

**JEFFERSON COUNTY BOARD MINUTES
TUESDAY, MARCH 8, 2011, 7:00 P.M.**

Mr. John Molinaro presiding.

Mr. Morse led the Pledge of Allegiance.

A moment of silence was observed.

County Clerk Barbara A. Frank called the roll. Supervisor Delany gave prior notice of her inability to attend.

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	Amy Rinard	District 10	Lloyd Zastrow
District 11	Donald Reese	District 12	Mike Burow
District 13	Ed Morse	District 14	Pamela Rogers
District 15	Steven J. Nass	District 16	John Molinaro
District 17	Mary Delany	District 18	Jennifer Hanneman
District 19	Jim Schroeder	District 20	Jan Rouu
District 21	Craig Peterson	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	Dick Schultz
District 29	Paul Babcock	District 30	Jim Mode

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

Mr. Buchanan moved to suspend the rules and move #19 and #20 of the revised agenda after #8. Seconded and carried: Ayes 26, Noes 3 (Poulson, Jaeckel, Torres), Absent 1 (Delany).

Mr. Mode moved that the minutes of the February 8, 2011, meeting be approved as printed and corrected. Seconded and carried.

Mr. Molinaro presented the following communications:

**GENERAL FINANCIAL CONDITION
JEFFERSON COUNTY, WISCONSIN
MARCH 1, 2011**

Available Cash on Hand		
February 1, 2011	\$ (65,137.84)	
February Receipts	<u>9,784,354.84</u>	
Total Cash		\$ 9,719,217.00
Disbursements		
General - February 2011	\$ 7,920,019.13	
Payroll - February 2011	<u>1,207,789.94</u>	
Total Disbursements		<u>9,127,809.07</u>
Total Available Cash		\$ 591,407.93
Cash on Hand (in banks) March 1, 2011	\$ 1,092,091.09	
Less Outstanding Checks	<u>500,683.16</u>	
Total Available Cash		\$ 591,407.93

AIM Government & Agency Portfolio	\$ 3,990,718.49
Local Government Investment Pool - General	19,848,648.29
Institutional Capital Management	15,651,686.84
Local Government Investment Pool - Clerk of Courts	160,754.58
Local Government Investment Pool – Farmland Preservation	251,771.32
Local Government Investment Pool - Parks/Liddle	<u>204,333.38</u>
	\$40,107,912.90
2011 Interest - Super N.O.W. Acct.	\$ 677.46
2011 Interest - L.G.I.P. - General Funds	3,840.72
2011 Interest - ICM	27,435.45
2011 Interest - AIM	55.75
2011 Interest - L.G.I.P. - Parks/Carol Liddle Fund	59.92
2011 Interest – L.G.I.P. - Farmland Preservation	73.83
2011 Interest - L.G.I.P. - Clerk of Courts	<u>47.14</u>
Total 2011 Interest	\$ 32,190.27

JOHN E. JENSEN
JEFFERSON COUNTY TREASURER

A Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on March 17, 2011, at 7 p.m. in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin.

County Clerk Barbara Frank informed the Board that the County has received a capital dividend check from Wisconsin Municipal Mutual Insurance Corporation in the amount of \$30,537.

The communications and notice were received and placed on file.

The floor was open for public comment. Speaking on the resolution opposing provisions of the budget adjustment bill proposed by Governor Walker (Resolution No. 2010-95) were William Reichertz, Watertown; Alex Brower, Jim Garity and Ann Jenswold, Jefferson; and Buck Smith, Johnson Creek.

County Clerk Barbara Frank, Coroner Patrick Theder, Register of Deeds Staci Hoffman and Treasurer John Jensen 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. Peterson presented Ordinance No. 2010-26.

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

Section 1. Amend Section 3.01(6) of the Board of Supervisors' Rules of Order as follows:

(6) The Chair may limit the number of persons addressing the Board under Section 3.01(5)(g) 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)(g) shall ~~be at~~ not exceed 5 minutes and may be shortened at the discretion of the Chair, with all public comment confined to a maximum of ~~45~~ 30 minutes.

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

County Board Chair Molinaro referred Ordinance No. 2010-26 to the Administration & Rules Committee. [Note: Ordinance No. 2010-26 was brought before the Board at the request of Mr. Peterson and did not go through committee. Board Rule 3.03(8) states “. . . Resolutions and ordinances not introduced by a committee shall be referred to an appropriate committee by the Chairperson. . . .”]

Mr. Nass presented Resolution No. 2010-95 which was brought before the Board by Supervisors Nass, Schroeder, Roou, Christensen, Schultz, Babcock, David, Jones and Rinard.

WHEREAS, among Wisconsin’s great assets as a state are public employees who work hard to provide the essential services and infrastructure essential for the people and businesses of Wisconsin to thrive, and

WHEREAS, Wisconsin led the nation in giving public employees the right of collective bargaining and the nation’s largest public employee union the American Federation of State, County, and Municipal Employees was founded in Madison in 1936, and

WHEREAS, in 1959, Wisconsin passed the nation’s first comprehensive public employee bargaining law, Section 111.70, which provided the right of collective bargaining to public employees, and required municipalities, school districts, the university system, and other public entities to bargain with unionized employees, and

WHEREAS, skilled public employees and proactive employee unions are intrinsic to the Wisconsin tradition of innovative and progressive public service and have been instrumental in the provision of quality public services for residents and businesses in Jefferson County, and

WHEREAS, good faith public sector collective bargaining is critical for the long term delivery of innovative and cost effective public services, and

WHEREAS, Jefferson County has experienced a long history of productive relationships with our public employees and our public unions, and

WHEREAS, the state budget adjustment legislation proposed by Governor Walker would prohibit any local governmental unit from collectively bargaining all subjects except wages with its employees, except for public safety employees, and collective bargaining rights under current law would be effectively retained for protective safety employees only, and

WHEREAS, the public sector employees of Jefferson County, our friends and neighbors, purchase local consumer goods and services, pay taxes, volunteer their services and contribute to local economy and commonweal, and

WHEREAS, prohibiting the provisions of current law regarding collection of union dues and certification of unions would assist neither the State of Wisconsin nor Jefferson County in addressing current or future budget challenges, and

WHEREAS, the nonpartisan Legislative Fiscal Bureau has identified “Public Employee Collective Bargaining Modifications” as a nonfiscal policy item contained within the budget adjustment bill (SB 11).

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board hereby requests the Wisconsin State Legislature delete the provisions of the

Fiscal Repair Bill currently being considered pertaining to Collective Bargaining and Employment Relations to include the sections relating to represented employee classification, prohibited subjects of bargaining, annual bargaining unit certification requirements, union dues provisions, changes to interest arbitration under MERA and limitations on the terms of labor agreement, and

BE IT FURTHER RESOLVED that the Jefferson County Board expresses their appreciation to the hardworking men and women of the public sector for their invaluable service to our communities by plowing our streets and roads, maintaining our sanitary services, staffing our libraries, maintaining our parks, preventing and putting out fires, maintaining our schools, educating our children, providing police services, and assisting in natural disasters; the Board encourages continued mutual cooperation with its employees in making Jefferson County a better place to live and do business.

Fiscal Note: This resolution has no direct fiscal impact.

Mr. Nass moved to suspend the rules: Seconded and lost: Ayes 19, Noes 10 (Imrie, Braughler, Buchanan, Morris, Kuhlman, Poulson, Jaeckel, Torres, Borland, Mode), Absent 1 (Delany). [Note: Board Rule 3.03(8) states “. . . Resolutions and ordinances not introduced by a committee shall be referred to an appropriate committee by the Chairperson. . . .” Two-thirds of supervisors present required to suspend Board Rules.]

