

**JEFFERSON COUNTY BOARD MINUTES
TUESDAY, FEBRUARY 16, 2010, 7:00 P.M.**

This County Board meeting was originally scheduled for Tuesday, February 9, 2010; however, due to inclement weather, the Chair cancelled the meeting and rescheduled it for Tuesday, February 16, 2010, pursuant to Board Rule 3.01 (1)(b).

Ms. Sharon Schmeling presiding.

Mr. Braughler 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 and Mr. Borland.

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; Accounting Manager Dave Ehlinger; Kathy Eisenmann, Family Living Agent, University of Wisconsin Extension; Land Information Director Andy Erdman; County Clerk Barbara Frank; Steve Grabow, Community Development Educator, University of Wisconsin Extension; Highway Commissioner Bill Kern; Interim Director of Planning & Zoning Rob Klotz; Sheriff Paul Milbrath; Parks Director Joseph Nehmer; Fair Park Director Paul Novitzke; Human Resources Director Terri Palm-Kostroski; County Administrator Gary Petre; Corporation Counsel Philip Ristow; Clerk of Court/Register in Probate Carla Robinson; Countryside Home Administrator Earlene Ronk; Child Support Director Stacey Schuck; Director/Health Officer Gail Scott; and Land & Water Conservation Director Mark Watkins.

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

County Administrator Petre informed the Board that the meeting would proceed as outlined in the revised agenda for February 16, 2010 (revised meeting date only).

The December 15, 2009, Jefferson County Board minutes were corrected and approved for publication by the Administration & Rules Committee on

December 29, 2009, pursuant to Board of Supervisors' Rules of Order 3.05(2)(a).

Special Order of Business commenced.

Human Resources Director Terri Palm-Kostroski recognized recent county retirees:

Thomas Donnelly, Highway, length of service: 29 years 9 months

Merrie Bear, Human Services, length of service: 18 years 1 month

Elizabeth "Betty" Jimenez, Countryside Home, length of service: 30 years 3 months

Nancy Blodgett, Health Department, length of service: 28 years

Luella Voight, Sheriff's Office, length of service: 31 years 6 months

Kathleen Biber, Countryside Home, length of service: 36 years 2 months

Janet Everson, Countryside Home, length of service: 37 years 6 months

James Salmon, Sheriff's Office, length of service: 34 years 6 months

Sharon Revolinski, Countryside Home, length of service: 35 years 2 months

Barbara "Bobbie" Tomczak, Countryside Home, length of service: 38 years 4 months

Mary Young, Regional Director of the Division of Public Health for the State of Wisconsin Department of Health Services, presented its Level II Health Department certificate to the Jefferson County Health Department with Director Gail Scott and Board of Health Chair Julie Nelson accepting.

The presentation by the National Guard to the Sheriff's Department was postponed due to the presenter's inability to attend.

Mr. Reese read Resolution No. 2009-81.

WHEREAS, the Watertown Street Department has been a collection site for Jefferson County Clean Sweeps since 2002, first at the Cady Street Recycling Center and now at First Street in the new Street Department building, and

WHEREAS, in November 2009, the City of Watertown approved a \$20,000 donation to the Jefferson County Clean Sweep Program in the city budget, and

WHEREAS, this \$20,000 donation will be used to continue Clean Sweeps in Watertown with the support of the Jefferson County Clean Sweep Program, and

WHEREAS, the City of Watertown's strong commitment to keeping hazardous materials from the groundwater, wastewater treatment plants, and landfills by the collection of electronics, chemicals, and drugs should be recognized, and

WHEREAS, the Solid Waste/Air Quality Committee recommends accepting the donation and thanking the City of Watertown's Mayor, Council Members and the Superintendent of the Street Department for their magnanimous donation to this important environmental program,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County accepts the donation of \$20,000 from the City of Watertown for use in the Clean Sweep Program and the Jefferson County Board of Supervisors expresses its gratitude to the City of Watertown for this donation.

Fiscal Note: Acceptance of this donation insures a continued Clean Sweep in Watertown for the fiscal year of 2010.

Mr. Reese moved that Resolution No. 2009-81 be approved. Seconded and carried.

Mr. Reese read Resolution No. 2009-82.

WHEREAS, from 2007 through 2009 several Jefferson County pharmacists have donated their time and expertise to the Jefferson County Clean Sweep Program, and

WHEREAS, this donated time has saved the program an estimated \$900 per event for each of 11 events over the last three years, and

WHEREAS, without the pharmacists' donation of their time, the County would not be able to collect controlled and non-controlled drugs at these events, and

WHEREAS, with the help of the pharmacists, the County has kept 2,277 pounds of non-controlled drugs and 85 pounds of controlled drugs, a total of 2,362 pounds, out of the groundwater, wastewater treatment plants, and landfills,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board thanks the following pharmacists: *Rich Courtoies, Tom Derleth, LeAnn Ozminkowski, John Schloemer - Watertown Regional Medical Center; Heather Hunt, Ed Heimstreet - Walgreens-Lake Mills; Kathee Jantzi, Jody Nordby - Shopko Pharmacy-Watertown; Nick Shannon - Zimbric Pharmacy-Waterloo; Ernie Witzke, Adam Niemeyer - Shopko Pharmacy-Fort Atkinson; Jim Brown, Chris Barron, Merlin Borchardt, Lori Breckheimer, Julie Asmus - Fort Atkinson Medical Center; John Fosdal - Independent* for their donation of time for the last three years to the Jefferson County Clean Sweep Program.

Fiscal Note: Acceptance of this donated time has eliminated an additional cost to the Clean Sweep Program. At \$60/hour x 3 pharmacists x 5 hours = \$900 x 11 clean sweeps, a total savings of \$9,900 has been realized from the donations.

Mr. Reese moved that Resolution No. 2009-82 be adopted. Seconded and carried.

Mr. Torres read Resolution No. 2009-83.

WHEREAS, on December 17, 2009, the University of Wisconsin-Whitewater Warhawk football team overcame the elements in the form of a record snowfall and defending champion Mount Union to win the NCAA Division III National Football Championship by a score of 38-28, and

WHEREAS, the Warhawks' victory is their second national championship in the last three years, and

WHEREAS, the Jefferson County Board supports the efforts of the University of Wisconsin-Whitewater student athletes, and celebrates their exceptional success,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors extends its hearty congratulations to the University of Wisconsin-Whitewater Warhawk players, coaches and fans for a 2nd NCAA Division III Championship in three years, and wishes them success in their future athletic and academic pursuits. Go U-DUB-DUB.

Mr. Torres moved that Resolution No. 2009-83 be adopted. Seconded and carried.

**GENERAL FINANCIAL CONDITION
JEFFERSON COUNTY, WISCONSIN
JANUARY 1, 2010**

Available Cash on Hand		
December 1, 2009	\$ 486,909.01	
December Receipts	<u>11,113,365.79</u>	
Total Cash		\$11,600,274.80
Disbursements		
General – December 2009	\$ 8,995,787.38	
Payroll – December 2009	<u>2,447,470.19</u>	
Total Disbursements		<u>11,443,257.57</u>
Total Available Cash		\$ 157,017.23
Cash on Hand (in banks) January 1, 2010	\$ 987,724.63	
Less Outstanding Checks	<u>830,707.40</u>	
Total Available Cash		\$ 157,017.23
AIM Government & Agency Portfolio		\$ 3,988,986.98
Local Government Investment Pool - General		6,277,245.38
Institutional Capital Management		12,005,692.57
Local Government Investment Pool - Clerk of Courts		160,368.17
Local Government Investment Pool – Farmland Preservation		261,163.95
Local Government Investment Pool - Parks/Liddle		<u>203,842.22</u>
		\$22,897,299.27
2009 Interest - Super N.O.W. Account	\$ 3,095.42	
2009 Interest - L.G.I.P. - General Funds	98,082.05	
2009 Interest - ICM	335,159.07	
2009 Interest - AIM	10,134.75	
2009 Interest - L.G.I.P. - Parks/Carol Liddle Fund	892.81	
2009 Interest - L.G.I.P. - Farmland Preservation	1,163.95	
2009 Interest - L.G.I.P. - Clerk of Courts	<u>768.77</u>	
Total 2009 Interest		\$ 449,296.82

**GENERAL FINANCIAL CONDITION
JEFFERSON COUNTY, WISCONSIN
February 1, 2010**

Available Cash on Hand		
January 1, 2010	\$ 157,017.23	
January Receipts	<u>13,008,539.00</u>	
Total Cash		\$13,165,556.23
Disbursements		
General - January 2010	\$10,002,885.12	
Payroll - January 2010	<u>1,569,314.96</u>	
Total Disbursements		<u>11,572,200.08</u>
Total Available Cash		\$ 1,593,356.15
Cash on Hand (in banks) February 1, 2010	\$ 2,561,430.71	
Less Outstanding Checks	<u>968,074.56</u>	
Total Available Cash		\$ 1,593,356.15
AIM Government & Agency Portfolio		\$ 3,989,048.97

Local Government Investment Pool - General	12,451,081.84
Institutional Capital Management	12,035,605.72
Local Government Investment Pool – Clerk of Courts	160,395.42
Local Government Investment Pool – Farmland Preservation	261,208.33
Local Government Investment Pool – Parks/Liddle	<u>203,876.86</u>
	\$29,101,217.14
2010 Interest - Super N.O.W. Acct.	\$ 575.74
2010 Interest - L.G.I.P. - General Funds	1,484.88
2010 Interest - ICM	12,001.30
2010 Interest - AIM	61.99
2010 Interest - L.G.I.P. - Parks/Carol Liddle Fund	34.64
2010 Interest – L.G.I.P. - Farmland Preservation	44.38
2010 Interest - L.G.I.P. - Clerk of Courts	<u>27.25</u>
Total 2010 Interest	\$ 14,230.18

JOHN E. JENSEN
JEFFERSON COUNTY TREASURER

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

1. Letter dated January 14, 2010, from the Watertown Library Board of Trustees thanking the Jefferson County Board for its continued financial support.

2. A Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on February 18, 2010, at 7:00 p.m., in Room 205 of the Jefferson County Courthouse.

The letter and notice were received and placed on file.

The floor was open for public comment. Speaking were Lloyd Holterman, Watertown, on Wisconsin’s Farmland Preservation Program and zoning; and Supervisor Paul Babcock, Fort Atkinson, congratulating Sheriff Paul Milbrath for his completion of the Criminal Justice Executive Development Institute program.

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

Mr. Nass read the Planning & Zoning Committee 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 November 19 and December 17, 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 3428A-09, 3429A-09, 3441A-09,
3442A-09, 3443A-09, 3444A-09, 3445A-09, 3446A-09, 3447A-09,

3448A-09 and 3449A-09, and
DENIAL OF PETITION 3433A-09

Petition 3433A-09 was filed by the Dale Weis Trust to create a 1-acre lot on the south side of USH 18, across from W3920 USH 18, in the Town of Jefferson. This was recommended for denial because the petitioner revised his initial request and relocated the proposal with a new petition.

