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval, upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems, and upon approval and recording of a final certified survey map for the property. (3381A-09 – Donald G. Vehlow, Jr.)

Create two, approximate 2-acre lots on Blue Joint Road from part of PIN 030-0813-1431-000 (38.332 acres) in the Town of Waterloo. These prime ag land lots utilize the last available A-3 zones for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval for each lot, upon receipt by Zoning of a soil test for each lot showing sites for installation of both initial and replacement private sewage systems, and upon approval and recording of a final certified survey map for the lots. (3382A-09 – Donald G. Sr. and Phyllis Vehlow)

**Mr. Nass moved that Ordinance No. 2008-34 be adopted.** Seconded and carried with Mr. Kannard abstaining for possible conflict of interest.

**Chair Schmeling reported on topics from a recent Wisconsin Counties Association meeting.**

**Mr. Nass presented Resolution No. 2008-91.**

WHEREAS, Wisconsin Act 339 created a statewide Land Information Program in 1989 for the purpose of facilitating land records modernization within each county across the State, and

WHEREAS the Jefferson County Board, like other counties across the state, established a Land Information Office in 1990 for the purpose of managing the County's Land Information Program and Geographic Information System, and

WHEREAS, per Wisconsin State Statutes 59.72 and 59.43, each county funds a portion of its Land Information Program through real estate document recording fees collected by the Register of Deeds office, and

WHEREAS, \$5 from the fee for recording or filing the first page of each instrument that is recorded or filed in the office of the Register of Deeds is allocated to the county to be used as follows:

- \$4 to develop, implement, and maintain the countywide plan for land records modernization; and
- \$1 to develop and maintain public access to land information through the Internet; and

WHEREAS, the retained fees to be used to develop, implement, and maintain land information are no longer sufficient to fund the County's Land Information Program, and

WHEREAS insufficient funding could adversely affect the County's ability to provide basic public records to our constituents and to support vital county services such as assessment mapping, E911, planning and economic development, land conservation, and other activities, and

WHEREAS, the real estate recording fees in Wisconsin are significantly lower than similar fees collected in neighboring states.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors respectfully requests that the real estate recording fee established by State Statute 59.43(2)(ag) be changed to a flat fee of \$30 per document and that the distribution of the fee be as follows:

- \$4 to the Wisconsin Department of Administration;
- \$8 retained by the county to develop, implement, and maintain the countywide plan for land records modernization;
- \$2 retained for the provision of land information on the Internet;
- \$16 retained by the county for general purpose revenue;

BE IT FURTHER RESOLVED that the Clerk shall send a copy of this resolution to legislators representing Jefferson County and the Wisconsin Counties Association.

*Fiscal Note: This would result in an increase of about \$200,000 in county revenue per year based on 2008's experience.*

**Mr. Nass moved that Resolution No. 2008-91 be adopted.** Seconded and carried: Ayes 25, Noes 1 (Zentner), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Nass presented the following report:**

**REPORT TO THE JEFFERSON COUNTY BOARD  
ON  
STRATEGIC PLANNING**

**Background**

In June 2008, Mr. Steve Grabow, our U.W. Extension Community Development Agent, made a presentation to the County Board's Administration and Rules Committee on strategic planning. Based on Mr. Grabow's presentation, the Committee asked County Administrator Gary Petre to work with Mr. Grabow on developing their ideas on a timeline and structure under which the County could undertake a strategic planning process.

Discussions regarding strategic planning continued during subsequent meetings of the Committee. Mr. Petre and Mr. Grabow shared their ideas on a timeline and structure for the planning process. The Committee asked Supervisors Jim Braugher and Carol Ward Knox to work with Mr. Petre and Mr. Grabow as members of a Strategic Plan Coordinating Workgroup, to respond to a series of questions in a Profile for the Planning Effort document. Supervisor Greg David assisted the Workgroup in developing the Profile responses. This Profile would enable the Committee to further identify the participants, time commitment and resources necessary to develop a Strategic Plan for county government.

As a result of the discussions that took place between the Committee members, other participating County Board members, Mr. Petre and Mr. Grabow, the Committee requested that a report be prepared to the County Board. In addition, the Committee unanimously voted to seek support from the County Board to proceed with the Strategic Planning Process.

**Report**

In order to provide County Board members with more information about strategic planning, this report will answer some of the primary questions about strategic planning and the process that is needed to develop a meaningful Strategic Plan.

