

**JEFFERSON COUNTY BOARD MINUTES
MONDAY, SEPTEMBER 8, 2008, 7:00 P.M.**

Ms. Sharon Schmeling presiding.

Mr. Jaeckel led the Pledge of Allegiance.

A moment of silence was observed.

The County Clerk called the roll, all members being present except Mr. Seefeldt, Mr. Zastrow, Mr. Nass, Ms. Knox and Mr. Poulson.

District 1.....Richard C. Jones	District 2..... Vic Imrie, Jr.
District 3 Greg David	District 4 Gail Towers MacAskill
District 5 Jim Braugher	District 6..... Ron Buchanan
District 7..... Dwayne C. Morris	District 8..... Rick L. Kuhlman
District 9..... Scott Seefeldt	District 10..... Lloyd Zastrow
District 11..... Donald Reese	District 12..... Mike Burow
District 13.....Vacant	District 14..... Pamela Rogers
District 15..... Steven J. Nass	District 16..... John Molinaro
District 17 Carol Ward Knox	District 18..... Sharon L. Schmeling
District 19.....Amy Kramer	District 20..... John C. Kannard
District 21 Robert G. Yachinich	District 22 Blane Poulson
District 23 George Jaeckel	District 24..... Gregory M. Torres
District 25..... Walt Christensen	District 26..... Carlton Zentner
District 27 Glen D. Borland	District 28 Julie J. Nelson
District 29..... Paul Babcock	District 30..... Jim Mode

Ms. Knox present.

County Administrator Gary Petre informed the Chair that the meeting was in compliance with the Open Meetings Law.

The agenda was approved with the exception of deleting Item 10.c. (Resolution – Approve Contract – Gary R. Petre, County Administrator).

Mr. Mode moved that the minutes of the August 12, 2008, meeting be approved as corrected. Seconded and carried.

**GENERAL FINANCIAL CONDITION
JEFFERSON COUNTY, WISCONSIN
September 1, 2008**

Available Cash on Hand		
August 1, 2008	\$ 1,523,355.52	
August Receipts	<u>34,672,459.50</u>	
Total Cash		\$36,195,815.02
Disbursements		
General - August 2008	\$34,899,810.93	
Payroll - August 2008	<u>1,468,536.95</u>	
Total Disbursements		<u>36,368,347.88</u>
Total Available Cash		\$ (172,532.86)
Cash on Hand (in banks) September 1, 2008	\$ 534,396.76	
Less Outstanding Checks	<u>706,929.62</u>	
Total Available Cash		\$ (172,532.86)
AIM Government & Agency Portfolio		3,960,848.14

Local Govt. Investment Pool - General	21,446,180.79
Institutional Capital Management	11,497,887.33
Local Government Investment Pool - Clerk of Courts	158,669.40
Local Government Investment Pool - Parks/Liddle	<u>203,556.32</u>
	\$ 37,267,141.98
2008 Interest - Super N.O.W. Acct.	\$ 2,886.82
2008 Interest - L.G.I.P. - General Funds	523,350.63
2008 Interest - ICM	242,243.62
2008 Interest - AIM	69,221.72
2008 Interest - L.G.I.P. - Parks/Carol Liddle Fund	3,811.13
2008 Interest - L.G.I.P. - Clerk of Courts	<u>4,445.33</u>
Total 2008 Interest	\$ 845,959.25

**JEFFERSON COUNTY TREASURER'S 2008
INTEREST REVENUE INVESTMENT REPORT**

MONTH 2008	INTEREST 2008	TREASURER'S REQUEST	TREASURER'S VARIANCE	ADMINISTRATOR'S (ADOPTED) BUDGET	ADMINISTRATOR'S VARIANCE
January	84,454.50	125,000.00	(40,545.50)	158,333.00	(73,878.50)
February	138,158.17	125,000.00	13,158.17	158,333.00	(20,174.83)
March	146,269.84	125,000.00	21,269.84	158,334.00	(12,064.16)
April	88,220.85	125,000.00	(36,779.15)	158,333.00	(70,112.15)
May	98,696.60	125,000.00	(26,303.40)	158,333.00	(59,636.40)
June	135,356.58	125,000.00	10,356.58	158,334.00	(22,977.42)
July	65,436.68	125,000.00	(59,563.32)	158,333.00	(92,896.32)
August	81,109.57	125,000.00	(43,890.43)	158,333.00	(77,223.43)
September		125,000.00	(125,000.00)	158,334.00	(158,334.00)
October		125,000.00	(125,000.00)	158,333.00	(158,333.00)
November		125,000.00	(125,000.00)	158,333.00	(158,333.00)
December		125,000.00	(125,000.00)	158,334.00	(158,334.00)
TOTAL	837,702.79	1,500,000.00	(662,297.21)	1,900,000.00	(1,062,297.21)
As of					
8/31/08	837,702.79	1,000,000.00	(162,297.21)	1,266,666.66	(428,963.87)
2008					
Estimates	1,256,554.19	1,500,000.00	(243,445.82)	1,900,000.00	(643,445.82)

