

**JEFFERSON COUNTY BOARD MINUTES  
TUESDAY, JULY 10, 2018, 7:00 P.M.**

Chair Jim Schroeder presiding.

County Clerk Barbara A. Frank called the roll. Supervisors Braughler and Morris gave prior notice of their inability to attend. Herbst and Hartz were also absent.

District 1..... Richard C. Jones	District 2 ..... Mike Kelly
District 3..... Greg David	District 4 ..... Augie Tietz
District 5... James B. Braughler	District 6 ..... Dan Herbst
District 7..... Dwayne C. Morris	District 8 ..... Michael Wineke
District 9..... Amy Rinard	District 10 ..... Lloyd Zastrow
District 11..... Donald Reese	District 12 ..... Peter A. Hartz
District 13..... Ed Morse	District 14 ..... Kirk Lund
District 15..... Steven J. Nass	District 16 ..... Laura Payne
District 17..... Russell Kutz	District 18 ..... Brandon White
District 19..... Jim Schroeder	District 20 ..... Jim Mode
District 21..... John C. Kannard	District 22 ..... Blane Poulson
District 23..... George Jaeckel	District 24 ..... Vacant
District 25..... Matthew Foelker	District 26 ..... Gregg Patrick
District 27..... Conor Nelan	District 28 ..... Dick Schultz
District 29..... Mary K. Roberts	District 30 .... Walt Christensen

2018 Fairest of the Fair Kylie Eck and 2019 Fairest of the Fair contestants led the Pledge of Allegiance. A moment of silence was observed.

Wehmeier certified compliance with the Open Meetings Law.

The Board proceeded with the agenda as printed.

**Rinard, Chair of the Executive Committee, moved that the minutes of the June 12, 2018, meeting be approved as presented.** Seconded and carried.

**Communications.**

**Frank presented the following communications:**

1. Letter dated July 2, 2018, from Sheriff Paul S. Milbrath, notifying Jefferson County Board Chair of the resignation of County Board Supervisor Alyssa Spaanem, District #24, Whitewater, dated Friday, June 29, 2018, effective immediately.

2.

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY, WISCONSIN  
July 1, 2018**

Available Cash on Hand		
June 1, 2018	\$	146,231.06
June Receipts	<u>5,956,440.21</u>	
Total Cash	\$	6,102,671.27
Disbursements		
General – June 2018	\$	3,819,481.61
Payroll – June 2018	<u>1,427,442.17</u>	

Total Disbursements		5,246,923.78
Total Available Cash	\$	855,747.49
Cash on Hand (in banks)		
July 1, 2018	\$	1,275,272.23
Less Outstanding Checks		419,524.74
Total Available Cash	\$	855,747.49
Local Government Investment Pool - General	\$	11,653,188.04
DANA Investments		28,627,481.81
Local Government Investment Pool - Clerk of Courts		26,539.12
Local Government Investment Pool - Farmland Preservation		173,330.43
Local Government Investment Pool - Parks/Liddle		83,328.23
Local Government Investment Pool - Highway Bond		1,907,895.19
	\$	42,471,762.82
2018 Interest - Super N.O.W. Account	\$	532.14
2018 Interest - L.G.I.P. - General Funds		111,397.03
2018 Interest - DANA Investments		332,638.24
2018 Interest - L.G.I.P. - Parks/Carol Liddle Fund		666.98
2018 Interest - L.G.I.P. - Farmland Preservation		1,387.37
2018 Interest - L.G.I.P. - Clerk of Courts		212.44
2018 Interest - L.G.I.P. - Highway Bond		15,271.16
Total 2018 Interest	\$	462,106.36

JOHN E. JENSEN, JEFFERSON COUNTY TREASURER

3. County Board Chair appointment on June 18, 2018, of Tyler Kubicek, Environmental Health Specialist, to the Local Emergency Planning Committee (LEPC) for an indeterminate term effective June 18, 2018.

4. Retirement recognition for Denise Grossman\*, Human Services, 32 years 11 months (\* denotes retiree not in attendance).

5. Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on July 19, 2018, at 7:00 p.m. in Room 205 of the Jefferson County Courthouse, Jefferson.

6. Email dated July 10, 2018, from Anne Drehfal regarding the eminent domain resolution on tonight's agenda.

The communications and notice were received and placed on file.

### **Special Order of Business.**

**Schroeder requested confirmation of the appointment of Roger Lindl, 525 North Fremont Street, Whitewater, to fill the vacancy in Supervisory District 24. Reese moved to confirm the appointment of Roger Lindl to fill the vacancy in Supervisory District 24 ending April 21, 2020. Seconded and carried. Frank administered the oath of office to Roger Lindl.**

**County Board Chair appointed Roger Lindl to the Building and Grounds Committee, Fair Park Committee and Solid**

**Waste/Air Quality Committee effective July 10, 2018, and expiring April 21, 2020.**

**Fairest of the Fair.** Amy Listle, Marketing/Administrative Assistant for Fair Park, had the following 2019 Jefferson County Fairest of the Fair contestants introduce themselves: Libby Knoebel and Natalie Ciciva. Also introduced was the 2018 Jefferson County Fairest of the Fair Kiley Eck.