DATED THIS 28th DAY OF DECEMBER 2009.
Donald Reese, Secretary

THE EFFECTIVE DATE OF THE PRIOR MONTH'S AMENDMENTS,
3337A-08, 3338A-08, 3430A-09, 3431A-09, 3434A-09, 3435A-09, 3436A-09,
3437A-09, 3438A-09, 3439A-09 AND 3440A-09,
IS DECEMBER 19, 2009.

Mr. Nass moved that the Planning & Zoning Committee Report be adopted. Seconded and carried.

Mr. Nass presented Ordinance No. 2009-22.

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

WHEREAS, Petitions 3428A-09 and 3429A-09 were referred to the Jefferson County Planning and Zoning Committee for public hearing on November 19, 2009, and Petitions 3441A-09, 3442A-09, 3443A-09, 3444A-09, 3445A-09, 3446A-09, 3447A-09, 3448A-09 and 3449A-09 were referred for public hearing on December 17, 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-2, AGRIBUSINESS AND A-3,
RURAL RESIDENTIAL

Rezone approximately 3 acres of PIN 008-0715-2544-001 (28 acres) at W2585 Bakertown Road in the Town of Farmington. This is conditioned upon approval and recording of a final certified survey map for the lot. (3428A-09 and 3429A-09 – Jeremy Feutz)

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

Rezone to create an approximate 1-acre lot near W3442 Marshall Rd. in the Town of Cold Spring from PIN 004-0515-1543-001 (3.54 acres). This action is conditioned upon road access approval by the Town, 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 including extraterritorial plat review by the City of Whitewater if necessary, and including a note regarding basement restrictions. (3441A-09 – Tycian Hanson)

Rezone PIN 014-0615-0222-000 (5.17 acres) owned by Bruce Wells and approximately 0.199 acre of PIN 014-0615-0221-000 (15 acres) owned by Jack Jr. & Christine Schnitger. The site is at W3222 Depot Rd. in the Town of

Jefferson. Rezoning is conditioned upon approval and recording of either a final certified survey map for the newly configured lot or a deed transfer document. (3442A-09 – Jack Jr. & Christine Schnitger)

Rezone approximately 1 acre of PIN 014-0615-0421-000 (29.57 acres) to create a lot on Probst Road as a consolidation of parcels of record from the south side of USH 18 to the north side of USH 18. The site is in the Town of Jefferson. This utilizes the last available lot from the parcel of record on the south side of the highway; the rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval by the Town, 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 lot. (3443A-09 – Dale Weis Trust)

FROM AGRICULTURAL A-1 TO A-3 AND N, NATURAL RESOURCE

Create an approximate 1-acre A-3 zone and an approximate 3.4-acre Natural Resource zone on Willow Glen Road from part of PIN 006-0716-2612-001 (6 acres) in the Town of Concord. This 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 lot showing the building area and a note indicating that this is the only area available for any and all buildings. (3448A-09 & 3449A-09 – Richard Reinders/Richard & Robert Reinders property)

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

Rezone from A-1 to A-3 a part of PIN 008-0715-1214-004 (0.318 acre) in the Town of Farmington and 006-0716-0723-003 (5.383 acres) in the Town of Concord owned by Kenneth & Joyce Kowalski. Rezone from A-1 to A-3 approximately 2.2 acres of PIN 006-0716-0723-000 (11.185 acres) owned by Barry H. R. Mertz, Sr. in the Town of Concord. Rezone a part of PIN 006-0716-0723-004 (1.649 acres) in the Town of Concord and part of PIN 008-0715-1214-005 (0.298 acre) in the Town of Farmington owned by Heather Mertz from A-3 to A-1. The properties are near N6792 CTH P. Rezoning is conditioned upon recording of an affidavit acknowledging that this uses the last available A-3 zone for the property now owned by Barry H. R. Mertz. (3444A-09 & 3445A-09 – Barry Mertz)

Rezone approximately 0.85 acre of PIN 014-0614-1431-000 (51.783 acres) owned by Timothy Koehler from A-1 to A-3, and rezone approximately 0.55 acre of PIN 014-0614-1431-002 (2.612 acres) owned by William Koehler from A-3 to A-1, both for transfer to adjoining property. The sites are near N3881 CTH K in the Town of Jefferson. A condition of the rezoning calls for recording of either a final certified survey map or a deed transfer document. (3446A-09 & 3447A-09 – William Koehler)

Mr. Nass moved that Ordinance No. 2009-22 be adopted. Seconded and carried with Mr. Kannard abstaining for potential conflict of interest.

Mr. Nass presented Ordinance No. 2009-23.

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

WHEREAS, Petition 3433A-09 was referred to the Jefferson County Planning and Zoning Committee for public hearing on November 19, 2009, and

WHEREAS, the proposed amendment has 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 deny Petition 3433A-09 and that no change shall be allowed:

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

Create a 1-acre building site across from W3920 USH 18 on PIN 014-0615-0421-000 (29.57 acres) in the Town of Jefferson. (3433A-09 – Dale Weis Trust)

Mr. Nass moved that Ordinance No. 2009-23 be adopted. Seconded and carried: Ayes 27, Noes 0, Absent 2 (Burow, Borland), Vacant 1.

Mr. Nass presented Resolution No. 2009-84.

WHEREAS, Jefferson County has participated in the Wisconsin Farmland Preservation Program since the Jefferson County Farmland Preservation Plan was adopted by the County Board in September of 1978, and

WHEREAS, Jefferson County's participation in the Wisconsin Farmland Preservation Program has resulted in the preservation of productive agricultural land and allowed farmers to collect tax credits totaling more than 26 million dollars since 1978, and

WHEREAS, the authorizing statute, Chapter 91, Wisconsin Statutes, remained largely unchanged for nearly thirty years until Governor Doyle and the Department of Agriculture, Trade and Consumer Protection (DATCP) proposed revisions to Chapter 91 (in conjunction with the Working Lands Initiative) in Assembly Bill 75, the proposed 2009-2011 state budget, and

WHEREAS, on June 9, 2009, the Jefferson County Board of Supervisors passed a resolution requested by the Planning and Zoning Committee opposing proposed changes to the State Farmland Preservation Program in the budget bill, and

WHEREAS, that resolution noted a potential expense to Jefferson County of up to \$50,000 to revise, update and recertify its Agricultural Preservation and Land Use Plan and ordinance to keep county farmers eligible for Farmland Preservation tax credits, and

WHEREAS, the provisions of AB 75 affecting Chapter 91 were adopted as part of the state budget effective June 29, 2009, requiring counties to recertify their farmland preservation plans and ordinances in accordance with the new state law so county farmers can continue to collect the tax credit, and

WHEREAS, the Jefferson County Agricultural Preservation and Land Use Plan and Zoning Ordinance certification expired on December 31, 2009, and

WHEREAS, Jefferson County requested and received an extension from DATCP through December 2011 to extend the County's current Farmland Preservation Plan and ordinance certification for two years pursuant to Section 91.14(4), Wisconsin Statutes, so that the County may concurrently update its

Farmland Preservation Plan, comprehensive plan and Zoning Ordinance, and

WHEREAS, the County Board acted on November 10, 2009, to approve the collection of conversion fees as required by Chapter 91 to remain in compliance with the new law, and

WHEREAS, the County Board approved applying for grant money from the State in the amount of \$30,000 to offset the costs of the plan revisions and recertification process on December 15, 2009, and

WHEREAS, the Jefferson County Finance Committee took no action on January 14, 2010, on a request to fund \$67,000 for the plan and ordinance recertification process as outlined by Vandewalle and Associates in the grant application, and forwarded the request for action by the full County Board, and

WHEREAS, expenditure of these funds does not guarantee approval of or recertification of the Jefferson County Agricultural Preservation and Land Use Plan, Zoning Ordinance and comprehensive plan by DATCP, the County Board and a majority of the sixteen townships of Jefferson County, who are all currently under county zoning, and

WHEREAS, the timeline for completing the plan and ordinance recertification process starts in March of 2010, and

WHEREAS, Vandewalle and Associates is familiar with the county plan, having just completed an update of the economic development portion thereof, and many town and city plans in the County,

NOW, THEREFORE, BE IT RESOLVED that the 2010 budget be amended to transfer \$67,000 from the contingent account to the Zoning Department; that Purchasing Ordinance requirement for RFP's be waived as impractical; and, the County Administrator be authorized to contract with Vandewalle and Associates for revision and recertification of the Jefferson County Agricultural Preservation and Land Use Plan, Zoning Ordinance and the County's comprehensive plan to comply with Chapters 91 and 66.1001, Wisconsin Statutes.

Fiscal Note: If the Board approves this resolution, the Finance Committee recommended the \$67,000 transfer be from the Contingency Fund Account 9802.599990, to Other Professional Services, 7101.521219. Costs involved include \$67,000 if no grant money is received. We have applied for \$30,000 in grants. Although unpredictable, a loss in Zoning Department revenues may result due to adoption of a new plan and ordinance achieving compliance with the new law.

If Jefferson County does not update its plan, it will not be in the program and Chapter 91 will not be of concern.

Mr. Nass moved that Resolution No. 2009-84 be adopted. Seconded and carried: Ayes 26, Noes 1 (Kuhlman), Absent 2 (Burow, Borland), Vacant 1. Mr. Kuhlman wishes to be recorded as "aye" after voting "no" in error.

Mr. Nass presented Resolution No. 2009-85.

WHEREAS, Jefferson County has participated in the Wisconsin Farmland Preservation Program since the Jefferson County Farmland Preservation Plan was adopted by the County Board in September 1978 and exclusive agricultural zoning was adopted in January 1975, and

WHEREAS, Jefferson County's participation in the Wisconsin Farmland Preservation Program has resulted in the preservation of productive agricultural land and allowed farmers to collect tax credits totaling more than \$26 million since 1978, and

WHEREAS, the authorizing statute, Chapter 91, Wisconsin Statutes, remained largely unchanged for nearly 30 years until Governor Doyle and the Department of Agriculture, Trade, and Consumer Protection (DATCP) proposed revisions (known as the Working Lands Initiative) to Chapter 91 in Assembly Bill 75, the proposed 2009-2011 state budget, and

WHEREAS, Assembly Bill 75 was signed into law as part of 2009 Wisconsin Act 28 on June 29, 2009, revising Chapter 91 to require landowners to pay a rezoning conversion fee beginning on January 1, 2010, when they rezone their land from the A-1 Agricultural Zoning District to any other zoning district, whether or not they ever farmed the land or ever collected farmland preservation tax credits, and

WHEREAS, Chapter 91 requires all counties to update their farmland preservation plans over the next 5 years, and, within one year after plan adoption, requires counties to update their exclusive agricultural zoning ordinances to maintain state certification for the county's farmers to be eligible for Farmland Preservation tax credits, and

WHEREAS, Chapter 91 imposes the rezoning conversion fee on January 1, 2010, based on existing plans, ordinances and zoning maps, without the benefit of an updated farmland preservation plan or ordinance, and

WHEREAS, charging the rezoning conversion fee is a burden on property owners who are not farmers, whose land is not currently being farmed, and who never collected farmland preservation tax credits in the past, and

WHEREAS, the implementation of the rezoning conversion fee is an imposition on county governments and places undue pressure on counties to act immediately to revise their plans and ordinances, without the benefit of state financial assistance, and

WHEREAS, delaying implementation of the rezoning conversion fee until after revised plan and ordinance adoption and certification allows counties and landowners time to properly address all the planning and zoning requirements of the new Working Lands Program.

