

**JEFFERSON COUNTY BOARD MINUTES  
TUESDAY, FEBRUARY 14, 2012, 7:00 P.M.**

Mr. John Molinaro presiding.

Mr. Mode led the Pledge of Allegiance.

A moment of silence was observed.

County Clerk Barbara A. Frank called the roll. Supervisors Burow, Schroeder and Borland gave prior notice of their 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.....	Vacant
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.

Agenda was accepted as printed.

The December 13, 2011, Jefferson County Board minutes were corrected and approved for publication by the Administration & Rules Committee on January 25, 2012, pursuant to Board of Supervisors' Rules of Order sec. 3.05(2)(a).

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

Available Cash on Hand		
November 1, 2011	\$	(58,451.86)
November Receipts		<u>5,212,933.91</u>
Total Cash		\$ 5,154,482.05
Disbursements		
General – November 2011	\$3,273,448.03	
Payroll – November 2011	<u>1,181,344.22</u>	
Total Disbursements		<u>4,454,792.25</u>
Total Available Cash		\$ 699,689.80
Cash on Hand (in banks) December 1, 2011	\$1,125,507.92	
Less Outstanding Checks	<u>425,818.12</u>	
Total Available Cash		\$ 699,689.80
AIM Government & Agency Portfolio		\$ 3,991,064.51
Local Government Investment Pool - General		10,226,417.94

Institutional Capital Management	15,760,364.32
Local Government Investment Pool - Clerk of Courts	25,855.17
Local Government Investment Pool – Farmland Preservation	252,016.21
Local Government Investment Pool - Parks/Liddle	<u>112,180.83</u>
	\$ 30,367,898.98
2011 Interest - Super N.O.W. Account	\$ 2,742.49
2011 Interest - L.G.I.P. - General Funds	21,149.43
2011 Interest - ICM	188,545.53
2011 Interest - AIM	401.77
2011 Interest - L.G.I.P. - Parks/Carol Liddle Fund	168.01
2011 Interest - L.G.I.P. - Farmland Preservation	318.72
2011 Interest - L.G.I.P. - Clerk of Courts	<u>147.73</u>
Total 2011 Interest	\$ 213,473.68

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY, WISCONSIN  
JANUARY 1, 2012**

Available Cash on Hand		
December 1, 2011	\$ 699,689.80	
December Receipts	<u>5,543,523.10</u>	
Total Cash		\$ 6,243,212.90
Disbursements		
General – December 2011	\$4,114,237.34	
Payroll – December 2011	<u>1,983,946.72</u>	
Total Disbursements		<u>6,098,184.06</u>
Total Available Cash		\$ 145,028.84
Cash on Hand (in banks) January 1, 2012	\$ 872,072.87	
Less Outstanding Checks	<u>727,044.03</u>	
Total Available Cash		\$ 145,028.84
AIM Government & Agency Portfolio	\$ 3,991,178.02	
Local Government Investment Pool - General	8,264,032.35	
Institutional Capital Management	15,778,234.96	
Local Government Investment Pool – Clerk of Courts	25,858.23	
Local Government Investment Pool – Farmland Preservation	252,046.07	
Local Government Investment Pool – Parks/Liddle	<u>112,194.12</u>	
		\$ 28,423,543.75
2011 Interest - Super N.O.W. Acct.	\$ 2,886.05	
2011 Interest - L.G.I.P. - General Funds	22,201.48	
2011 Interest - ICM	188,922.79	
2011 Interest - AIM	515.28	
2011 Interest - L.G.I.P. - Parks/Carol Liddle Fund	181.30	
2011 Interest – L.G.I.P. - Farmland Preservation	348.58	
2011 Interest - L.G.I.P. - Clerk of Courts	<u>150.79</u>	
Total 2011 Interest		\$ 215,206.27

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY, WISCONSIN  
FEBRUARY 1, 2012**

Available Cash on Hand

January 1, 2012	\$ 145,028.84	
January Receipts	<u>13,570,878.58</u>	
Total Cash		\$13,715,907.42
Disbursements		
General - January 2012	\$11,788,446.59	
Payroll - January 2012	<u>1,163,442.15</u>	
Total Disbursements		<u>12,951,888.74</u>
Total Available Cash		\$ 764,018.68
Cash on Hand (in banks) February 1, 2012	\$ 1,082,612.40	
Less Outstanding Checks	<u>318,593.72</u>	
Total Available Cash		\$ 764,018.68
AIM Government & Agency Portfolio		\$ 3,991,212.47
Local Government Investment Pool - General		17,655,470.91
Institutional Capital Management		15,878,577.40
Local Government Investment Pool – Clerk of Courts		25,861.15
Local Government Investment Pool – Farmland Preservation		252,074.51
Local Government Investment Pool – Parks/Liddle		<u>112,206.78</u>
		\$37,915,403.22
2012 Interest - Super N.O.W. Acct.		\$ 321.55
2012 Interest - L.G.I.P. - General Funds		1,363.49
2012 Interest - ICM		25,591.25
2012 Interest - AIM		68.24
2012 Interest - L.G.I.P. - Parks/Carol Liddle Fund		12.66
2012 Interest – L.G.I.P. - Farmland Preservation		28.44
2012 Interest - L.G.I.P. - Clerk of Courts		<u>2.92</u>
Total 2012 Interest		\$ 27,388.55

JOHN E. JENSEN  
JEFFERSON COUNTY TREASURER

Retirement recognitions were postponed to a later date.

**The following communications were received:**

1. Letter dated February 6, 2012, from Supervisor Mike Burow regarding Resolution 2011-40 and requested study on Highway Shop facilities.
2. Letter dated January 17, 2012, from County Board Chair John Molinaro appointing Dennis Heling, Economic Development Director, to represent Jefferson County as a member of the TIF Joint Review Board for the City of Jefferson Tax Incremental District No. 7.
3. E-mail dated December 22, 2011, from Rosemary, Iver and Rebecca Knuth thanking the County for prohibiting firearms in county-owned buildings.
4. E-mail dated December 21, 2011, from Diane H. Fabian thanking the County for prohibiting firearms in county-owned buildings.
5. Letter dated December 8, 2011, from the Watertown Public Library Board of Trustees expressing their gratitude for the continued support that Jefferson County provides to the library.
6. A Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on February 16, 2012, at 7:00 p.m., in Room 205 of the

Jefferson County Courthouse.

The communications and notice were received and placed on file.

**The floor was open for public comment.** Speaking on the Highway Department facility project were Marvin Munyon, Watertown; Beth Gehred, Fort Atkinson; and Buck Smith, Johnson Creek. Ann Jenswold, Barry Block, and James Garity of the Jefferson County Highway Department; Edward Sadlowski, Janesville, staff representative for Wisconsin Council 40; and Ted Lewis, Madison, addressed the Board on “at-will/just cause” provisions in the proposed amended Personnel Ordinance. John Kannard, Helenville, spoke on the Highway Department facility project and the Land Use Plan.

**Health Department Director Gail Scott representing the Rock River Free Clinic, Clinic Coordinator Barb Morrison Gudgeon for the Community Dental Clinic, Jefferson County Literacy Council Executive Director Jill Ottow, 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 December 15, 2011, and January 19, 2012, 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 3555A-11, R3562A-12 AND R3563A-12**

Also, the Planning and Zoning Committee is forwarding an ordinance and resolution recommending adoption of the Jefferson County Agricultural Preservation and Land Use Plan and Land Use Map and their incorporation into the Jefferson County Comprehensive Plan. The update to this plan and map is being proposed to comply with the State’s Farmland Preservation Program, Chapter 91, Wisconsin Statutes. In program year 2011 Jefferson County had 791 landowners receiving tax credit of \$779,912. To date, the Zoning Department has received support of twelve towns for adoption of the plan.

Further action at the March County Board meeting will include a proposed zoning ordinance text amendment and zoning map amendment to complete this process and keep county landowners eligible for the Farmland Preservation Program.

DATED THIS THIRTIETH DAY OF JANUARY 2012

Donald Reese, Secretary

THE DECEMBER AMENDMENTS 3548A-11, 3549A-11, 3550A-11,  
3551A-11, 3552A-11, 3553A-11, 3554A-11, 3555A-11, 3556A-11 AND  
3557A-11 ARE EFFECTIVE UPON PASSAGE BY COUNTY BOARD,  
SUBJECT TO WISCONSIN STATS. 59.69(5).

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

**Mr. Nass presented Ordinance No. 2011-22.**

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

WHEREAS, Petition 3555A-11 was referred to the Jefferson County Planning and Zoning Committee for public hearing on December 15, 2011, and Petitions R3562A-12 and R3563A-12 were referred for public hearing on January 19, 2012, and

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

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the zoning ordinance of Jefferson County (and official zoning maps) as follows:

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

Rezone approximately 1.65 acres of PIN 006-0716-2733-000 (47.448 acres) near W1281 Sunnyside Drive in the Town of Concord. This approval is conditioned upon road access approval, upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems, and upon receipt and recording of a final certified survey map including extraterritorial plat review if necessary. The 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. (3555A-11 – W & K Ingersoll Trust)

Create two, 1.5-acre lots near N5560 Coffee Road in the Town of Farmington from part of PIN 008-0715-2723-000 (33.12 acres). This utilizes the last available A-3 zones for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval for each lot, for receipt of a soil test for each lot showing sites for installation of both initial and replacement private sewage systems, and for receipt and recording of a final certified survey map for the property. The 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. (R3562A-12 – William George Pendleton)

Rezone to create two, 1.14-acre building sites on STH 134 in the Town of Lake Mills from part of PINs 018-0713-3123-000 (13.2 acres) and 018-0713-3124-000 (49.82 acres). This uses the last available A-3 zones for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval for each lot, for receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems and for approval and recording of a final certified survey map for the property including extraterritorial plat review if necessary. The 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. (R3563A-12 – Micheal & Pamela Ziarnik)

**Mr. Nass moved that Ordinance No. 2011-22 be adopted.** Seconded and carried.

Mr. Nass made reference to a letter dated September 27, 2011, from the State of Wisconsin Department of Agriculture, Trade and Consumer Protection on the certification of the Jefferson County Farmland Preservation Plan which was provided to the Board.

