

**JEFFERSON COUNTY BOARD/PUBLIC HEARING MINUTES
TUESDAY, OCTOBER 27, 2009, 7:00 P.M.**

Ms. Sharon Schmeling presiding.

Mr. Kuhlman 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. Jones, Mr. Nass and Ms. Knox.

District 1.....	Richard C. Jones	District 2.....	Vic Imrie, Jr.
District 3.....	Greg David	District 4.....	Augie Tietz
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

Also in attendance were the following department heads: Human Services Director Kathleen Cauley; Veteran's Service Officer Yvonne Duesterhoeft; Kathy Eisenmann, Family Living Agent, University of Wisconsin Extension; County Clerk Barbara Frank; Steve Grabow, Community Development Educator, University of Wisconsin Extension; Economic Development Consortium Director Dennis Heling; Register of Deeds Staci Hoffman; Highway Commissioner Bill Kern; Sheriff Paul Milbrath; Parks Director Joseph Nehmer; Fair Park Director Paul Novitzke; Human Resources Director Terri Palm-Kostroski; County Administrator Gary Petre; Systems & Application Manager John Rageth; Corporation Counsel Philip Ristow; Clerk of Court Carla Robinson; Countryside Home Administrator Earlene Ronk; and Director/Health Officer Gail Scott.

County Administrator Gary Petre informed the Board that it was in compliance with the Open Meetings Law.

The agenda was approved.

County Clerk Barbara A. Frank presented the following communications:

1. Letter dated October 5, 2009, regarding Wisconsin Counties Association annual report in video form which can be viewed on the County's web site.
2. Letter from John Tincher, broker/owner of Tincher Realty, Inc., on the effects of placing large costs on changing agricultural land into other uses.
3. E-mail dated October 27, 2009, from Beth Gehred of Sustain Jefferson inviting the Board to attend a free screening of a documentary entitled "Fresh"

about a hopeful future for agriculture scheduled at various locations on October 29, November 3 and November 9.

The floor was opened for public comment on non-budget items. Jean Reeb, Town of Cold Spring, spoke on opting out of the farmland preservation credit (Chapter 91, Wisconsin Statutes).

As a special order of business, a presentation on the Wisconsin Counties Association (WCA) Annual Conference held in LaCrosse was given by Supervisor Braughler. He reported that UW-Extension Dean Rick Klemme made a public apology at the WCA Conference to the Jefferson County Board of Supervisors for the UW-Extension's lack of cooperation in managing their department's 2009 budget and the disputes their response created during the County's 2009 budget hearings.

Mr. Seefeldt read Resolution No. 2009-62.

WHEREAS, the Board adopted Resolution No. 2009-16 on April 21, 2009, which authorized participation in the Community Development Block Grant – Emergency Assistance Program, and

WHEREAS, Jefferson County was notified on June 9, 2009, by the Wisconsin Department of Commerce that Jefferson County was awarded \$4 million to assist in flood recovery efforts, and

WHEREAS, \$2.095 million was designated to be used to assist Jefferson County businesses in business flood mitigation, which may compensate for past structural damage to the place of business, loss of equipment or inventory, and/or documentable loss of revenue that occurred during the disaster period or prevent future damage, and

WHEREAS, public hearings were held on July 15, 2009, and September 29, 2009, at which time the public was invited to learn about the CDBG program and to comment on the activities included in the CDBG application, and

WHEREAS, the Revolving Loan Fund Committee recommends the applications of Alsam Inc. (Burger Corner, Jefferson) for an amount not to exceed \$36,100 and Riverfront Rentals, LLC, Jefferson, for an amount not to exceed \$255,000, which will be 0% interest forgivable loans, with 20% of the loan forgiven each year that the business owner continues to operate the business until 100% of the loan is forgiven at the end of 5 years, and

WHEREAS, approval of the use of the grant funds for these forgivable business loans will enhance and assist the businesses in their flood recovery efforts,

NOW, THEREFORE, BE IT RESOLVED that Alsam Inc. (Burger Corner, Jefferson) is authorized to receive up to \$36,100 for equipment purchase, and Riverfront Rentals, LLC, Jefferson, is authorized to receive up to \$255,000 for flood damage prevention and mitigation.

BE IT FURTHER RESOLVED that the Economic Development Director shall administer the loans.

Fiscal Note: Funds received from Wisconsin Department of Commerce will total up to \$4 million. Account #33.593801 CDBG Outlay will be charged for the disbursements. No county tax levy funds are used for these loans.