NOW, THEREFORE, BE IT RESOLVED the Jefferson County Board of Supervisors hereby requests that legislation be introduced and passed to delay the requirement that a county collect the farmland preservation rezoning conversion fee under §91.48(1)b, Wisconsin Statutes, until the county updates its farmland preservation plan and zoning ordinances and the plan and ordinances are certified by DATCP, and

BE IT FURTHER RESOLVED, that the Clerk shall send a copy of this resolution to Governor Doyle; Senators Neal Kedzie, Scott Fitzgerald and Judith Robson; Representatives Stephen Nass, Andy Jorgensen, Joel Kleefisch and Kim Hixson; the Senate Committee on Agriculture and Education; the Assembly Committee on Agriculture; DATCP Secretary Nilsestuen; all county clerks of Wisconsin counties with exclusive agricultural zoning and the Wisconsin Counties Association.

Fiscal Note: Although there are no direct fiscal impacts on seeking legislative action on this resolution, if passed by the State, the 2010 Zoning budget would see a reduction of \$5,000 in application fees, as well as negation of the estimated \$114,000 conversion fees to be collected by the County and turned over to the State.

Although exact figures won't be known until after a year of collecting these conversion fees, if the County continues to collect the fees it is anticipated that there will be a revenue reduction in the Zoning Department's budget caused by fewer zoning amendments and less permits as a result.

It should also be noted that, due to the passage of Chapter 91, State Stats. Farmland Preservation, a related expenditure request of \$67,000 will be made to County Board for costs of required recertification of Jefferson County's Agricultural Preservation and Land Use Plan and Zoning Ordinance. If Jefferson County does not update its plan, it will not be in the program and Chapter 91 will not be of concern.

Mr. Nass moved that Resolution No. 2009-85 be adopted. Seconded and carried.

Mr. Nass presented the County Board Chairman's Report.

**County Board Chairman's Report
Sharon L. Schmeling
February 2010**

The following report provides updates on the activities of the Jefferson County Board, its chairman, its committees, and key issues confronting the County. If you have any questions about the following information, or would like an update about a project or issue not mentioned here, do not hesitate to contact me by phone (920) 674-8607 or e-mail (sharons@jeffersoncountywi.gov) with your questions or suggestions.

Note: Because there was no January board meeting, the following report includes activities and issues from December 2009.

The economy's impact on county human services – During this recession, the demands on the staff at Human Services have grown as record numbers of families are unemployed and in need of economic support and mental health counseling. State law requires counties to provide these services.

In 2009, the Human Services Department responded to 3,539 crisis calls, up from a mere 994 in 2008. Under the new leadership of Human Services Director Kathi Cauley, the department is updating its process and procedures to handle the increase workload. In addition, they have identified federal/state program money that may help fund mental illness programs.

The number of Jefferson County households using public assistance has increased by 31 percent. In January 2006, there were 3,971 families being served. That number rose to 5,225 for January 2010. Again, Cauley is working with her staff to restructure their operations to accommodate this expanded need with no additional staff.

Cauley is also working on making necessary changes within the department to improve the County's collection of guardianship fees. This long-overdue effort has required partnerships and coordination with Clerk of Courts Carla

Robinson and Assistant Corporation Counsel Scott Scheibel. Please join me in thanking this great team for their work in updating our systems to collect fees ordered by the court from those using the court system. Such efforts help reduce the County's reliance on property tax dollars.

Growing the County's economy – For several years the County Board has focused on expanding the County's job base by supporting the Jefferson County Economic Development Consortium. This is a partnership with the cities that focuses on supporting local businesses, retaining existing jobs, and bringing new businesses/jobs to Jefferson County. During this current economic downturn, the Consortium's Executive Director, Dennis Heling, has been busier than ever responding to employers' questions and issues about doing business in Jefferson County and employers' efforts to manage changes in their workforce, necessitated by declining budgets.

Another vital partner in this endeavor is THRIVE, which is a regional economic development consortium representing eight counties (Columbia, Dane, Dodge, Green, Iowa, Jefferson, Rock and Sauk counties).

On December 2, THRIVE sponsored a four-hour conference in Madison on the State of the Region, which Mr. Heling and I attended. As your chairman, I was invited to participate in a panel discussion with leaders from the other seven counties to discuss our local economies and what we have learned, where we are headed and what our long-term plan is for growing the economy.

The focus on my remarks were on Jefferson County's plans for tourism and business expansion through the Glacial Heritage Area, and the widespread support we have received from local businesses and governments for developing this partnership with the Department of Natural Resources.

At the conference, and at all such events, my objective is to make Jefferson County look good so that the leading employers and state officials in attendance recognize Jefferson County as a place that is eager to support business growth and development, and has the energy and leadership to make things happen.

Supporting county businesses – On behalf of the County Board, I was invited and attended a celebration at Standard Process in Palmyra January 27. This Wisconsin-based, family owned company manufactures organic whole food supplements and has been a strong participant in the Jefferson County Economic Development Consortium's long-term planning efforts for the County's economy. The company reached \$100 million in sales in 2009 and is poised for more growth. They employ 270 people at their corporate headquarters in Palmyra where they grow crops on company-owned, organically certified farmland.

To help support their workforce, Standard Process Company expanded its on-site child care center, serving nearly 60 children, to accommodate over 100. The center provides care for employees' children age 6 weeks to 12 years from 5:30 a.m. to 5 p.m. The site is managed by Bright Horizons, an international educational services firm that has been named by Fortune Magazine as one of the top 100 companies to work for in America.

Standard Process President Charles DuBois praised the JCEDC and thanked the County Board for the work of Executive Director Dennis Heling, who has helped Standard Process navigate various economic development programs sponsored by the Department of Commerce.

This is a tangible manifestation of the County Board's support for the JCEDC and the importance of county government working with the private sector to expand our economy. At the event, I pledged the County's ongoing support of any efforts needed to help Standard Process continue on its successful path.

Mr. Nass moved that the report be received, placed on file and printed in the minutes. Seconded and carried.

Mr. Nass presented Ordinance No. 2009-24.

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

Section 1. The Board of Supervisors' Rules of Order are amended as noted below:

**CHAPTER III
BOARD OF SUPERVISORS
RULES OF ORDER – 2010-2012**

3.01 MEETINGS, QUORUM AND ORDER OF BUSINESS. (1)(a) Regular and special meetings of the Jefferson County Board of Supervisors shall be held and conducted in accordance with the provisions of s. 59.11, Wis. Stats. The Board shall hold an annual meeting on the Tuesday after the second Monday of November in each year for the purpose of transacting business unless otherwise established by rule. Regular meetings of the Board shall be held on the following dates [Amended 08/08/06, Ord. 2006-13; am. 03/11/08, Ord. 2007-34]:

Tuesday, April 20, 2010

Tuesday, May 11, 2010

Tuesday, June 8, 2010

Tuesday, July 13, 2010

Tuesday, August 10, 2010

Monday, September 13, 2010

Tuesday, October 12, 2010

Tuesday, October 26, 2010 (Board Meeting & Budget Public Hearing)

*Tuesday, November 9, 2010

Tuesday, December 14, 2010

Tuesday, February 8, 2011

Tuesday, March 8, 2011

Tuesday, April 19, 2011

Tuesday, May 10, 2011

Tuesday, June 14, 2011

Tuesday, July 12, 2011

Tuesday, August 9, 2011

Tuesday, September 13, 2011

Tuesday, October 11, 2011

Tuesday, October 25, 2011 (Board Meeting & Budget Public Hearing)

*Tuesday, November 15, 2011

Tuesday, December 13, 2011

Tuesday, February 14, 2012

Tuesday, March 13, 2012

Tuesday, April 17, 2012

*Annual Meeting (Required by Statute)

Tuesday, February 16, 2010

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(b) In the event of inclement weather, the Chair may cancel a meeting. Any meeting cancelled by the Chair under this section shall be held on the next succeeding Tuesday. [Cr. 03/11/08, Ord. 2007-34]

(c) In addition to the methods prescribed by Wisconsin Statute Section 59.11, a Board meeting may be convened by the Board Chair in case of emergency to authorize repairs of county buildings, or take other necessary action to respond to the emergency. [Created 10/14/08, Ord. No. 2008-21]

(2) Board meetings shall commence at 7:00 p.m. unless by majority vote the Board prescribes a different time for convening. [Amended 02/10/04, Ord. 2003-34; amended 02/14/06, Ord. No. 2005-47]

(3) A majority of all members elected to the Board must be present to constitute a quorum for the transaction of business. In the absence of a quorum, those present may order a call of the house to compel the attendance of absent members, or they may take a recess or fix a time to which to adjourn and adjourn.

(4) For the April organizational meeting held in even-numbered years the order of business shall be:

- (a) Call to order and pledge of allegiance.
- (b) Administration of oath of office and roll call by County Clerk.
- (c) Certification of compliance with Open Meeting Law.
- (d) Approval of the agenda.
- (e) Election of Chairperson and Vice Chairpersons.
- (f) Adoption of rules of order.
- (g) Committee elections, if called for by the rules.
- (h) Follow order of business as established for other meetings, except that no annual reports of department heads will be presented at the organizational meeting. [Amended 3/12/02, Ord. 2001-29; amended 02/14/06, Ord. No. 2005-47]

(5) The order of business for all other board meetings shall be as follows:

- (a) Call to order and pledge of allegiance.
- (b) Roll call by County Clerk.
- (c) Certification of compliance with Open Meeting Law.
- (d) Approval of the agenda.
- (e) Approval of minutes of last meeting.
- (f) Written Communications provided to Board.
- (g) Public comment.
- (h) Annual reports of department heads.
- (i) Committee elections.
- (j) Committee reports, resolutions and ordinances.
- (k) Unfinished business.
- (l) Committee and Board appointments.
- (m) Announcements.

[Amended 02/14/06, Ord. No. 2005-47]

(6) The Chair may limit the number of persons addressing the Board under Section 3.01(5)(e) to a number determined by the Chair to reasonably represent the views of large groups of persons wishing to address the Board, so as to prevent repetition. The length of time allocated to any person addressing the Board under Section 3.01(5)(e) shall be at the discretion of the Chair, with all public

comment confined to a maximum of 15 minutes.