**Mr. Nass presented Ordinance No. 2011-23.**

WHEREAS, the Planning and Zoning Committee adopted a Public Participation Plan (Resolution No. 2010-01) on April 20, 2010, to guide the process of updating and adopting the Jefferson County Agricultural Preservation and Land Use Plan and Land Use map according to Chapter 91 Wisconsin Statutes, and

WHEREAS, Chapter 91 Wisconsin Statutes also requires the Agricultural Preservation and Land Use Plan to be incorporated into the Jefferson County Comprehensive Plan, and

WHEREAS, DATCP, in its certification of the Jefferson County Agricultural Preservation and Land Use Plan letter dated September 27, 2011, states that the certification is contingent upon the county adopting the Agricultural Preservation and Land Use Plan (text and maps dated September 12, 2011), in the form certified before June 30, 2012, and

WHEREAS, a duly noticed public hearing on the proposed Agricultural Preservation and Land Use Plan and Land Use Map was held on December 15, 2011, and

WHEREAS, the Planning and Zoning Committee recommends adoption of the Agricultural Preservation and Land Use Plan and incorporation of that plan and updated Land Use Map into the Jefferson County Comprehensive Plan,

NOW, THEREFORE, BE IT ORDAINED that pursuant to Wisconsin Statutes §91 and Wisconsin Statutes §66.1001 the Jefferson County Agricultural Preservation and Land Use Plan and Updated Land Use Map dated September 12, 2011, is adopted and incorporated into the Jefferson County Comprehensive Plan.

*Fiscal Note: No direct fiscal impact. Jefferson County landowners will continue to be able to apply for the farmland preservation tax credit if eligible. In program year 2011 Jefferson County had 791 landowners receiving tax credit of \$779,912.*

**Mr. Nass moved that Ordinance No. 2011-23 be adopted.** Seconded and carried: Ayes 25, Noes 1 (Peterson), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Nass presented Resolution No. 2011-75.**

WHEREAS, adopting the Jefferson County Agricultural Preservation and Land Use Plan and Land Use Map, and incorporating the plan and map into the County's development plan, also known as the County Comprehensive Plan, satisfies the requirements listed in Wisconsin Statutes § 59.69 (3), and

WHEREAS, DATCP, in its certification of the Jefferson County Farmland Preservation Plan letter dated September 27, 2011, states that the certification is contingent upon the County adopting the Agricultural Preservation and Land Use Plan (text and maps, dated September 12, 2011), in the form certified before June 30, 2012, and

WHEREAS, Jefferson County will send DATCP a letter confirming the County Board adoption of said plan and maps, and

WHEREAS, the certification will be effective on the date Jefferson County adopts the Agricultural Preservation and Land Use Plan and Land Use Map, and

WHEREAS, the Jefferson County Zoning Committee duly noticed a Public Hearing December 15, 2011, on the proposed Agricultural Preservation and Land Use Plan and Land Use Map, and

WHEREAS, the Zoning Committee has also recommended and forwarded an ordinance to County Board for adoption of the Agricultural Preservation and Land Use Plan and Land Use Map dated September 12, 2011, and incorporation into the Jefferson County Comprehensive Plan, and

WHEREAS, the Zoning Committee recommends incorporation of the September 12, 2011, Agricultural Preservation and Land Use Plan and Land Use Map into the County Development Plan,

NOW, THEREFORE, BE IT RESOLVED that the September 12, 2011, Jefferson County Agricultural Preservation and Land Use Plan and Land Use Map shall be incorporated into the development plan according to Wisconsin Statutes § 59.69.

*Fiscal Note: No direct fiscal impact. Jefferson County landowners will continue to be able to apply for the farmland preservation tax credit if eligible. In program year 2011 Jefferson County had 791 landowners receiving tax credit of \$779,912.*

**Mr. Nass moved that Resolution No. 2011-75 be adopted.** Seconded and carried.

**Mr. Mode presented Ordinance No. 2011-24.**

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 by the underlined and strikethrough sections below:

**CHAPTER III  
BOARD OF SUPERVISORS  
RULES OF ORDER – 2012-2014**

**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 unless special elections occur on County Board meeting dates, in which case the Board meeting will be held on the Monday preceding the election. [Am. 08/08/06, Ord. 2006-13; 03/11/08, Ord. 2007-34]:

Tuesday, ~~April 20, 2010~~ April 17, 2012

Tuesday, ~~May 11, 2010~~ May 8, 2012

Tuesday, ~~June 8, 2010~~ June 12, 2012

Tuesday, ~~July 13, 2010~~ July 10, 2012

Tuesday, February 14, 2012

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~~Monday, August 10, 2010~~ August 13, 2012

~~Monday, September 13, 2010~~ Tuesday, September 11, 2012

~~Tuesday, October 12, 2010~~ October 9, 2012

~~Tuesday, October 26, 2010~~ October 23, 2012 (Board Meeting & Budget Public Hearing)

\*~~Tuesday, November 9, 2010~~ November 13, 2012

~~Tuesday, December 14, 2010~~ December 11, 2012

~~Tuesday, February 8, 2011~~ February 12, 2013

~~Tuesday, March 8, 2011~~ March 12, 2013

~~Tuesday, April 19, 2011~~ April 16, 2013

~~Tuesday, May 10, 2011~~ May 14, 2013

~~Tuesday, June 14, 2011~~ June 11, 2013

~~Tuesday, July 12, 2011~~ July 9, 2013

~~Tuesday, August 9, 2011~~ August 13, 2013

~~Tuesday, September 13, 2011~~ September 10, 2013

~~Tuesday, October 11, 2011~~ October 8, 2013

~~Tuesday, October 25, 2011~~ October 22, 2013 (Board Meeting & Budget Public Hearing)

\*~~Tuesday, November 15, 2011~~ November 12, 2013

~~Tuesday, December 13, 2011~~ December 10, 2013

~~Tuesday, February 14, 2012~~ February 11, 2014

~~Tuesday, March 13, 2012~~ March 11, 2014

~~Tuesday, April 17, 2012~~ April 15, 2014

\*Annual Meeting (Required by Statute) [Am. 03/09/10, Ord. 2009-24]

(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 unless that Tuesday is an election day, in which case the meeting shall be held on the Monday preceding the election. [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. [Cr. 10/14/08, Ord. 2008-21]

(2) Board meetings shall commence at 7:00 p.m. unless by majority vote the Board prescribes a different time for convening. [Am. 02/10/04, Ord. 2003-34; 02/14/06, Ord. 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. [Am. 3/12/02, Ord. 2001-29; 02/14/06, Ord. 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. [am. 03/09/10, Ord. 2009-24]
- (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)(k) Announcements.~~

[Am. 02/14/06, Ord. 2005-47]

(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 not exceed 3 minutes and may be shortened at the discretion of the Chair, with all public comment confined to a maximum of 30 minutes. [Amended by renumbering in Ord. 2005-47, 02/14/06; am. 04/19/11, Ord. 2011-03]

**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. [Am. 03/12/02, Ord. 2001-29; 06/13/06, Ord. 2006-08; 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 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. [am. 03/09/10, Ord. 2009-24]

(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. [Am. 06/10/03, Ord. 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. Signed 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. Unsigned communications shall be referred to the Administration & Rules Committee. Communications may be referred by the Board, the Chair or the Administration & Rules Committee 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 may acknowledge receipt of communications by return mail. [am. 5/11/10, Ord. 2010-06]

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. Notwithstanding the foregoing, the Chair may recognize a department head and permit the department head to speak on a pending matter affecting the department head's department. 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. [am. 11/15/11, Ord. 2011-18]

**(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 Clerk shall appoint three election tellers who shall assist the County Clerk in the tabulation of results. [am. 03/09/10, Ord. 2009-24]

(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. [Am. 06/19/01, Ord. 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~~ Finance Director, 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.

(3) The County Clerk shall attend board meetings and shall perform administrative duties related to the Board.