**Public Comment (Agenda Items).** Deb Rockwell spoke on the zoning denial of Petition R4064A-18 (Resolution No. 2018-32). Linda Ottenbacher, Jae Ames, John Poeppel, Paul Wehling, Aaron Buchanan, Ronni Monroe and Eric Kiernan spoke on the eminent domain resolution (Resolution No. 2018-28). Diane Heerhold spoke on the solar fields project in Jefferson County.

**Herbst present.**

**Presiding Judge William Hue, Child Support Director Stacey Jensen, Clerk of Court Carla Robinson, Emergency Management Director Donna Haugom, Sheriff Paul Milbrath and Veterans' Service Officer Yvonne Duesterhoeft presented their department's annual report.** The annual reports were received and placed on file pursuant to Board Rule 3.03(13).

Schroeder introduced Assistant Corporation Counsel Yelena Zarwell who is acting in the absence of Corporation Counsel J. Blair Ward.

**Payne, Chair of Building and Grounds Committee, introduced Resolution No. 2018-26.**

Executive Summary

The Human Services Department solicited bids from vendors to replace two condensing units/coils, reclaim all refrigerant into cylinders, and replace all refrigerant piping at the Human Services Building. The Building and Grounds Committee met on July 3, 2018, and the Human Services Board met on July 10, 2018, and recommended forwarding this resolution to the County Board to accept the bid from Richter Heating & Air Conditioning, Inc. in the amount of \$69,980.00 as the lowest responsible bidder.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Jefferson County Human Services Department received bids to replace two condensing units/coils, reclaim all refrigerant into cylinders, and replace all refrigerant piping at the Human Services Building, and

WHEREAS, original bids were received from three vendors, and

WHEREAS, the originals bids all contained different scopes of work, and

WHEREAS, at the June 12, 2018, Human Services Board meeting, the Human Services Board directed the Human Services Maintenance Supervisor to standardize the bids from the top two vendors, and

WHEREAS, revised bids were received with the following re-

sults:

<b>Company</b>	<b>Revised Bid Price</b>	<b>Original Bid Price</b>
Richter Heating & Air Conditioning, Inc.	\$ 69,980.00	\$ 73,105.00
Jensen Plumbing, Heating & Air, Inc.	Withdrew bid	\$ 71,000.00
H & H Industries, Inc.	N/A	\$ 105,062.65

AND WHEREAS, the Human Services Board and the Buildings and Grounds Committee have determined that Richter Heating & Air Conditioning, Inc. is the lowest responsible bidder for this project.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby accepts the bid of Richter Heating & Air Conditioning, Inc. as the lowest responsible bidder to replace two condensing units/coils, reclaim all refrigerant into cylinders, and replace all refrigerant piping at the Human Services Building in the amount of \$69,980.00.

*Fiscal Note: Funds for this project have been allocated in 2018 Human Services Department Budget, project number 65210-995210-594810.*

**Payne moved that Resolution No. 2018-26 be adopted.** Seconded and carried: Ayes 27 (Jones, Kelly, David, Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Lund, Nass, Payne, Kutz, White, Schroeder, Mode, Kannard, Poulson, Jaeckel, Lindl, Foelker, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 0, Absent 3 (Braugler, Morris, Hartz).

**Rinard, Chair of the Executive Committee, introduced Ordinance No. 2018-08.**

Executive Summary

The Criminal Justice Collaborating Council was created by the Jefferson County Board of Supervisors by Ordinance No. 2014-08, to provide oversight for the Jefferson County Alcohol Treatment Court and was authorized 13 members. Since its creation, the Council's scope of services has expanded to include oversight of the recently established Jefferson County Drug Treatment Court and membership has increased to 17 members with the addition of the Corporation Counsel, Health Department Director and a representative from the Child Support Office. The Council voted in favor of changing its name from the Criminal Justice Collaborating Council to the Community Justice Collaborating Council to more accurately reflect the diverse scope of services that it provides to Jefferson County residents. The Executive Committee met on June 27, 2018, and recommended amending Ordinance No. 2014-08 to change the name and membership of the Criminal Justice Collaborating Council and that the County Board Rules of Order be amended to incorporate these changes.

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

Section 1. Section 3.06(1)(d) of the Board of Supervisors Rules of Order 2018-2020, is amended as follows:

**(d) ~~GRIMINAL~~ COMMUNITY JUSTICE COLLABORATING COUNCIL** – ~~Sixteen~~ Seventeen members whose membership is determined by the position the member occupies or by appointment of the Council: Chief Judge or Presiding Judge for Jefferson County (Chair), County Administrator, County Board Chair, Sheriff, District Attorney, Clerk of Circuit Court, local government representative, Jefferson County Public Defender, Jefferson County Police Chief and Sheriff's Association representative, Human Services Director, Jefferson County parole and probation manager, education representative, two members of the public Jefferson County citizens, Corporation Counsel, Health Department Director and Child Support Office representative. The Council shall create by-laws including establishing term lengths for members, meet at least quarterly and make recommendations to the County Board, or member's respective organization, to facilitate the goals of the Council. Members may appoint a designee as authorized in the ~~Criminal~~ Community Justice Collaborating Council Bylaws. [Ord. 2016-01, 04/19/2016; Ord. No. 2018-01, 04/17/2018]

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

**Rinard moved for the adoption of Ordinance No. 2018-08.**  
Seconded.

NOTE: Section 3.09 of the County Board rules provides that amendments to the rules shall be made by 2/3 vote. Proposed amendments shall be introduced at one session of the Board and laid over until the next session before action is taken, unless the Board waives laying it over by unanimous vote.