3.02 ORGANIZATION. (1) The Board shall, as provided by s. 59.11, Wis. Stats., organize at the April meeting in even-numbered years by electing a Chairperson, a Vice Chairperson and a Second Vice Chairperson by secret ballot. The Clerk shall preside until the Chairperson has been elected. Nominations shall be made by written ballot. In the event more than two persons are nominated for a position, a primary ballot shall be prepared. Prior to the primary election, or the final election if no primary is required, each nominee shall be provided up to three minutes to address the Board. A person receiving a majority of votes cast on the primary ballot shall be declared elected. Otherwise, the two persons receiving the greatest number of votes for a position on the primary ballot shall be placed on the final ballot. In the event two persons receive the second greatest number of votes, those two persons shall be the subject of a vote for the second position on the final ballot. The Clerk shall prepare a final ballot for the position. The person receiving the most votes shall be elected to the position. The provisions of section 3.03(11), where applicable, shall apply to this procedure. Persons elected in accordance with this paragraph may be removed by the Board by majority vote. [Amended 03/12/02, Ord. No. 2001-29; am. 06/13/06, Ord. 2006-08; am. 03/11/08, Ord. 2007-35]

(2) The Chairperson shall perform all duties required of the Chairperson until the Board elects a successor. The Chairperson shall preside at meetings when present and shall countersign all ordinances of the Board. The Chairperson shall countersign all county orders, transact all necessary board business with local and county officers, expedite all measures resolved upon by the Board and shall take care that all federal, state and local laws, rules and regulations pertaining to county government are enforced.

(3) In case of the absence or disability of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson.

(4) In case of the absence of the Chairperson and the Vice Chairperson, the Second Vice Chairperson shall perform the duties of the Chairperson.

(5) In case of the absence of the Chairperson and both Vice Chairpersons for any meeting, the members present shall choose a temporary chairperson.

(6) The County Board Chairperson is authorized and directed to attend meetings and conferences on matters directly related to county government. The County Board Chairperson may direct the Vice Chairperson or some other member of the County Board to attend such meetings and conferences, either in place of the Chairperson or along with the Chairperson. The County Board Chairperson, the Vice Chairpersons and such other board members as may be designated by the Chairperson, shall be entitled to meeting fees or per diem and mileage for attending such meetings and conferences, all subject to the regular rules of the County Board pertaining to meeting fees, per diems, mileage and expenses as currently provided in Ordinance 2001-19, as most recently amended August 8, 2006. The County Board Chair shall be entitled to a ~~per diem meeting fee~~ meeting fee for meeting with staff or the County Administrator. Board members authorized by the Chairperson to attend meetings and conferences shall notify the County Administrator not less than 72 hours in advance of said meeting or conference in order to permit the County Administrator to give any necessary Open Meeting notices as may be required. No per diems, meeting fees or

expenses shall be paid to board members attending meetings who have not been authorized as required in this paragraph.

(7) In the event the position of Chairperson is vacant due to removal, resignation or death of the incumbent, the Board shall hold an election to fill the position of Chairperson within sixty (60) days of it becoming vacant. The First Vice Chair, or the Second Vice Chair if there is no First Vice Chair, shall assume all duties of the Chairperson when such position is vacant and shall be paid meeting fees and the monthly salary to which the Chairperson would be entitled until such time as the Board elects a successor. [cr. 03/11/08, Ord. 2007-36]

3.03 BOARD PROCEDURE. (1) Robert's Revised Rules of Order shall govern the proceedings of the County Board of Supervisors in all cases in which they are not inconsistent with these rules or the laws of the State of Wisconsin.

(2) Upon being recognized, a member shall rise in place, and using the microphone, address the Chairperson, and shall not be interrupted except by a call to order. If called to order by the Chairperson the member shall be seated and shall not proceed without permission of the Chairperson.

(3) No member shall speak more than twice on any question until all members who desire to speak have been heard and then not without first obtaining leave of the Chairperson. In speaking, a member shall confine comments to the question under consideration and shall avoid all personalities.

(4) No member present at the initial roll call shall thereafter fail to attend the balance of a board meeting without first obtaining permission of the Chairperson and notifying the Clerk. A member with a conflict of interest shall advise the Clerk and the Chair of the conflict prior to discussion of or voting on the item to which the conflict of interest pertains. Thereafter, such member shall not participate in the discussion or vote thereon. The minutes shall reflect the member's statement and the fact that the member has abstained from discussion and voting on the item in question.

(5) All questions decided by a voice vote shall be put in this form: Those who are in favor say, "Aye", and those who are opposed say, "No". In doubtful cases the Chairperson or any member may call for a roll call vote.

(6) Upon the request of any member of the County Board a roll call vote shall be ordered on any question before the Board. A roll call vote shall be required on all matters involving the expenditure of money and in accordance with s. 65.90(5), Wis. Stats., budget alterations shall require a two-thirds vote of the entire membership of the Board.

(7) On a roll call vote every member present shall vote except a member who has abstained in accordance with the procedures set forth above. Members have the right to change their votes up to the time the vote is announced by the Clerk. The Clerk shall give notice before locking in the votes on the voting machine.

(8) All resolutions, ordinances, petitions and reports presented to the Board shall be in writing, sponsored by a board member or committee and filed in the office of the County Administrator not later than noon on the Wednesday preceding a board meeting. Each resolution submitted for consideration shall have a fiscal note. Motions to reconsider may be brought at the next succeeding meeting only if notice of the motion is filed in the office of the County Administrator not later than noon on the Wednesday preceding the board meeting. Proposed

ordinances shall be reviewed by the Corporation Counsel for proper form and legality before being submitted to the Board. Resolutions and ordinances not introduced by a committee shall be referred to an appropriate committee by the Chairperson. A resolution or ordinance referred to a committee pursuant to this paragraph may be placed on the County Board agenda for further action upon the written request of five (5) County Board members which shall be submitted to the Chairperson not sooner than sixty (60) days after referral of the item to the committee. Such items shall then be placed on the next regular County Board agenda subject to any statutory requirements or other limitations. [Amended 06/10/03, Ord. No. 2003-03]

The sponsor of a major new resolution or ordinance or major revision of an existing resolution or ordinance shall prepare a written report or memorandum explaining the significant features of the proposed legislation, including the contemplated changes. Such written report or memorandum shall be mailed to board members as part of the agenda, but unless specifically ordered by the Board such reports or memoranda shall not be printed in the board proceedings.

(9) Any person having a matter of business requiring the attention of the County Board may present such matter to the Board by delivering a written communication to the County Clerk, County Board Chairperson or County Administrator by noon on the Wednesday preceding the next County Board meeting. The County Board Chairperson may, at his/her discretion, allow persons to be placed on the agenda to address the Board. Communications not presented personally to the Board shall be preserved by the County Clerk and shall be presented to the County Board as a communication at the next regular board meeting. Communications may be referred to an appropriate committee for study and attention. If feasible, such committee shall arrange to meet with the author of the communication. Such committee shall thereafter report back to the County Board in the usual manner and shall recommend what action, if any, should be taken by the County Board with reference to such communication. The Clerk shall acknowledge receipt of communications by return mail.

Any person wishing to express an opinion on a matter of business coming before the Board shall be encouraged to communicate orally or in writing with a board supervisor to make the person's position known prior to the board meeting. Orderly administration of board business does not permit the appearance of non-board members at County Board meetings to debate controversial matters before the Board. On matters concerning a large number of people board committees shall conduct public hearings to give interested persons an opportunity to be heard. The County Board may, on rare occasions, sit as a committee of the whole to enable interested persons to appear and be heard on matters of business.

(10) Any board member may ask for the privilege of the floor for a non-board member to address the Board and if no supervisor objects the Chairperson shall grant the privilege to such non-board member. If a member objects any board member may move that the privilege of the floor be granted and any member may second such motion. If the motion is adopted by a majority vote the Chairperson shall grant the privilege of the floor to the non-board member. Board members shall be discouraged from requesting the privilege of the floor for a non-board member when, as an alternative, such person could be referred to a board committee. The time allocated to non-board members shall not exceed ten minutes. This procedure shall not apply to non-board members scheduled to

appear as part of the regular written agenda.

(11) Whenever it is necessary for the Board to elect members of a committee the following procedure shall be followed:

(a) Nominations shall be made and shall be prominently printed on a black-board in plain view.

(b) The County Clerk shall immediately prepare written ballots with the names of candidates in alphabetical order.

(c) When ballots have been prepared the Clerk shall call the roll and one ballot shall be delivered to each board member present.

(d) The County ~~Board Chairperson~~ Clerk shall appoint three ~~members as~~ election tellers ~~and the who shall assist the~~ County Clerk ~~shall assist~~ in the tabulation of results.

(e) County Board members will then vote for as many candidates as there are vacancies to be filled and each County Board member's ballot shall be signed.

(f) Candidates receiving a majority vote of the number of County Board members present shall be declared elected. Should no one receive a majority vote the person receiving the lowest number of votes shall be dropped from the ballot. The Clerk shall again call the roll and one ballot shall be delivered to each board member present, repeating if necessary, until all vacancies are filled. In case of a tie vote, the successful candidate shall be determined by lot. If the number of candidates receiving a majority vote of County Board members present exceeds the number of positions to be filled, any person not receiving a majority vote shall be dropped from the ballot. The Clerk shall again call the roll with only those receiving a majority vote remaining on the ballot. The person receiving the lowest number of votes shall be dropped from the ballot each succeeding ballot until the number of candidates receiving a majority vote equals the number of positions to be filled.

(g) If a ballot has been improperly marked it shall be discarded and the remaining ballots shall be counted; provided, however, a ballot marked with less than the maximum number of votes shall be counted if the intent of the voter can be ascertained.

(12) Annual reports will be received and placed on file and not printed in the minutes unless the Board otherwise directs. [Amended 06/19/01, Ord. No. 2001-07]

3.04 DUTIES OF OFFICIALS. (1) The County Administrator shall receive proposed resolutions, ordinances, reports and petitions and shall prepare a written agenda of all matters which are to be brought before the Board. The County Administrator shall attend board meetings and shall assist the Board whenever possible. The County Administrator may present matters to the board for consideration.

(2) The County Clerk, upon request, and the County Treasurer shall prepare and present to the County Board a complete monthly financial statement and shall keep the Board informed of the County's financial condition, including the investment of surplus funds. The County Clerk shall attend board meetings and shall perform administrative duties related to the Board.

(3) The Corporation Counsel shall attend board meetings and shall serve as

parliamentarian and legal advisor to the Board.