↔ (4) 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. [Am. 03/09/04, Ord. 2003-35; 06/08/04, Ord. 2004-10; 12/13/05, Ord. 2005-31; 07/11/06, Ord. 2006-07; 07/10/07, Ord. 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. [Am. 03/12/02, Ord. 2001-30; 07/10/07, Ord. 2007-11; 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. 2007-11]

The Administration & Rules Committee is authorized to petition the Jefferson County Circuit Court for an order dividing a municipality into wards in accordance with applicable law and the County's tentative supervisory district plan upon a municipality's failure to divide or submission of a division which does not comply with the tentative supervisory district plan. [cr. 07/12/11, Res. 2011-34]

The Board Chair ~~or his designee 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. [Am. 03/14/06, Ord. 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. [Am. 04/18/06, Ord. 2006-01; 05/08/07, Ord. 2007-06; 11/13/07, Ord. 2007-23; 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 and staff shall meet with the Committee and shall assist in the preparation of the budget. [Am. 05/11/04, Ord. 2004-04; 03/09/10, Ord. 2009-24]

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. [Am. 03/14/06, Ord. 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~~ may 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. [Am. 08/13/02, Ord. 2002-16; 03/14/06, Ord. 2005-48d, effective 04/18/06; 03/11/08, Ord. 2007-39]

The Committee shall supervise the County's contracts with the Jefferson County land preservation groups. [Am. 04/16/02, Ord. 2002-05; 03/14/06, Ord. 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, Finance Department and Child Support Office in handling ~~business~~ policy 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. [Cr. 04/16/02, Ord. 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. [Cr. 04/16/02, Ord. 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. [Am. 03/12/02, Ord. 2001-34; 05/14/02, Ord. 2002-07; 03/14/06, Ord. 2005-48e; 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 recom-



mend 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. [Am. 03/14/06, Ord. 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. [Am. 03/12/02, Ord. 2001-33; 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. [Am. 03/14/06, Ord. 2005-53; 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 Office. This Committee shall handle grievances arising under the Sheriff's Office 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. 323.14(1)(3), 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. [Am. 02/08/05, Ord. 2004-31; 03/14/06, Ord. 2005-48g; 12/14/10, Ord. 2010-20]

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. [Am. 06/08/04, Ordinance 2004-05; 03/14/06, Ord. 2005-48i, 04/18/06; renumbered 07/10/07, Ord. 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. [Am. 03/14/06, Ord. 2005-48l, effective 04/18/06; renumbered 07/10/07, Ord. 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. [Am. 03/09/04, Ord. 2003-38; 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. [Am. 07/09/02, Ord. 2002-09; 11/09/04, Ord. 2004-20; 03/14/06, Ord. 2005-48j, effective 04/18/06; renumbered 07/10/07, Ord. 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. [Cr. 03/12/02, Ordinance 2001-36; renumbered 07/10/07, Ord. 2007-11]

**3.06 BOARDS, COMMISSIONS, COMMITTEES AND OTHER BODIES (I)** 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: [Am. 03/14/06, Ord. 2005-49a]

**(a) BLUE SPRING LAKE MANAGEMENT DISTRICT** - One member. [Cr. 03/14/06, Ord. 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)~~

**(eb) 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 appoint-

ments 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. [Am. 03/14/06, Ord. 2005-49c; 03/09/10, Ord. 2009-24]

**(dc) 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. [Cr. 03/14/06, Ord. 2005-49d]

**(ed) 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]

**(fe) 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]

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

**(hg) 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. [Am. 03/09/04, Ord. 2003-39; 03/11/08, Ord. 2007-49; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

**(ih) 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. [Am. 05/11/04, Ord. 2004-06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

**(ji) LAKE RIPLEY MANAGEMENT DISTRICT** - One member. One person appointed by the County Administrator who is a member of the Land & Water Conservation Committee or is nominated by the Land & Water Conservation Committee and appointed by the County Administrator. District created by the County Board on December 11, 1990 (Resolution No. 90-57). [Cr. 03/14/06, Ord. 2005-49g, effective 04/18/06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02; am. 12/14/10, Ord. 2010-20]

**(kj) LAND INFORMATION COUNCIL** - The Council shall be comprised of the Register of Deeds, the Treasurer, the Zoning Director, the Land & Water Conservation Director, the MIS Information Technology Manager, and the real property lister (Land Information Office Director), or their designees, and the following members appointed by the County Administrator and confirmed by the County Board: (1) a member of the board, (2) a representative of the land information office, (3) a realtor or a member of the realtors association employed within the county, (4) a public safety or emergency communications representative employed within the county, (5) the county surveyor or a registered professional land surveyor employed within the county.

Council members who hold elective office or are employed by Jefferson County shall serve on the Council as long as they hold the office or county position designated for membership. Other council members appointed by the County Administrator shall serve three year terms. The county staff and salaried elected officials, other than the County Board member, shall not be eligible for meeting fees.

The Land Information Council shall bring forward matters that need to go before the County Board through the Planning & Zoning Committee. [cr. 07/13/10, Ord. 2010-09]

**(hk) LOCAL EMERGENCY PLANNING COMMITTEE** - Thirteen members appointed in accordance with s. 59.54(8), Stats., and applicable federal law. [am. 03/09/10, Ord. 2009-24; renumbered 07/13/10, Ord. 2010-09]

**(ml) LOWER SPRING LAKE PROTECTION & REHABILITATION DISTRICT** - One member. One person appointed by the County Administrator who is a member of the Land & Water Conservation Committee or is nominated by the Land & Water Conservation Committee and appointed by the County Administrator. District created by the County Board on August 12, 1980 (Resolution No. 80-51). [Cr. 12/14/10, Ord. 2010-20]

**(nm) 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 stag-

gered 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. [Am. 05/11/04, Ord. No. 2004-07; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02; renumbered 03/09/10, Ord. 2009-24; renumbered 07/13/10, Ord. 2010-09; renumbered 12/14/10, Ord. 2010-20]

**(on) 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; renumbered 07/13/10, Ord. 2010-09; renumbered 12/14/10, Ord. 2010-20]

**(po) TRAFFIC SAFETY COMMISSION** - In accordance with s. 83.013, Stats., the Traffic Safety Commission shall consist of twelve members appointed by the County Administrator. [Cr. 03/14/06, Ord. 2005-54; renumbered 07/13/10, Ord. 2010-09; renumbered 12/14/10, Ord. 2010-20]

**(qp) 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; renumbered 07/13/10, Ord. 2010-09; renumbered 12/14/10, Ord. 2010-20]

**(rq) 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. 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. [Am. 03/14/06, Ord. 2005-49h; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02; am. 03/09/10, Ord. 2009-24; renumbered 07/13/10, Ord. 2010-09; renumbered 12/14/10, Ord. 2010-20]

**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~~ Clerk. 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~~ Clerk'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. [Am. 02/12/02, Ord. 2001-27; 12/13/05, Ord. 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. [Am. 03/09/04, Ord. 2003-40; 06/08/04, Ord. 2004-08; 04/15/08, Ord. 2008-03; 03/09/10, Ord. 2009-24]

(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. [Cr. 12/13/05, Ord. 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 upon passage and publication as provided by law.

**Mr. Mode moved to adopt Ordinance No. 2011-24.** Seconded.

**Mr. Zentner moved to lay over Ordinance No. 2011-24 until the next County Board session, pursuant to Board Rule 3.09.**

**Mr. Mode presented Resolution No. 2011-76.**

WHEREAS, the Niagara Escarpment is a 650 mile long geologic feature of international scale and global importance that reaches across Wisconsin, Michigan, Ontario, and New York, and

WHEREAS, in Wisconsin, the Niagara Escarpment extends for a distance of over 230 miles and runs through Door, Kewaunee, Brown, Manitowoc, Calumet, Fond du Lac, Dodge, and Waukesha counties, and

WHEREAS, the Niagara Escarpment's cliff faces and high elevation on the landscape provide numerous important vistas and viewsheds, several of which



are as much as 200 feet above the surrounding landscape, and

WHEREAS, the Niagara Escarpment corridor is home to high levels of biodiversity and unique plant and animal species, and over 240 different rare, threatened, or endangered plant and animal species have been identified along the Niagara Escarpment, and

WHEREAS, the Niagara Escarpment is known to have highly sensitive groundwater resources due to its composition of highly fractured bedrock and karst features, and

WHEREAS, the Niagara Escarpment is a valued vacation destination and important to the State's economy as it contains numerous high value passive recreation areas and contributes significantly to the tourism-based economy of many of the corridor's communities, and two of Wisconsin's most visited state parks, Peninsula and High Cliff, lie along the Niagara Escarpment, and

WHEREAS, the Niagara Escarpment corridor has significant historical and cultural features which equate with both past and present uses of its resources. The Niagara Escarpment has also been used since Paleo—Indian times for ceremonial purposes which is evidenced by mounds sporadically located throughout the Niagara Escarpment corridor, and

WHEREAS, due to the environmental, unique and recreational factors listed above, the Niagara Escarpment has been recognized by the Wisconsin Department of Natural Resources in their Land Legacy Report to be a valuable 'Land Legacy Place', and

WHEREAS, although there is special funding for bluffs and features such as the Baraboo Hills, there is no funding source specifically designated to protect or acquire critical or unique portions of the Niagara Escarpment, and

WHEREAS, Senate Bill 290 and Assembly Bill 395 provide for the inclusion of land acquisition in the Niagara Escarpment corridor and that under current law, the state may incur public debt for certain conservation activities, priority which is given to acquisition of land for the state for conservation activities and to award grants to certain nonprofit conservation organizations to acquire lands for these activities, under the Warren Knowles-Gaylord Nelson stewardship 2000 program, which is administered by the Department of Natural Resources. Amending the Wisconsin State Statutes to specifically list the Niagara Escarpment as a feature for which to designate a portion of the Knowles-Gaylord Nelson stewardship funds will help ensure funds are allocated to help protect critical and unique portions of the Niagara Escarpment.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors supports the passage of Assembly Bill 395 and Senate Bill 290, which will help ensure funds are available to protect critical or unique portions of the Niagara Escarpment.

BE IT FURTHER RESOLVED that the Clerk is requested to send a copy of this resolution to Governor Walker and all Jefferson County legislative representatives, as well as the Wisconsin Counties Association.