Mr. Seefeldt moved that Resolution No. 2009-62 be adopted. Seconded and

carried: Ayes 25, Noes 0, Abstain 1 (Kannard for possible conflict of interest), Absent 3 (Jones, Nass, Knox), Vacant 1.

Mr. Buchanan read Resolution No. 2009-63.

WHEREAS, County Trunk Highway SC is in very poor condition and needs significant construction improvements to update it to current standards, and

WHEREAS, the right-of-way limits are narrow in many areas and it is anticipated that additional property and easements will be needed to properly complete construction work, and

WHEREAS, bids were solicited for engineering design work on August 13, 2009, with the following results,

Ruekert/Mielke, Waukesha, Wisconsin	\$ 45,387
Ayres Associates, Waukesha, Wisconsin	\$ 68,200
OMNI Associates, Appleton, Wisconsin	\$ 75,800
SEH, Madison, Wisconsin	\$ 78,149
AECOM USA, Milwaukee, Wisconsin	\$ 109,884
MSA Engineering, Madison, Wisconsin	\$ 130,931
R.A. Smith National, Brookfield, Wisconsin	\$ 154,164
RSV Engineering, Jefferson, Wisconsin	\$ 161,290

NOW, THEREFORE, BE IT RESOLVED that the Highway Department is authorized to enter into a contract with Ruekert/Mielke in the amount of \$45,387 for the design of County Trunk Highway SC.

Fiscal Note: Funds for the design work will come from the Highway Department Road Construction Account #53312.

Mr. Buchanan moved that Resolution No. 2009-63 be adopted. Seconded and carried: Ayes 24, Noes 2 (Kannard, Zentner), Absent 3 (Jones, Nass, Knox), Vacant 1.

Ms. Nelson presented Ordinance No. 2009-15.

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

Section 1. Section HR0430, Family Medical Leave and Military Family Acts, of the Personnel Ordinance is amended to comply with new State of Wisconsin regulations:

HR0430 FAMILY MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE ACT

C. Type of Leave Covered

In order to be eligible for leave under this policy, the employee must be taking the leave for one of the following reasons:

1. The birth of a child, or placement of a child with the employee for adoption;
2. Placement with the employee of a son or daughter for foster care;
3. The employee's own serious health condition;

4. The employee is needed to care for the employee's spouse; child; parent due to his/her serious health condition;
5. The employee needs to care for the employee's parent-in-law; domestic partner (as defined in § 40.02(21d) or 770.01(1), Wis. Stats.); or domestic partner's parent, due to his/her serious health condition (State Leave Only);
6. A qualifying exigency arising out of the fact that the employee's spouse; son/daughter; parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves (Exigency: non-medical; non-routine);
7. The employee is the spouse, son/daughter, parent or next of kin of a covered service member with a serious injury or illness. (Military Caregiver Leave);
8. The employee is called to active duty in the military.

Section 2. This ordinance shall be effective after passage and publication as provided by law.

Ms. Nelson moved that Ordinance No. 2009-15 be adopted. Seconded and carried: Ayes 14, Noes 12 (Tietz, Braughler, Morris, Kuhlman, Reese, Burow, Kramer, Kannard, Jaeckel, Torres, Borland, Mode), Absent 3 (Jones, Nass, Knox), Vacant 1.

Ms. Nelson presented Ordinance No. 2009-16.

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

Section 1. Section HR0145, Human Resources Committee Authority, and HR0505, Absenteeism Policy, are amended to allow the suspension and flexibility of attendance policies during declared emergencies or pandemics.

HR0145 HUMAN RESOURCES COMMITTEE AUTHORITY. In addition to other powers granted herein to the Human Resources Committee, the Committee may:

- A. Approve Memorandum of Understandings or interpretations of labor contract provisions necessary to resolve grievances, as recommended by the County Administrator.
- B. Authorize use of accumulated time off for exempt employees before such time is otherwise available.
- C. Consider and decide appeals limited to the issue of whether a Third Party Administrator of employee benefits has followed the contractual appeals process. If the procedure has been completed according to the contract, the Third Party Administrator's decision shall be affirmed. No appeal shall be considered unless the employee has first provided the Human Resources Director with the details of the claim and an opportunity to review the issue with the Third Party Administrator and County Administrator. (Am. Ord. 2007-19, 09-11-07)
- D. Authorize the County Administrator or designee to temporarily suspend attendance provisions of this ordinance as necessary to operate during times of national, state or local emergencies or pandemics, subject to the requirements of union

contracts, state and federal laws and regulations. This may include allowing borrowing from sick or vacation banks, allowing flexible work schedules or working from home, or allowing other temporary accommodations that may be necessary to provide flexibility to the employees in order to fulfill the needs of the public.