County Board Chair Molinaro referred Resolution 2010-95 to the Administration & Rules Committee.

Mr. Nass read the following report:

REPORT

TO THE HONORABLE MEMBERS OF THE JEFFERSON COUNTY BOARD OF SUPERVISORS

The Jefferson County Planning and Zoning Committee, having considered petitions to amend the zoning ordinance and the floodplain ordinance of Jefferson County, filed for public hearing held on January 20 and February 17, 2011, 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 3504A-11, 3509A011, 3510A-11, 3511A-11,
3512A-11, 3513A-11 and 3517T-11

DATED THIS TWENTY-EIGHTH DAY OF FEBRUARY, 2011

Donald Reese, Secretary

THE EFFECTIVE DATE OF THE PRIOR MONTH'S AMENDMENTS,
3500A-10, 3501A-10, 3502A-10, 3503A-11, 3505A-11, 3507A-11,
3508A-11 and 3509T-11, IS FEBRUARY 12, 2011.

Mr. Nass moved that said report be adopted. Seconded and carried.

Mr. Nass presented Ordinance No. 2010-27.

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

WHEREAS, Petition 3504A-11 was referred to the Jefferson County Planning

and Zoning Committee for public hearing on January 20, 2011, and Petitions 3509A-11, 3510A-11, 3511A-11, 3512A-11 and 3513A-11 were referred for public hearing on February 17, 2011, 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 INDUSTRIAL AND AGRICULTURAL A-1 TO A-2, AGRIBUSINESS

Rezone approximately 8.4 acres of PINs 014-0614-1644-000 (36.9 acres, zoned Industrial and A-1 Agricultural), 014-0614-1644-004 (0.76 acre, zoned Industrial), and 014-0614-2111-000 (16.917 acres, zoned A-1 Agricultural) to A-2, Agribusiness. This action is conditioned upon receipt by Zoning of a final certified survey map including extraterritorial plat review, and upon payment of a conversion fee to the State of Wisconsin at the rate of \$882 per acre for the area being rezoned out of the A-1 Agricultural district. Rezoning shall be null and void and of no effect one year from the date of County Board approval unless all applicable conditions have been completed by that date. (3509A-11 & 3510A-11 – Schroedl Brothers Inc.)

**FROM AGRICULTURAL A-1 TO A-2, AGRIBUSINESS
AND A-3, RURAL RESIDENTIAL**

Rezone approximately 0.6 acre of PIN 002-0714-3132-001 (21.09 acres); rezone approximately 1 acre of that PIN for a new home site. The property is on Hope Lake Road in the Town of Aztalan. 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 for each lot, upon receipt by Zoning of a soil test showing sites for installation of both an initial and replacement private sewage system, upon approval and recording of a final certified map for the lots, and upon payment to the State of Wisconsin at a rate of \$876 per acre for the area being rezoned out of the A-1 Agricultural district. Rezoning shall be null and void and of no effect one year from the date of County Board approval unless all applicable conditions have been completed by that date. (3511A-11 & 3512A-11 – Eugene Hasel)

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

Rezone approximately 2 acres of PIN 018-0713-3643-000 (19.6 acres) on Hope Lake Road for a new residential building site in the Town of Lake Mills. 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, upon approval and recording of a final certified survey map and upon payment of a conversion fee to the State of Wisconsin at a rate of \$876 per acre for rezoning out of the A-1 Agricultural district. Rezoning shall be null and void and of no effect one year from the date of County Board approval unless all applicable conditions have been completed by that date. (3504A-11 – Scott Hahn/Bruce & Shelby Hahn property)

Rezone to create an approximate 2.295-acre lot around the home and build-

ings at N7814 CTH E, Town of Ixonia from PIN 012-0816-2932-000 (21.751 acres). This action is conditioned upon receipt and recording of the final certified survey map for the lot, and upon payment of a conversion fee to the State of Wisconsin at a rate of \$870 per acre for rezoning out of the A-1 Agricultural district. Rezoning shall be null and void and of no effect one year from the date of County Board approval unless all applicable conditions have been completed by that date. (3513A-11 – Kevin Stendel/Ralph Stendel Trust property)

Mr. Nass moved that Ordinance No. 2010-27 be adopted. Seconded and carried.

Mr. Nass presented Ordinance No. 2010-28.

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

WHEREAS, Petition R3517T-11 was referred to the Jefferson County Planning and Zoning Committee for public hearing on February 17, 2011, 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 amend the floodplain ordinance of Jefferson County as follows:

TEXT AMENDMENT TO JEFFERSON COUNTY
FLOODPLAIN ORDINANCE

Add in the Jefferson County Floodplain Ordinance, Sec. 14:1.5(2)(b) OFFICIAL MAPS: Based on other studies – Golden Lake LOMR with modified BFE dated 4-12-10, effective 9-3-10 (Case #10-05-0806P)

Mr. Nass moved that Ordinance No. 2010-28 be adopted. Seconded and carried.

Mr. Mode read Resolution No. 2010-96.

WHEREAS, the residents of Jefferson County will benefit from the development of consistency in the way that the criminal justice system responds to crimes of domestic violence, sexual assault, dating violence and stalking, and

WHEREAS, Federal grant funds are available through the Office on Violence Against Women for such a project, and

WHEREAS, Jefferson County has submitted an application requesting a grant of \$328,324 to support an effort to address the problems described above through collaboration of the District Attorney's Office, the Sheriff's Office, PADA (People Against Domestic & Sexual Abuse), the police departments of Jefferson, Watertown, Fort Atkinson, University of Wisconsin Whitewater, Lake Mills, Palmyra, Waterloo and the Counseling Services of Southern Wisconsin, as well as participation by the University of Wisconsin Extension, and

WHEREAS, such grant will provide for employment of a Law Enforcement and Prosecution Coordinator by PADA through a contract from Jefferson County as well as training for all of the related law enforcement agencies, and

WHEREAS, the grant application was executed on behalf of Jefferson County by County Board Chair John Molinaro and County Clerk Barbara Frank, pending ratification by the Board, and

WHEREAS, the Administration & Rules Committee recommends approval of the grant application,

NOW, THEREFORE, BE IT RESOLVED that the grant application is hereby approved and the signatures of all Jefferson County officials thereon are hereby ratified.

BE IT FURTHER RESOLVED that if the grant is awarded, Jefferson County is authorized to contract with PADA for the services of a Law Enforcement & Prosecution Coordinator to be paid with grant funds.

BE IT FURTHER RESOLVED that the District Attorney's Office budget shall be hereby amended to reflect amounts received pursuant to this grant application.

Fiscal Note: In the event the grant is awarded, no county levy dollars will be used to support this program. All costs will be funded through the grant which was applied for in the amount of \$328,324. This resolution requires twenty affirmative votes for passage.

Mr. Mode moved that Resolution No. 2010-96 be adopted. Seconded and carried: Ayes 29, Noes 0, Absent 1 (Delany).

Board recessed at 8:02 p.m.; resumed at 8:08 p.m.

Mr. Mode read Resolution No. 2010-97.