**1. What is a Strategic Plan?**

A Strategic Plan is a disciplined effort to produce fundamental decisions and actions that shape and guide an organization and what it does. For purposes of Jefferson County, this means a plan that county government needs to follow in order to ensure that it provides services and programs based on the needs and dictates of its citizens.

A Strategic Plan focuses on county government's organizational dynamics, and typically identifies 2-4 strategic issues (or fundamental challenges to organizational effectiveness). A Strategic Plan provides a strategy or action framework to address the specific strategic issues.

**2. Why do we need a Strategic Plan?**

A Strategic Plan is needed so that we gain a clear understanding of what programs and services the citizens want, and establish mission and vision statements for county government that will meet the citizen's needs. The mission statement would define the County's purpose and core functions. It would also define the County's intentions towards serving its citizens. The vision statement would define what county government wants to look like in the future and how it will function in order to achieve its mission. The Strategic Plan will put into place a roadmap strategy for

addressing those citizen needs and thereby meeting the mission of county government and reaching the vision of what we want to be in the future.

A Strategic Plan can help Jefferson County leaders to think, learn and act strategically through dialogue and strategic conversations. A good strategic planning process can lay an important foundation for addressing complex challenges by moving towards agreement on county government's mission/purpose, stakeholders' needs, core values, initial vision ideas of what success looks like, key issues and an initial strategy framework.

### **3. What is a strategic planning process?**

Strategic planning is an organization's process of defining its strategy, or direction. It includes making decisions on allocating resources to pursue this direction, including capital and people. For Jefferson County, it is the way that we will go about developing our Strategic Plan, including the time, resources, coordination and participation that it will require. Once the Plan is developed, and we know what our mission is, we will then need to implement the steps necessary to achieve our mission. Implementation of the County's Strategic Plan will be monitored by the Administration and Rules Committee, with periodic status reports to the County Board.

Jefferson County is being encouraged to use a research-based strategic planning process that is customized for a public planning and decision-making environment. A copy of "An Overview of Strategic Planning" prepared by Mr. Grabow can be found on the County's website at [www.co.jefferson.wi.us](http://www.co.jefferson.wi.us).

### **4. Who will be involved in the planning process?**

The planning process will include virtually anyone who wants to be involved, including County Board members, department heads, community agencies and citizens. The process would be guided by a Steering Committee comprised of 12-15 members, including County Board committee chair or chair's designee from major committees and department heads from major departments. The Steering Committee would be facilitated by Mr. Grabow. Mr. Petre would function as the Project Manager. Those County Board members and department heads who are not assigned to the Steering Committee will be invited to attend planning workshops and will have input into the development of the Plan.

A five-member Coordinating Workgroup comprised of Mr. Grabow, Mr. Petre and three County Board members: Supervisors Jim Braughler, Carol Ward Knox and Steve Nass, will be responsible making sure that the work of the Steering Committee gets done and keeping the planning process moving forward.

Jefferson County community agencies and citizens will also have input in the Plan. All workshops will be open to the public. It is anticipated that public input will also be solicited through community listening sessions and surveys.

### **5. When will the planning process begin?**

The planning process will begin with the approval by the County Board of Supervisors. The Administration and Rules Committee is seeking this approval through a resolution that will be presented to the County Board at its February 10, 2009, meeting.

### **6. How long will this planning process take?**

The exact length of time could vary, but it is anticipated that the process will take 6



support from the County Board to proceed with the Strategic Planning Process, as described in the Report, and

WHEREAS, the Jefferson County Board of Supervisors concurs with the Administration and Rules Committee and believes that it is in the County's best interest to proceed with the development of a Strategic Plan for Jefferson County government.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby authorizes the Administration and Rules Committee to proceed with the Strategic Planning Process as described in the accompanying Report to the County Board, and

BE IT FURTHER RESOLVED that the Administration and Rules Committee periodically provide the County Board with status reports on the progress of the planning process.

*Fiscal Note: It is anticipated that adoption of this resolution will result in increased per diem costs related to County Board members participation in the Strategic Planning Process. The amount of this increased cost cannot be determined at this time. In addition, the scheduling of community listening sessions and the issuance of community surveys will result in additional cost. These costs will be reported to the County Board and may require a transfer of funds from the 2009 Contingency Appropriation. An expenditure of staff time and supplies in preparing for meetings and participating in the planning process will also be required.*

**Mr. Nass moved that Resolution No. 2008-92 be adopted.** Seconded.

**Mr. Molinaro moved to refer Resolution No. 2008-92 back to the Administration & Rules Committee.** Seconded and carried: Ayes 18, Noes 8 (Jones, Imrie, David, Buchanan, Morris, Seefeldt, Zastrow, Knox), Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Zastrow presented Ordinance No. 2008-35.**