3.05 STANDING COMMITTEES. (1) Standing committees of the Board shall be appointed for two-year terms by the Chairperson of the Board after his/her election and prior to June 1 in even-numbered years, unless a different date for appointment is specifically prescribed. When necessary for the orderly transaction of business prior to the formal appointment of new committees, the Chairperson may appoint temporary committees and committee chairpersons to address pending items assigned to a standing committee. The temporary committee may act until the earlier of June 1 or the date the Chair files permanent appointments with the Clerk. The Chairperson shall file a list of the committee appointments with the County Clerk and the County Administrator. Any mid-term committee appointments by the Chairperson shall be filed with the Clerk who shall present them to the Board as a communication at the next regular County Board meeting. The Chairperson shall be an ex officio member of all standing committees, and shall be allowed to vote in order to break a tie, and shall be counted as a member if necessary to create a quorum at the committee's meeting, and shall also be allowed to vote in that case. When an issue arises at a County Board meeting or administratively that is not clearly assigned to a standing committee by the Board Rules or a prior resolution, the Board Chair shall designate the committee to which the issue shall be assigned. [Amended 03/09/04, Ord. No. 2003-35; amended 06/08/04, Ord. No. 2004-10; amended 12/13/05, Ord. No. 2005-31; amended 07/11/06, Ord. 2006-07; am. 07/10/07, Ord. No. 2007-16]

(2) Standing committees of the Board and duties shall be as follows:

(a) **ADMINISTRATION & RULES COMMITTEE** – Five members: County Board Chair, First and Second Vice Chair and two other members. This Committee shall supervise the office of the County Administrator and shall handle matters pertaining to said office. Committee proposals and recommendations shall be subject to approval of the County Board. This Committee shall also meet with circuit court judges as called, to discuss common goals and concerns within the Jefferson County Circuit Court system. The Committee shall work with the courts to implement such goals. This Committee shall also meet with the Clerk of Courts, the Register of Deeds and Corporation Counsel with regard to matters pertaining to said offices. [Amended 03/12/02, Ord. No. 2001-30; am. 07/10/07, Ord. No. 2007-11; am. 03/11/08, Ord. 2007-37]

Matters pertaining to proposed state legislation, county board rules and county board minutes shall be handled by the Committee. During the last three months of its term, the Committee shall draw specifications, solicit bids, and file a recommendation with the County Board in March of even-numbered years concerning which newspaper in the County shall be the official newspaper and printer for the two-year term of the new County Board. The Committee, on behalf of the Board, shall be authorized to approve the minutes from each March meeting and any other meeting when the County Board does not meet in sufficient time to approve the minutes for publication as required by Section 59.14(2), Stats. [cr. 07/10/07, Ord. No. 2007-11]

The Board Chair and one committee member shall serve as Jefferson County's representatives to the Inter County Coordinating Committee. The Board Chair, a committee member and the County Administrator shall be Jefferson County's

representatives on the Inter-County Data Processing Commission. [Amended 03/14/06, Ord. No. 2005-48a]

(b) FAIR PARK COMMITTEE – Five members. The Fair Park Committee shall recommend Fair Park policies to the County Board and provide the Fair Park Director with guidance and assistance, as requested, in the operation of Jefferson County Fair Park. The Fair Park Committee may establish policies relating to the operation of the County Fair not requiring Board action and is authorized to contract for entertainment, sponsorships valued up to \$50,000 and to lease space to exhibitors for up to 15 days without further approval from the Board. The Fair Park Director may approve the entertainment contracts when the necessity for approval arises between scheduled Committee meetings. All approvals by the Director shall be reported to the Committee. In addition, the Fair Park Director may contract for sponsorships up to \$20,000 and enter leases for property storage that exceed 15 days. Sponsorships valued between \$20,000 and \$50,000 may be approved by the Committee. Sponsorships affecting other county departments shall be approved by the Board regardless of the amount of the contract. For events which are new to the Jefferson County Fair Park, the Fair Park Director shall consult with the County Administrator before the Committee or Director enters into a contract or lease. All contracts shall be submitted to the Corporation Counsel for approval before execution. The Director shall be responsible for the maintenance of the Fair Park buildings and grounds, and may propose plans for capital improvement and operational budgeting for review by the Committee and consideration by the Board. The Committee shall establish fees as part of the next year's budget and the Director may set unanticipated fees during the year and report such fees to the Committee. The Director may deviate from the established fee structure when it is advantageous to the operation of the Park, and shall report such arrangements to the Committee. [Amended 04/18/06, Ord. No. 2006-01; am. 05/08/07, Ord. 2007-06; am. 11/13/07, Ord. No. 2007-23; am. 01/13/09, Ord. 2008-26]

(c) FINANCE COMMITTEE – Five members. County Board Chair, a Vice Chair designated by County Board Chair, and three other members. This Committee shall receive the proposed county budget from the County Administrator and shall conduct hearings necessary in the review of the proposed budget. The County Administrator, ~~County Clerk and County Treasurer and staff~~ shall meet with the Committee and shall assist in the preparation of the budget. [Amended 05/11/04, Ord. No. 2004-04]

The Committee shall meet on matters of budget control and shall make necessary permitted transfers as authorized by the provisions of s. 65.90(5)(b), Stats. The Committee shall propose necessary budget transfers and amendments requiring County Board action. [Amended 03/14/06, Ord. No. 2005-48d]

The Committee shall recommend to the Board the departments to be audited, the auditors to be employed, and shall report to the Board the results of such audits. A subcommittee consisting of any three Finance Committee members (of which two shall constitute a quorum) shall meet each month to audit and approve for payment proper vouchers, expenditures and claims against the County, except vouchers, expenditures and claims pertaining to the Highway Department, Human Services Department, Countryside Home and Veterans Service Commission. The Committee shall supervise the collection of delinquent taxes and is authorized to sell foreclosed properties in accordance with

Resolution No. 2002-16. This Committee shall be responsible for the sale of county-owned land other than that obtained through tax foreclosure, and shall present contracts for sale of such land to the Board for approval. [Amended 08/13/02, Ord. No. 2002-16; amended 03/14/06, Ord. No. 2005-48d, effective 04/18/06; am. 03/11/08, Ord. 2007-39]

The Committee shall supervise the County's contracts with the Jefferson County land preservation groups. [Amended 04/16/02, Ord. No. 2002-05; amended 03/14/06, Ord. No. 2005-48d]

The Committee shall, together with the County Administrator and Corporation Counsel if bids are taken, recommend to the County Board the types and amounts of insurance to be carried and also the insurance carrier to whom such insurance shall be awarded. The Committee shall be authorized to renew insurance contracts without bidding same, when it finds renewal is in the best interest of Jefferson County.

The Committee shall work with the County Treasurer and County Clerk in handling business matters and in solving problems related to those offices and shall present matters to the County Board on behalf of said offices whenever necessary.

The Committee shall have the authority granted to the former Audit Committee, pursuant to Resolution No. 83-98, to resolve claims against the County in amounts up to \$10,000. [Created 04/16/02, Ord. No. 2002-04]

(d) HIGHWAY COMMITTEE – The Highway Committee shall consist of five members of the County Board. Members of the Highway Committee shall be eligible for appointment to any other standing committee, board or commission. The Highway Committee shall have the powers and duties set forth in s. 83.015, Wis. Stats. [Created 04/16/02, Ordinance No. 2002-03]

A subcommittee consisting of any three Highway Committee members (of which two shall constitute a quorum) may meet each month in lieu of a full committee meeting to audit and approve for payment of proper vouchers and expenditures. [cr. 04/15/08, Ord. 2008-04]

(e) HUMAN RESOURCES COMMITTEE – Five members. The Human Resources Committee shall assist in the administration of the Personnel and Salary Ordinance. The Committee shall hear grievances unless other provisions are made by union contracts or the Civil Service Ordinance. The Committee may review job descriptions and evaluate the allocation of positions to the various departments. This Committee shall also review the statutory requirements and make recommendations to the Board concerning benefits, pay classifications and employment law policies, as well as make recommendations to the County Board concerning union negotiations. [Amended 03/12/02, Ord. No. 2001-34; amended 05/14/02, Ord. No. 2002-07; amended 03/14/06, Ord. No. 2005-48e; am. 03/11/08, Ord. 2007-40]

(f) INFRASTRUCTURE COMMITTEE – Five members. The Infrastructure Committee shall supervise and control all construction, remodeling and repair of all county buildings and shall have authority to approve the use of county buildings by organizations not connected with county government. The Committee shall review all proposed leases, except those leases which by rule are the responsibility of a different committee, and recommend same to the County Board for final approval. [am. 03/11/08, Ord. 2007-38]

Invoices covering construction and remodeling shall be approved by the department head or designee of the department involved. The Committee shall review all payments made at its next meeting and determine a proper course of action when an invoice is disputed. [am. 08-12-08, Ord. 2008-17]

When the County Board has authorized construction of, additions to or remodeling of a county building, the Committee shall solicit proposals from various architects, and recommend to the County Board which architect shall be hired for the project. The Committee may, in its discretion, recommend that the County proceed without an architect. The Committee is not required to recommend an architect based solely on monetary considerations, but shall also consider an architect's previous work for the County and others.

The Committee shall review issues related to Management Information Systems. [Amended 03/14/06, Ord. No. 2005-48b; am. 08-12-08, Ord. 2008-17]

(g) LAND & WATER CONSERVATION COMMITTEE – Five members. Not less than three members of the County Board, including at least two members of the University Extension Education Committee, appointed by the Board Chairperson and confirmed by the Board, and the Chairperson of the FSA (Farm Service Agency) (or his/her designee) shall serve as the Land & Water Conservation Committee and shall have the powers and duties as set forth in Chapter 92, Wisconsin Statutes. [Amended 03/12/02, Ord. No. 2001-33; am. 09/08/08, Ord. 2008-19]

This Committee shall also manage, supervise and be responsible for the Countryside Farm and other county farmland not held for future parks development. Leases of the farmland shall be approved by the County Board. [Amended 03/14/06, Ord. No. 2005-53; am. 03/11/08, Ord. 2007-41]

(h) LAW ENFORCEMENT AND EMERGENCY MANAGEMENT COMMITTEE – Five members. This Committee shall consist of five members and shall have jurisdiction over issues affecting the Jefferson County Sheriff's Department. This Committee shall handle grievances arising under the Sheriff's Department labor contract other than those involving suspension, demotion or discharge mentioned in Wisconsin Statute 59.26(8)(b). This Committee is also responsible for all matters pertaining to Emergency Management and in accordance with s. 166.03(4), Wis. Stats., the County Board Chairperson shall designate a member of the Committee to act as chairperson when this Committee is convened as an Emergency Management Committee. [Amended 02/08/05, Ord. No. 2004-31; amended 03/14/06, Ord. No. 2005-48g]

This Committee shall work with the District Attorney and Coroner in handling business matters and in solving problems related to those offices and shall present matters to the County Board on behalf of said offices whenever necessary. [am. 03/11/08, Ord. 2007-37]

(i) PARKS COMMITTEE – Five members. The Committee shall set park policy and help guide the department in its efforts to meet their agreed upon mission as identified in the Jefferson County Parks, Recreation and Open Space Plan. [Amended 06/08/04, Ordinance No. 2004-05; amended 03/14/06, Ord. No. 2005-48i, 04/18/06; renumbered 07/10/07, Ord. No. 2007-11]