WHEREAS, predatory lenders issue small, short term high rate loans to consumers that are to be repaid within a specified timeframe, usually two weeks; and these may be called check cashing, payday loans, cash advance loans, or check advance loans, and

WHEREAS, the predatory loan industry entered Wisconsin in 1995 when state laws that prohibited interest rates above 18% were removed

- At the end of 1995, there were two licensed payday lenders in Wisconsin; by 2008 this grew to 530;
- According to the Wisconsin Legislative Reference Bureau (LRB), in 2000, the average payday loan applicant made \$24,673 of gross income, so the business model draws in the working poor as well as those relying upon social security or other government payments;
- According to LRB calculations, in 2001 the average APR for a payday loan was an annual interest rate of 542%;
- A national survey by the Center for Responsible Lending (CRL) indicates that "lenders collect 90% of their revenue from borrowers who cannot pay off their loans when due, rather than from one-time users dealing with short-term financial emergencies;"
- According to the Wisconsin Department of Financial Institutions (DFI), payday lenders made \$732 million in loans in 2008 with an average loan value of \$428;
- Out-of-state investors own most Wisconsin payday lenders, so much of the 'revenue' drains out of Wisconsin, and

WHEREAS, former President Bush and the US Congress protected US military personnel against predatory lending practices in the 2007 National Defense

Authorization Act by including an amendment to limit interest rates on payday loans made to military personnel to 36%.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby strongly supports protecting all Wisconsin citizens and families against exploitive lending practices by returning to a statutory interest rate cap to eliminate predatory lending in our state.

BE IT FURTHER RESOLVED by the Jefferson County Board of Supervisors that the Jefferson County Clerk is directed to transmit a copy of this resolution to the Governor of the State of Wisconsin, Jefferson County's state legislative delegation, and the Wisconsin Counties Association.

Fiscal Note: No fiscal impact.

Mr. Mode moved that Resolution No. 2010-97 be adopted. Seconded and carried: Ayes 24, Noes 5 (Imrie, Braughler, Peterson, Jaeckel, Torres), Absent 1 (Delany).

Ms. Rinard read Resolution No. 2010-98.

WHEREAS, Resolution No. 2010-26 adopted May 11, 2010, stated the Board's support to purchase an agricultural conservation easement over the 227-acre Rodell Lea farm in the Town of Oakland, and

WHEREAS, negotiations have occurred following appraisals to indicate the value of the conservation easement would be \$228,000, and

WHEREAS, grant documents are being prepared to be submitted to the State Working Lands Initiative PACE Program and the NRCS Farm and Ranch Land Protection Program for funding, and

WHEREAS, the Farmland Conservation Easement Commission recommends it be authorized to contract for purchase of an agricultural conservation easement over the Lea farm for the amount of \$228,000, contingent upon receipt of sufficient funds from the State's PACE program and NRCS to fund said purchase,

NOW, THEREFORE, BE IT RESOLVED that the Farmland Conservation Easement Commission is authorized to submit grant requests to the State Working Lands Initiative PACE Program and the NRCS Farm and Ranch Land Protection Program to obtain funds to purchase an agricultural conservation easement for the Rodell Lea farm.

BE IT FURTHER RESOLVED that the Farmland Conservation Easement Commission may enter into a formal contract to purchase an agricultural conservation easement over the 227-acre Lea farm for the amount of \$228,000, contingent upon receiving adequate grant funds to fund the purchase.

Fiscal Note: In the event the grants are approved, the County should receive some funds for its appraisal expense incurred in 2010. It is required that the grants fund the purchase, or the purchase will not take place.

Ms. Rinard moved that Resolution No. 2010-98 be adopted. Seconded and carried: Ayes 22, Noes 7 (Imrie, Buchanan, Kuhlman, Burow, Peterson, Jaeckel, Torres), Absent 1 (Delany).

Ms. Rinard presented Resolution No. 2010-99.

WHEREAS, Resolution No. 2010-26 adopted May 11, 2010, stated the

Board's support to purchase an agricultural conservation easement over the 121-acre Robert A. Schultz farm in the Towns of Aztalan and Jefferson, and

WHEREAS, negotiations have occurred following appraisals to indicate the value of the conservation easement would be \$268,000, and

WHEREAS, grant documents are being prepared to be submitted to the State Working Lands Initiative PACE Program and the NRCS Farm and Ranch Land Protection Program for funding, and

WHEREAS, the Farmland Conservation Easement Commission recommends it be authorized to contract for purchase of an agricultural conservation easement over the Schultz farm for the amount of \$268,000, contingent upon receipt of sufficient funds from the State's PACE program and NRCS to fund said purchase,

NOW, THEREFORE, BE IT RESOLVED that the Farmland Conservation Easement Commission is authorized to submit grant requests to the State Working Lands Initiative PACE Program and the NRCS Farm and Ranch Land Protection Program to obtain funds to purchase an agricultural conservation easement for the Robert A. Schultz farm.

BE IT FURTHER RESOLVED that the Farmland Conservation Easement Commission may enter into a formal contract to purchase an agricultural conservation easement over the 121-acre Schultz farm for the amount of \$268,000, contingent upon receiving adequate grant funds to fund the purchase.

Fiscal Note: In the event the grants are approved, the County should receive some funds for its appraisal expense incurred in 2010. It is required that the grants fund the purchase, or the purchase will not take place.

Ms. Rinard moved that Resolution No. 2010-99 be adopted. Seconded and carried: Ayes 22, Noes 7 (Imrie, Buchanan, Kuhlman, Burow, Peterson, Jaeckel, Torres), Absent 1 (Delany).

Ms. Rogers presented Resolution No. 2010-100.

WHEREAS, Jefferson County ended its self-insured health insurance program effective December 31, 2008, and

WHEREAS, funds paid for claims, refunds, and administration fees during 2009 have already been charged to departments during 2009, and

WHEREAS, claims, refunds, and administrative fees paid since January 1, 2010, total a net amount of \$889.64, and

WHEREAS, the net activity for 2010 for self-insured health insurance was charged to each department on a pro-rata basis, and

WHEREAS, the Finance Committee recommends that because the total amount is not material to each department, no related budget transfer is required, and

WHEREAS, Resolution 2009-66 established a reserve of \$10,000 to pay for run-out of self-insured health insurance claims received after January 1, 2010, and

WHEREAS, the Finance Committee recommends that the Health Insurance Reserve under A/C 100.353125 be eliminated,

NOW, THEREFORE, BE IT RESOLVED that all funds in the Health Insurance Reserve be transferred back to the Unassigned General Fund, and

BE IT FURTHER RESOLVED that any activity for self-insured health insurance during 2011 totaling less than \$2,500 shall automatically be allocated on a pro-rata basis to each department, and

BE IT FURTHER RESOLVED that the Finance Committee is directed to transfer funds from the Contingency Fund for any self-insured health insurance net activity during 2011 totaling more than \$2,500.

Fiscal Note: Transferring the reserve of \$10,000 back to the Unassigned General Fund will allow the County Board to use these funds for any purpose it deems appropriate. These funds will be included in the year end calculation of "working capital." No budget amendment is required for the transfer because there are no additional expenditures being authorized. No material remaining costs are expected from the self-insured health program.

Ms. Rogers moved that Resolution No. 2010-100 be adopted. Seconded and carried.

Ms. Rogers presented Resolution No. 2010-101.

WHEREAS, Jefferson County ceased operating Countryside Home as of June 30, 2010, and

WHEREAS, Countryside Home reported activity under full accrual accounting rules which require recognizing any potential liabilities whether actually paid out in cash or not, and

WHEREAS, the Finance Department estimated the outstanding liability for unemployment compensation claims for Countryside Home as of June 30, 2010, to be \$187,000, and

WHEREAS, actual unemployment claims paid out for June through December 2010 were \$118,657.77, and

WHEREAS, with the closure of Countryside Home any potential liabilities were transferred to the General Fund as of December 31, 2010, and

WHEREAS, the General Fund reports activity under modified accrual accounting rules which only recognizes liabilities when actually paid out in cash, and

WHEREAS, following the applicable accounting rules results in a net surplus of \$68,342.23 in the General Fund for 2010, and will result in an estimated 2011 deficit of \$118,657.77,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby creates a "committed" fund balance of \$118,657.77 at year end 2010 in order to fund the anticipated deficit for unemployment compensation claims paid during 2011.

