

**JEFFERSON COUNTY BOARD MINUTES
TUESDAY, OCTOBER 25, 2016, 7:00 P.M.**

Chair Jim Schroeder presiding.

County Clerk Barbara A. Frank called the roll, all members being present except Supervisors Zastrow, Poulson and Smith. Supervisor Poulson gave prior notice of his inability to attend.

District 1.....	Richard C. Jones	District 2	Mike Kelly
District 3.....	Greg David	District 4	Augie Tietz
District 5... ..	James B. Braughler	District 6	Ron Buchanan
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	Jennifer Hanneman
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.....	Glen D. Borland	District 28	Dick Schultz
District 29.....	Timothy Smith	District 30	Gary Kutz

County Administrator Ben Wehmeier led the Pledge of Allegiance. A moment of silence was observed.

Wehmeier certified compliance with the Open Meetings Law. Agenda was approved as printed.

Communications.

Frank presented a letter from Government Finance Officers Association dated October 11, 2016, regarding the Certificate of Achievement for Excellence in Financial Reporting Award for the fiscal year ending December 31, 2015.

Special Order of Business.

Corporation Counsel J. Blair Ward spoke on compliance with the Wisconsin Open Meetings Law and specifically the violation by Winnebago County.

Jones, Chair of the Finance Committee, moved to open the public hearing on the 2017 Recommended Budget. Seconded and carried.

The public hearing on the proposed 2017 County Budget commenced at 7:15 p.m. Twenty-six supervisors were present with 3 absent (Zastrow, Poulson, Smith) and one vacant (District 24).

The floor was opened for public comment on the 2017 Recommended Budget. No one requested to comment. **Jones moved to close the public hearing.** Seconded and carried at 7:16 p.m.

Public Comment on non-budget agenda items. None.

Jones introduced Resolution No. 2016-49.

Executive Summary

Claims have been made against Jefferson County for damages. All claims have been reviewed by the County's insurance carrier, WMMIC, and were recommended for disallowance based on the finding that the County is not legally responsible for the alleged damages. This resolution formally denies said claims filed against Jefferson County and directs the Corporation Counsel to give the claimants notice of disallowance. The Finance Committee met on October 13, 2016, and recommended forwarding this resolution to the County Board.

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

WHEREAS, the following claims were filed against Jefferson County as follows:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Claim Filed</u>	<u>Description</u>	<u>Alleged Damages</u>
Daniel Frederickson & Atty. J. Michael Riley w/Axley Brynelson, LLP	5/28/16	9/06/16	Jefferson County Sheriff's Dept. took possession of Mr. Frederickson's vehicle following an accident with a bicycle on 5/28/16. Sheriff's Dept. is retaining Mr. Frederickson's vehicle until after the results of his blood test have been returned. Mr. Frederickson is seeking damages for loss of use of his vehicle.	\$30/day since vehicle seized; attorney's fees
William Maciejewski	8/17/16	9/28/16	Claimant's vehicle was traveling on Highway 19 westbound when a vehicle traveling in the opposite direction caused seal coat chips on the road to allegedly damage the windshield and paint on a 2015 Ford F250	\$ 4,044.52
Eileen Horn	8/17/16	9/13/16	Claimant's vehicle was traveling on Highway 19 when vehicles traveling in the opposite direction caused seal coat chips	\$50.75

			on the road to allegedly damage the windshield on a 2002 Chevy Impala	
Debbie Battenberg	8/17/16	10/03/16	Claimant's vehicle was traveling on Highway 19 when vehicles traveling in the opposite direction caused seal coat chips on the road to allegedly damage the windshield on a 2006 Toyota Prius	\$363.46
Jami Newton	8/18/16	9/06/16	Claimant's vehicle was traveling on Highway 19 when a vehicle traveling in the opposite direction caused seal coat chips on the road to allegedly damage the windshield on a 2009 Ford F150	\$414.95
Stephanie & James Gabrus	8/18/16	8/23/16	Claimant's vehicle was traveling on Highway 19 east when vehicles passing her caused seal coat chips on the road to allegedly damage the windshield on a 2009 Toyota Matrix	\$325.25
Sandra Schmidt	8/19/16	9/07/16	Claimant's daughter was driving claimant's vehicle on Highway 19 when seal coat chips on the road allegedly damaged the windshield on a 2000 Dodge Neon	\$257.21
Joshua C. Coppernoll	8/30/16	9/13/16	Claimant's vehicle was traveling on Ski Slide Road during a rain storm when fresh oil/tar on the road allegedly damaged a 2008 Dodge Ram	\$6,687.76
Joseph Haas Nicole Haas	9/06/16	10/03/16	Claimants' vehicle was traveling on Ski Slide Road when oil/tar on the road allegedly damaged a 2007 Honda CR-V	\$753.57
Warren Mutsch &	9/07/16	9/13/16	Claimant's vehicle was traveling on Wisconsin	\$706.27