(j) PLANNING AND ZONING COMMITTEE – Five members, at least three of whom reside in unincorporated areas of the County. This Committee

shall have the powers and duties set forth in s. 59.69(2)&(3) and s. 59.70(1), s. 285.73, and such powers and duties as may be set forth in the statutes and county ordinances not specifically delegated to the Zoning Board of Adjustment. Among other things, the Committee shall handle applications for conditional use permits and all proposed amendments to the county Zoning, Shoreland, Subdivision and Private Sewage System Ordinances and shall conduct all public hearings required in connection with such amendments or conditional uses. The Committee shall also be responsible for the preparation of a county land use plan including surveys and studies of land use, population and population density, economy, soil characteristics, forest cover, wetland and floodplain conditions and other human and natural features of the County and shall conduct such hearings as may be required in connection with such county planning. The Committee may adopt such rules and regulations governing its procedure as it considers necessary and advisable all according to the provisions of s. 59.69(2), Wis. Stats. [Amended 03/14/06, Ord. No. 2005-48], effective 04/18/06; renumbered 07/10/07, Ord. No. 2007-11]

The Planning and Zoning Committee shall work with the Land Information, Planning and Zoning Department, and the County Surveyor in handling matters related to those offices and shall present matters to the County Board on behalf of said offices whenever necessary. [Amended 03/09/04, Ord. No. 2003-38; am. 03/11/08, Ord. 2007-37]

(k) SOLID WASTE & AIR QUALITY COMMITTEE – Five members. This Committee shall address the County’s solid waste needs by operating hazardous waste removal programs, overseeing the County’s interest in landfill siting processes, promoting recycling and related waste reduction efforts and engaging in planning and educational efforts for future solid waste needs. In addition, the Committee will maintain awareness and educate the public about air quality concerns in the County. [Amended 07/09/02, Ord. No. 2002-09; amended 11/09/04, Ord. No. 2004-20; amended 03/14/06, Ord. No. 2005-48], effective 04/18/06; renumbered 07/10/07, Ord. No. 2007-11]

(l) UNIVERSITY EXTENSION EDUCATION COMMITTEE – Five members. This Committee shall have the powers and duties as set forth in Section 59.56(3), Wisconsin Statutes. [Created 03/12/02, Ordinance No. 2001-36; renumbered 07/10/07, Ord. No. 2007-11]

3.06 BOARDS, COMMISSIONS, COMMITTEES AND OTHER BODIES

(1) The following boards, commissions, committees and other bodies created by the County or to which the County has a right to appoint representatives, shall be elected or appointed in the manner provided by law, ordinance or rule: [Amended 03/14/06, Ord. No. 2005-49a]

(a) BLUE SPRING LAKE MANAGEMENT DISTRICT – One member. [Created 03/14/06, Ord. No. 2005-49b, effective 04/18/06]

(b) COUNTRYSIDE HOME BOARD OF TRUSTEES – In accordance with s. 46.18, Wis. Stats., the Board of Trustees shall consist of five members, appointed by the County Administrator, who shall serve staggered three-year terms beginning on the first Monday in January. A minimum of three shall be members of the County Board at the time of appointment, and their appointment shall cease if not re-elected to the County Board. The Trustees shall elect a chairperson, and the Administrator of the Home shall be ex officio secretary. The

Trustees shall audit all claims incurred on behalf of said Home and shall perform all the duties set forth in s. 46.18, Wis. Stats. (Amended 11/08/01, Ord. 2001-18)

(c) COUNTY BOARD OF HEALTH – The County Board of Health shall consist of five members, appointed by the County Administrator, who shall serve three-year staggered terms. Initial terms shall be one, two and three years. Appointments shall be made on the second Tuesday in May. Two members shall be members of the County Board when appointed and their appointment shall cease if not re-elected to the County Board. Non-Board members shall be persons who have a demonstrated interest or competence in public health and a good faith effort shall be made to appoint a physician and a nurse. Such appointments shall be subject to confirmation by the County Board of Supervisors. The County Board of Health shall meet quarterly as required by Wisconsin Statute 251.04(5) and additionally on the call of the Board of Health Chairperson. The County Board of Health shall have the powers and duties established in Wis. Stat. 251.04. [Amended 03/14/06, Ord. No. 2005-49c]

~~Note: After April 18, 2006, the reduction in county supervisor positions on this Board shall take place as current terms expire or vacancies occur. The first two vacancies will not be filled.~~

(d) ECONOMIC DEVELOPMENT CONSORTIUM – In lieu of having an Economic Development Committee, any of the three County Board members appointed to the Jefferson County Economic Development Consortium board in accordance with Resolution No. 2003-28 may present items recommended by the Consortium to the Jefferson County Board for its consideration. [Created 03/14/06, Ord. No. 2005-49d]

(e) FARMLAND CONSERVATION EASEMENT COMMISSION – Five members serving staggered three-year terms, three supervisors and two members of the public, appointed by the Board Chair. The Commission will recommend policies for acquiring conservation easements; review applications to grant such easements and recommend action thereon to the County Board when appropriate. [cr. 04/14/08, Ord. 2008-01]

(f) HISTORIC SITES PRESERVATION COMMISSION – Seven members, serving staggered three year terms, appointed by the County Administrator. The Commission shall have the power, subject to the provisions and criteria of Ordinance No. 2007-48, to recommend designation of historic structures, historic sites and historic districts within the unincorporated areas of the County. [cr. 04/15/08, Ord. 2008-02]

(g) HOME CONSORTIUM BOARD – Three county representatives pursuant to intergovernmental agreement (Resolution No. 2000-21). [Created 03/14/06, Ord. No. 2005-54; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(h) HUMAN SERVICES BOARD – Seven members. This is the governing and policymaking board of directors of the Human Services Department. Four members shall be members of the Board of Supervisors at the time of appointment and throughout their respective terms. Three members shall be consumers of service or citizens at large. No public or private provider of services may be appointed to the Board. Appointees shall serve staggered three-year terms. The Human Services Board shall elect a chairperson and vice chairperson who must

be selected from the four members who are supervisors. Elections shall be held after the County Board organizational meeting in April of even-numbered years. The Human Services Board shall possess all the powers and duties prescribed by s. 46.23(5m), Wis. Stats. Pursuant to s. 46.23(5m)(a), the Human Services Board shall appoint an Aging and Disability Resource Center Advisory Committee which shall also be assigned the duties established by Resolution No. 42 adopted June 12, 1979, for the Advisory Committee on Aging. Pursuant to s. 46.23(5m)(a), the Human Services Board shall appoint the Nutrition Project Council, number and terms of appointees to be determined by the Human Services Board. Such appointments shall be subject to confirmation by the County Board. The Human Services Board may create a subcommittee known as the Human Services Personnel & Finance Committee, members of which shall be eligible for meeting fees and mileage. [Amended 03/09/04, Ord. No. 2003-39; am. 03/11/08, Ord. 2007-49; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(i) JEFFERSON COUNTY LIBRARY BOARD – Seven members, appointed by the County Administrator, serving staggered three-year terms, including at least one school administrator of a school district located in whole or in part in the County, or that school district administrator’s designee, and one or two county board supervisors, representatives of existing library boards and persons residing in municipalities not served by libraries. A county board member’s appointment shall cease if the county board member’s term on the County Board ends. [Amended 05/11/04, Ordinance No. 2004-06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(j) LAKE RIPLEY MANAGEMENT DISTRICT – One member. [Created 03/14/06, Ord. No. 2005-49g, effective 04/18/06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(k) LOCAL EMERGENCY PLANNING COMMITTEE – Thirteen members appointed in accordance with s. 59.54(8), Stats., and applicable federal law.

(l) MID WISCONSIN FEDERATED LIBRARY SYSTEM BOARD – Seven members. Pursuant to s. 43.19, Wis. Stats., the County Administrator shall appoint one county board member and six representatives of the library boards governing public libraries of participating municipalities, who shall serve staggered three-year terms. The county board member’s appointment shall cease if the county board member’s term on the County Board ends. The Board shall have the powers granted to a library board under s. 43.58 to 43.62, Wis. Stats. [Amended 05/11/04, Ordinance No. 2004-07; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

~~**(m) ROCK RIVER KOSHKONONG ASSOCIATION** – One member. County board member to serve two year term coinciding with county board term. To study and coordinate solutions to Lake Koshkonong problems. [renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]~~

(m) SHERIFF'S CIVIL SERVICE COMMISSION – In accordance with s. 59.26(8), Stats., the Sheriff’s Civil Service Commission shall consist of five members serving staggered terms of five years. Members of the County Board shall not be eligible to serve on the Civil Service Commission. The Civil Service Commission shall have the powers and duties set forth in s. 59.26, Stats. [renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(n) TRAFFIC SAFETY COMMISSION – ~~Appointed~~ In accordance with s. 83.013, Stats., ~~the Traffic Safety Commission shall consist of twelve members appointed by the County Administrator.~~ [Created 03/14/06, Ordinance No. 2005-54; renumbered 0/15/08, Ord. 2008-01 and Ord. 2008-02]

(o) VETERANS SERVICE COMMISSION – In accordance with s. 45.12, the Veterans Service Commission shall consist of five members appointed by the County Administrator for staggered three-year terms. Each member shall be a veteran and the commission shall perform the duties set forth in Chapter 45, Wis. Stats. [renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02; am. 08-12-08, Ord. 2008-16]

(p) ZONING BOARD OF ADJUSTMENT – In accordance with s. 59.694, the Zoning Board of Adjustment shall consist of three members serving staggered terms of three years. ~~County board members and non county board members shall be eligible for appointment. After expiration of the current incumbents' terms on the Board of Adjustment,~~ The Zoning Board of Adjustment shall be comprised of non-county board members residing in the unincorporated areas of the County. The Board of Adjustment shall have the powers and duties set forth in s. 59.694, Wis. Stats. The Board of Adjustment shall also hear appeals from determinations of noncompliance with Farmland Preservation Plans which have been made by the Land Conservation Committee. Two alternate members of the Board of Adjustment shall be appointed. Annually by July 1, one of the alternate members shall be designated by the County Administrator as the first alternate and the other as the second alternate. [Amended 03/14/06, Ord. No. 2005-49h; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

3.07 RULES OF COMMITTEES, BOARDS AND COMMISSIONS. (1)

The committee, board or commission shall select its chair, except where committee organization is otherwise governed by law. A Chair may be removed by majority vote of the committee, board or commission. [am. 03/11/08, Ord. 2007-43]

(2) A majority of the members of any committee shall constitute a quorum for the transaction of business. The County Board Chairperson may appoint an additional member to a committee on a temporary basis upon notice from a committee member that he/she will be unable to attend committee meetings for an extended period due to illness. Such temporary appointment shall terminate when the original committee member is once again available for meetings.

(3) Each committee, board and commission shall select a secretary to keep and preserve the minutes of committee meetings and attendance in a minute book to be furnished by the County Administrator's office. The secretary may request the assistance of the County Administrator, County Clerk, or county employees in keeping minutes or other clerical functions. The secretary shall sign minutes and, whenever feasible, shall keep the original minute book in the County Administrator's office.

(4) The County Administrator shall prepare a schedule of regular committee meeting dates and shall be responsible for the assignment of an appropriate room for committee meetings and for the posting of proper notices. Each committee chairperson shall give proper notice to the County Administrator of all meetings of his committee a minimum of 72 hours prior to the meeting unless it is an emergency. The County Administrator shall give public notice of all committee

and board meetings at least 24 hours prior to the commencement of such meeting, unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may notice be provided less than two hours in advance of the meeting.