**Rinard moved to suspend the rules. By a voice vote, unanimous approval was given to suspend the rules regarding layover of Ordinance 2018-08. Ordinance No. 2018-08 was adopted by a voice vote.**

**Rinard introduced Ordinance No. 2018-09.**

Executive Summary

The mission of the Criminal Justice Collaborating Council is to enhance public safety in Jefferson County through community collaboration by ensuring criminal offender accountability, providing rehabilitation programs and supporting the rights and needs of victims. The Council is also committed to providing the coordinated leadership necessary to establish and foster innovative corrections programs for adult and juvenile offenders. The mission of the Council will be accomplished by making recommendations for more efficient use of County and State resources, making recommendations for better outcomes for justice system users, their families and the public at large; providing ongoing oversight for new or alternative treatment programs; providing coordination across county departments and budgets; enhancing public safety and continuing working with Community organizations in achieving an improved Criminal Justice system. When the Council was created by the Jefferson County Board of Supervisors by Ordinance No. 2014-08, it provided oversight for the Jefferson County Alcohol Treatment Court. Since its creation, the Council's scope

of services has expanded to include oversight of the recently established Jefferson County Drug Treatment Court. The Council voted in favor of changing its name from the Criminal Justice Collaborating Council to the Community Justice Collaborating Council to more accurately reflect the diverse scope of services that it provides to Jefferson County residents. This ordinance amendment also increases membership from 13 members to 17 members which are currently serving on the Council. The Executive Committee met on June 27, 2018, and recommended forwarding this ordinance to the County Board for adoption.

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

SECTION 1. Repeal and recreate the Jefferson County Criminal Justice Collaborating Council ordinance as follows:

Section 1. The Jefferson County ~~Criminal~~ Community Justice Collaborating Council is hereby created.

Section 2. The Council's mission shall be to enhance public safety through community collaboration by ensuring offender accountability, providing rehabilitation programs and supporting the rights and needs of victims.

Section 3. There shall be at least ~~thirteen~~ seventeen voting members of the Council whose membership is determined by the position the member occupies or by appointment of the Council:

1. Chief Judge or Presiding Judge for Jefferson County (Chair)
2. County Administrator
3. County Board Chair
4. Sheriff
5. District Attorney
6. Clerk of Circuit Court
7. Local government representative
8. Public Defender – Jefferson County
9. Jefferson County Police Chief & Sheriff's Association representative
10. Human Services Director
11. Parole and Probation Manager for Jefferson County
12. Education representative
13. ~~Jefferson County citizen~~ Member of the Public
14. Member of the Public
14. Corporation Counsel [Ord. No. 2015-27, 02-09-16]
16. Health Department Director
17. Child Support Office

The local government representative, education representative and ~~county citizen members of the public~~ shall be selected by the other members of the Council. Additional members may be appointed as the Council deems appropriate. Members may designate a staff person to represent them and vote at Council meetings which designation shall be done by written correspondence addressed to the chair of the Council.

Section 4. Compensation. The local government representative, if not a full time government employee, and ~~the county citizen~~

members of the public shall be entitled to a county meeting fee and mileage for meetings.

Section 5. The Council shall create by-laws including establishing term lengths for members appointed by it; meet at least quarterly, and make such recommendations to the County Board, or each members respective organization as is appropriate to facilitate the goals of the Council.

Section 6. This ordinance shall be effective after passage and publication as provided by law.

*[History: Ordinance No. 2014-08 adopted 06-10-2014; amended 02-09-2016]*

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

*Fiscal Note: Estimated annual expenses for per diems and mileage will be approximately \$600 to \$700.*

**Rinard moved for the adoption of Ordinance No. 2018-09.**  
Seconded and carried.

**Rinard introduced Resolution No. 2018-27.**

Executive Summary

According to Wisconsin Lawyer, approximately 1,100 State Bar members are currently on the State Public Defender's list of attorneys accepting public defender assignments. Public defenders play a fundamental role in maintaining an honest, fair, and effective criminal justice system. During the 2006-2007 fiscal year, the office of the State Public Defender (SPD) assigned more than 142,000 cases to Wisconsin attorneys; nearly half of those cases were assigned to private practice lawyers. Hourly rates for private practice attorneys who accept public defender assignments make it difficult to attract attorneys to accept these assignments. This results in increased costs by requiring counties to pay significantly higher hourly rates for court appointed private attorneys to represent criminal defendants and causes postponement of cases in the legal system. Increasing the funding for the State Public Defender's Office and raising the private bar rate for assigned Public Defender attorneys will enable more attorneys to accept these assignments. The Executive Committee considered this resolution at its meeting on June 27, 2018, and recommended forwarding to the County Board for approval.