American
Family Insurance

Avenue (Business 16)
after said highway was
seal coated and tar/oil
allegedly damaged
his vehicle (2008 Chrysler
Town & Country Limited)
and his garage floor
when parking his
vehicle in the garage

WHEREAS, the Jefferson County Highway Department had signage in place to warn of road work on the seal coat projects noted above, and

WHEREAS, the Jefferson County Highway Department was hired by the State of Wisconsin to seal coat this highway as Highway 19 is a state highway and the Jefferson County Highway Department followed state specifications, and

WHEREAS, said damages are alleged to be the result of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, Jefferson County's insurance carrier, Wisconsin Municipal Mutual Insurance Company, recommends disallowance of the claims on the basis that the County is not legally responsible for the alleged damages,

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

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

Jones moved that Resolution No. 2016-49 be adopted. Seconded.

Rinard moved to refer the resolution back to the Finance Committee. Seconded. A roll call vote was requested and the motion failed: Ayes 6 (David, Rinard, Lund, Payne, Kannard, Borland), Noes 20 (Jones, Kelly, Tietz, Braugher, Buchanan, Morris, Wineke, Reese, Hartz, Morse, Nass, R. Kutz, Hanneman, Schroeder, Mode, Jaeckel, Foelker, Patrick, Schultz, G. Kutz), Absent 3 (Zastrow, Poulson, Smith), Vacant 1 (District 24).

Reese moved to amend Resolution No. 2016-49 as follows: "WHEREAS, the Town of Ixonia hired the Jefferson County Highway Department to seal coat a portion of Ski Slide Road, and". Seconded. A short recess was taken to draft the proper language for the amendment (7:45 p.m. to 7:51 p.m.). Said amendment was adopted by a voice vote.

Amended Resolution No. 2016-49 was adopted by a voice vote.

Morse, member of the Historic Sites Preservation Commission, introduced Ordinance No. 2016-14.

Executive Summary

The Certified Local Government Program is administered by the National Park Service and is administered in Wisconsin by the Wisconsin Historical Society. The Certified Local Government program recognizes local historic preservation commissions, such as Jefferson County's, that enforce their local historic preservation ordinance. In return, the National Park Service provides access to federal historic preservation monies in the form of grants that only Certified Local Governments may apply for. To date, Jefferson County has received \$93,000 in Certified Local Government grants to conduct historic preservation projects in the County. For Jefferson County to participate in the Certified Local Government Program, the County's ordinance must be consistent with Wisconsin Act 176. This Act provides an appeal process allowing an owner of property that is affected by a decision of the Historic Sites Preservation Commission to appeal the decision to the Jefferson County Board of Supervisors. The Board may overturn a decision of the Commission by majority vote. Jefferson County's ordinance (Ord. No. 2007-48) does not meet this statutory criterion and therefore does not meet the requirements for continued participation in the Certified Local Government Program in Wisconsin. The proposed amendments to the Jefferson County Historic Sites Preservation Commission and Program Ordinance satisfy the conditions of the Certified Local Government Program and allow Jefferson County to be eligible for Certified Local Government grants. The Historic Sites Preservation Commission met on October 20, 2016, and recommended forwarding this ordinance amendment to the County Board.

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

Section 1. Section 1.02(1)(e) of the Historic Sites Preservation Commission and Program Ordinance is amended as follows:

(e) Historic district is an area designated by the Jefferson County Board of Supervisors on recommendation of the commission, composed of two or more ~~improvement~~ improved parcels that together comprise a district of special character or special historic interest or value as part of the development, heritage or cultural characteristics of the County, state or nation, and which has been designated as a historic district pursuant to the provisions of this chapter.

Section 2. Section 1.02(1)(f) of the Historic Sites Preservation Commission and Program Ordinance is amended as follows:

(f) Historic structure means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the County, state or nation and which has been designated as a historic structure pursuant to the provisions of this chapter.