*Fiscal Note: No fiscal impact.*

**Mr. Mode moved to adopt Resolution No. 2011-76.** Seconded and carried.

**Mr. Mode read Resolution No. 2011-77.**

WHEREAS, under current law, an individual who has been arrested for a domestic abuse incident must, unless the victim signs a waiver, avoid the victim's residence and avoid contacting the victim for 72 hours following arrest, and

WHEREAS, violation of this no contact provision currently is subject to a forfeiture of not more than \$1,000, which is a civil penalty, and

WHEREAS, draft legislation has been prepared to make contacting a domestic abuse victim or going to the victim's residence within 72 hours of arrest, punishable by a fine of up to \$10,000 or imprisonment of up to 9 months, or both, and

WHEREAS, establishing criminal penalties for violating the 72 hour restrictions will allow courts to better control and punish misbehavior of individuals arrested for domestic abuse, and

WHEREAS, the Law Enforcement Committee, Human Services Board and Administration & Rules Committee all support enactment of legislation criminalizing violation of the 72 hour restrictions,

NOW, THEREFORE, BE IT RESOLVED the Jefferson County Board expresses its support for passage of state legislation establishing a criminal penalty for violation of 72 hour no contact restrictions following a domestic abuse arrest, and

BE IT FURTHER RESOLVED that the Clerk shall send a copy of this resolution to all Jefferson County legislative representatives.

*Fiscal Note: No fiscal impact.*

**Mr. Mode moved to adopt Resolution No. 2011-77.** Seconded and carried.

**Ms. Rogers read Resolution No. 2011-78.**

WHEREAS, Jefferson County contracts on behalf of all of its municipalities for election software and voting machine maintenance, and

WHEREAS, a new five-year contract is proposed for such services, totaling \$10,922.50 per year, and

WHEREAS, the County's share of the annual fee is \$492.50 for its three machines, with the balance being billed to the municipalities,

NOW, THEREFORE, BE IT RESOLVED that the County Clerk is authorized to enter into a five-year fixed cost maintenance contract with Election Systems & Software, LLC for software and voting machine maintenance for a term ending December 31, 2016.

*Fiscal Note: Support services are billed at the rate of \$200 per Eagle machine, and \$207.50 for an AutoMARK machine. By virtue of entering into this contract on behalf of all of the entities, the Eagle maintenance is discounted \$40 per machine and the AutoMARK is discounted \$35 per machine. Total annual billing is \$10,922.50 of which the County's share is \$492.50 with the balance being billed to the municipalities. Total amount may change slightly if the number of machines changes.*

**Ms. Rogers moved to adopt Resolution No. 2011-78.** Seconded and carried:

Ayes 25, Noes 1 (Imrie), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-79.**

WHEREAS, the current plan for the upgrade of the Jefferson County Highway Department facilities includes closing old satellite shops in Waterloo, Lake Mills, Ixonia and Palmyra and replacing them with one satellite shop in Lake Mills and one in Concord, and

WHEREAS, the Wisconsin Department of Transportation (WISDOT) has included a 4,000 ton salt shed and access road at an estimated value of \$500,000 to \$600,000, as part of a state project, which salt shed would be located on state right of way near the intersection of Highway 89 and I-94, made available to Jefferson County, and probably deeded to Jefferson County eventually, and

WHEREAS, a 3.6 acre piece of property immediately north of the WISDOT right of way where the salt shed would be built is a good location for the County's Lake Mills satellite shop, and

WHEREAS, the Highway and Infrastructure Committees recommend locating a Highway Department satellite shop on said 3.6 acre parcel, and

WHEREAS, such parcel is described as Lot 4, CSM #2400, and is currently owned by K. Topel Enterprises, LLC, and

WHEREAS, the Finance Committee recommends a budget amendment to fund purchase of the 3.6 acre parcel,

NOW, THEREFORE, BE IT RESOLVED that the Board determines it is necessary to acquire Lot 4 as designated on Certified Survey Map #2400 recorded in the Office of the Register of Deeds for Jefferson County and directs staff to undertake such actions as are required to obtain title on behalf of Jefferson County.

BE IT FURTHER RESOLVED that the sum of \$325,000 shall be and is hereby transferred from the General Fund to the 2012 Highway Department budget.

*Fiscal Note: The budget transfer should fund most if not all of the transaction costs, which were not included in the 2012 Highway budget. In March, the General Fund will be replenished by the lapse of an estimated \$500,000 unspent in the 2011 county budget. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Buchanan moved that Resolution No. 2011-79 be adopted.** Seconded and carried: Ayes 24, Noes 2 (Roou, Peterson), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-80.**

WHEREAS, several committees have been involved with the assistance of a consultant in looking at location of a new Highway Department facility, and

WHEREAS, multiple sites including the current location have been considered, and

WHEREAS, two previous studies by consulting architectural and engineering firms have recommended a new location for the Highway Department's main facility at a different site, and

WHEREAS, a third study by another architectural and engineering firm has again recommended either one of two new sites (Site A or C) for a new location for the Highway Department's main facility, and

WHEREAS, the current economic climate affecting architects, engineers, builders and the taxpayers may offer the opportunity to economically meet the essential needs of the Highway Department at a new location, and

WHEREAS, the Highway and Infrastructure Committees agree that the County has expended an extensive amount of County Board and staff time and money in examining potential locations for a new Highway Department main facility, and

WHEREAS, this project needs to continue to move forward in order to take advantage of favorable construction cost and bond financing rates, and

NOW, THEREFORE, BE IT RESOLVED that the Highway Department's current Puerner Street site and the two studied industrial sites in the City of Jefferson be postponed from further consideration and keep Sites A and C (as identified in the Bray Architects Report dated January 24, 2012) as the two remaining optional sites for a new Highway Department main facility.

BE IT FURTHER RESOLVED staff is directed to get the following information as recommended by Bray Architects, as identified under the Considerations/Rationale section of their presentation, and to report their findings as soon as possible back to the Highway, Infrastructure and Finance Committees:

1. Detailed conversation (with the City of Jefferson) related to utility extension cost needs to occur for Sites A and C.
2. Discussion with Site A landowner to determine interest in land sale.
3. Further evaluation of Site C master plan to determine suitability of Highway Department use and final location of 40 acre parcel.
4. Commitment to further exploration of two new sites allows County to proceed with more detailed analysis.

*Fiscal Note: Adoption of this resolution could result in some additional cost to the County to estimate utility extension and property appraisal costs. Staff time will also be expended in gathering additional information on the two remaining site options. The Highway Department's budget includes approximately \$182,500 in remaining funds for facility site location expenses, should they be needed to cover any related costs.*

**Mr. Buchanan moved that Resolution No. 2011-80 be adopted.** Seconded.

**Mr. Christensen moved to amend Resolution No. 2011-80 as follows:**

WHEREAS, several committees have been involved with the assistance of a consultant in looking at location of a new Highway Department facility, and

WHEREAS, multiple sites including the current location have been considered, and

WHEREAS, two previous studies by consulting architectural and engineering firms have recommended a new location for the Highway Department's main facility at a different site, and

WHEREAS, a third study by another architectural and engineering firm has again recommended either one of two new sites (Site A or C) for a new location

for the Highway Department's main facility, and

WHEREAS, the current economic climate affecting architects, engineers, builders and the taxpayers may offer the opportunity to economically meet the essential needs of the Highway Department at a new location, and

WHEREAS, the Highway and Infrastructure Committees agree that the County has expended an extensive amount of County Board and staff time and money in examining potential locations for a new Highway Department main facility, and

WHEREAS, this project needs to continue to move forward in order to take advantage of favorable construction cost and bond financing rates, and

NOW, THEREFORE, BE IT RESOLVED that the Highway Department's current Puerner Street site and the two studied industrial sites in the City of Jefferson ~~be postponed from further~~ remain under consideration and keep Sites A and C (as identified in the Bray Architects Report dated January 24, 2012) as ~~the two remaining~~ optional sites for a new Highway Department main facility.

BE IT FURTHER RESOLVED that Option C shall be considered the site of last resort.

BE IT FURTHER RESOLVED staff is directed to get the following information as recommended by Bray Architects, as identified under the Considerations/Rationale section of their presentation, and to report their findings as soon as possible back to the Highway, Infrastructure, ~~and~~ Finance, and Land & Water Conservation Committees:

1. Detailed conversation (with the City of Jefferson) related to utility extension cost needs to occur for Sites A and C.
2. Discussion with Site A landowner to determine interest in land sale.
3. Further evaluation of Site C master plan to determine suitability of Highway Department use and final location of 40 acre parcel.
4. Commitment to further exploration of two new sites allows County to proceed with more detailed analysis.

*Fiscal Note: Adoption of this resolution could result in some additional cost to the County to estimate utility extension and property appraisal costs. Staff time will also be expended in gathering additional information on the two remaining site options. The Highway Department's budget includes approximately \$182,500 in remaining funds for facility site location expenses, should they be needed to cover any related costs.*

**Mr. Christensen's amendment to Resolution No. 2011-80 was seconded.**

**Mr. Mode moved to amend the amendment by removing "BE IT FURTHER RESOLVED that Option C shall be considered the site of last resort." Seconded.**

**Mr. Mode's amendment to the amendment on Resolution No. 2011-80 was adopted:** Ayes 17, Noes 9 (Jones, David, Buchanan, Rinard, Zastrow, Reese, Rouu, Peterson, Zentner), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Board recessed at 9:00 p.m.; resumed at 9:15 p.m.**

**Mr. Christensen's amended amendment on Resolution No. 2011-80 was adopted:** Ayes 16, Noes 10 (Jones, Buchanan, Morris, Kuhlman, Reese, Morse,

Rogers, Peterson, Poulson, Schultz), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Amended Resolution No. 2011-80 was adopted:** Ayes 20, Noes 6 (Jones, Morris, Reese, Rou, Peterson, Schultz), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-81.**

WHEREAS, road conditions on County Trunk Highway C (South Cedar Road – CTH A) are in very poor condition and need significant construction improvements, and

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

WHEREAS, bids were solicited for engineering design work on January 3, 2012, with the following results:

<u>Consultant</u>	<u>Estimate</u>
Snyder & Associates Engineers	\$37,788.00
Ruekert/Mielke	\$39,344.00
Crispell-Snyder, Inc.	\$40,050.00
<b>MSA Professional Services</b>	<b>\$42,658.55</b>
Jewell Associates Engineers, LLC	\$45,212.91
Short Elliott Hendrickson, Inc.	\$52,078.16
Lynch & Associates, Inc.	\$55,286.00
Ayres Associates	\$59,200.00
Foth Engineering	\$67,650.00
R.A. Smith National	\$69,513.00
Teng & Associates, Inc.	\$76,605.09

AND WHEREAS, the Highway Department staff reviewed proposals of the design firms, including experience and qualifications of the design team, along with project approach and design estimates, and recommends contracting with MSA Professional Services for the design work,

NOW, THEREFORE, BE IT RESOLVED that the Highway Department is authorized to enter into a contract with MSA Professional Services for \$42,658.55 for the design of County Trunk Highway C.