JOHN E. JENSEN
JEFFERSON COUNTY TREASURER

County Clerk Barbara A. Frank read the following communications:

1. Letter dated August 27, 2008, from Alice Connors, Vice-Chair of the Wisconsin County Human Services Association, awarding its Outstanding Public Service Award to the County Board Chair, County Board of Supervisors, department heads and staff of Jefferson County for their actions in assuring public safety in the wake of recent flooding.
2. A Notice of Public Hearing from the Jefferson County Zoning and Planning Committee for a hearing to be held on September 18, 2008, at 7:00 p.m. in Room 205 of the Jefferson County Courthouse.

The communication and notice were received and placed on file.

The floor was opened for public comment.

Dr. Tom Luetzow spoke on his candidacy for the District 37th Representative to the Assembly seat.

Highway Commissioner William Kern, Parks Director Joseph Nehmer and Emergency Management Coordinator Donna Haugom presented their annual reports. The annual reports were received, placed on file but not printed in the minutes pursuant to Board Rule 3.03(12).

Supervisor Babcock, Chair of the Law Enforcement/Emergency Management Committee, presented Jefferson County's Award of Excellence to Emergency Management Director Donna Haugom; Sheriff Paul Milbrath; Vicki Milbrath, operations manager for the Family Assistance Center; and the countless volunteers who gave endless hours and tireless efforts during the 2008 Jefferson County flood disaster.

Mr. David presented the report of the Zoning & Planning Committee.

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

The Jefferson County Zoning and Planning Committee, having considered petitions to amend the zoning ordinance of Jefferson County, filed for public hearing held on July 17 and August 21, 2008, 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
3343A-08, 3347A-08 AND 3350A-08

DATED THIS SECOND DAY OF SEPTEMBER, 2008
Donald Reese, Secretary

THE EFFECTIVE DATE OF THE PRIOR MONTH'S AMENDMENTS,
3335A-08, 3341A-08, 3342A-08, 3344A-08, 3345A-08, 3346A-08,
3348A-08 AND 3349A-08, IS AUGUST 16, 2008.

Mr. David moved that the report be adopted. Seconded and carried.

Mr. David presented Ordinance No. 2008-18.

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

WHEREAS, Petitions 3343A-08 and 3347A-08 were referred to the Jefferson County Zoning and Planning Committee for public hearing on July 17, 2008, and Petition 3350A-08 was referred for public hearing on August 21, 2008, 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 2.602 acres of PIN 032-0814-1044-000 (65.04 acres) for a new building site on West Road in the Town of Watertown. This non-prime lot combination utilizes the last available A-3 zone for the property; therefore, rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval; upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems; and upon approval and recording of a final certified survey map for the lot, including extraterritorial plat review if necessary. (3343A-08 – Michael & Sarah Walter Trust)

Rezone to create two new residential building sites of approximately 1.2 acres each, east of W7096 Mansfield Road, from PIN 002-0714-1943-001 (33.795 acres), Town of Aztalan. These are prime ag land lots, allowed as a consolidation of parcels of record utilizing the last available A-3 zone for this property and for the property consisting of PINs 002-0714-2032-000 and 002-0714-2033-000. Rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval by the Town, upon receipt by Zoning of a soil test for each lot showing sites for installation of both initial and replacement private sewage systems, and upon approval and recording of a final certified survey map for the properties, including extraterritorial plat review if necessary. (3347A-08 – Kathy Zimmermann/Ardis Eilenfeldt Trust property)

FROM AGRICULTURAL A-1 TO A-2, AGRIBUSINESS

Rezone approximately 2.7 acres of PIN 030-0813-1613-000 (14.88 acres). The site is in the Town of Waterloo at W8643 Blue Joint Road. (3350A-08 – Paul Marty)

Mr. David moved that Ordinance No. 2008-18 be adopted. Seconded and carried with Mr. Kannard abstaining for possible conflict of interest.