HR0505 ABSENTEEISM POLICY

C. Guidelines:

9. Requirements for Medical Documentation

Employees will be required to provide documentation from a physician for absences due to illness of three days or longer or instances of a communicable disease upon the request of the department head concerned. All medical disabilities including personal illness/injury must be covered by the proper medical/doctor's authorization. Employees must have a written release from the doctor upon return from a disability or absence resulting from a work-related illness or injury, or a non-work related injury or illness preceded by a leave of absence. A doctor's verification is required for all absences due to any kind of work-related illness or injury regardless of the number of days absent. The doctor's excuse must specify the reason for the absence.

Section 2. This ordinance shall be effective after passage and publication as provided by law.

Ms. Nelson moved that Ordinance No. 2009-16 be adopted. Seconded and carried: Ayes 25, Noes 1 (Zentner), Absent 3 (Jones, Nass, Knox), Vacant 1.

Ms. Nelson presented Ordinance No. 2009-17.

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

Section 1. Section HR0265, Part-Time Employment, and HR0360, Hours of Work, Overtime and Compensatory Time, are amended to create random hours for part-time, exempt positions.

HR0265 PART-TIME EMPLOYMENT

B. At the time an employee is hired the candidate's employment record shall disclose whether the position is full-time, more than half-time, less than half-time, or less-than-600 hours annually. Benefits for each status are as follows:

- Full-time (1900 hours annually) – all benefits and accruals illustrated within the Personnel Ordinance.
- More than half-time (1040 – 1899 hours annually) - health, dental, life and other insurances on the same basis as full-time employees. Accrued fringe benefits (vacation, sick and holiday) on a pro rata basis.
- Less than half-time (600 – 1039 hours annually) – Random Hours in accordance with HR0360 (A)(2) and all insurance benefits on the same basis as full-time employees, except

NOT eligible for ~~any accrued fringe benefits or dental insurance.~~ dental insurance or any other accrued fringe benefits. Employees working less than 1040 hours annually may be eligible for the state health insurance, but the level of employer premium contribution is 25% of the lowest qualified plan, and the employee is responsible for the balance of the monthly premium. (Am. Ord. 2008-30, 12-09-2008)

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, 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 based on actual time worked. Random hours for part-time employees for a full year shall also be prorated based on the budgeted annual salary for the full year, converted to an equivalent number of hours. (Am. Ord. 2008-24, 11-10-2008) (Am. Ord. 2008-35, 02/10/09)
 - a. Exempt employees are expected to work whatever hours are necessary beyond the regular workweek to assure that a complete and adequate job is done.
 - b. Full-time persons receiving random days shall work eight (8) hours a day, Monday through Friday, primarily during regular business hours. (Am. Ord. 2007-31, 01-11-08)
 - c. Full-time employees working less than four hours a day, Monday through Friday, shall supplement worked time with paid-leave time such as sick, vacation, random, personal holiday, bringing total hours up to eight per day. Full-time employees working less than eight hours a day, but more than four hours a day, Monday through Friday, may supplement time worked with paid-leave time, or may opt to flex the necessary time during the same Monday through Friday work week at their discretion. (Am. Ord. 2007-31, 01-11-08)
 - d. Any altered daily work schedule for department heads will be at the discretion of the County Administrator, and may be granted if the needs of the County allow for such alteration.
 - e. All time worked shall be recorded and reported to the Human Resources Department with each payroll. This includes any use of paid-time off to fulfill the County's need to be accountable to the public, using 'exception notices' provided by the County.

Section 2. This ordinance shall be effective after passage and publication as provided by law.

Ms. Nelson moved that Ordinance No. 2009-17 be adopted. Seconded and carried: Ayes 25, Noes 0, Absent 4 (Jones, David, Nass, Knox), Vacant 1.

County Administrator Petre presented a report on the 2010 Recommended County Budget.

Ms. Rogers moved for the adoption of the 2010 Recommended Budget for purposes of holding a public hearing. Seconded and carried.

The public hearing on the proposed 2010 County Budget commenced at 7:54 p.m. Twenty-six supervisors were present with three absent (Jones, Nass, Knox), and one vacant.

The floor was opened for the public hearing on the 2010 Recommended Budget. Carie Kendrick spoke in opposition to raising taxes.

Ms. Knox present.

Ms. Rogers moved to postpone the proposed 2010 Budget to November 10, 2009. Seconded and carried.

Public hearing closed at 7:56 p.m.

There being no further business, Mr. Buchanan moved that the Board adjourn at 7:58 p.m. Seconded and carried.