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

**Mr. Buchanan moved that Resolution No. 2011-81 be adopted.** Seconded and carried: Ayes 22, Noes 4 (Rou, Peterson, Jaeckel, Zentner), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Braugler presented Ordinance No. 2011-25.**

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

Section 1. Section HR0110, Definitions of Terms, of the Personnel Ordinance shall be amended as follows:

**HR0110 DEFINITIONS OF TERMS.** The words and terms defined in this section shall have the following meanings in this ordinance and in any other ordinance classifying and ~~fixing~~ adjusting the salaries and

compensation or authorizing the employment of personnel in any department or office of Jefferson County.

- A. "Allocation" means assigning a position or a class of positions to a specific pay grade.
- B. "At Will Employment". Wisconsin is considered an at-will state for purposes of employment which means that employment with the County is voluntarily entered into, and the employee is free to terminate their own employment at-will at any time, with or without cause. Similarly, the County may terminate the employment relationship at-will at any time, for any cause.
- C. ~~B.~~ "Class" or "class of positions" means a specifically recognized and defined kind of employment in the County service designed to embrace all positions having duties and responsibilities sufficiently similar that the same title may be used, the same qualifications may be required and the same schedule of compensation may be made to apply with equity.
- D. ~~C.~~ "Classification" means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.
- E. ~~D.~~ "Classified service" means all positions in the County service except those specifically placed in the unclassified service. (Am. Ord. 85-10, 7-9-85.)
- F. ~~E.~~ "Compensation" means the salary, wage allowances and all other forms of valuable consideration earned by or paid to any employee by reason of service in any position, but does not include any allowances authorized and incurred as incident to employment, such as mileage reimbursement, registration fees, etc.
- G. ~~F.~~ "Continuous service" means employment with the County without break or interruption. In computing continuous service for the purpose of this ordinance neither vacation leave, sick leave, including absence for injury for which worker's compensation is paid; military leaves; approved leaves of absence, whether with or without pay, or regular seasonal/annual layoffs shall be construed as a break in employment or service. Unexcused absences totaling 2 consecutive work days, layoffs other than seasonal/annual and terminations or resignation of an employee shall be construed as breaking "continuous service". (Am. Ord. 85-10, 7-9-85, 12-14-04), (Am. Ord. 2007-50, 03/11/2008)
- H. ~~G.~~ "County service" or "service of the County" means all positions in all departments as herein defined that are subject to control and regulation by the Board of Supervisors of Jefferson County.
- I. ~~H.~~ "Employee" means a person legally occupying a position in the County service. This includes temporary, seasonal and occasional employees but not elected officials or independent contractors.
- J. ~~I.~~ "Exempt service" means all positions not subject to the Fair Labor Standards Act. Such positions may or may not be

specifically designated by the Board of Supervisors to be exempt from the classification plan. (Am. Ord. 85-7, 6-11-85, 12-14-04.)

- K. J. “Full-time employee” means an employee in a ~~permanent~~ position whose normal assigned schedule of hours totals 1900 hours per year or more, or, on a monthly basis, totals 158.33 hours per month or more.
- L. K. “Independent contractor” is a person or business who performs services for the County under an express or implied agreement and who is not subject to the County’s control, or right to control, the manner and means of performing the services. Independent contractors are not employees and are not eligible for County benefits and are not subject to the classification plan.
- M. L. “Limited term employee” means an employee hired on a temporary or emergency basis, not to exceed one year, ~~whose total number of hours worked per year shall not exceed 600 as calculated by WRS.~~ Limited term employees shall not be eligible for fringe benefits. Limited term employees shall be paid at the minimum step of the salary range for the appropriate position, unless otherwise authorized by the County Administrator.
- N. M. “Occasional part-time employee” means an employee hired on an irregular basis. ~~Whose total number of hours worked per year shall not exceed 600 calculated by WRS.~~ Occasional part-time employees shall not be eligible for fringe benefits, except Wisconsin Retirement system if qualified and will be paid at the minimum step of the salary range for the appropriate position and may progress through the step-system based on aggregate hours worked and acceptable performance.
- O. S. “~~Regular~~ Part-time employee” means an employee in an allocated permanent position whose normal assigned schedule of hours totals less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month.
- P. N. “Position” means a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time services of one person.
- Ø. “Probationary Period” means a six (6) calendar month trial period. ~~Employees making a job change will also serve a six (6) calendar month trial period. During said period, employees shall be subject to dismissal without just cause or recourse to the grievance procedure. Employees making a job change do not typically need to serve an additional six (6) month waiting period for benefits unless the employee is changing from/to a non-benefited position. The County Administrator, Corporation Counsel, and department heads appointed by the County Administrator and confirmed by the Board shall not serve a probationary period. (Am. Ord. 2005-08, 6/21/05)~~
- Q. P. “Project employee” means employment which is supported



by a grant ~~and is not a permanent position~~. Project employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified. (cr. Ord. 84-16, 12-11-84.)

- R. ~~Q~~ "Reallocation" means reassigning a position or class of positions to a different pay grade.
- S. ~~R~~ "Reclassification" means a change in classification of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same pay grade on the basis of substantial changes in the kind, difficulty or responsibility of duties performed in such position.
- T. "Title", "class title", or "title of class" means the designation given to or name applied to a class or to each position assigned to the class and to the legally appointed incumbent of each position assigned to the class. Its meaning is set forth in the corresponding class specification.
- U. "Unclassified service" means all positions of elected officials and those positions specifically designated by the Board of Supervisors as not subject to the classification plan. Where not contrary to law or other sections of this ordinance, positions in the unclassified service shall be subject to this ordinance. (cr. Ord. 85-7, 6-11-85.)

Section 2. Section HR0120, Differences for Sworn, Non-represented, Law Enforcement Employees, of the Personnel Ordinance shall be amended as follows:

**HR0120 DIFFERENCES FOR SWORN, NON-REPRESENTED, LAW ENFORCEMENT EMPLOYEES.**

- A. All sworn, non-represented law enforcement employees will be subject to the policies in the Personnel Ordinance, except as it relates to employee contribution to WRS, health insurance premium contributions in the State Health plan, and accruals for vacation, sick, holiday, shift differentials and hazardous pay, in which case the current LAW contract language shall apply. In addition, longevity pay and sick leave payout shall be converted into a Health Insurance benefit for retirees and shall be paid by the County to the Administrator of the Health Insurance Benefit Trust, with longevity being paid on the first business day after December 1st of each year and the sick leave payout being paid on the first pay period following the employees retirement date. Sergeants shall be granted compensatory time and receive uniform allowance as set forth in the current LAW union contract. (Am. Ord. 2006-35, 2/14/06; Am. Ord. 2008-24, 11/10/2008, Am. Ord. 2008-33, 01/13/09)
- B. Notwithstanding any other provision of this ordinance, effective January 2, 2011, patrol sergeants shall be scheduled for 10.5 hour shifts in a 7 days on, 7 days off pattern. 6.5 hours of accrued vacation and holiday time will be used to supplement hours worked in a 14-day work cycle. Unless extended, this provision expires December 31, 2011 2012. (Ord. 2010-22; 12-14-2010)

Section 3. Section HR0145, Human Resources Committee Authority, of the Personnel Ordinance shall be amended as follows, and remaining sections renumbered B-D accordingly.

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

- A. Approve Memorandum of Understandings or interpretations of labor contract or personnel ordinance provisions necessary to resolve grievances, as recommended by the County Administrator, unless the grievance is for discipline, termination or workplace safety, which will follow the Grievance Resolution Process in HR0520.
- ~~B. Authorize use of accumulated time off for exempt employees before such time is otherwise available.~~

Section 4. Section HR0220, Application Procedure, of the Personnel Ordinance shall be amended as follows:

**HR0220 APPLICATION PROCEDURE.** To insure compliance with the provisions outlined in HR0270 the following procedure shall be followed in making appointments to the classified service:

- A. Department heads wishing to fill budget-authorized positions shall request approval from the County Administrator or designee. A report of the positions approved will be provided to the Human Resources Committee. Department heads wishing to fill positions that are not authorized in the budget shall request approval from the County Administrator or designee, subject to review by the Human Resources Committee and final approval of the County Board. (Am. Ord. 2007-46, 02-18-08)
- B. If the filling of the position is approved, the Human Resources Department shall prepare and advertise the job description, salary, and required qualifications for the position. For generalized positions applications will be accepted annually, or as needed. In addition to advertising, the Human Resources Department shall post any vacancies within county service in several conspicuous places. Qualified county employees may notify the Human Resources Department of the desire to be included as an applicant for the position. The Human Resources department, in concurrence with the hiring department head, may elect to first post a position internally prior to advertising to the outside. (Am. Ord. 2007-15, 07-10-07.), (Am. Ord. 2007-46, 02-18-08)
- C. The Human Resources Department will review all applications, and select all applicants meeting minimum qualifications. The applications will be forwarded to the department head to select approximately five candidates to interview based on additional skills and/or knowledge applicable to the position. The department head will interview and select an employee. The EEO officer or designee will randomly partic-

ipate in interviews as needed, or as requested. Reference checking will be completed on the ~~selected~~ recommended candidate and reviewed by Human Resources. Approval by the County Administrator or Human Resources ~~Manager~~ Director is needed prior to an offer of employment or job change. ~~unless the appointment is dictated by union contract language.~~ (Am. Ord. 2007-15, 07-10-07)