(5) Members of committees, boards and commissions shall be authorized to receive compensation for attending meetings up to 120 days in any year. There shall be no limit on the number of meetings attended by the County Board Chairperson.

(6) No committee, commission or board may meet more than 30 times in any calendar year, except the Finance Committee which may not meet more than 40 times per year, exclusive of public hearings and attending conventions. Committees, commissions or boards may hold additional emergency meetings on call of their chairpersons and with prior approval of the County Board Chairperson. [Amended 02/12/02, Ord. No. 2001-27; amended 12/13/05, Ord. No. 2005-32]

(7) Except as provided herein, the members of all boards, commissions and committees shall receive the same per diem, meeting fees, mileage and reimbursed expenses as standing committees of the Board as currently provided in Ordinance 2001-19, as most recently amended on August 8, 2006. This shall include county representatives on lake district boards, consortiums or other bodies where appointments are made by the County Administrator, Board Chair or Board pursuant to law or intergovernmental agreements. With the exception of members of the Human Services Board, members of groups created under Chapter 46 of the Wisconsin Statutes shall be entitled to mileage as paid to standing committees of the County Board. Members of the Historic Sites Preservation Commission shall not be eligible for meeting fees, mileage or other expense reimbursement. Members of the Traffic Safety Commission who are receiving pay from a governmental entity during such meeting shall not be entitled to a meeting fee or mileage for such Traffic Safety Commission meeting. [Amended 03/09/04, Ord. No. 2003-40; amended 06/08/04, Ord. No. 2004-08; am. 04/15/08, Ord. 2008-03]

(8) Committees meeting with another committee on a particular subject of mutual interest shall retain their independent identity. Each committee shall vote separately, and maintain its own minutes. The Board Chair shall chair the meeting or designate a temporary chair for such purpose, who shall preside over both committees when meeting on the subject of mutual interest. For voting purposes, the Board Chair or temporary chair shall vote as a member of either or both committees of which the Board Chair or temporary chair is a regular member. The Board Chair also may vote in accordance with Section 3.05. [Created 12/13/05, Ord. No. 2005-33]

3.08 OPEN MEETINGS. (1) The Board of Supervisors, committees, boards and commissions shall comply with the Open Meeting Law as specified in s. 19.81 of the Wisconsin Statutes.

(2) It is declared to be the policy of the County of Jefferson that the public is entitled to the fullest and most complete information regarding the affairs of county government as is compatible with the conduct of county affairs and the transaction of county business. All meetings of the Board of Supervisors, committees, boards and commissions shall be held in public buildings or any place

reasonably accessible to members of the public and shall be "open sessions" as provided by s. 19.83, Wis. Stats., except as hereinafter provided.

(3) The Board of Supervisors, or any committee, board or commission, upon motion duly made and carried, may convene in closed session for the reasons provided in this section. The motion shall be carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes. No motion to convene in closed session may be adopted unless the chief presiding officer announces to those present at the meeting at which such motion is made, the nature of the business to be considered at such closed session, and the specific statutory exemption under s. 19.85(1) by which such closed session is claimed to be authorized. Such announcement shall become part of the record of the meeting. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session. A closed session may be held for any of the following purposes:

- (a) Deliberating after any judicial or quasi-judicial trial or hearing;
- (b) Considering dismissal, demotion, licensing or discipline of any county employee, unless an open session is requested by the person charged or otherwise under discussion;
- (c) Considering employment, promotion, compensation or performance valuation data of any county employee;
- (d) Considering strategy for crime detection or prevention;
- (e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session;
- (f) Considering financial, medical, social or personal histories or disciplinary data of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to;
- (g) Conferring with county legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation;
- (h) Consideration of requests for confidential written advice from the Ethics Code Administrator.

(4) Neither the County Board or any committee, board or commission may convene in closed session and, thereafter, reconvene in open session within 12 hours after completion of the closed session unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session. Notices of meetings shall be given as provided by law and, whenever feasible, the County Administrator shall post notices of meetings in the lobby of the Courthouse.

(5) The election of County Board Chairperson and County Board Vice Chairpersons shall be by secret ballot. No other secret ballot may be utilized to determine any election or other decision of county government.

(6) No member of the County Board shall be excluded from any closed session of the County Board or any standing committee of the Board; however, no person attending a closed session shall divulge any information pertaining to

such closed session without specific authorization to do so.

(7) The minutes, records, proceedings and papers of a closed session shall be privileged and shall not be made available to the public unless authorized by the County Board, committee, board or commission involved until such time as the purpose necessitating such closed session no longer exists.

3.09 AMENDMENTS TO RULES. Amendments to these rules of order may be made by a two-thirds vote of the members attending the board meeting. Proposed amendments shall be introduced at a session of the Board and laid over until the next regular session before action is taken. The rule pertaining to amendments may be suspended only upon unanimous consent of the board members attending such meeting. Notwithstanding the foregoing, s. 3.01(1) & (2) may be amended upon majority vote at any regular meeting without necessity of laying such amendment over until the next regular session or suspension of the rules. Notwithstanding the foregoing, any section hereof may be amended at the County Board's organizational meeting upon majority vote without necessity of laying such amendment over until the next regular session or suspension of the rules. For purposes of the organizational meeting, prior rules of the Board shall be considered to be in effect, insofar as applicable, for the purposes of conducting the organizational meeting.

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

Mr. Nass moved to adopt Ordinance No. 2009-24. Seconded.

Mr. Nass moved to lay over Ordinance No. 2009-24 until the next County Board session pursuant to Board Rule 3.09. Seconded.

Mr. Nass presented Resolution No. 2009-86.

WHEREAS, a proposed constitutional amendment is before the State Legislature for its first adoption, there being two adoptions required before a constitutional amendment can be placed upon the ballot for ratification by the electors so that it becomes effective, and

WHEREAS, the proposed constitutional amendment would change the election for Supreme Court Justices and the State Superintendent of Public Instruction from the April election to the November election, and

WHEREAS, the Administration & Rules Committee has reviewed said proposed legislation and believes it would confuse voters by mixing partisan and non-partisan offices on the same ballot, increase county costs for ballot programming and probably decrease voter turnout at April elections, and therefore, the Committee recommends not supporting the constitutional amendment,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board supports maintaining current law regarding the spring election of the Supreme Court Justices and the State Superintendent of Public Instruction and opposes the constitutional amendment to change said elections to November.

BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this resolution to legislators representing Jefferson County.

Fiscal Note: No fiscal impact.

Mr. Nass moved to adopt Resolution No. 2009-86. Seconded and carried.

Ms. Rogers presented Resolution No. 2009-87.

WHEREAS, on October 26, 2009, Jefferson County received a claim from Randy Barber for damage done to his motor vehicle hitting a pothole on County Highway F, said damages allegedly the result, in part, of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, the County's insurer recommends disallowance of the claim, on the basis that the County has no liability for this claim,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimants notice of said disallowance.

Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ms. Rogers moved to adopt Resolution No. 2009-87. Seconded and carried: Ayes 27, Noes 0, Absent 2 (Burow, Borland), Vacant 1.

Ms. Rogers presented Resolution No. 2009-88.

WHEREAS, on October 26, 2009, Jefferson County received a claim from AT&T in the amount of \$1,961.34 for damage to AT&T equipment pedestals located at or near W6897 US Highway 18, Jefferson, said damages allegedly the result, in part, of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, the County's insurer recommends disallowance of the claim, on the basis that the County has no liability for this claim,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimants notice of said disallowance.

Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ms. Rogers moved that Resolution No. 2009-88 be adopted. Seconded and carried: Ayes 27, Noes 0, Absent 2 (Burow, Borland), Vacant 1.

Ms. Rogers presented Resolution No. 2009-89.

WHEREAS, on October 30, 2009, Jefferson County received a claim from American Family Insurance Group (afni Insurance Services) based on paying damages to their insured Colin J. and Elyse Butler in the amount of \$712.08 for damage done to their motor vehicle hitting a pothole on County Highway F, Sullivan, said damages allegedly the result, in part, of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, the County's insurer recommends disallowance of the claim, on the basis that the County has no liability for this claim,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimants notice of said disallowance.

Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual

Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ms. Rogers moved that Resolution No. 2009-89 be adopted. Seconded and carried: Ayes 27, Noes 0, Absent 2 (Burow, Borland), Vacant 1.

Ms. Rogers presented Resolution No. 2009-90.

WHEREAS, the impact of state levy caps and reduced revenues from economic recession have resulted in the use of general fund monies in the 2007 – 2010 budgets of approximately \$2.2 to \$2.7 million each year, to fund the “structural deficit”, and

WHEREAS, continued funding of operations using fund balance is unsustainable, with serious negative budgetary impacts in 2011, and

WHEREAS, the Board directed the Finance Committee to propose various solutions to ongoing, increasing structural deficits, which is the difference between operational expenditures and allowed revenues, and

WHEREAS, following an advisory referendum in April 2009 concerning county funding for Countryside Home, the Finance Committee recommended a binding referendum to determine the future of Countryside Home, and

WHEREAS, Resolution 2009-23 was adopted in May 2009 which provided in part that should such binding referendum fail, the County Administrator was directed to employ a broker for sale of Countryside Home, and

WHEREAS, the County Board adopted an explanatory statement to accompany said binding referendum in August 2009, which stated in part “In the event the majority of the electors vote ‘no’, Countryside Home will be listed for sale as resolved by prior County Board action”, and

WHEREAS, the referendum in September 2009 to exceed the tax levy caps failed, a broker was hired and the property was listed for sale, and

WHEREAS, seven parties were interested in paying the minimum threshold price originally established at \$6 million, with proposals ranging up to \$8.5 million, and

WHEREAS, after due consideration of the various contingencies attached to the proposals, the Finance Committee negotiated with The Alden Group, Ltd., which for several reasons, appeared to be the most advantageous proposal for the County, and

WHEREAS, the Finance Committee had requested that staff visit various Alden facilities, including one in Wisconsin, which, after completion of the visits, has resulted in good reports concerning care provided from county professional nursing home staff as well a representative of the Board of Trustees, and

WHEREAS, under existing law, all persons residing in Countryside at the time of transfer will be able to remain at Countryside, and by contract, the licensed beds cannot be removed from that location for a minimum of ten years, and

WHEREAS, Alden has expressed a desire to buy the adjacent 20 acre county property for the purpose of creating a senior care campus which would expand employment opportunities and tax base, with the initial property tax revenue for

Countryside Home after sale being in excess of \$100,000, and

WHEREAS, the broker employed by the County has participated in the sale of 29 similar facilities in the state of Wisconsin and recommends this contract be approved as the price of \$8,001,000 is fair, noting that a similarly constructed Manitowoc facility of 150 beds sold for approximately \$6 million two years ago, and

WHEREAS, the Finance Committee feels that Alden will make a good community oriented operator with high standards for care, and with the potential for future community development and increased tax base from an expanded campus, the Finance Committee concluded that this contract is in the best interest of Jefferson County, and

WHEREAS, the Finance Committee has held several meetings on this matter to which all supervisors were invited and many attended,

NOW, THEREFORE, BE IT RESOLVED that the County Board Chair and the County Administrator are authorized to execute the contract for sale of Countryside and the adjacent twenty acres described therein, and any other required documents to effectuate the intent of this resolution.