Fiscal Note: The proposed committed fund balance will be used at year end 2011 to pay for unemployment compensation claims paid out during 2011 for former Countryside Home employees. The County is liable for unemployment compensation claims for approximately 12 months after termination of employment. Any potential extension of benefits by the federal government is not taken into account.

As this is not a budget amendment, a simple majority vote is required.

Ms. Rogers moved that Resolution No. 2010-101 be adopted. Seconded and carried.

Ms. Rogers presented Resolution No. 2010-102.

WHEREAS, at the close of each fiscal year, it may be desirable to carry over funds in some accounts so that they can be used in the next budget year, and

WHEREAS, the Finance Committee has reviewed the collective requests of all departments to carry over the total amounts as listed below in various accounts as indicated in the detail in the Finance Committee minutes of February 28, 2011,

Fund Type	Description	Requested Amount	Non-lapsing Request
Governmental funds	Non-spendable	178,799.19	
Governmental funds	Spendable, restricted	1,440,549.41	1,440,549.41
Governmental funds	Spendable, committed	<u>1,500,165.42</u>	1,500,165.42
Governmental funds	Total	3,119,514.02	
Proprietary funds	Capital net assets	7,636,676.20	
Proprietary funds	Restricted net assets	91,674.06	91,674.06
Proprietary funds	Non-restricted net assets	<u>3,994,195.89</u>	3,994,195.89
Proprietary funds	Total	11,722,546.15	
Grand Total		14,842,060.17	7,026,584.78

AND, WHEREAS, the Finance Committee recommends various accounts be designated as non-lapsing for fiscal year 2011 in the same total amounts as listed above,

NOW, THEREFORE, BE IT RESOLVED that the funds in the accounts identified in the Finance Committee minutes of February 28, 2011, totaling \$7,026,584.78 are designated as non-lapsing in the 2010 budget and the 2011 departmental budgets for 2011 are hereby amended in the respective amounts approved.

Fiscal Note: As a budget amendment, this resolution requires twenty (20) affirmative votes for passage.

Explanation of governmental funds: Non-spendable fund balance includes pre-paid items, deposits, and inventory accounts. Spendable, restricted items are funds legally restricted by outside parties such as statutes, contracts, purchase orders, or funding source. Spendable, committed items are discretionary.

Explanation of proprietary funds (Highway): Capital net assets are items that are being depreciated along with land. Restricted net assets relate to municipal deposits for subsequent year work by the County. Non-restricted net assets include both required items and discretionary items.

Ms. Rogers moved that Resolution No. 2010-102 be adopted. Seconded and carried: Ayes 29, Noes 0, Absent 1 (Delany).

Ms. Rogers presented Resolution No. 2010-103.

WHEREAS, due to circumstances arising after the 2010 budget was formulated, the following transfer of funds are necessary to be made from the contin-

gency appropriation account and/or General Fund as indicated to close the accounting books for 2010:

Department	Bus Unit	Account Number	Deficit Amount	Original Levy	Percent of Levy
Human Resources	41	599999	17,736	326,530	5.4%
County Administrator	81	599999	870	232,984	0.4%
Finance	88	599999	5,984	380,250	1.6%
Register of Deeds	1001	599999	8,138	(204,086)	-4.0%
Land Information	1301	599999	5,598	363,980	1.5%
Central Services	1901	599999	19,106	788,375	2.4%
Sheriff	2201	599999	365,356	11,001,152	3.3%
Fair Park	6901	599999	35,032	220,283	15.9%
Zoning	7101	599999	40,034	264,488	15.1%
Library System	9902	599999	998	974,516	0.1%
Total			498,852		
Contingency Fund			121,144		
General Fund			377,709		
Total			498,852		

AND, WHEREAS, the Finance Committee recommends that these departmental deficits be funded.

NOW, THEREFORE, BE IT RESOLVED that the aforementioned transfers of funds are hereby approved and the 2010 budget be amended to reflect the same.

Fiscal Note: As a budget amendment, this resolution requires twenty (20) affirmative votes for passage.

Departmental surpluses from other departments during 2010 exceed the amount being transferred from the General Fund for these departmental deficits.

Below is a brief highlight of some of the major reason(s) for the individual department deficits:

- *Human Resources – Non-budgeted MIS charges of \$15,793*
- *County Administrator – Non-budgeted MIS charges of \$3,593*
- *Finance – A long term employee retired during 2010 and received sick/vacation payouts totaling \$5,738 including related social security. The County retains fund balance for vested benefits to cover these payouts which funds are normally transferred at year end.*
 - *Register of Deeds – Non-budgeted MIS charges of \$32,122*
 - *Land Information – Non-budgeted MIS charges of \$6,938*
 - *Central Services – A number of unbudgeted projects occurred during the fourth quarter.*
 - *Sheriff – Of the total deficit, \$293,529 is attributed to the jail division. Total revenues were down by \$260,000 primarily due to budgeted prisoner boarding revenue from the US Marshall Service that did not happen as promised.*
 - *Fair Park – \$9,435 additional expense due to unbudgeted unemployment compensation. \$10,017 in non-budgeted MIS charges. The newly constructed building was \$12,825 over budget.*
 - *Zoning – As in prior years, revenue for construction permits continues to be down due to the economy. For 2010, permit revenue was \$44,733 under budget.*

• *Library System – The County Library Services Board held additional meetings to review operations and to begin updating its plan.*

Ms. Rogers moved that Resolution No. 2010-103 be adopted. Seconded and carried: Ayes 27, Noes 2 (Schroeder, Zentner), Absent 1 (Delany).

Ms. Rogers presented Resolution No. 2010-104.

WHEREAS, Jefferson County allocates the actual cost of MIS Department to all departments through multiple internal cost allocations, and

WHEREAS, it is not appropriate to allocate unspent “costs” to other departments for MIS services budgeted but not completed, and

WHEREAS, the MIS Department did not spend \$112,464.57 of its total allocated budget for 2010, and

WHEREAS, the County Board approved the non-lapsing request for the MIS Department in this same amount in a prior resolution on the evening of March 8, 2011, and

WHEREAS, the Finance Committee recommends the transfer of funds from the General Fund to the MIS Department budget so that these funds are available during 2011,

NOW, THEREFORE, BE IT RESOLVED that \$112,464.57 be transferred from the General Fund to the MIS Department for use in the 2011 budget.

Fiscal Note: Funds are contained within A/C 100.353250 (Committed MIS Fund transfer).

Ms. Rogers moved that Resolution No. 2010-104 be adopted. Seconded and carried.

Ms. Rogers presented Resolution No. 2010-105.

WHEREAS, the County adopted its investment policy in October 2007, and amended it in May 2009, and

WHEREAS, it has been determined that there are several areas where current wording in Jefferson County’s Investment Policy does not reflect actual practice, and

WHEREAS, collateralization is the act where a borrower (i.e. financial institution) pledges an asset as recourse to the lender (i.e. the County) in the event that the borrower defaults on the initial loan (i.e. amount deposited at the financial institution), and

WHEREAS, the County Treasurer has indicated that financial institutions would charge higher service fees, reduce interest rates, and/or require larger minimum balances in order to provide collateralization, and

WHEREAS, the County Treasurer has historically attempted to always keep the amount of cash on hand at our current financial institutions low so that funds are invested at other institutions in order to maximize investment returns, and

WHEREAS, the Finance Committee recommends the policy be amended to eliminate the collateralization policy in that the County does not currently need to incur additional costs of collateralization of deposits exceeding FDIC (Federal Deposit Insurance Corporation) insurance coverage and Wisconsin Statutes levels, and

WHEREAS, the Finance Committee further recommends that the policy be amended to allow for purchase of investments longer than 36 months to maturity when it is determined that such investments are deemed appropriate, and

WHEREAS, the Finance Committee further recommends that the policy be revised to reflect current FDIC insurance coverage limits, and

WHEREAS, the Finance Committee further recommends clarification of the language within the policy to limit each corporate entity to a maximum of 5% of the investment portfolio for commercial paper,

NOW, THEREFORE, BE IT RESOLVED that the County's Investment Policy approved by Resolution 2009-24 is hereby amended as recommended by the Finance Committee and shall be printed in the minutes in its amended form.