- D. The County Administrator shall appoint the Corporation Counsel and department heads pursuant to Section 59.18(2)(b), Stats., subject to confirmation by the Board. (Am. Ord. 2005-08, 6/21/05)
- E. In cases where a fully qualified person could not be found, the County Administrator or the Human Resources ~~Manager~~ Director and department head shall report to the Human Resources Committee the steps taken in attempting to locate such a qualified person, together with a statement that they wish to readvertise, or, in the alternative, that selection has been made from the applicants having less than appropriate qualifications. Human Resources Committee approval is required to select a person who has less than the appropriate qualifications.
- F. However, to meet the needs of the County in emergency situations, any department head, with the approval of the County Administrator or Human Resources ~~Manager~~ Director, may make immediate appointment of applicants on a temporary basis and delay official submission of the application as set forth in the preceding paragraphs for a period not to exceed 10 working days from the date of appointment. In such cases, the application must be accompanied by a statement showing cause for the use of this emergency procedure. Such emergency appointments shall then be reviewed and processed in accordance with the provisions of this section.
- G. The procedure set forth in this section shall also apply in the case of the promotion of any County employee.

Section 5. Section HR0250, Exempt Service, of the Personnel Ordinance shall be amended as follows:

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

- A. All elected officers and department heads.
- B. In addition to elected officers and department heads:
  - 1. Courthouse: Assistant Corporation Counsels, District Attorney Office Manager, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, ~~County Accounting Manager~~, Advanced Fund Accountant, Park Operations Supervisor, Family Court Commissioner, Family Court Commissioner/Guardian Ad Litem, Benefits Administrator, Human Resources Specialist, Senior Systems Analyst, Management Analyst. (Am. Ord. 2006-17, 10/10/06; 2007-19, 09/11/07; 2008-07, 04/15/08)

(Am. Ord. 2007-19, 09-11-07) (Am. Ord. 2008-35, 02/10/09) (Am. Ord. 2009-12, 08/11/09)

2. Highway Department: Superintendents, Assistant Superintendent, Accounting Manager, Highway Operations Manager, Highway Fleet Manager (Am. Ord. 85-10, 7-9-85; Am. Ord. 2008-24, 11-10-2008)
3. Human Services: ADRC Coordinator, Advanced Accountant, Aging and Disability Resources Division Manager, Administrative Services Manager, Behavioral Health Division Manager, Child and Family Resources Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, Intake and Juvenile Delinquency Supervisor, Early Intervention Program Supervisor, Mental Health/AODA Supervisor, W-2 Economic Support Supervisor, ~~Personal Assistance Supervisors~~, Economic Support Specialist Supervisor, Office Manager, Maintenance Supervisor, Wraparound and Youth Services Supervisor. (Am. Ord. 2007-19, 09-11-07; 2008-07, 04/15/08; Am. Ord. 2008-24, 11-10-2008) (Am. Ord. 2008-35, 02/10/09)
4. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. (Am. Ord. 2006-17, 10-10/06) (Am. Ord. 2008-35, 02/10/09)
5. Health Department: Public Health Program Manager. (Am. Ord. 2006-17, 10-10/06) (Am. Ord. 2008-35, 02/10/09) (Am. Ord. 2009-12, 08/11/09) (Am. Ord. 2010-25, 02/08/11)

Section 6. Section HR0260, Notice of Termination, of the Personnel Ordinance shall be amended as follows:

**HR0260 NOTICE OF TERMINATION.**

- A. An employee voluntarily terminating employment shall give ~~at least 2 weeks~~ written notice to the department head and the County Administrator, stating the last date of employment. (Am. Ord. 2005-52, 3/14/06.)
- B. In accordance with HR0540, ~~HR0510 (D)~~, an employee may be terminated at any time upon written notice ~~from the department head or County Administrator~~ stating the last date of employment. The County Administrator shall approve any termination. (Am. Ord. 84-16, 12/11/84; Ord. 2006-35, 2/14/06)
- C. The County Administrator or designee shall be authorized to lay off employees.
- D. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05)

Section 7. Section HR0265, Part-Time Employment, of the Personnel Ordinance shall be amended as follows:

**HR0265 PART-TIME EMPLOYMENT**

- A. As defined in HR0110 ~~(S)~~, a normal assigned schedule of hours totaling less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month shall be considered part-time employment and the actual compensation therefore shall be determined by the relation that the actual number of hours of service bears to 2080 hours. All part-time positions except limited term, seasonal and occasional employment shall be classified and paid within the pay range assigned to the classification.
- B. At the time an employee is hired, the candidate's employment record shall disclose the anticipated FTE (full-time equivalent) status of the position ~~whether the position is full time, more than half time, less than half time, or less than 600 hours annually~~. Benefits for each status are as follows:
- Full-time (1900 hours annually) – all benefits and accruals illustrated within the Personnel Ordinance.
  - More than half-time (1040 – 1899 hours annually) - health, dental, life and other insurances on the same basis as full-time employees. Accrued fringe benefits (vacation, sick, random and holiday) on a pro rata basis. However, if the employee has never worked for a Wisconsin Public employer that participates in WRS, the employee must initially be expected to work one year and 1200 hours to receive the benefits in this category. If the employee does not meet these two criteria, benefits shall be available as described in one of the two categories below.
  - Less than half-time (600 – 1039 hours annually) – random hours in accordance with HR0360 (A)(2) and all insurance benefits on the same basis as full-time employees, except NOT eligible for dental insurance or any other accrued fringe benefits. Employees working less than 1040 hours annually may be eligible for the State Health insurance, but the level of employer premium contribution is 25% of the lowest qualified plan, and the employee is responsible for the balance of the monthly premium. (Am. Ord. 2008-30, 12-09-2008) (Am. Ord. 2009-17, 10-27-2009)
  - Less than 600 hours annually - not entitled to any insurance or other fringe benefits, except that an employee may become eligible for Wisconsin Retirement, State Health Insurance and State Life Insurance if the employee later meets the requirements for the Wisconsin Retirement System, State Health Insurance, and State Life Insurance. (Am. Ord. 84-16, 12-11-84; Am. Ord. 2008-30, 12-09-2008)
- C. In the event a county employee changes from a half-time or more position to a less-than-half-time position, the employee will be treated as a terminated employee for accrued benefit

purposes. Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming a less-than-half-time position will be paid out at the current rate of pay. Sick leave accrued shall be placed in escrow and paid out at time of termination providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to accepting a non-benefited position. Should the employee return to a half-time or more position from the less-than-half-time position, sick pay held in escrow will be placed in the employee's sick bank and made available for use, the employee's vacation accrual rate will be credited with the length of time the employee previously held a more-than-half-time position, and the vacation hours the employee receives in January will be prorated based on only hours worked the previous year in the more-than-half time position, exclusive of overtime. (Am. Ord. 2007-02, 04-17-07.)

Section 8. Section HR0390, Terminal Pay, of the Personnel Ordinance shall be amended as follows:

**HR0390 TERMINAL PAY.**

- A. Employees ~~not terminated for just cause~~ shall receive all accrued vacation, holidays and longevity pay, on a pro-rated basis from January 1st up to and including the last day of employment. Any vacation and holidays used in excess of the ratio shall be paid back by the employee by reducing the payout of other accrued time accordingly. Any and all amounts payable to the employee shall be paid on the regular payday covering the last day of employment. Employees may not use any accrued time or compensatory time to extend a termination date. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05) (Am. Ord 2011-21, 12/13/2011)
- B. In addition, employees who retire and are eligible for Wisconsin Retirement annuity or Social Security shall receive 65 percent of a maximum of 108 days of unused accumulated sick leave. Employees not eligible for Wisconsin Retirement annuity or Social Security will not receive any unused accumulated sick, regardless of the reason for separation of employment. (Am. Ord. 2006-35, 2/14/06; 2008-09, 5/13/08)
- C. An employee whose employment is terminated by death shall be paid the benefits set forth in Paragraph (a), two weeks pay, and 100 percent of a maximum of 108 days of unused accumulated sick leave. (Am. Ord. 2008-09, 5/13/08).
- D. ~~Employees terminated for cause shall NOT receive accrued vacation, holidays, sick and longevity pay. A termination for cause is effective on the date the employee last physically worked.~~

- ~~E.D.~~ 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 65% of accrued sick time. (Am. Ord. 2009-25; 2/16/2010)
- ~~F.E.~~ Upon separation from employment, an employee shall return all County property, including, but not limited to, keys, identification badge, cell phone and lap top, by the employee's last day of work. Failure to return property or settle outstanding debts, such as reimbursement for personal phone calls, will result in discontinuation of direct deposit of the employee's final paycheck. Final paychecks may be obtained in the County Clerk's office during normal business hours. (Am. Ord. 2006-06, 6/13/06).
- ~~G.~~ ~~Upon termination, the County Administrator, Corporation Counsel and department heads appointed by the County Administrator shall be covered by the provisions of this section except (D). (Am. Ord. 2005-08, 6/21/05)~~

Section 9. Section HR0510, Employee Discipline, of the Personnel Ordinance shall be eliminated.