WHEREAS, the executive summary is incorporated into this resolution, and

WHEREAS, criminal cases continue to rise due to a variety of factors, and

WHEREAS, both the United States Constitution and the Wisconsin Constitution provide that persons accused of crimes have the right to counsel, and

WHEREAS, the Wisconsin Office of the Public Defender provides legal counsel to criminal defendants and other persons meeting income eligibility guidelines for services, and

WHEREAS, public defender offices do not have enough staff attorneys available or public defender assigned private attorneys willing to assist the Public Defender's office because of inadequate

quate pay, and

WHEREAS, this results in increased costs to counties by requiring counties to pay significantly higher hourly rates for private attorneys to represent criminal defendants, holding inmates in jail for longer periods of time pending court appointment of private attorneys, reducing efficiency of Courts and law enforcement, and delaying justice for victims, and

WHEREAS, the rate of compensation for public defender assigned private attorneys has not increased since 1995 and currently is the lowest hourly rate in the nation at \$40.00 per hour, and

WHEREAS, this has created a financial burden on the Courts and Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors does hereby support providing sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently, and

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors does hereby support an increase in the rate of reimbursement for assigned public defender private attorneys to a market rate that will help ensure prompt legal representation for criminal defendants and allow cases to be handled in a timely and efficient manner; and

BE IT FURTHER RESOLVED that the County Clerk is directed to forward a copy of this resolution to Governor Scott Walker, the Wisconsin Counties Association and Jefferson County's Legislative Representatives with the request that they assist in this endeavor.

*Fiscal Note: If the Wisconsin Legislature increases funding for the Public Defender's office, fees paid by Jefferson County for Court appointed private attorneys can be expected to decrease.*

**Rinard moved that Resolution No. 2018-27 be adopted.** Seconded and carried.

### **Rinard introduced Resolution No. 2018-28.**

#### Executive Summary

Condemnation of real property is the process whereby the government, governmental subdivisions, utility companies or other statutorily designated corporations and entities take title to private property for public purposes using the power of eminent domain. The Wisconsin eminent domain law, section 32.02(13), Wis. Stats., has been amended to expand the ability of businesses that transmit oil or related products in pipelines to condemn private property subject to the approval of the Wisconsin Public Service Commission upon a finding that the proposed real estate interests sought to be acquired are in the public interest. Before this amendment, these businesses were limited to corporations licensed to do business in Wisconsin. Now condemnation authority can be exercised by any business entity authorized to do business in Wisconsin. Due to the recently expanded scope of eminent domain law in Wisconsin, the Jefferson County Board of Supervisors finds that a legislative review is appropriate and requests the State of Wisconsin Legislature to conduct such a review which



will include the current and future impacts on owners of private property. The Executive Committee met on June 27, 2018, and recommended forwarding this resolution to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, condemnation of real property is the process whereby the government takes title to private land for the public good using its power of eminent domain, and

WHEREAS, taking private land against a landowner's objection is a power of the state that should be exercised only when no other alternatives exist, and

WHEREAS, eminent domain has historically been used sparingly for ensuring the public good with a provable need and just compensation, and

WHEREAS, a clearly defined and demonstrated public good has included demonstrating an essential community need for the construction of roadways, schools, public parks, public housing, community centers and public utilities, and

WHEREAS, when the power of eminent domain is expanded to authorize non-corporate business entities to condemn private property, the current and future impacts on owners of private property could be significant, and

WHEREAS, the state legislature possesses the sole power to revise state statutes and conducting a legislative review of the current eminent domain law will assist the legislature in determining whether or not further amendment of the Wisconsin eminent domain law is necessary.

NOW, THEREFORE, BE IT RESOLVED that due to the expanded scope of eminent domain law in Wisconsin, the Jefferson County Board of Supervisors hereby requests the State of Wisconsin Legislature to conduct a legislative review of Wisconsin's eminent domain law which will include the current and potential future impacts on owners of private property.

BE IT FURTHER RESOLVED that the County Clerk is directed to forward a copy of this resolution to Governor Scott Walker, the Wisconsin Counties Association, Jefferson County's Legislative Representatives and to the Public Service Commissioners with the request that they assist in this endeavor.

*Fiscal Note: This resolution will have no fiscal impact.*

**Rinard moved that Resolution No. 2018-28 be adopted.** Seconded.

**Christensen moved to amend Resolution No. 2018-28 at the end of the NOW, THEREFORE clause by adding: additionally, the Board of Supervisors respectfully requests that the Governor instruct the Public Service Commission to delay granting or establish a moratorium on petitions to condemn property using eminent domain that would not have been allowed prior to 2015 until the Wisconsin Legislature has conducted a legislative review.** Seconded.