Fiscal Note: Premier Bank is the official financial institution for Jefferson County and is currently ranked 4 stars (out of 5) overall as of 9/30/10 by www.bankrate.com. With the current investment market, the cost of collateralization cannot be easily determined.

JEFFERSON COUNTY INVESTMENT POLICY

INTRODUCTION

The timely deposit and investment of public funds is an important and integral part of any cash management program. In order to maximize cash available for investments, all county departments shall remit funds at least weekly to the County Treasurer's Office.

Acceptance and approval of this statement is intended for the use and guidance of the designated official with investment authority.

This policy shall be periodically reviewed ~~annually~~ by the Finance Committee, and recommendations to amend the existing ordinance shall be presented to the County Board for its consideration.

STATEMENT OF PURPOSE

The purpose of this investment policy is to establish guidelines for investments which are broad enough to allow the investment officer to function properly within the parameters of responsibility and authority. It is also intended to be specific enough to establish a prudent set of basic procedures to assure that investment assets are adequately safeguarded. It assures that the fundamental principle concerning any investment program involving public moneys has four basic ingredients: legality, safety, liquidity & yield.

OVERALL RESPONSIBILITY FOR CASH MANAGEMENT AND INVESTMENT

Effective cash management involves controlling cash from the time it is received until it is disbursed. It requires the availability of accurate information on a timely basis. One person shall be delegated the day to day responsibility for the overall financial operation to determine cash availability and needs.

1) **AUTHORITY.** Pursuant to Section 59.62(1), Wis. Stats., County Board authority to invest and reinvest money of the County, to sell or exchange securities so purchased and to provide for the safekeeping of such securities is delegated to the County Treasurer, as the County's Investment Officer. In the absence or illness of the County Treasurer this authority shall be delegated to the Deputy Treasurer.

2) **INVESTMENT.** The County Treasurer may purchase securities that are permissible investments from money in his/her custody, which is not required for the immediate needs of the County, as he/she deems wise and expedient. The investment activity of Wisconsin public funds is governed by Section 66.0603(1m) and other sections of the Wisconsin Statutes as follows:

“A county, city, village, town, school district, drainage district, technical college district or other governing board other than a local professional football stadium district board created under subch. IV of ch. 229, may invest any of its funds . . .” in accordance with Section 66.0603(1m).

The Finance Committee shall consult quarterly with the County Treasurer regarding such investments. The Treasurer shall provide the Committee with a quarterly detailed list of all the investment portfolio holdings.

The County Treasurer shall communicate with financial institutions and/or investment advisors and avail himself/herself of other financial information on current or pending market conditions in making his/her decision on rates and maturities as well as the securities to be purchased. In making all investment decisions, the County Treasurer shall endeavor to obtain the highest rate of interest offered unless he/she deems such offer to be contrary to the overall investment objectives of the County.

3) **REDEMPTION.** The County Treasurer shall periodically redeem the securities in which County money has been invested pursuant to (2) so that the proceeds may be applied to the purpose for which the original purchase money was designated or placed in the County Treasury.

4) **DEPOSITS.** ~~The Citizens Bank and Premier Bank~~ Any federal or state chartered bank or credit union with offices located in the City of Jefferson, Jefferson County, Wisconsin, shall be the working financial institutions ~~banks~~ for Jefferson County. ~~The State of Wisconsin Local Government Investment Pool shall be the depository for a minimum of \$10M of the County general funds for effective cash management, liquidity and higher interest returns. This minimum balance shall not include other County funds such as Clerk of Courts investments, remaining estate proceeds or remaining bond proceeds.~~

5) **INVESTMENT ADVISORS.** The County Treasurer may utilize investment advisors/brokers as approved by the Finance Committee.

6) **SAFEKEEPING.** All securities shall be held in the name of the County and held in trust by either an independent broker/dealer or in an off-premises safety deposit box.

ACCOUNTS AND RECORDS

It shall be the responsibility of the designated Investment Officer in consultation with the Finance Committee to establish sufficient records and accounts to:

- detail each investment as to purchase date, cost, maturity date, yield and market value,
- provide any necessary internal controls,
- any other records that may be required to accurately reflect all investment transactions.

COLLATERALIZATION OF FUNDS

With the passage of Wisconsin Act 25, effective August 1, 1985, there is no longer the overall guarantee of public funds by the State. In effect, Act 25 abol-

ished the state deposit guarantee fund. It will continue to pledge general purpose revenues under Wis. Stats., 20.144(1)(a), for the payment of losses of public deposits until the balance of the appropriation is exhausted. However, no payment for a loss in excess of \$400,000.00 for any one public depositor in any individual public depository may be made above current FDIC (Federal Deposit Insurance Corporation) levels ~~FDIC insures deposits up to \$100,000.00, making a public depositor protected for a total of \$500,000.00~~ for deposits in any one institution.

Chapter 34.07 as amended provides that a surety bond or other security may be required of a given public depository for any public deposit that exceeds the \$400,000.00 amount guaranteed by the State. Jefferson County will not require this collateral for any deposit that exceeds the amounts \$500,000.00 guaranteed by the State and the F.D.I.C. The rationale for not requiring collateralization shall be to either maximize investment returns and/or reduce bank fees. The Finance Committee shall periodically review the need for collateralization.

Should the policy change regarding collateralization, Certificates of Deposits or other investments exceeding the amounts currently insured by the State and the FDIC \$500,000.00 shall be fully secured by obligations of the United States Government or its agencies. Such securities shall be delivered to the County or held by an independent third party chosen by the County. Substitution of collateral by the independent third party shall only be allowed with the written approval of the County's Investment Officer. The market value of the collateral shall at all times equal or exceed the principal amount of the certificate of deposit. Value of the collateral shall be monitored and market value shall near the bid or closing price of the security as quoted in the Wall Street Journal or other recognized pricing source. The investing officer shall be authorized to sign for agreements with the Custodial Bank or the receipt for any pledged securities.

Responsibility for the administration of the foregoing rests with the County Treasurer.

INVESTMENT RELATED RISKS

1. Custodial credit risk for deposits, when collateralization is required.
 - a. Definition: Risk that in the event of the failure of a depository financial institution, the County will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party.
 - b. Related Policy: For those institutions which the County holds deposits and investments:
 - i. Ensure that security interest in collateral pledged to secure deposits and investments are enforceable against the receiver of a failed financial institution via:
 1. Agreement is in writing,
 2. Agreement was approved by the board of directors of the depository or its loan committee, and
 3. Agreement has been continuously from the time of execution an official record of the depository institution.
 - ii. All pledged collateral shall be held at an independent third party institution, and evidenced by a written agreement in an effort to satisfy the Uniform Commercial Code (UCC) requirement for control.

