

AGENDA
JEFFERSON COUNTY BOARD MEETING

Tuesday, March 9, 2010 7:00 p.m.

Jefferson County Courthouse
320 South Main Street, Room 205
Jefferson, WI 53549

1. **CALL TO ORDER**
 2. **ROLL CALL**
 3. **CERTIFICATION OF COMPLIANCE WITH OPEN MEETING LAW**
 4. **REVIEW OF THE AGENDA**
 5. **APPROVAL OF COUNTY BOARD MINUTES – February 16, 2010 MEETING**
 6. **COMMUNICATIONS**
 - a. Treasurer's Monthly Report (Addendum to Agenda)
 - b. Zoning Committee Notice of Public Hearing, March 18, 2010, 7:00 p.m. Rm 205 (Page 1-3)
 7. **PUBLIC COMMENT**
 8. **ANNUAL REPORTS**
 - a. Coroner – Patrick Theder
 - b. County Clerk – Barbara Frank
 - c. Register of Deeds – Stacie Hoffman
 - d. Treasurer – John Jensen
- COMMITTEE REPORTS / RESOLUTIONS / ORDINANCES**
9. **PLANNING & ZONING COMMITTEE**
 - a. Report – Approval of Petitions (Page 4)
 - b. Amend Zoning Ordinance (Page 5)
 - c. Ordinance – Floodplain Ordinance text amendment (Page 6)
 10. **ADMINISTRATION & RULES COMMITTEE**
 - a. Report – County Board Chair Schmeling (Page 7-10)
 - b. Ordinance – Amended Board Rules for 2010-2012 (Page 11-24)
 - c. Resolution – Designation of official county newspaper (Page 25)
 - d. Resolution – Support repeal of section 79.07, Wisconsin Statutes (Page 26)
 11. **ECONOMIC DEVELOPMENT CONSORTIUM**
 - a. Resolution – Approve CDBG – Emergency Assistance Program loans/grants (Page 27)
 12. **FINANCE COMMITTEE**
 - a. Ordinance – Amend reimbursement rules to reflect new state automobile liability insurance minimums (Page 28)

- b. Resolution – Act on year-end budget amendments (Page 29)
 - c. Resolution – Act on year-end requests to carry over funds (Page 30)
 - d. Resolution – Act on year-end departmental deficits (Page 31)
 - e. Resolution – Act on MIS Department year-end requests to carry over funds (Page 32)
13. HIGHWAY COMMITTEE
- a. Resolution – Authorization for the Highway Department to enter into contract for lime rock crushing (Page 33)
14. HUMAN SERVICES BOARD
- a. Resolution – Authorize execution of an Intergovernmentl Agreement to join the Marsh Country Health Alliance (Page 34-49)
15. HISTORIC SITES PRESERVATION COMMISSION
- a. Resolution – Jefferson County History Days (Page 50)
16. LAW ENFORCEMENT/EMERGENCY MANAGEMENT COMMITTEE
- a. Resolution – Proclaiming April 2010 “Fair Housing Month” (Page 51)
17. APPOINTMENTS BY COUNTY ADMINISTRATOR
- a. John Molinaro to the Historic Site Preservation Commission for a three year term ending April 1, 2013 (Page 52)
18. ANNOUNCEMENTS
19. ADJOURN

NEXT COUNTY BOARD MEETING, APRIL 20, 2010 7:00 P.M. ROOM 205

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Richard Jones; Lloyd Zastrow

1. **Call to Order**
2. **Roll Call**
3. **Certification of Compliance With Open Meetings Law Requirements**
4. **Review of Agenda**
5. **Public Hearing**

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, March 18, 2010, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the zoning ordinance of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM AGRICULTURAL A-1 TO BUSINESS

3452A-10 & CU1608-10 – Ronald Klement: Rezone approximately 3.9 acres of PIN 016-0514-1713-001 (14.3 Acres) to permit a towing business at **N1547 Business Highway 26**, Town of Koshkonong, with conditional use to allow a residence in a Business zone.