**Recess at 8:30 p.m.; resumed at 8:40 p.m.**

**Christensen moved to amend the amendment to Resolution No. 2018-28 as follows: additionally, the Board of Supervisors respectfully further requests that the Governor instruct the Public Service Commission to the delay granting or establish a moratorium on petitions to condemn property using eminent domain that would not have been allowed prior to 2015 until the Wisconsin Legislature has conducted a legislative review.** Seconded and carried: Ayes 20 (Jones, Kelly, David, Tietz, Herbst, Wineke, Zastrow, Morse, Lund, Nass, Payne, Kutz, White, Mode, Kannard, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 7 (Rinard, Reese, Schroeder, Poulson, Jaeckel, Lindl, Foelker), Absent 3 (Braugher, Morris, Hartz).

**Mode moved to refer Resolution No. 2018-28 back to the Executive Committee.** Seconded and failed: Ayes 13 (Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Mode, Kannard, Jaeckel, Lindl, Foelker, Nelan), Noes 14 (Jones, Kelly, David, Lund, Nass, Payne, Kutz, White, Schroeder, Poulson, Patrick, Schultz, Roberts, Christensen), Absent 3 (Braugher, Morris, Hartz).

**Resolution No. 2018-28 with the amended amendment was adopted:** Ayes 23 (Jones, Kelly, David, Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Lund, Nass, Payne, Kutz, White, Mode, Kannard, Poulson, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 4 (Schroeder, Jaeckel, Lindl, Foelker), Absent 3 (Braugher, Morris, Hartz).

**Wineke, Vice Chair of the Human Resources Committee, introduced Resolution No. 2018-29.**  
Executive Summary

The Jefferson County District Attorney's Office has recently implemented mandatory e-Filing (electronic filing) for court cases. E-Filing reduces the time Legal Secretaries spend on data entry, improves the accuracy of information, reduces the time spent searching for documents and reduces paperwork that requires filing and storage. The District Attorney (DA) and the Office Manager for the District Attorney's Office recently evaluated staffing levels and the reallocation of responsibilities due to e-Filing and determined that efficiencies could be obtained by eliminating a vacant, full-time Legal Secretary position and creating a full-time Administrative Assistant position. This new Administrative Assistant I position will perform all administrative tasks, including triaging phone calls and assisting the public at the front desk. This will allow the existing Legal Secretary positions to more effectively perform the technical responsibilities of their jobs.

On July 2, 2018, the Human Resources Committee reviewed the request from the District Attorney and recommended forwarding this resolution to the County Board to create one full-time Administrative Assistant position and to eliminate one full-time, vacant Legal Secretary position in the District Attorney's Office.

WHEREAS, the above Executive Summary is incorporated into this resolution, and

WHEREAS, electronic filing has stream-lined the processing of legal documents and other correspondence in the District Attor-

ney's Office,

WHEREAS, it is more efficient to have an Administrative Assistant at the front desk to triage phone calls and monitor schedules, thereby allowing more time for Legal Secretaries to focus on the core aspect of their positions, and

WHEREAS, the District Attorney and the District Attorney Office Manager request, and the Human Resources Committee recommends, creation of one full-time Administrative Assistant I position and elimination of one full-time, vacant Legal Secretary position in the District Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED that the 2018 County Budget setting forth position allocations and funding in the District Attorney's Office be and is hereby amended to create one full-time Administrative Assistant I position and eliminate one full-time, vacant Legal Secretary position, to become effective upon passage.

*Fiscal Note: The creation of the Administrative Assistant I position costs \$52,670 annually for salary and fringe benefits (\$21,946 for the remainder of 2018 for salary and fringe benefits) and the elimination of the Legal Secretary position is a reduction of \$62,546 annually for salary and fringe benefits (\$26,061 for the remainder of 2018 for salary and benefits). There is a net tax-levy reduction of \$4115 for the remainder of 2018 and an anticipated annual reduction of \$9876; therefore, no tax-levy is required for these position changes. No budget amendment is required.*

**Wineke moved for the adoption of Resolution No. 2018-29.**  
Seconded.

**Wineke moved, seconded and carried, to amend Administrative Assistant I to Administrative Assistant II and change the fiscal note as follows:**

*Fiscal Note: The creation of the Administrative Assistant II position costs \$57,498 annually for salary and fringe benefits (\$23,958 for the remainder of 2018 for salary and benefits) and the elimination of the Legal Secretary position is a reduction of \$62,546 annually for salary and fringe benefits (\$26,061 for the remainder of 2018 for salary and benefits). There is a net tax-levy reduction of \$2104 for the remainder of 2018 and an anticipated annual reduction of \$5048; therefore, no tax-levy is required for these position changes. No budget amendment is required.*

**Wineke moved for the adoption of Resolution No. 2018-29 as amended.** Seconded and carried: Ayes 27 (Jones, Kelly, David, Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Lund, Nass, Payne, Kutz, White, Schroeder, Mode, Kannard, Poulson, Jaeckel, Lindl, Foelker, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 0, Absent 3 (Braughler, Morris, Hartz).