Section 3. Section 1.03(2) of the Historic Sites Preservation Commission and Program Ordinance is amended as follows:

(2) The Jefferson County Administrator shall appoint the commissioners subject to confirmation by the Jefferson County Board of Supervisors. Of the initial members so appointed, two

shall serve a term of one year, two shall serve a term of two years, and three shall serve a term of three years. Thereafter, the term for each member shall be three years. The Commission shall elect its chair, vice chair and recording secretary on an annual basis.

Section 4. Section 1.05(1)(a)3. of the Historic Sites Preservation Commission and Program Ordinance is amended as follows:

3. As soon as possible after such public hearing, the Commission shall act on the nomination, either approving, modifying and approving, or disapproving of the same. If the nomination is approved, notice of the decision shall be mailed by registered or certified return receipt requested mail to the owner or owners of the structure, site or district considered. This notice shall advise the owner(s) that the Commission's decision will be forwarded to the Jefferson County Board of Supervisors for final approval and shall specify a date not less than thirty (30) days from the date of mailing by which an owner may deliver a written statement to the Commissioner Jefferson County Clerk that such owner ~~declines~~ would like to appeal have having the nominated property so designated. The County Clerk shall notify the County Board of Supervisors of such objection. In the event an owner timely submits such a statement, the Commission shall withdraw the proposed resolution seeking final approval from the County Board.

Section 5. The title of Section 1.09 shall be amended as follows:

1.09 ~~SEPARABILITY:~~ SEVERABILITY.

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

Fiscal Note: Amending this ordinance will make Jefferson County eligible for grant funds that would otherwise not be available to the County.

Morse moved that Ordinance No. 2016-14 be adopted. Seconded.

Morris moved to refer Ordinance No. 2016-14 back to the Historic Sites Preservation Commission. Seconded and carried.

Mode, Chair of the Human Services Board, introduced Resolution No. 2016-50.

Executive Summary

The Jefferson County Human Services Department contracts with state agencies, consortiums and in excess of 100 professional and care providers to fulfill its statutory duties. Each year contracts are renewed and/or updated with additional providers. State law requires County Board approval of the state contracts set forth in this resolution. The contracts have not been reproduced because they total in excess of 100 pages. The contracts are standard state forms which are not subject to negotiation by individual counties. The state human services association, WCHSA, negotiates the basic agreements on behalf of the counties. The professional/care provider contract list for 2017 is attached [list is available at the County Clerk's office upon request or on the Coun-

ty's website at www.jeffersoncountywi.gov]. The Human Services Board recommended at its October 11th meeting to approve the state contracts as set forth below and to forward this resolution to the County Board for approval.

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

WHEREAS, the Jefferson County Human Services Department contracts with several different state agencies, consortiums and in excess of 100 professionals and care providers in fulfillment of its statutory duties, and

WHEREAS, the Jefferson County Human Services Department contracts with numerous professional service providers and care providers, usually on an annual basis, as approved by the Human Services Board, and

WHEREAS, the Social Services & Community Programs contracts with the Department of Health Services, and the Department of Children and Families, and Youth Aids Program contract with the Department of Corrections, are statutorily required to be approved by the County Board, and

WHEREAS, the Human Services Board recommends approval of the Social Services & Community Programs contracts with the Department of Health Services in the anticipated amount of \$3,880,125, the Department of Children and Families contract in the anticipated amount of \$1,037,299, the AAA Older American Programs contract in the anticipated amount of \$354,199, the Department of Transportation contract in the anticipated amount of \$187,506, the Department of Health Services Division of Long Term Care contract in the anticipated amount of \$499,756, the Wisconsin Home Energy Assistance Program contract in the anticipated amount \$208,641, the Youth Aids Program contract with the Department of Children & Families in the anticipated amount of \$590,824, the Child Care contract in the anticipated amount of \$171,406 and the Youth Empowerment Solutions Grant contract in the anticipated amount of \$328,314 for the federal fiscal year of October 1, 2016, to September 30, 2017, and

WHEREAS, the consortium agreement requires Board approval for the State and Federal Income Maintenance Programs through Southern Consortium in the anticipated amount of \$1,354,862,

NOW, THEREFORE, BE IT RESOLVED that the Human Services Director or the Administrative Services Division Manager is authorized to execute the state contracts and consortium contract set forth above.