FROM AGRICULTURAL A-1 TO A-2, AGRIBUSINESS

3453A-10 & CU1609-10 – Terry & Mary O'Connor/Lake Mills Country Farm LLC Property: Rezone approximately 5.66 acres of PIN 014-0614-0623-000 (35.37 Acres) with conditional use to allow a full-service greenhouse at **N4716 CTH G** in the Town of Jefferson.

3454A-10 & CU1610-10 – Dale Weis Trust: Rezone approximately 2.1 acres of PIN 008-0715-1922-000 (27.98 Acres) with conditional use to sanction a catering business at **N6019 CTH Y** in the Town of Farmington.

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

3455A-10 – Hwy D, LLC: Create a 1.445 acre A-3 zone around the buildings at **N8952 CTH A** in the Town of Watertown from part of PIN 032-0815-0744-000 (36.4 Acres).

3456A-10 – Lewis Tripi Sr.: Create an approximate 1 acre A-3 zone south of **N9189 West Road** in the Town of Watertown from part of PIN 032-0814-1024-000 (40 Acres).

3458A-10 – Susan Meske/Frank & Jennie Meske Property: Rezone to create an approximate 3.43-acre lot west of **W8061 STH 106** from part of PINs 028-0513-0232-000 (37.991 Acres) and 028-0513-0341-000 (19.37 Acres) in the Town of Sumner.

3459A-10 – John Prisk: Create an approximate 1.2-acre building site near **W7311 North Shore Road** in the Town of Sumner from part of PIN 028-0513-1214-001 (19.551 Acres).

3460A-10 – Alice Kemna: Create an approximate 4-acre lot south of **N3238 Trieloff Road** from PIN 022-0613-2624-000 (40 Acres) in the Town of Oakland.

3461A-10 – Digi-Star/Dennis & Mary Brant Properties: Rezone to create an approximate 6-acre residential building site and a 0.8-acre access strip, both from PIN 016-0614-3543-005 (6.65 Acres) owned by Digi-Star LLC near **W5467 STH 106**. Rezone PIN 016-0614-3543-004 (0.797 Acre) owned by Dennis & Mary Brant at **W5453 STH 106**. The sites are in the Town of Koshkonong.

3462A-10 – Jeffrey A Kind: Create two, 1-acre building sites, one each from PINs 014-0614-2012-000 (39.21 Acres) and 014-0614-2021-000 (43.11 Acres). Both sites are near **W6690 Kiesling Road** in the Town of Jefferson.

3464A-10 – Ben Jasper: Rezone approximately 2 acres from PIN 006-0716-1824-000 (20.988 Acres) south of **CTH B** for a new building site in the Town of Concord.

FROM AGRICULTURAL A-1 TO A-3 AND N, NATURAL RESOURCE

3465A-10 & 3466A-10 – Ben Jasper: Create two, approximate 3-acre building sites and an approximate 3.2-acre Natural Resource zone on **South Island View Road** in the Town of Concord from part of PIN 006-0716-1821-000 (42.319 Acres).

3467A-10 & 3468A-10 – Steve Knoebel: Rezone to create three, approximate 2-acre building sites and a 15.5-acre Natural Resource zone on **South Farmington Road** from part of PINs 008-0715-2423-001 (13.25 Acres) and 008-0715-2432-000 (26.75 Acres) in the Town of Farmington.

THE FOLLOWING TWO ZONING AMENDMENT APPLICATIONS WERE RECEIVED AFTER 12/31/09, AND THEREFORE CONVERSION FEES AS ESTABLISHED PER CHAPTER 91, WISCONSIN STATUTES APPLY:

3457A-10 – Tom Stade/Thomas & Michael Stade Property: Rezone approximately 2 acres around existing buildings on **Rock Lake Road** for a new residential building site in the Town of Waterloo on PIN 030-0813-3444-000 (35.01 Acres).