**Wineke introduced Resolution No. 2018-30.**

Executive Summary

Jefferson County Human Services was recently awarded a three-year grant from the Greater Watertown Community Health Foundation to implement a Community Response/Prevention Action Plan. The Community Response Program (CRP) in Wisconsin was started in 2006 to provide much needed child mal-

treatment prevention services. CRP provides voluntary supports to families reported to county Child Protective Services (CPS) for alleged child abuse or neglect when the case is closed due to a finding that the report could not be substantiated. Community Response Programming works with families to mitigate the risk factors while increasing the protective factors to prevent child abuse and neglect.

The new funding will be utilized to create two new, full-time positions of a Parent Advocate Professional and a Parent Coach Paraprofessional. The Parent Advocate will require a Bachelor's Degree and will work with families to mitigate risk factors, help identify and enhance protective factors, strengthen families, prevent child maltreatment and reduce referrals to CPS. The Parent Coach will provide short-term intervention that provides parents and other caregivers with tools for bringing about rapid and dramatic improvement in their child's behavior. The combination of these two positions will target areas in Jefferson County that experience the most CPS reports.

The payment schedule for this grant is \$136,500 in years one and two and \$68,250 in year three, with years two and three dependent on evaluation and satisfactory outcomes in the first year(s) of the Community Response Program. Thereafter, these positions will be sustained through billing Emergency Mental Health and Targeted Case Management programs to recoup Medicaid revenue, as well as evaluating the CPS Services staffing and needs and reallocate funding to these positions as needed.

On July 2, 2018, the Human Resources Committee reviewed the request from the Human Services Director and recommended forwarding this resolution to the County Board to accept the grant funding of \$136,500 in year one, create one full-time Parent Advocate Professional position and create one full-time Parent Coach Paraprofessional position at the Human Services Department.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, child neglect and abuse continue to be a concern throughout the County and the nation, resulting in the need to provide child maltreatment preventative services, and

WHEREAS, grant funding is available from the Greater Watertown Community Health Foundation to implement a Community Response/Prevention Action Plan, and

WHEREAS, to meet this need for Jefferson County citizens, the Human Services Director requests, and the Human Resources Committee recommends, creation of one full-time Parent Advocate Professional position and one full-time Parent Coach Paraprofessional position at the Human Services Department.

NOW, THEREFORE, BE IT RESOLVED that the 2018 County Budget be amended to accept the grant funding from the Greater Watertown Community Health Foundation in the amount of \$51,187.50, assuming an August 15, 2018 start date. The Finance Director is authorized to make any necessary prorated budget adjustment based on a later start date, and

BE IT FURTHER RESOLVED that the 2018 County Budget setting forth position allocations and funding at the Human Services Department be and is hereby amended to one full-time Parent Advocate Professional position and one full-time Parent Coach Paraprofessional position at the Human Services Department, to become effective upon passage.

*Fiscal Note: The Parent Advocate Professional position is budgeted for \$77,102 annually for salary and fringe benefits (\$28,913 for the remainder of 2018 for salary and benefits) and the Parent Coach position is budgeted for \$59,269 annually for salary and fringe benefits (\$22,226 for the remainder of 2018 for salary and benefits) and are both fully funded through the Community Response/Prevention Action Plan grant of \$51,187.50; therefore, no tax-levy is required for these positions. This is a budget amendment. County Board approval requires a two-thirds vote of the entire membership of the County Board (20 votes of the 30 member County Board).*

**Wineke moved that Resolution No. 2018-30 be adopted.** Seconded and carried: Ayes 27 (Jones, Kelly, David, Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Lund, Nass, Payne, Kutz, White, Schroeder, Mode, Kannard, Poulson, Jaeckel, Lindl, Foelker, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 0, Absent 3 (Braughler, Morris, Hartz).

**Mode, Chair of the Human Services Board, introduced Resolution No. 2018-31.**

Executive Summary

Jefferson County utilizes a team approach between contract attorneys and the District Attorney's office to represent the interests of the public in Termination of Parental Rights (TPR) cases. This team approach was established by Jefferson County several years ago after it was determined to be in the best interests of the County and the children impacted by TPR cases for additional legal counsel to be retained to assist in the prosecution of TPR cases. By retaining additional legal counsel, Jefferson County is able to offer legal expertise for complex TPR cases and provide additional support to the District Attorney's office to ensure the timely prosecution of TPR cases. This approach has reduced the time required to establish permanency for children by stabilizing their home situation through adoption. As a result, costs paid by the County for temporary foster care are reduced. Currently, contracted attorneys are hired as special prosecutors appointed by the Circuit Court Judges, with the Human Services Department funding these positions through the "IV E" provisions of a federal reimbursable grant to the County.

After reviewing the procedures currently used to appoint attorneys as special prosecutors for TPR cases, staff determined that it would be more effective for these appointments to be made by the County Board under s. 48.09(6), Wis. Stats. This statute gives the County Board authority to appoint appropriate persons to prosecute TPR cases. The District Attorney will also be statuto-

rily responsible for prosecuting TPR cases under s. 48.09(5), Wis. Stats.