Section 10. Section HR0540, Progressive Discipline and Employment at Will, of the Personnel Ordinance shall be created to read as follows:

**HR0540 PROGRESSIVE DISCIPLINE AND EMPLOYMENT AT WILL.**

- ~~A. Purpose: Whenever, and wherever, people work together, certain standards of reasonable conduct need to be established in order to create a harmonious and friendly environment. Jefferson County expects all employees to maintain a work environment that encourages mutual respect, promotes pleasant working relationships among employees and the public they serve, and is free from all forms of harassment and violence.~~

~~Consequently, when an issue in the workplace arises, Jefferson County's goal is to provide a structured corrective action process that is prompt, uniform and impartial, and to correct problems, prevent recurrences and prepare employees for satisfactory service in the future. Therefore, the progressive discipline policy and procedure below will generally be followed, while maintaining the County's right to skip, combine or repeat steps, depending upon the facts of each situation and the nature of the offense(s). Progressive discipline may be issued on employees even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules may be considered the same as repeated violations of the same rule for purposes of progressive action. Examples of violations that may not be subject to progressive discipline are set forth in Section G.~~

B. **Procedure:** The County will normally adhere to the following progressive disciplinary process:

**Step 1: Counseling:** An employee will be given a verbal caution or counseling when problematic behavior or performance is observed. As the first step in the progressive discipline policy, a verbal counseling is meant to alert the employee that a problem has been identified, which must be addressed. Verbal counseling will be documented and maintained by the supervisor.

**Step 2: Verbal Warning.** A verbal warning creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct or other issue where the employee is not meeting expectations. The supervisor should discuss with the employee the nature of the problem. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem.

**Step 3: Written Warning.** A written warning involves a more formal documentation of performance, conduct or other problematic issue identified. During Step 3, the immediate supervisor and a division manager or director will meet with the employee and review any additional incidents or information about the performance, conduct or problematic issues as well as any prior disciplinary or performance improvement plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations, as well as an additional performance improvement plan if appropriate.

**Step 4: Suspension without Pay.** Unpaid suspensions are subject to recommendation from the department head and Human Resources Director, and approval of the County Administrator. Depending upon the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal and state wage-and-hour employment laws. Nonexempt/hourly employees may not substitute or use any accrued paid time in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspensions for salaried/exempt employees may be reserved for serious workplace safety or conduct issues, unless specified in weekly increments. Human Resources will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

**Step 5: Demotion or Transfer.** Demotions and transfers are subject to recommendation from the department head and Human Resources Director, and approval of the County Administrator. An employee who continues to exhibit poor performance may be demoted or transferred to a vacant position for which the employee is qualified for and for which the



County believes the employee will be successful in.

**Step 6: Termination of Employment.** The last and most serious step in the progressive discipline procedure is a recommendation by the department head and Human Resources Director to terminate employment. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. The recommendation to terminate employment requires the County Administrator's final approval.

- C. Paid Suspension or Administratively Reassignment of Duties.** When immediate action is necessary to ensure the safety of the employee or others, or the integrity of an investigation, the most effective action may be the temporary removal of the employee from the workplace. In these situations, the immediate supervisor may temporarily suspend the employee with pay, or reassign duties to another area, pending the outcome of an investigation. The Human Resources Director and County Administrator shall be notified as soon as practical regarding this immediate action and the County Administrator shall approve any continued action to be taken.
- D. Documentation.** Persons administering discipline shall systematically document each incident. The documentation shall include the employee's name, date and type of infraction, names and statements of witnesses, description of action taken and any other relevant details, including a performance improvement plan if applicable. The person implementing the discipline and the employee should sign copies of all documented warnings attesting to their receipt. Original copies of all verbal and written disciplinary actions shall be maintained in the employee's permanent personnel file in the Human Resources Department, and a copy shall be provided to the employee.
- E. County Board.** County Board members or committees will not normally be involved in the disciplinary process, as the role of a Board member or committee is related more to policy decisions than day to day management of the affected department. However, should a Board member or committee have concerns that may lead to disciplinary action for an employee, the Board member or committee shall bring those matters to the attention of the department head, the Human Resources Director, the County Administrator, or the Human Resources Committee, in that order. Following this process should allow the appropriate party to address the issue.

**F. Performance and Conduct Issues Subject to Progressive Discipline.** The following shall be deemed violations of the Personnel Ordinance and may be the subject of disciplinary action. Unexcused absence from work, excessive absenteeism, abuse of sick leave, reporting for work late or leaving early, failure to perform the work assignment, publicizing confidential matters, unauthorized use of County vehicles or property, making false entries on official records, tampering with records, moral turpitude, Ethics Code violations, or disobedience of County or departmental rules. This list is not all inclusive.

**G. Performance and Conduct Issues Not Subject to Progressive Discipline.** Behavior that is illegal is not subject to progressive discipline and may be reported to local law enforcement. Theft, insubordination, intoxication at work, fighting, harassment and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination. Again, as this list is not all inclusive, the County may terminate employment for any cause under employment-at-will provisions.

Department heads may be removed at the pleasure of the County Administrator pursuant to Section 59.18(2)(b), Stats. Removal of the Corporation Counsel by the County Administrator requires the concurrence of the County Board pursuant to Section 59.42(1)(b), Stats. The County Administrator shall hold the position at the pleasure of the County Board. The action of the County Board in removing the County Administrator shall be final.

**H. Appeal Process.** Employees may file a grievance in accordance with Personnel Ordinance HR0520 Grievance Resolution Process.

Again, nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Jefferson County and its employees.

Section 11. Section HR0560, Rights of Employees, of the Personnel Ordinance shall be amended as follows.

#### **HR0560 RIGHTS OF EMPLOYEES.**

**A.** ~~No employee who has completed the probationary period shall be disciplined, suspended or discharged without just cause.~~

**B.A** An employee may refer any grievance involving the interpretation or application of this ordinance to the County Administrator. A grievance under this section shall not include adverse benefit determinations made by a Third Party Administrator, which are subject to the appeals process set forth in HR0145(C). (Am. Ord. 2007-19, 09-11-

07) Such grievance shall be referred to the County Administrator within 10 days of the date the employee had knowledge or should have had knowledge of the situation giving rise to the grievance, or shall be deemed waived. In the event the employee is not satisfied with the County Administrator's resolution of the grievance, the employee may refer the grievance to the Human Resources Committee within 10 days of the Administrator's decision, or the Administrator's decision becomes final. At the Human Resources Committee hearing, the employee may be represented, present evidence, cross-examine anyone presenting evidence, and shall be entitled to a written decision based on the evidence adduced. Any grievance involving discipline, termination or workplace safety shall follow the procedure established in HR0520, Grievance Resolution Process. (Am. Ord. 84-16, 12-11-84; Am. Ord. 2011-12, 09-13-11).

C.B. No employee who had filed a whistleblower action under any federal or state law that relates to preventing and detecting fraud, waste and abuse in Federal health care programs, shall be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment. (Am. Ord. 2007-15, 07-10-07)

Section 12. This ordinance shall be effective after passage and publication as provided by law.

**Mr. Braugler moved for the adoption of Ordinance No. 2011-25.**  
Seconded.

**Mr. Schultz moved to refer Ordinance No. 2011-25 back to committee.**  
Seconded and carried: Ayes 24, Noes 2 (Braugler, Morris), Absent 3 (Buwor, Schroeder, Borland), Vacant 1.

**Mr. Braugler read Resolution No. 2011-82.**

WHEREAS, Personnel Ordinance HR0210, Amendment and Maintenance of the Classification Plan, states that "reclassifications, grade reassignments or job title changes shall be effective January 1 of the succeeding year, unless otherwise recommended and approved by the Board of Supervisors," and

WHEREAS, the incumbent in the Central Services Custodian I position currently performs all the duties of a Custodian II position, and

WHEREAS, the County Administrator and the Human Resources Committee recommend reclassification of the incumbent from Custodian I to Custodian II, retroactive to January 1, 2012, corresponding to the date the other recent reclassifications were effective, and

WHEREAS, the 2012 Adopted Budget reflects one Custodian I and two Custodian II positions in the Central Services Department, and

WHEREAS, the flexibility to assign duties among all Custodian staff increases efficiency associated with cross-training.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget set-

ting forth position allocations in the Central Services Department be and is hereby amended to reflect the above change by reclassifying the current Custodian I to a Custodian II position.

BE IT FURTHER RESOLVED that the 2012 County Budget setting forth position allocations in the Central Services Department authorize a total of three non-exempt Custodian positions, allowing future vacancies to be filled either as a Custodian I or a Custodian II, based on the qualifications of candidates.

*Fiscal Note: Due to the overlapping of pay ranges between the Custodian I and the Custodian II positions, the additional cost is \$498 annually for 2012. Sufficient funds are available and, therefore, no additional funds are required to implement this change effective January 1, 2012. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Braugher moved that Resolution No. 2011-82 be adopted.** Seconded and carried: Ayes 25, Noes 0, Absent 4 (Burow, Schroeder, Zentner, Borland), Vacant 1.