3463A-10 – ABC Acres, Inc: Rezone approximately one acre of PIN 010-0515-1012-001 (6.497 Acres) to create a new building site north of **W3513 Lower Hebron Road** in the Town of Hebron.

CONDITIONAL USE PERMIT APPLICATIONS

CU1611-10 – John Prisk: Conditional use to allow a detached garage in an A-2, Agribusiness zone to be used as an office for a contractor’s business at **W7311 North Shore Road**, Town of Sumner on PIN 028-0513-1214-001 (19.551 Acres).

CU1612-10 – Wardland Inc/Union Cemetery Association Properties: Conditional use to bring an existing cemetery into conformance and to allow expansion by 0.7 acre. The site is at **N3237 CTH G** in the Towns of Oakland and Jefferson, part of PINs 022-0613-2511-000 (12.061 Acres), 022-0613-2511-003 (2.348 Acres) and 014-0614-3022-000 (30.083 Acres) owned by Wardland, Inc., and 022-0613-2511-001 (1.5 Acre) owned by Union Cemetery Association. The property is zoned A-1, Agricultural.

CU1613-10 – Jane Schuett: Conditional use to allow up to 20 dogs on the property at **N7734 CTH A**, Town of Milford, on PIN 020-0814-3512-001 (3.035 Acres) in an A-3, Rural Residential zone.

CU1614-10 – Bonnie Crawford: Conditional use to allow up to 10 dogs at **W3739 Ranch Road** in the Town of Farmington on PIN 008-0715-0911-000 (20 Acres) in an A-1, Agricultural zone.

CU1615-10 – Christopher Veldkamp: Conditional use to allow up to three dogs in a Residential R-2 zone at **N440 CTH N** in the Town of Cold Spring, on PIN 004-0515-3222-003 (0.716 Acres).

6. Adjourn

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.

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

The Jefferson County Planning and Zoning Committee, having considered petitions to amend the zoning ordinance and the text of the floodplain ordinance of Jefferson County, filed for public hearing held on December 18, 2008, and February 18, 2010, 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 PETITION 3375A-08 and 3451T-10

DATED THIS FIRST DAY OF MARCH 2010

Donald Reese, Secretary

**THE EFFECTIVE DATE OF THE PRIOR MONTH'S AMENDMENTS,
3428A-09, 3429A-09, 3441A-09, 3442A-09, 3443A-09, 3444A-09, 3445A-09,
3446A-09, 3447A-09, 3448A-09 and 3449A-09, IS FEBRUARY 23, 2010.**

ORDINANCE NO. 2009-_____

Amend Zoning Ordinance

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

WHEREAS, Petition 3375A-08 was referred to the Jefferson County Planning and Zoning Committee for public hearing on December 18, 2008, and

WHEREAS, the proposed amendment has been given due consideration by the Board of Supervisors in open session,

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

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

Rezone approximately 2 acres of PIN 014-0615-0524-002 (4.326 acres) to create a new building site along STH 18 in the Town of Jefferson. 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 by the DOT, 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 by the City of Jefferson, if necessary. (3375A-08 – Brent & Nancy Emons)

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Ordinance Requested By
Planning and Zoning Committee

03-09-10

Deb Magritz: 3-2-10

Item 9c

ORDINANCE NO. 2009-_____

Floodplain Ordinance text amendment

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

WHEREAS, Petition 3451T-10 was referred to the Jefferson County Planning and Zoning Committee for public hearing on February 18, 2010, and

WHEREAS, the proposed amendment has been given due consideration by the Board of Supervisors in open session,

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the text of the floodplain ordinance of Jefferson County as follows:

Add in the Jefferson County Floodplain Ordinance, Section 14:1.5(2)(b):

OFFICIAL MAPS: Based on other studies

- (b) Lake Ripley floodplain delineation prepared for the Lake Ripley Management District, dated October 3, 2008, prepared by Montgomery Associates.