The Human Services Board met on July 10, 2018, and recommended Attorney Robert C. Kosloske Jr. and Attorney Norman L. Goeschko be appointed as counsel under s. 48.09(6), Wis. Stats. effective July 11, 2018, and further recommended that this resolution be approved by the Jefferson County Board of Supervisors.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, Jefferson County staff have determined that it would be more effective and cost efficient for the County Board to hire contracted attorneys under s. 48.09(6), Wis. Stats., to prosecute termination of parental rights cases rather than to continue with the current practice of Court appointed special prosecutors, and

WHEREAS, hiring contracted attorneys to assist in the prosecution of termination of parental rights cases will reduce the time required to establish permanency for children with the goal of adoption or other method of creating a stable home environment, and

WHEREAS, Jefferson County has identified Attorney Robert C. Kosloske Jr. and Attorney Norman L. Goeschko as having the needed skills to represent the interests of Jefferson County in termination of parental rights cases.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby appoints Attorney Robert C. Kosloske Jr. and Attorney Norman L. Goeschko as the appropriate persons under s. 48.09(6) of the Wisconsin Statutes to represent the interests of Jefferson County in termination of parental rights cases effective July 11, 2018, and continuing through April 20, 2020.

BE IT FURTHER RESOLVED that the Jefferson County Administrator or Human Services Director is authorized to execute this contract.

*Fiscal Note: These contracted attorney services are included in the FY 2018 Human Services Budget and are reimbursed to the County from a federal grant. This resolution will ensure efficient and orderly administration of termination of parental rights cases which will result in savings in operational costs to the County.*

**Mode moved that Resolution No. 2018-31 be adopted.** Seconded and carried: Ayes 27 (Jones, Kelly, David, Tietz, Herbst, Wineke, Rinard, Zastrow, Reese, Morse, Lund, Nass, Payne, Kutz, White, Schroeder, Mode, Kannard, Poulson, Jaeckel, Lindl, Foelker, Patrick, Nelan, Schultz, Roberts, Christensen), Noes 0, Absent 3 (Braughler, Morris, Hartz).

**Nass, Chair of the Planning & Zoning Committee, introduced the following report:**

**REPORT TO THE HONORABLE MEMBERS OF THE  
JEFFERSON COUNTY BOARD OF SUPERVISORS**

The Jefferson County Planning and Zoning Committee, hav-

ing considered petitions to amend the official zoning map of Jefferson County, filed for public hearing held on June 21, 2018, 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 R4061A-18, R4062A-18, R4063A-18, R4065A-18, R4066A-18, R4067A-18, R4068A-18 and R4070A-18.

#### **DENIAL OF PETITION R4064A-18**

Petition R4064A-18 was filed by Deborah Rockwell to create a 2-acre prime agricultural land lot near N911 Marshall Road in the Town of Cold Spring, part of PIN 004-0515-2143-002. This Petition was recommended for denial because the proposed location consists of land with prime agricultural soil. The Petitioner would have the option to create one A-3 lot, on non-prime agricultural soil in accordance with the Zoning Ordinance and Comprehensive Plan, however Committee found the proposed location to be located on prime agricultural soil and therefore denied the petition.

Dated this 25th day of June 2018. Donald Reese, Secretary.

The prior month's amendments R3782A-17, R4045A-18, R4056A-18, R4057A-18, R4058A-18, R4059A-18 and R4060A-18 are effective upon passage by County Board, subject to Wis. Stats. 59.69(5).

#### **Nass introduced Ordinance No. 2018-10.**

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the official zoning map of Jefferson County, and

WHEREAS, Petitions R4061A-18, R4062A-18, R4063A-18, R4065A-18, R4066A-18, R4067A-18, R4068A-18 and R4070A-18 were referred to the Jefferson County Planning and Zoning Committee for public hearing on June 21, 2018, 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 official zoning map of Jefferson County as follows:

#### **FROM R-2 RESIDENTIAL AND A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL AND RURAL RESIDENTIAL**

Rezone all of PIN 016-0514-2022-002 (0.688 acre) owned by Bryant Dahnert and 0.3 acre of PIN 016-0514-2023-000 (21.14 acres) owned by Donald R Foltz to create a 1-acre A-3 zoned lot. The site is at N1205 Garvert Lane in the Town of Koshkonong. This is in accordance with Sec. 11.04(f) 8 of the Jefferson County Zoning Ordinance. This action is conditioned upon approval and recording of a final certified survey map for the lot, including extra-territorial plat review if necessary. R4061A-18 – Bryant Dahnert/ Don Foltz properties

Rezone all of PIN 016-0514-2023-003 (21.14 acres) owned by Curt and Mary Peterson and 0.4 acre of PIN 016-0514-2023-000 (21.14 acres) owned by Donald R Foltz to create a 1.1-acre



A-3 zoned lot. The site is at N1193 Garvert Lane in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This action is conditioned upon approval and recording of a final certified survey map for the lot, including extraterritorial plat review if necessary. R4062A-18 – Curt and Mary Peterson/ Don Foltz properties