2. Custodial credit risk
 - a. Definition: Risk that in the event of the failure of the counterparty to a transaction, the County will not be able to recover the value of investment or collateral securities that are in the possession of an outside party.
 - b. Related Policy: Accomplished through same policy as Custodial Credit Risk for Deposits as above.
3. Credit risk
 - a. Definition: Risk that an issuer or other counterpart of an investment will not fulfill its obligation to the County. [am 05-12-09, Res. 2009-24]
 - b. Related policy: Investments shall be as permitted by Wisconsin Statute §66.0603. [am 05-12-09, Res. 2009-24]
 - c. In the event a corporate security purchased under the authority of Wisconsin Statute categories as defined by a nationally recognized rating agency, the Investment Officer shall not purchase any additional securities issued by that corporation until such time as their rating returns to the highest or second highest rating. [am 05-12-09, Res. 2009-24]
4. Concentration of credit risk
 - a. Definition: Risk of loss attributed to the County investment in a single issuer.
 - b. Related Policy: The County Investment Officer shall diversify the investment portfolio within the allowed securities as needed with investment return, liquidity, and immediate cash flow needs kept in mind. The only limit related to concentration of securities with a single issuer shall be that no more than five percent (5%) of the investment portfolio shall be commercial paper from a single issuer.
5. Interest rate risk for investments
 - a. Definition: Risk that changes in interest rates will adversely affect the fair value of an investment.
 - b. Related Policy: The County shall not have investments with maturities longer than 36 months unless specifically recommended by the Investment Officer and approved by the Finance Committee.
 - c. In the event that the Finance Committee cannot meet before the Investment Officer recommends purchasing an investment with a maturity longer than 36 months, the Chair of the Finance Committee shall provide preliminary approval for the purchase. Should the Finance Committee Chair not be available, the County Board Chair shall provide the preliminary approval. Such preliminary approval shall be ratified by the Finance Committee at their next meeting.

REPORTS

The County Treasurer, as Investment Officer, shall provide the full County Board a monthly written report on the general condition of the County's cash and investments.

The Investment Advisor shall provide a twelve month (August 1 – July 31) report to the Finance Committee on the County's investment activity for the reporting period and recommendations for improvement to the County's investment strategy for the next reporting period. The report shall be presented at the regular Finance Committee meeting in August to aid in the subsequent year budget preparation.

Ms. Rogers moved for the adoption of Resolution No. 2010-105. Seconded and carried.

Mr. Braugler presented Ordinance No. 2010-29.

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

Section 1. Section HR0645, Holidays, of the Personnel Ordinance is amended to allow employees to bank holiday hours under certain circumstances:

HR0645 HOLIDAYS.

D. When an employee is required to work on a designated holiday or works extra hours during the week of a designated holiday ~~due to an emergency or for public safety~~, holiday hours which would be compensated in accordance with policy so as to exceed a total of 40 hours for the week may be banked for the employee's use at a mutually agreeable time. This section does not apply to exempt employees receiving random hours. (Am. Ord. 85-10, 7-9-85.; Ord. 2002-33, 3-11-03)

Section 2. Section HR0660, Retirement, of the Personnel Ordinance is amended to be adaptable to any changes in State regulations:

HR0660 RETIREMENT

A. The County shall participate in the Wisconsin Retirement System in accordance with state law. ~~pay the employee's contribution to the Wisconsin Retirement System up to a maximum of six and five tenths percent (6.5%) of the employee's gross pay.~~

Section 3. A. Section 1 of this ordinance shall be effective after passage and publication as provided by law.

B. Section 2 of this ordinance shall be effective after publication of any change in state law affecting payment of the employee contribution to the Wisconsin Retirement System.

Mr. Braugler moved that Ordinance No. 2010-29 be adopted. Seconded and carried.

Mr. Mode read Resolution No. 2010-106.

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Jefferson County, and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect, and

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe and nurturing childhood, and

WHEREAS, Jefferson County has many dedicated individuals and organizations who work daily to counter the problem of child maltreatment and to help parents obtain the assistance they need, and

WHEREAS, our communities are stronger when all citizens become aware of child maltreatment prevention and become involved in supporting parents to raise their children in a safe and nurturing environment, and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community, and

WHEREAS, the Human Services Board, at its February 8, 2011, meeting, unanimously approved a motion recommending the County Board of Supervisors adopt this resolution,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby proclaims the month of April 2011 to be Child Abuse and Neglect Prevention Month.

Fiscal Note: Adoption of this resolution will not have any fiscal impact to the County, other than the expenditure of staff time. Promotion materials will be funded by outside private donations.

Mr. Mode moved that Resolution No. 2010-106 be adopted. Seconded and carried.

Mr. Jones read Resolution No. 2010-107.

WHEREAS, the first European settlers came to Jefferson County in the 1830's to find well established Indian settlements, and

WHEREAS, Jefferson County was established by the Territorial Legislature in February of 1839, and

WHEREAS, Jefferson County has a rich history of Indian settlements, including Aztalan and Carcajou, and numerous Indian mounds, and

WHEREAS, Jefferson County was the home of W.D. Hoard, the "Father of American Dairying", who changed the face of agriculture in Wisconsin, and

WHEREAS, Jefferson County has a long history of proud service to its country by its men and women dating back prior to the Civil War until present day, and

WHEREAS, 2011 is the 175th anniversary of the creation of Jefferson County, and

WHEREAS, the Jefferson County Historic Sites Preservation Commission will host a History Conference on April 15, 2011, at the Hoard Museum, and local historic societies and preservation commissions will conduct open houses and tours on April 16, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board that April 15 and 16, 2011, be declared Jefferson County History Days, and that all our citizens celebrate the long and illustrious history of Jefferson County.

Fiscal Note: No fiscal impact.

Mr. Jones moved that Resolution No. 2010-107 be adopted. Seconded and carried.

Mr. Babcock read Resolution No. 2010-108.

WHEREAS, the Jefferson County Sheriff's Office has need for the availability of a firing range for training purposes, and

WHEREAS, the Lake Mills Conservation Club has entered into discussion with the Sheriff Office staff concerning potential conveyance of its 57 acre prop-

erty located at W7082 County Trunk Highway V, Lake Mills, Wisconsin, and

WHEREAS, the Lake Mills Conservation Club property is ideal in that it is already a properly developed shooting range utilizing various desirable safety technologies, and

WHEREAS, the parties have discussed general terms of the agreement, including a sale price of \$150,000, with the building to be re-roofed as well as have some doors and windows replaced, and

WHEREAS, the Club is generally amenable to those terms, pending the parties' final determination of the roofing cost and procedure to be followed, and

WHEREAS, the Law Enforcement Committee recommends purchasing this property because it will save substantial labor costs over time just in travel to and from the range each year for all of the deputies to qualify with firearms,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Sheriff is authorized to enter into a lease/purchase agreement with Lake Mills Conservation Club, Inc. for the 57 acre property located at W7082 County Trunk Highway V, Lake Mills, Wisconsin, at the price of \$150,000 which price shall include a new roof, five windows and two doors as well as use of the property for certain periods prior to closing in October 2011.

BE IT FURTHER RESOLVED that the Law Enforcement Committee is authorized to approve the final contract details including the foregoing terms of agreement.

Fiscal Note: \$150,000 has been allocated in the 2011 budget for this purpose. No additional funds should be required.

Mr. Babcock moved that Resolution No. 2010-108 be adopted. Seconded and carried: Ayes 25, Noes 4 (Rinard, Roou, Poulson, Zentner), Absent 1 (Delany).

Mr. Babcock read Resolution No. 2010-109.