Fiscal Note: The adjacent twenty acres is currently leased to Dave Habeck who farms it. The lease may be either terminated or assigned as the parties desire. Net sale proceeds after payment of all expenses and approximately \$2 million debt due in 2011 and 2012 will be about \$5 million.

Ms. Rogers moved that Resolution No. 2009-90 be adopted. Seconded.

County Administrator Gary Petre, broker Ray Giannini, Countryside Board of Trustee member Barb Van Lieshout, and Countryside Home Administrator Earlene Ronk informed the Board on the status of the sale and an overview of the potential buyer.

Mr. Zentner moved to amend Resolution No. 2009-90 to direct county negotiators to go back to the potential buyer to renegotiate the sale of new Countryside without the additional twenty (20) acres of land. Seconded.

Mr. Zentner's amendment to Resolution No. 2009-90 failed: Ayes 4, Noes 23 (Jones, David, Tietz, Braugher, Buchanan, Morris, Kuhlman, Seefeldt, Reese, Rogers, Molinaro, Knox, Schmeling, Kramer, Kannard, Yachinich, Poulson, Jaeckel, Torres, Christensen, Nelson, Babcock, Mode), Absent 2 (Burow, Borland), Vacant 1.

Resolution No. 2009-90 was adopted: Ayes 22, Noes, 5 (Imrie, David, Nass, Zentner, Nelson), Absent 2 (Burow, Borland), Vacant 1.

Mr. Buchanan read Resolution No. 2009-91.

WHEREAS, road conditions on County Trunk Highway N between County Highway B and County Highway A are in poor condition and need significant construction improvements, and

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

WHEREAS, bids were solicited for engineering design work on January 15,

2010, with the following results,

Ruekert/Mielke, Waukesha, Wisconsin:	\$ 90,685
Ayres Associates, Waukesha, Wisconsin:	\$ 86,237*
OMNNI Associates, Appleton, Wisconsin:	\$ 107,760
SEH, Madison, Wisconsin:	\$ 82,359 (Incomplete)
AECOM USA, Milwaukee, Wisconsin:	\$ 119,935
MSA Engineering, Madison, Wisconsin:	\$ 135,378*
R.A. Smith National, Brookfield, Wisconsin:	\$ 158,032
Strand Associates, Inc.:	\$ 245,000*
K Singh & Associates, Inc.:	\$ 128,198
Mead & Hunt, Madison, Wisconsin:	\$ 106,759

* *Highest ranked proposals*

NOW, THEREFORE, BE IT RESOLVED that the Highway Department is authorized to enter into a contract with Ayres Associates for \$86,237 for the design of County Trunk Highway N between County Highway B and County Highway A.

Fiscal Note: Funds for the design work will come from the Highway Department accounts #53312 and #53315.

Mr. Buchanan moved that Resolution No. 2009-91 be adopted. Seconded and carried: Ayes 25, Noes 1 (Nelson), Absent 3 (Seefeldt, Burow, Borland), Vacant 1.

Board recessed at 8:50 p.m. Reconvened at 9:01 p.m.

Mr. Poulson excused.

Mr. Zastrow presented Ordinance No. 2009-25.

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

Section 1. Section HR0390, Terminal Pay, of the Personnel Ordinance is amended to conform the correct language to other ordinance provisions for sick payout to employees laid off, if eligible.

E. Employees on extended layoff shall receive all accrued vacation, holidays and longevity pay, payable on the next succeeding payday following the layoff. If the employee is eligible for WRS, the employee will also receive 60 65% of accrued sick time.

Section 2. Section HR0410, Computer, Internet and Telephone Use, of the Personnel Ordinance is repealed and recreated as follows:

HR4010 COMPUTER, INTERNET AND TELEPHONE USE

Jefferson County provides employees, board members and other authorized Users access to, and the use of, a variety of information technology resources. These resources are provided to employees in an effort to allow employees to be more efficient, productive, and to have access to information that is necessary to carry out their responsibilities on behalf of the County. Users are

expected and required to use information technology resources in a manner consistent with the user's position and work responsibilities with the County, in a professional, lawful and ethical manner. Employees not assigned direct use of information technology resources are expected to review and acknowledge with signature the same policies as those who have been assigned direct use.

MIS shall establish and maintain the documentation required to satisfy industry and professional standards for electronic data security, including HIPAA requirements in covered entity departments as determined by the HIPAA Officer. This documentation shall include the: Personnel Ordinance; Computer, Internet and Telephone Use Policy; Departmental Summaries for employee and other users; Policies and Procedures outlining detailed instructions on security for specific technology; and acknowledgment forms to be signed by employees and other authorized Users.

A copy of the entire Computer, Internet and Telephone Use Policy can be accessed on the Employee website. In addition, a copy will be provided to each department head and made available to staff upon request. Employees are responsible for maintaining compliance with the most current policy.

Section 3. Section HR0440, HIPAA/Notice of Privacy Practices, of the Personnel Ordinance is amended to comply with changes to federal regulations.

HR0440 HIPAA/NOTICE OF PRIVACY PRACTICES. Under the Health Insurance Portability and Accountability Act (HIPAA), and as further enhanced under the American Recovery and Reinvestment Act of 2009 (ARRA), Jefferson County will maintain the privacy of employee's protected health information. This applies to the health, dental and long term care policies, and the Employee Assistance Program (EAP), offered by Jefferson County. The County only uses and discloses health information about employees for purposes of payment functions and health care operations. If an employee wants more information about County privacy practice, contact the Human Resources Department. Or, if the employee believes Jefferson County may have violated any privacy rights, or if the employee disagrees with a decision made about any of the rights, the employee may file a complaint with Jefferson County's HIPAA (Privacy) Officer. The employee may also file a complaint with the Secretary of U.S. Department of Health and Human Services. Jefferson County supports the employees' right to have health information treated in a private fashion, and will not retaliate in any way if an employee chooses to file a complaint. (Am. Ord. 2005-30, 11/8/05)

Section 4. This ordinance shall be effective after passage and publication as provided by law.

Mr. Zastrow moved that Ordinance No. 2009-25 be adopted. Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Poulson, Borland), Vacant 1.

Mr. Mode presented Ordinance No. 2009-26.

WHEREAS, the Human Services Board has determined that it can reduce its operational costs by eliminating the Human Services Personnel & Finance Committee, and

WHEREAS, the Human Services Personnel & Finance Committee is authorized by Ordinance No. 2008-12 to approve vouchers for the Human Services Department which duty would need to be reassigned in the event the committee was eliminated, and

WHEREAS, the Human Services Board has determined that it can assume the duties of the Personnel & Finance Committee and approve the vouchers,

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

Section 1. Ordinance No. 2008-12, Section 1, is amended as follows:

Section 1. The Finance Committee, the Human Services ~~Board Personnel & Finance Committee~~, the Highway Committee and the Countryside Board of Trustees shall be authorized to approve vouchers in the amounts budgeted for the affected departments. The County Clerk shall make payment upon approval by said committees or boards. Each of the named committees or boards may delegate authority to staff to approve particular types of payments by filing a list thereof with the Clerk who is authorized to make payments of such items without further approval. Staff shall report all such authorized payments to the respective committee or board at its next meeting.

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

Fiscal Note: In 2009, meeting fees and mileage for the Personnel & Finance Committee totaled \$1,952.50. By eliminating the Committee, those expenses can be saved.

Mr. Mode moved that Ordinance No. 2009-26 be adopted. Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Poulson, Borland), Vacant 1.

Mr. Kannard read Resolution No. 2009-92.

WHEREAS, the Infrastructure Committee is delegated responsibility to review leases for county buildings, and

WHEREAS, Opportunities, Inc., an original tenant at the Workforce Development Center, continues to occupy the same space as it did for 2009, and

WHEREAS, review of current charges based on allocated costs indicate that Opportunities, Inc.'s rent should be \$1,852 per month for the 1362 square feet currently occupied, and

WHEREAS, the Infrastructure Committee recommends this rent effective January 1, 2010, through December 31, 2010, at which time a new agreement will be negotiated,

NOW, THEREFORE, BE IT RESOLVED that the Human Services Director or her designee is authorized to execute a new Workforce Development Center occupancy charge agreement for Opportunities, Inc. at the rate of \$1,852 per month effective January 1, 2010, through December 31, 2010.

Fiscal Note: Rent per square foot for 2010 is the same as it was for July 2009 through December 2009. Rent was raised about \$400 per month effective in July 2009. For 2010, Opportunities, Inc. uses about 90 square feet less than it did in 2009.

Mr. Kannard moved that Resolution No. 2009-92 be adopted. Seconded and carried: Ayes 24, Noes 1 (Imrie), Abstain 1 (Nelson), Absent 3 (Burow, Poulson, Borland), Vacant 1.

Mr. Kuhlman presented Resolution No. 2009-93.

WHEREAS, the current Jefferson County Bicycle and Pedestrian Plan was produced through a partnership between Jefferson County, numerous local government units, the Wisconsin Department of Transportation, local bicycle groups and many private businesses, and

WHEREAS, the Jefferson Bicycle and Pedestrian Plan is currently in the process of being updated, and

WHEREAS, the original plan and the update draft both seek to expand the opportunity for bicycle and pedestrian traffic within Jefferson County, and

WHEREAS, reconstruction of State Highway 26 in Jefferson County has offered the opportunity for development of bicycle and pedestrian paths along and within the rights-of-way of the new highway as anticipated by the County's plan, and

WHEREAS, the Wisconsin Department of Transportation has agreed to construct the new bicycle/pedestrian path along Highway 26, and

WHEREAS, the Parks Committee recommends entering into a contract with the Wisconsin Department of Transportation which will provide for county maintenance of the new bicycle/pedestrian path,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Administrator is authorized to execute an agreement (in the form provided) between the Wisconsin Department of Transportation and Jefferson County for maintenance of the bicycle/pedestrian path located within the rights-of-way of State Highway 26.

Fiscal Note: City of Madison and Minnesota DOT estimates are \$600-\$900 per year per mile for maintenance. This contract covers 5.5 miles. Estimated total cost is \$3,300-\$4,950 per year. An Adopt-A-Trail Program may reduce this amount through the use of volunteer labor.

Mr. Kuhlman moved that Resolution No. 2009-93 be adopted. Seconded and carried: Ayes 25, Noes 1 (Zentner), Absent 3 (Burow, Poulson, Borland), Vacant 1.

County Board Chair Schmeling appointed Supervisor Morris to the Law Enforcement/Emergency Management Committee effective February 16, 2010, to replace Supervisor Kuhlman who resigned due to scheduling conflicts.

There being no further business, Mr. Buchanan moved that the Board adjourn. Seconded and carried at 9:10 p.m.