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section HR0250, Exempt Service, of the Personnel Ordinance is amended to clarify exempt county positions as follows:

**HR0250 EXEMPT SERVICE.** The following positions shall be in the exempt service:

B. In addition to elected officers and department heads:

1. Courthouse: ~~Child Support Staff Attorney~~, Assistant Corporation Counsel, District Attorney Office Manager, Child Support Supervisor, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, County Accounting Manager, Park Operations Supervisor, Family Court Commissioner, Family Court Commissioner/Guardian Ad Litem, Benefits Administrator, Senior Systems Analyst, Management Analyst.
2. Countryside Home: Director of Nursing, ~~Assistant Director of Nursing~~ Resident Care Worker...
4. Human Services: Aging and Disability Resources Division Manager, ~~Deputy Director~~, Administrative Services Manager, Behavioral

Health Division Manager, ...

5. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. (Am. Ord. 2006-17, 10-10/06)
6. Health Department: ~~Long Term Care Program Manager~~, Public Health Program Manager, Office Manager. (Am. Ord. 2006-17, 10-10/06)

Section 2. Section HR0325, Applicable Pay Rates Following Promotion, is amended to establish pay rates for interim assignments positions as follows:

**HR0325 APPLICABLE PAY RATES FOLLOWING PROMOTION OR ASSIGNMENT TO AN INTERIM POSITION.** In case of the promotion of any employee in the County service to a position in a class with a higher maximum salary, or in the case of an assignment to an interim position, such employee shall be entitled to receive the rate of compensation in the entrance step of the class to which the employee has been promoted or designated by interim assignment. In cases where the pay range overlaps, a promotion or interim assignment shall be effected at the next higher step in the range of the new class above the rate being paid in the lower class. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the promotion, a new anniversary date shall be established for purposes of future step increases. An "interim" title is used if an employee is assigned for a longer period of time, usually exceeding 30 calendar days but less than one year. If assigned to an interim position by the County Administrator, the assignment will not require confirmation by the Board as it is a temporary placement. An "acting" title is used if the position is being temporarily filled for a short period of time, usually 30 calendar days or less, and the employee will not be entitled to additional compensation. (Am. Ord. 2005-15, 8/09/05)

Section 3. Section HR0360, Hours of Work, Overtime and Compensatory Time, is amended to define positions eligible for random hours as follows:

**HR0360 HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME.**

**A. Exempt Employees**

2. In lieu of other compensation for work in excess of 40 hours per week, ~~Human Services Deputy Director, Emergency Management Director, Family Court Commissioners,~~ Assistant Corporation Counsel, Chief Deputy, County Accounting Manager and department heads shall be entitled to 40 random hours off per year. Random hours not used by the end of a calendar year shall be forfeited. Random hours shall be prorated in the first and last year of employment. (Am. Ord. 2008-24, 11-10-2008)

Section 4. Section HR0450, Leave of Absence without Pay, of the Personnel Ordinance is amended to clarify access to health insurance when on a leave of absence as follows:

**HR0450 LEAVE OF ABSENCE WITHOUT PAY.**

- C. In the event an employee is on leave of absence not covered by State

or Federal Family Medical Leave Act and was eligible for group health, ~~dental or flexible spending~~ insurance at the commencement of such leave of absence the employee shall be entitled to continuation of coverage for 36 months and COBRA coverage for 36 months according to Wisconsin Public Employer's Group Health Insurance Plan. The employee is eligible to continue group dental insurance and flexible spending coverage under federal COBRA regulations.

Section 5. This ordinance shall be effective after passage and publication as provided by law.

**Mr. Zastrow moved to adopt Ordinance No. 2008-35.** Seconded and carried.

**Mr. Zastrow read Resolution No. 2008-93.**

WHEREAS, the adopted 2009 Jefferson County Budget eliminated a part-time 4-H Assistant (state employee) and created an intern position (state employee) for the 4-H program, and

WHEREAS, the contract between Jefferson County and Board of Regents of the University of Wisconsin System does not account for a state employee intern position for the 4 H program, and

WHEREAS, the elimination of the state intern position and the creation of a county intern position for UW Extension in the budget is necessary to fill the position and meet the 4-H program goals.

NOW, THEREFORE, BE IT RESOLVED that the 2009 County Budget setting forth position allocations in the UW-Extension Department be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: \$9,000.00 is included in the 2009 UW Extension budget for an intern position. No fiscal impact is anticipated. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Zastrow moved to adopt Resolution No. 2008-93.** Seconded.