WHEREAS, the Jefferson County Office of Emergency Management has requested to participate in a Pilot Program called the Wisconsin Emergency Volunteer Management Project, and

WHEREAS, this project provides education, planning and resources in emergency volunteer management for county use, and

WHEREAS, there are three elements included in the project:

Knowing and understanding the use of a registry of volunteers' interests, skills and geographical availability for emergency response activation such as "WE Volunteer";

Providing a training curriculum for county organizations to learn about emergency volunteer management, identify a volunteer manager and work together to utilize volunteers effectively in emergency response;

Creating checklists, plans, guidelines, and forms for resources that will augment the emergency support functions, ESF#6 (Mass Care, Emergency Assistance, Housing, and Human Services) and ESF #14 (Long-Term Community Recovery and Mitigation), the curriculum for the FEMA course Developing and Managing Volunteers, Wisconsin law, and standard volunteer

management practices, and

WHEREAS, the first step for Jefferson County has been to create three surveys that will be distributed to municipalities, departments, and non-profit organizations to provide a baseline of information on sheltering, equipment and supplies, and volunteers, and

WHEREAS, this resolution does not authorize application for funding, an appropriation, or any new expenditure of funds by Jefferson County, but rather expresses the intent of Jefferson County to endorse and encourage the need to gather planning information from within Jefferson County, and

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Supervisors that Jefferson County supports efforts of the Jefferson County Office of Emergency Management to gather planning information from within Jefferson County through the use of surveys.

BE IT FURTHER RESOLVED that the county's Emergency Management Director and the Emergency Management Program Assistant are authorized to participate in the above-stated efforts.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors strongly supports the gathering of planning information from within Jefferson County as management of emergency situations is handled by local officials, who are most accountable to county residents and familiar with the needs of residents.

Fiscal Note: No Jefferson County funds will be expended in the effort to gather planning information from within Jefferson County.

Mr. Babcock moved that Resolution No. 2010-109 be adopted. Seconded and carried.

Mr. Babcock presented Resolution No. 2010-110.

WHEREAS, the Federal Emergency Management Agency (FEMA) has made more than \$830 million available to 64 high-risk urban areas through the Urban Area Security Initiative (UASI) across the nation to expand regional collaboration under the National Preparedness Guidelines, which funds are intended to assist participating jurisdictions in developing integrated regional systems for prevention, protection, response and recovery when incidents occur of such a magnitude that regional cooperation and interdisciplinary expertise are necessary to address population health and safety, and to martial critical resources, and

WHEREAS, Jefferson County is not formally part of the UASI in the Wisconsin Emergency Management SE Region comprised of Ozaukee, Washington, Milwaukee, Racine, and Waukesha but by virtue of association, Jefferson, Kenosha, and Walworth are included in many activities provided through the UASI funding, and

WHEREAS, one of the goals of the Jefferson County Office of Emergency Management is to develop systems of coordination and cooperation among communities within the Southeast Wisconsin Emergency Management Region to plan for responding to natural or man-made emergencies when the resources of local municipal or county jurisdictions may not be sufficient to adequately protect the lives, health and safety of residents or to adequately protect and preserve

buildings, infrastructure and other properties and assets, and

WHEREAS, in a time of emergency, Jefferson County could be assisted by a standing Incident Management Team (IMT) of trained personnel from different department, organizations, agencies and jurisdictions within the Southeast Wisconsin Emergency Management Region that could rapidly respond to and manage major or complex incidents as provided in state laws, policies and regulations, and

WHEREAS, it is anticipated that the Southeast Wisconsin Incident Management Team (SE-IMT), once developed, will utilize the Mutual Aid Box Alarm System (MABAS) authorized under Wisconsin Statutes section 323.13 and maintained in the region by Jefferson County, and

WHEREAS, it is further anticipated that the future formation of an SE-IMT will provide indemnities for participating jurisdictions, agencies and organizations that will further provide that personnel such as fire, LE, health and other incident responders will be eligible for workers' compensation, if needed, from their own employers if acting in the scope of their employment or would be treated as volunteers participating under the requesting county's workers' compensation program and liability coverage, and

WHEREAS, this resolution does not authorize application for funding, an appropriation, or any new expenditure of funds by Jefferson County, but rather expresses the intent of Jefferson County to encourage the formation of an SE-IMT, and

WHEREAS, Jefferson County assumes no liability in joining in an agreement with Southeastern Wisconsin jurisdictions, agencies and organizations, and its participation may be terminated at any time upon a letter of notice to the SE-IMT governing board.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Supervisors that Jefferson County supports efforts to form a Southeast Wisconsin Incident Management Team and encourages participation of appropriate staff in planning and developing the SE-IMT within the constraints of existing resources and previously appropriated funds.

BE IT FURTHER RESOLVED that the County's Emergency Management Director be authorized to participate in the above-stated efforts.

BE IT FURTHER RESOLVED that the Jefferson County Emergency Management Director is authorized to enter into a Letter of Intent to support development of the Incident Management Team.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors strongly supports management of its emergency situations by local officials, as they are most accountable to and familiar with the needs of local residents, and that county participation in any regional team should reflect this policy.

Fiscal Note: No Jefferson County funds will be expended in the effort to organize the Incident Management Team unless specifically authorized by the Jefferson County Board of Supervisors.

Mr. Babcock moved that Resolution No. 2010-110 be adopted. Seconded and carried.

Mr. Borland presented Resolution No. 2010-30.

WHEREAS, the Parks Committee has received and reviewed requests for alternate uses of county park property, and

WHEREAS, certain multiple uses of parks can be advantageous and permitted if allowed in accordance with well established rules, and

WHEREAS, geocaching is a hobby involving locating a hidden item in open country, and

WHEREAS, hunting and trapping are uses that may be allowed on certain park properties if properly regulated,

NOW, THEREFORE, the Parks Committee recommends the following amendments to the Parks Ordinance:

Section 1. Section 8.06 shall be amended as follows:

SECTION 8.06. HUNTING, TRAPPING, FIREARMS, FIREWORKS, FIRES AND RUBBISH. (1) No person, other than a law enforcement officer, shall carry, fire or discharge any gun, pistol or firearm within any park or from any recreation trail without a written Parks Department permit therefore in his or her possession. The word "gun" shall include pellet gun and air gun. No person shall carry or discharge a bow and arrow within any park or from any recreation trail without a written Parks Department permit therefore in his or her possession. No person shall discharge any fireworks of any description in a park without a written permit authorized by ~~of~~ the Parks Committee and any other authority required by law. The Parks Committee may establish conditions for issuance of the permit, including reasonable security for costs which may result due to such use.

(2) No person shall make or maintain a fire for any purpose except in places provided or in portable metal grills.

(3) No person shall deposit cans, bottles, food, garbage or other discarded material except in waste containers provided.

(4) No person shall deposit in park waste containers trash not related to park use.

~~(5) Unless authorized in writing by the Parks Director to remove nuisance animals, no person may hunt or trap on land in a county park, nor shall any person tend traps adjacent to a county park from county park land. The Parks Committee is authorized to adopt rules regulating hunting and trapping on park property. Such rules shall require the issuance of written permits for persons authorized and may assess an appropriate fee for the permit. Violation of any rule or permit condition shall constitute a violation of this ordinance and be subject to the penalties set forth herein. [Amended 06/08/04, Ordinance No. 2004-11]~~

Section 2. Create Section 8.075 Geocaching.

SECTION 8.075 GEOCACHING. (1) No person shall place a geocache on Jefferson County parks property without a written permit therefore in compliance with all rules established by the Parks Committee.

(2) The Parks Committee is authorized to establish rules and may charge a \$25 permit fee for geocaching on parks property. Violation of any rule or permit con-

dition shall constitute a violation of this ordinance and be subject to penalties set forth herein.

Section 3. This ordinance shall be effective after passage and publication as provided by law.

Fiscal Note: It is anticipated in the first year after establishment of permit fees herein that \$400 to \$800 of revenue may be realized.

Mr. Borland moved that Ordinance No. 2010-30 be adopted. Second.