**Mr. Reese read Resolution No. 2011-83.**

WHEREAS, the 2012 Adopted Budget includes \$452,712 for replacement of the deteriorated concrete surface of the parking lot adjacent to the Courthouse, in front of the entrance to the Sheriff's Office, and

WHEREAS, this concrete surface also serves as the roof of an underground facility that is utilized by the Sheriff's Office, and

WHEREAS, the estimated project costs include \$33,534 for professional engineering services to provide bid specification preparation, bid review, and construction management services for this project, and

WHEREAS, proposals were solicited for the professional engineering services to oversee this project, and

WHEREAS, the Infrastructure Committee reviewed four proposals as set forth below:

	Approx. % of	Estimated	Not to
	<u>Construction</u>	<u>Fee</u>	<u>Exceed</u>
Arnold and O'Sheridan, Madison, WI	4.2%	\$ 17,800	\$ 17,800
Bloom Companies, Milwaukee, WI	7.5%	\$ 31,425	\$ 31,425
Gunnar Malm & Assoc., Madison, WI	7.3%	\$ 30,600	\$ 33,800
Wiss, Janney, Elster Assoc., Northbrook, IL	8.0%	\$ 32,800	\$ 32,800

AND WHEREAS, staff recommended that the County hire the engineering firm that was most familiar with the project scope and construction requirements; offered the most on-site visits during the construction phase; provided a complete construction timeline; and exhibited significant experience in concrete and structural restoration projects, and

WHEREAS, the Infrastructure Committee concurred with staff's recommendation and now recommends to the County Board that a contract for professional engineering services for this project be awarded to Gunnar Malm & Assoc., Madison, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to contract with Gunnar Malm & Assoc., Madison, Wisconsin, on the terms set forth in their proposal as approved by the Infrastructure Committee, in

an amount not to exceed \$33,800 for professional engineering services for the Courthouse Parking Lot Project, and

BE IT FURTHER RESOLVED that the sum of up to \$33,800 shall be charged to the appropriate accounts equally between the budgets of the Central Services Department and the Sheriff's Office to pay for this engineering cost.

*Fiscal Note: The 2012 Adopted Budget for the Central Services Department and the Sheriff's Office each include \$226,356 to cover the total \$452,712 estimated cost for this project. Approval of this resolution will result in the expenditure of up to \$33,800 and leave an unexpended balance of \$418,912 for construction related project costs.*

**Mr. Reese moved that Resolution No. 2011-83 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Zentner read Resolution No. 2011-84.**

WHEREAS, on August 9, 2011, the Jefferson County Board adopted Resolution 2011-40 directing that proposals be requested from "individuals or companies to develop creative plans and cost estimates to use the Puerner Street site or other industrial sites in a fashion that would meet the essential needs of the County Highway Department", and

WHEREAS, Bray & Associates was hired to do this study, and

WHEREAS, on January 24, 2012, Bray & Associates presented their work to the Highway, Infrastructure and Land & Water Conservation Committees meeting jointly, and

WHEREAS, the study prepared and presented by Bray & Associates does not fully reflect the intent of Resolution 2011-40, tending to repeat past studies, and

WHEREAS, the Land & Water Conservation Committee believes that Bray & Associates, if willing, should continue the analysis, with the intent of developing a creative and innovative plan for the current Puerner Street site designed to fit the site, further addressing:

1. Techniques for the efficient use of outdoor space;
2. Use of the county property south of Woolcock Street, and the potential use of the county property north of the current Highway Shop;
3. Cost of repairing the roof and bringing the property up to code with regard to HVAC, electrical service, etc.;
4. The remodeling options presented in the SEH study in 2008;
5. Removing fuel storage from the site by contracting through Farmco or others;
6. Decreased square footage more in line with the SEH study, considering the potential of satellite shops;
7. Potential multi-story area for offices;
8. Any other possible solutions on that site, and

WHEREAS, such information will assist the Board in making the best decision possible as stated in Resolution 2011-40.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator approach Bray to continue the study to develop creative and innovative plans for the possible continued use of the Puerner Street site, including gathering the information as set forth above.

BE IT FURTHER RESOLVED that if Bray & Associates is unable or unwilling to complete the project as described above, a different suitable vendor be engaged for the purpose of gathering that information.

BE IT FURTHER RESOLVED that the Land & Water Conservation Committee receive a copy of a further request for proposals at least one week before such documents would be circulated.

*Fiscal Note: Some additional funds will undoubtedly be necessary to fulfill the directive of this resolution. An estimated \$180,000 remains in the Highway Department budget for location studies.*

**Mr. Zentner moved that Resolution No. 2011-84 be adopted.** Seconded.

**Mr. Morse moved to amend Resolution No. 2011-84 as follows:**

NOW, THEREFORE, BE IT RESOLVED that the County Administrator approach Bray to continue to study to develop creative and innovative plans for the possible continued use of the Puerner Street site, including gathering the information as set forth above and to compare efficiency of operations at sites A, B & C and evaluate operating costs at those sites.

**Amendment to Resolution No. 2011-84 seconded and carried:** Ayes 21, Noes 5 (Tietz, Braughler, Reese, Jaeckel, Schultz), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Amended Resolution No. 2011-84 was adopted:** Ayes 18, Noes 8 (Tietz, Buchanan, Kuhlman, Reese, Morse, Rogers, Peterson, Schultz), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Babcock read Resolution No. 2011-85.**

WHEREAS, the Jefferson County Sheriff's Office began equipping its squad cars with video cameras in 2006, and

WHEREAS, the system utilized is no longer supported as the vendor has gone out of business, and

WHEREAS, the current unreliable nature of the equipment and related software makes it desirable to replace the product at this time, and

WHEREAS, squad video systems suitable for the Jefferson County Sheriff's Office are offered by four different vendors, with the prices for the entire fleet as shown:

Coban; Houston, Texas	\$ 90,505
Watchguard Video; Allen, Texas	\$ 106,000
L3 Mobile Vision, Inc.; Boonton, New Jersey	\$ 101,831
Kustom Video; Charlotte, North Carolina	\$ no quote

AND WHEREAS, the Sheriff's Office staff has reviewed references for other police departments using the products offered, and notes that the Coban product is used by the Los Angeles, California Police Department; the Chicago, Illinois Police Department; and Green Bay, Wisconsin Police Department, and

WHEREAS, the lowest price and good references make the Coban product the best choice, and

WHEREAS, the Law Enforcement Committee recommends approval of a contract for replacing the video systems,

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to contract now with Coban for squad video equipment for half of the cars in the initial amount of \$45,250.

*Fiscal Note: The Finance Committee has transferred the sum of \$45,250 from the Contingency Fund to the Sheriff's Office 2012 budget to fund this initial purchase. The second half of the cars will be equipped with video as part of the 2013 budget.*

**Mr. Babcock moved that Resolution No. 2011-85 be adopted.** Seconded and carried: Ayes 26, Noes 0, Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Babcock read Resolution No. 2011-86.**

WHEREAS, the Jefferson County Office of Emergency Management has applied to the Office of Justice Assistance for grant funding in the amount of \$3,042 in support of the SIMCOM 2012 exercise to be held on May 31, 2012, and

WHEREAS, Jefferson County has entered into an agreement with the City of Jefferson Emergency Medical Services to provide standby emergency medical support for individuals participating in the SIMCOM 2012 exercise in the amount of \$144, and

WHEREAS, the Office of Justice Assistance has requested the Jefferson County Board of Supervisors to support and approve the agreement with the City of Jefferson Emergency Medical Services,

NOW, THEREFORE, BE IT RESOLVED that the County Board ratifies the Agreement between Jefferson County and the City of Jefferson Emergency Medical Services to provide standby emergency medical support for individuals participating in the SIMCOM 2012 exercise in the amount of \$144.

*Fiscal Note: Funds from this grant will be used for supplies and operating expenses in support of the SIMCOM 2012 exercise and to reimburse the City of Jefferson EMS and the Jefferson County Emergency Communications Group for services rendered. No tax levy funds will be used in conjunction with this grant.*

**Mr. Babcock moved that Resolution No. 2011-86 be adopted.** Seconded and carried: Ayes 25, Noes 1 (Peterson), Absent 3 (Burow, Schroeder, Borland), Vacant 1.

**Mr. Kuhlman presented Ordinance No. 2011-26.**

WHEREAS, Jefferson County operates many recreational trails, and

WHEREAS, portions of some of those recreational trails go through designated county parks, and

WHEREAS, Section 8.11 of the Parks Ordinance limits park hours to ½ hour before sunrise to ½ hour after sunset, and

WHEREAS, recreational trail use may occur at any time, and the situation needs clarification,

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY

DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 8.11 of the Parks Ordinance shall be amended as follows:

**SECTION 8.11. PARK AND TRAIL HOURS.** All parks, park roads and parking areas shall be closed to the public and vehicular traffic, except police and emergency vehicles, from one-half hour after sunset to one-half hour before sunrise and no person shall remain in parks during said hours, unless authorized by the issuance of a permit therefore by the Parks Director. Recreational trails may be used at any time except as limited by order of the Parks Director. The Parks Director may grant permits to groups for park usage outside of normal park hours for events consistent with the mission of the Parks Department, and shall report issuance of any such permit promptly to the Parks Committee. [am. 06/13/06, Ord. 2006-09; 09-13-11, Ord. 2011-13]

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

**Mr. Kuhlman moved that Ordinance No. 2011-26 be adopted.** Seconded and carried.

**Mr. Nass read Resolution No. 2011-87.**

WHEREAS, the University of Wisconsin-Whitewater football team continued its historic success by winning the 2011 Amos Alonzo Stagg Bowl National Championship Game for the third straight year, and

WHEREAS, UW-Whitewater currently has the longest winning streak of any football team in the country and the 5th longest in NCAA history, and

WHEREAS, Lance Leipold was named coach of the year for the 5th straight year, and

WHEREAS, the relentless pursuit of excellence by Coach Leipold, his staff and the UW-Whitewater players should be celebrated,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board offers its congratulations to Coach Leipold, his staff and the UW-Whitewater football team for the exceptional performance of the Warhawks team resulting from their hard work and talent.

**Mr. Nass moved that Resolution No. 2011-87 be adopted.** Seconded and carried.

Supplemental information presented at the February 14, 2012, 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 9:49 p.m.