BE IT FURTHER RESOLVED that the Human Services Director or the Administrative Services Manager is authorized to sign addendums or revisions to said contracts during the course of the year as necessary.

BE IT FURTHER RESOLVED that the Director or Administrative Services Manager are authorized to sign all other contracts with state agencies and consortiums pursuant to § 46.23(6m)(c), Stats. and all professional services/care provider contracts as ap-

proved by the Human Services Board in accordance with the Jefferson County Purchasing Ordinance.

Fiscal Note: The costs associated with these state contracts have been included as an appropriation in the 2017 budget.

Mode moved for the adoption of Resolution No. 2016-50. Seconded and carried: Ayes 26 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Hartz, Morse, Lund, Nass, Payne, R. Kutz, Hanneman, Schroeder, Mode, Kannard, Jaeckel, Foelker, Patrick, Borland, Schultz, G. Kutz), Noes 0, Absent 3 (Zastrow, Poulson, Smith), Vacant 1 (District 24).

Mode introduced Resolution No. 2016-51.

Executive Summary

Section 49.340 of the Wisconsin Statutes requires providers contracting with the Jefferson County Human Services Department to complete and submit a certified financial and compliance audit report if care and services exceed \$25,000 in one year. This \$25,000 threshold can be waived if it is determined to be burdensome and reduce the efficiency and effectiveness of County operations. The Human Services Board recommended at its October 11th meeting to increase the audit compliance report threshold from \$25,000 to \$100,000 based on its finding that the \$25,000 threshold is burdensome and reduces the efficiency and effectiveness of County operations. The Human Services Board further determined that increasing the audit compliance report threshold will not adversely impact the health, safety or welfare of Jefferson County residents and voted to forward this resolution to the County Board for approval.

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

WHEREAS, sec. 49.340, Wisconsin Statutes, requires providers contracting with the Human Services Department to complete and submit a certified financial and compliance audit report if care and services exceed \$25,000 in one year, and

WHEREAS, the cost of compliance with the \$25,000 audit compliance report is burdensome to small entities contracting with the Human Services Department, and

WHEREAS, sec. 66.0143, Wisconsin Statutes, allows local governments to file requests for waivers of statutory mandates that are determined to be burdensome and reduce the efficiency and effectiveness of County operations, and

WHEREAS, the Jefferson County Board of Supervisors determines that waiver of the \$25,000 audit compliance report threshold and its replacement with a \$100,000 threshold will not adversely impact the health, safety or welfare of Jefferson County residents.

NOW, THEREFORE, BE IT RESOLVED that the Human Services Department is authorized and directed to make application to the Department of Revenue under sec. 66.0143, Wis. Stats., for relief from the \$25,000 audit mandate contained in sec. 46.036, Wis. Stats., for the purpose of increasing its audit compliance re-

port threshold to \$100,000.

Fiscal Note: Increasing the audit compliance report threshold from \$25,000 to \$100,000 is expected to result in reduced costs for the Human Services Department because small providers will no longer need to undertake an expensive audit and build it into their cost structure which is charged to the Human Services Department.

Mode moved that Resolution No. 2016-51 be adopted. Seconded.

Mode moved to amend the title of the resolution as follows: “Authorizing ~~reduction~~ increase of audit compliance report threshold”. Seconded and carried.

Amended Resolution No. 2016-51 was adopted by a voice vote.

Public Comment (General). None.

Wehmeier read 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(b) of the Wisconsin Statutes, I do hereby appoint:

a. Richard Jones, Waterloo, Wisconsin; John McKenzie, Fort Atkinson, Wisconsin; and Cynthia Crouse, Jefferson, Wisconsin, to the Human Services Board each for a three-year term ending November 1, 2019.

b. Dwayne Morris, Watertown, Wisconsin; and Jeff Zaspel, Fort Atkinson, Wisconsin, to the Jefferson County Library Board for a three-year term ending December 31, 2019.

c. Dwayne Morris, Watertown, Wisconsin, to the Bridges Federated Library Systems Board for a three-year term ending December 31, 2019.

I respectfully request confirmation of these appointments.

Braugler moved that the appointments be confirmed. Seconded and carried.

Supplemental information presented at the October 25, 2016, Jefferson County Board/Public Hearing meeting will be available at the County Clerk’s office upon request or on the County’s website at www.jeffersoncountywi.gov.

There being no further business, Buchanan moved that the Board adjourn at 8:16 p.m. Seconded and carried.