Mr. Torres moved to remove Section 2 on geocaching from Ordinance No. 2010-30. Seconded and failed: Ayes 12, Noes 17 (David, Tietz, Kuhlman, Rinard, Zastrow, Reese, Morse, Rogers, Nass, Molinaro, Hanneman, Schroeder, Rouou, Christensen, Borland, Schultz, Babcock), Absent 1 (Delany).

Ordinance No. 2010-30 adopted: Ayes 21, Noes 8 (Imrie, Braughler, Morris, Morse, Poulson, Jaeckel, Torres, Zentner), Absent 1 (Delany).

Mr. Borland read Resolution No. 2010-111.

WHEREAS, Jefferson County purchased 123 acres on the north end of Rose Lake known as the Kemmeter property, and

WHEREAS, 80.4 of said acres are farm land that has been leased for a number of years to David Stelse, and

WHEREAS, David Stelse has numerous pieces of equipment on the property he was unable to remove over the winter after closing of the sale on January 31, 2011, and

WHEREAS, Stelse desires to lease the property and is willing to pay \$200 per acre for said purpose,

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to execute a lease with DAVID Stelse for the 2011 crop year, subject to conditions that all of Stelse's property be removed from the premises prior to the end of the lease, and that hunting and snowmobiling, or other nonagricultural uses of the property be in accordance with the lease as established by Jefferson County.

Fiscal Note: This lease will generate \$16,080 of revenue. The revenue from rentals are expected to be held in a separate account and accumulated for the purpose of development of the property for park purposes in the future. It is expected that the tillable acreage will be let for bids for the 2012 crop year, and thereafter.

Mr. Borland moved that Resolution No. 2010-111 be adopted. Seconded and carried: Ayes 26, Noes 3 (Jaeckel, Torres, Zentner), Absent 1 (Delany).

Mr. Borland presented Resolution No. 2010-112.

WHEREAS, in December 2003, Theo Garman donated 40 acres of forested high ground in Waterloo to Jefferson County which has been named the Dr. J. S. Garman Nature Preserve, and

WHEREAS, she has previously donated \$45,000 for development of trails, benches and parking lot in the Preserve, and

WHEREAS, Theo Garman has now offered a gift of \$10,000 to the Parks

Department for use at the Garman Nature Preserve, and

WHEREAS, the Parks Committee recommends accepting the gift and thanking her for her magnanimous gesture,

NOW, THEREFORE, BE IT RESOLVED that the County accepts Theo Garman's gift of \$10,000 for use at the Garman Nature Preserve and the Jefferson County Board of Supervisors expresses its gratitude to her for this gift.

Fiscal Note: Acceptance of the gift generates \$10,000 of unbudgeted revenue for use by the Parks Department at the Garman Nature Preserve. Authorizing use of the donated funds in 2011 is a budget amendment requiring 20 affirmative votes.

Mr. Borland moved that Resolution No. 2010-112 be adopted. Seconded and carried: Ayes 29, Noes 0, Absent 1 (Delany).

Mr. Borland presented Resolution No. 2010-113.

WHEREAS, the Glacial River Trail is an approximately 6.5 mile multi-modal trail located on a former railroad bed along WIS 26 southwest of Fort Atkinson. The trailhead is at Farmco Lane and the trail travels south to the Rock County line. A connecting City of Fort Atkinson trail meets with the Glacial River Trail at Farmco Lane, and

WHEREAS, bikers, joggers, walkers, dog walkers, and in-line skaters make heavy use of the trail as it passes farmsteads, prairie flowers, wetlands, woodlands, over streams, and through an award winning covered bridge, and

WHEREAS, the Jefferson County Parks Department recently resurfaced and widened the trail to ten feet between Farmco Lane and Groeler Road. About one half of the trail is paved and parking is provided at Farmco Lane and County Line Road, and

WHEREAS, the aforementioned activities, features and attributes qualify the Glacial River Trail for protection under Section 4(f) of the Department of Transportation Act, and

WHEREAS, there are no federal encumbrances on the Glacial River Trail, and

WHEREAS, the Wisconsin Department of Transportation and the Federal Highway Administration are preparing an Environmental Impact Statement under the National Environmental Policy Act for the proposed US 12 bypass of Fort Atkinson, and

WHEREAS, the Wisconsin Department of Transportation, in its design of the US 12 bypass of Fort Atkinson, has proposed to realign the Glacial River Trail in the vicinity of the redesigned WIS 26 interchange southwest of the City of Fort Atkinson as presented or substantially similar to the alignment presented in Exhibit A, and

WHEREAS, the Wisconsin Department of Transportation proposes to fund construction of realignments and make no changes to trail maintenance responsibilities, and

WHEREAS, the Wisconsin Department of Transportation has agreed to continue coordinating with the Jefferson County Parks Department on the design and implementation of the project to minimize interruptions to trail use during construction, and

WHEREAS, the Federal Highway Administration will be asked to make a de minimus finding under Section 4(f) of the Department of Transportation Act and needs Jefferson County's written concurrence that the project does not adversely affect the activities, features, and attributes listed herein that qualify the property for protection under Section 4(f) in making that finding, and

WHEREAS, the public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource at the Parks Committee regularly scheduled meeting held on September 7, 2010,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Parks Committee agrees with the Wisconsin Department of Transportation's assessment of the US Highway 12 proposal's effect on the trail and the effectiveness of their efforts to minimize harm.

BE IT FURTHER RESOLVED that realigning the trail does not adversely affect the activities, features, and attributes that characterize this Section 4(f) resource.

Fiscal Note: No fiscal impact.

Mr. Borland moved that Resolution No. 2010-113 be adopted. Seconded and carried.

Mr. Mode read Resolution No. 2010-114.

WHEREAS, Jefferson County's Emergency Management Ordinance provides "In the event an emergency occurs within Jefferson County at a time when the County Board is unable to meet for the purpose of making such a declaration . . ., the following persons may declare state of emergency: (a) County Board Chair . . .", and

WHEREAS, the Emergency Management Ordinance and section 323(4)(b), Statutes, indicates that if the emergency declaration is made by the County Board Chair, the Board shall ratify or repeal such declaration as soon as the body can meet, and

WHEREAS, County Board Chair Molinaro issued an emergency declaration on February 1, 2011, relating to the extreme blizzard conditions present on that date, which declaration was rescinded as of February 3, 2011, and

WHEREAS, such emergency declaration may make Jefferson County eligible for emergency funds as a result of the State's declaration of emergency during the same period,

NOW, THEREFORE, BE IT RESOLVED the County Board ratifies the emergency declaration issued by County Board Chair Molinaro on February 1, 2011, and rescinded on February 3, 2011.

Fiscal Note: None known at this time.

Mr. Mode moved that Resolution No. 2010-114 be adopted. Seconded and carried.

County Administrator Gary Petre presented the following appointments:
TO THE JEFFERSON COUNTY BOARD OF SUPERVISORS:
MEMBERS OF THE BOARD:

By virtue of the authority vested in me by Ordinance 2007-48, I do hereby reappoint and request your confirmation of the following individuals as members of the designated Commission:

Historic Site Preservation Commission:

- a. Jesse Powers, Fort Atkinson, Wisconsin, for a three-year term ending April 1, 2014.
- b. Robert Birmingham, Madison, Wisconsin, to fill a three-year term ending April 1, 2014.

Mr. Buchanan moved for confirmation of the appointments. Seconded and carried.

Supplemental information presented at the March 8, 2011, Jefferson County Board meeting will be available at the County Clerk's office upon request.

There being no further business, Mr. Buchanan moved that the Board adjourn. Seconded and carried at 9:28 p.m.