Mr. Nass present.

Mr. Nass presented the following report and moved that it be accepted, placed on file and printed in the minutes. Seconded and carried:

County Board Chairman's Report Sharon L. Schmeling September 2008

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

County Board Contract with County Administrator – The Administration and Rules Committee met September 5 with the human resources consultant who is handling the performance evaluation of our County Administrator. As you may recall, this year's annual performance evaluation is especially important because it is tied to the renewal of the board's three-year contract with the administrator.

The consultant, John Dahle of Dahle and Associates of Lake Mills, expects to

have the evaluation completed in four weeks. The evaluation process will include a 360 degree assessment, which will allow every department head and county board supervisor to complete a confidential evaluation form measuring the administrator's performance and areas for improvement, if any.

Once the Committee has that data compiled, it will make a recommendation to the County Board about contract renewal and length. The Committee was not comfortable making a recommendation to the County Board without first completing the annual performance evaluation. The current contract requires that a resolution for a new three-year term be submitted to the board by its September 2008 board meeting. As no such action was taken, the contract terms provide that it is renewed for one year, with either party having the right to cancel at any time with 90 days notice.

Transportation issues – On August 29, the Administration and Rules Committee met and, among other things, reviewed a request by various department heads and County Board Supervisors to review the County's transportation plans. Several citizens from across the County appeared during the public comment period and supported such a review. The trigger for the discussion was the update of the County's bike plan. Several staff and citizens noted that the transportation issues affecting the County are more complicated than can be addressed by merely updating the plan. They noted that the County's smart growth zoning plan also calls for addressing our transportation issues. In addition, the Committee was reminded that the operational audit of the Human Services Department also recommended a review of the County's various transportation issues.

After much discussion, the Committee asked me to meet with the County Administrator and department heads to assess the range of issues associated with transportation and make a report back to the Committee about methods to begin addressing those issues. The Committee agreed that with the current state of funding, the County is prevented from taking on large-scale program changes in transportation. In addition, there was general agreement that there is little appetite for creating another county board committee, given our continuing efforts to decrease the number of county board committees and thereby maintain a lean budget with minimal increases in spending.

However, the Committee agreed that because transportation is a complex and timely subject that creates challenges for county government's delivery of services, there is a benefit in assessing the landscape and determining future approaches to the issues. Know that this discussion is occurring and the Committee will bring forward any resulting policy recommendations to the County Board for review.

Mr. Nass read Resolution No. 2008-54.

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions, and

WHEREAS, service as a juror in the Jefferson County Circuit Court is, along with voting, one of the most important responsibilities of citizenship, and

WHEREAS, the Wisconsin State Court system, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to

publicly recognize the contribution of those who are summoned and serve.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby supports the goals of Juror Appreciation Month to:

- Educate the public about jury duty and the importance of jury service, and
- Applaud the efforts of jurors who fulfill their civic duty, and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while they serve as jurors, preventing financial hardship and fostering community strength.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Jefferson County by preserving the rule of law, the basis for a free society.

Fiscal Note: No fiscal impact.

Mr. Nass moved that Resolution No. 2008-54 be adopted. Seconded and carried.

Item 10.c. on the agenda, Administration & Rules Committee resolution on approving the contract for the County Administrator, was not brought forward.

Ms. Rogers read Resolution No. 2008-55.

WHEREAS, Resolution No. 2008-15 adopted May 13, 2008, directs the Finance Committee, on a case by case basis, to recommend to the Board allocation of the proceeds from sale of county owned farmland to possibly increase the acreage of farmland permanently protected from development, and to leverage state and federal funds for the acquisition of conservation easements to protect farmland, and

WHEREAS, it is anticipated that the County will receive approximately \$1,345,000 (prior to any appeal) from the Department of Transportation for the right-of-way needed for the Highway 26 Jefferson bypass, and

WHEREAS, the Finance Committee has reviewed a number of different possible applications of the land sale proceeds including (a) the Flood Mitigation Program; (b) potential Highway facility project; (c) future park development projects; (d) potential Sheriff administration facility project; and (e) funds for farmland preservation, and

WHEREAS, the Finance Committee recommends that \$260,000 of the sale proceeds be allocated to the Farmland Conservation Easement Program with the remainder net of expenses and any additional funds from appeal being allocated to the Flood Mitigation Program, and

WHEREAS, allocation of funds to the Flood Mitigation Program will allow application to be made for state and federal flood mitigation funds at the rate of 12.5% county funds, 87.5% state and federal funds, and

WHEREAS, County Board action on the 2009 Budget will be required to confirm this allocation,

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is directed to include allocation of funds as recommended by the Finance Committee in the proposed 2009 Budget.