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS**

Create a 2-acre A-2, Agricultural and Rural Business zone from part of PINs 032-0815-2743-000 (20 acres) and 032-0815-2744-000 (20 acres) near N7780 Little Coffee Road in the Town of Watertown. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. This action is conditioned upon road access approval and approval and recording of the final certified survey map, including extraterritorial plat review if necessary. R4063A-18 – Andrew J. Fincutter

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

Create a 2.32-acre building site on County Road B from part of PINs 006-0716-1321-002 (29.259 acres) and 006-0716-1324-000 (32.2 acres) in the Town of Concord. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; therefore rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval, receipt by Zoning of a suitable soil test and approval and recording of a final certified survey map, including extraterritorial plat review if necessary. R4065A-18 – Louis Garbelman

Create a 1-acre lot around the home at N5345 Hillside Drive, Town of Concord, on PIN 006-0716-2933-001 (19.2 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This action is conditioned upon approval and recording of a final certified survey map for the lot. R4066A-18 – James Keller/Clem & Geneva Keller Trust

Rezone for a new 4-acre building site on County Road E in the Town of Sullivan, part of PIN 026-0616-3414-000 (26.88 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This action is conditioned upon road access approval, receipt by Zoning of a suitable soil test and receipt and recording of a final certified survey map for the lot. R4067A-18 – Michael Quinn

Create a new 1.3919-acre building site near N7379 State Road 89 in the Town of Waterloo from part of PIN 030-0813-3634-000 (29.68 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This action is conditioned upon road access approval, receipt by Zoning of a suitable soil test and approval and recording of a final certified survey map, including extraterritorial plat review if necessary. R4068A-18 – Steve Homann/Marvin & Marion Homann property

**FROM EXCLUSIVE AGRICULTURAL A-1 TO A-3, AGRICULTURAL/RURAL RESIDENTIAL AND FROM A-3 TO A-1**



Rezone to reconfigure an existing 4.5-acre A-3 zone, PIN 032-0815-1544-002 (4.51 acres) by adding 0.8 acre of PIN 032-0815-1544-000 (55.29 acres) currently zoned A-1 and by rezoning 0.8 acre of the existing A-3 zone to A-1. The site is in the Town of Watertown on Witte Lane. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This action is conditioned upon road access approval, receipt by Zoning of a suitable soil test and approval and recording of a final certified survey map, including extraterritorial plat review if necessary. There shall be no development in the wetland, floodplain or on slopes exceeding 20%. R4070A-18 – Wilbur Miller

The above rezonings shall be null and void and of no effect 1 year from the date of County Board approval unless all applicable conditions have been completed by that date.

**Nass moved that Ordinance No. 2018-10 be adopted as printed.** Seconded and carried with Kannard abstaining for possible conflict of interest.

### **Nass introduced Resolution No. 2018-32.**

#### Executive Summary

The Jefferson County Planning and Zoning Committee considered petitions to amend the official zoning map of Jefferson County. After holding a public hearing, the Planning and Zoning Committee denied the petition of Barbara Rockwell to rezone 2 acres from A-1 to A-3. The reasons for denial by the Planning and Zoning Committee are stated more particularly in the Planning and Zoning Committee Report to the County Board dated June 25, 2018, and the minutes and official record of the public hearing of June 21, 2018. The findings by the Planning and Zoning Committee support denial of this petition with such denial being in compliance with the Jefferson County Zoning Ordinance and state law. The Planning and Zoning Committee met on June 25, 2018, and recommended forwarding this resolution to the County Board to deny Petition R4064A-18 was filed by Deborah Rockwell.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the official zoning map of Jefferson County for a new building site on Marshall Road in the Town of Cold Spring, and

WHEREAS, Petition R4064A-18 was referred to the Jefferson County Planning and Zoning Committee for public hearing, and

WHEREAS, the proposed amendment has been given due consideration by the Jefferson County Planning and Zoning Committee after public hearing held on June 21, 2018, as required by law and the Committee after being duly advised of the wishes of the town boards and persons in the areas affected, made a recommendation to DENY Petition R4064A-18.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Supervisors that Petition R4064A-18 submitted by Barbara Rockwell to rezone 2 acres from A-1 to A-3 of PIN

004-0515-2143-002 (8.29 acres) for a new building site on Marshall Road in the Town of Cold Spring is hereby DENIED for the reasons stated more particularly in the Planning and Zoning Committee Report to the County Board dated June 25, 2018, and the minutes and official record of the public hearing of June 21, 2018. **Nass moved that Resolution No. 2018-32 be adopted.** Seconded and carried.

**Wehmeier introduced the following appointments:**

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

By virtue of the authority vested in me under Sections 59.18(2) (b) of the Wisconsin Statutes, I do respectfully request confirmation of the following appointment:

Augie Tietz to the Veterans' Service Commission for a three year term ending December 11, 2021.

**Jaeckel moved to confirm the above appointment.** Seconded and carried.

**Public Comment (General).** None.

Supplemental information presented at the July 10, 2018, Jefferson County Board meeting will be available at the County Clerk's office upon request or on the County's website at [www.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov).

**There being no further business, Jaeckel moved that the Board adjourn.** Seconded and carried at 9:25 p.m.