**Mr. Molinaro moved that the resolution be amended to read "WHEREAS, the elimination of the state intern position and the creation of a county intern position for UW Extension in the budget is necessary to fill the position and meet the 4-H program goals, and perform such other extension work as assigned, . . ." Seconded and carried.**

**Resolution No. 2008-93 as amended was adopted:** Ayes 26, Noes 0, Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Zastrow read Resolution No. 2008-94.**

WHEREAS, the Countryside Home Administrator has reported the continuing challenge to provide coverage for accrued benefit time off for direct-patient care staff (RNs, LPNs, MAs, CNAs and RCWs) without incurring additional expenses for agency or in-house pool staffing or overtime, and

WHEREAS, it may be possible to reduce this cost by reducing the number of hours that employees are scheduled off, and

WHEREAS, the Nursing Home Administrator is requesting the authority to negotiate with the union the ability to pay out a limited number of weeks of vacation per employee, on a voluntary basis, thereby limiting the number of hours that agency, pool or over-

time coverage must be used, and

WHEREAS, the Human Resources Committee recognizes and encourages innovative ideas to attempt to solve fiscal challenges while maintaining a high level of service.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to enter into a non-precedential agreement with applicable AFSCME units for Countryside Home, setting up a voluntary vacation pay out plan, to sunset and be reviewed on December 31, 2009.

*Fiscal Note: If all eligible employees elected to be paid out the maximum proposed hours of vacation AND if they would have all been replaced by an employee at the beginning step of the corresponding pay grade at straight time, the maximum cost would be \$11,577. If, however, they would have been replaced at an employee at midpoint at overtime rates, anticipated savings would be \$32,911. Realistically, there will be a savings somewhere in between the potential cost and maximum savings.*

**Mr. Zastrow moved that Resolution No. 2008-94 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Torres presented Resolution No. 2008-95.**

WHEREAS, Lower Spring Lake in the Town of Palmyra is an important resource used by the public for recreation and enjoyment of natural beauty, and

WHEREAS, public use and enjoyment of Lower Spring Lake is best served by protection of the lake from infestations of aquatic invasive species, and

WHEREAS, the Jefferson County Board adopted the Lake Enhancement Report (Resolution No. 2003-57) which includes recommendations to increase monitoring of lakes in the County, and to educate the public about prevention and control of invasive species, and

WHEREAS, Jefferson County is qualified to carry out the responsibilities of an aquatic invasive species control project.

NOW, THEREFORE, BE IT RESOLVED that Jefferson County requests grant funding and assistance available from the Wisconsin Department of Natural Resources under the "Aquatic Invasive Species Control Grant Program" and hereby authorizes the Water Resources Management Specialist of the Land and Water Conservation Department to act on behalf of Jefferson County to:

- submit an application to the State of Wisconsin for financial aid for aquatic invasive species control purposes;
- sign documents;
- take necessary action to undertake, direct, and complete an approved aquatic invasive species control grant; and
- submit reimbursement claims along with necessary supporting documentation within six months of project completion date.

BE IT FURTHER RESOLVED that Jefferson County will meet the obligations of the aquatic invasive species control project including timely publication of the results and meet the financial obligations of an aquatic invasive species grant, including the prompt payment of its 25% commitment to aquatic invasive species control project costs.

*Fiscal Note: Jefferson County will be reimbursed the cost of the project (not to exceed \$4,655) from the Wisconsin Department of Natural Resources. Required matching fund*

*contribution from Jefferson County will be LWCD staff time (25% of the project costs = \$1,163.75) dedicated to the project. LWCD staff time reimbursed by the DNR will be \$3,236.25.*

**Mr. Torres moved that Resolution No. 2008-95 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Jaeckel, Borland), Vacant 1.

**Mr. Mode read the following:**

TO THE JEFFERSON COUNTY BOARD OF SUPERVISORS:  
MEMBERS OF THE BOARD:

By virtue of the authority vested in the Human Services Board under Section 3.06(1)(h) of the County Board Rules, the Human Services Board hereby appoints and requests the County Board's confirmation of the following individuals as members of the designated council:

Nutrition Project Council

- a. Carolyn McCleery, Fort Atkinson, Wisconsin, for an indeterminate term.
- b. Rita Kannenberg, Waterloo, Wisconsin, for an indeterminate term.

**Mr. Buchanan moved that the appointments be confirmed.** Seconded and carried.

**There being no further business, Mr. Buchanan moved that the Board adjourn.** Seconded and carried at 9:55 p.m.