Fiscal Note: The Farmland Conservation Easement business unit would be funded with \$260,000 in the 2009 budget. The balance, \$1,084,600 prior to any attendant expenses of the transaction, will be designated as reserve applied capital in the Flood Mitigation business unit.

Ms. Rogers moved that Resolution No. 2008-55 be adopted. Seconded and carried: Ayes 18, Noes 8 (Imrie, Reese, Burow, Kramer, Kannard, Jaeckel, Torres, Borland), Absent 3 (Seefeldt, Zastrow, Poulson), Vacant 1.

Mr. Mode read Resolution No. 2008-56.

WHEREAS, the Community Services Deficit Reduction Benefit (CSDRB) was a program that began in 1996 under which the Department of Health and Family Services, (now Department of Health Services or DHS), claimed and provided to counties the federal Medical Assistance (MA) share of counties' reported costs above the MA fee for service rates for MA services they provide, and

WHEREAS, 2003 Act 318 created Wisconsin Medicaid Cost Reporting (WIMCR), a replacement program for CSDRB, as a temporary program to allow the State to claim extra Medicaid dollars by withholding Basic County Allocation (BCA) funds from the counties at the beginning of the year; using this money as state match and capping the federal share of the previous CSDRB monies owed to counties to no higher than the 2002 reimbursements, and

WHEREAS, 2003 Act 318 provided that WIMCR would sunset at the end of 2005, and CSDRB be re-established in 2006, and

WHEREAS, the State's 2005-07 budget removed the sunset, allowing WIMCR to continue on an ongoing basis, and

WHEREAS, the Governor's 07-09 Biennial Budget did not include any statutory changes related to elimination of WIMCR because the Department of Administration concluded, in consultation with the Legislative Reference Bureau, that the change back to CSDRB by DHS does not require statutory change.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board respectfully requests the Department of Health Services to sunset the WIMCR program effective June 30, 2009, and return to the CSDRB-like program for federal claiming of unreimbursed county costs for fee-for-service MA services provided after January 1, 2009.

BE IT FURTHER RESOLVED that the Clerk shall send a copy of this resolution to the Governor, Department of Health Services Secretary Karen Timberlake and the Wisconsin Counties Human Services Association.

Fiscal Note: If re-established at its pre-2005 level, this program would restore from \$250,000 to \$350,000 in revenue to the Jefferson County Human Services Department.

Mr. Mode moved that Resolution No. 2008-56 be adopted. Seconded and carried.

Mr. Burow read Ordinance No. 2008-19.

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

Section 1. Section 3.05(2)(g) of the Board Rules is amended as follows:

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

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

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

No objection was given to suspending Board Rule 3.09 regarding laying the amendment over. Mr. Burow moved that Ordinance No. 2008-19 be adopted. Seconded and carried: Ayes 26, Noes 0, Absent 3 (Seefeldt, Zastrow, Poulson), Vacant 1.

Mr. Babcock read Resolution No. 2008-57.

WHEREAS, recent flooding in Jefferson County, and other emergencies in adjacent counties have emphasized the value of mutual aid by emergency management staff personnel between the various counties and the City of Milwaukee that make up the Southeast Wisconsin Emergency Management Region, and

WHEREAS, the various counties and the City of Milwaukee have proposed a mutual aid compact for county emergency management assistance to spell out the duties and responsibilities of the signatories of said document when providing assistance to another government unit, and

WHEREAS, the Law Enforcement/Emergency Management Committee and Emergency Management Director recommend Jefferson County's participation in the mutual aid compact,

NOW, THEREFORE, BE IT RESOLVED that the Emergency Management Director, Board Chair and the County Clerk are authorized to sign the Southeast Wisconsin Mutual Aid Compact for County Emergency Management Assistance.

Fiscal Note: Each participating government will pay its own staff for the first 48 hours of assistance. Thereafter, the requesting unit will reimburse those providing assistance. Actual cost is difficult to predict, but is within the control of the requesting unit.

Mr. Babcock moved that Resolution No. 2008-57 be adopted. Seconded

and carried: Ayes 26, Noes 0, Absent 3 (Seefeldt, Zastrow, Poulson), Vacant 1.

There being no further business, Mr. Buchanan moved that the Board adjourn. Seconded and carried at 8:03 p.m.