...

STH 26 Watertown Bypass and Frontage Road for the Wisconsin Department of Transportation Project 1390-04-02, dated October 29, 2008, prepared by the Wisconsin Department of Transportation. [am. 04/21/09, Ord. 2009-1]

Carlin Dam (Upper Spring Lake) a) Floodway map dated 11/19/09 and titled "Carlin Dam – Condition 1. Dam In-Place, Dam Failure Inundation Map"; b) Flood profile dated 09/17/09 and titled "Scuppernong Plan: 1) Condition 1. Scuppernong Carlin Dam", and c) Floodway data table dated 11/19/09 and titled "Carlin Dam – Condition 1. Dam In-Place, Dam Failure Inundation Map. HEC-RAS Standard Output Table" (3451T-10 – Jefferson County)

AYES _____
 NOES _____
 ABSTAIN _____
 ABSENT _____
 VACANT _____

Ordinance Requested By
 Planning and Zoning Committee

03-09-10

Deb Magritz: 3-2-10

County Board Chairman's Report
Sharon L. Schmeling
March 2010

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 (920) 674-8607 or e-mail (sharons@co.jefferson.wi.us) with your questions or suggestions.

Flood Recovery – Hundreds of homeowners lost their homes in the 2008 Flood and became eligible for federal emergency disaster relief. This relief is provided through FEMA and facilitated by the Jefferson County Emergency Management Department.

Recently, FEMA notified us that the money that was promised is now on hold, and the Jefferson County homeowners who were expecting relief are left in limbo. Our county staff has been caught in the middle, delivering the bad news to the homeowners and being unable to provide answers about what FEMA plans to do.

After several strategy sessions with Emergency Management Director Donna Haugom and Sheriff Paul Milbrath, I have sent a letter to our congressional delegation educating them about this snafu and requesting their immediate intervention. A copy of the letter is attached.

Modernizing Highway Operations – The County Highway Committee received a report from Commissioner Bill Kern March 3 about efforts to update and modernize the Department's inventory systems. After a review of the parts inventory under the leadership of the new Fleet Manager, they are identifying ways to decrease inventory costs and develop a "just in time" parts inventory system. This has long been used in the private sector and is more cost effective method that reflects the modern ability to have parts delivered in a day or less. The parts inventory costs need to be weighed against the immediate need for any part based on the operations of the fleet, and based on new directives, highway staff is identifying parts to stock in inventory and existing inventory that will be reduced.

The new parts inventory system will require staff training and may require additional software investments. The goal will be to significantly reduce the total inventory of parts, which is nearly \$400,000, and to increase the turnover rate of stocked parts. The process of changing the work flow and culture of the department will take some time. However, a review of just one area of the department is instructive.

The financial savings of this effort can be seen in an analysis of chain saw costs. In 2004, Jefferson County spent \$24,900 repairing, sharpening and maintaining chain saws. This is when the labor pool was oversized and supervisors kept workers “busy” to maximize value to the public. In 2008, under new management and after the Department was right-sized, the total cost of chainsaw maintenance, sharpening and repairs cost \$1,950 annually.

In tandem with this analysis, the department reviewed its inventory of its chain saws and determined the following: they had more saws than they needed; the average age was 11 years with many over 20 years of age; the saws were requiring more in annual maintenance than the chainsaws cost at the time of purchase; there were poor internal controls of the inventory and saws were kept in multiple places; that safety gear was not being consistently used to ensure worker safety.

Based on that analysis, the department sold 37 saws for \$8,892 at auction and purchased 22 new saws for \$8,816. In addition to this turn-over being nearly cost neutral, the Department found that many of the saws in auction sold for near and even above what the saws cost when brand new.

The following departmental improvements were attained by this decision: the type and number of saws matches the current labor pool; the saws have been assigned to work crews so use and maintenance can be cost-effectively tracked; unassigned saws must be checked out and include safety gear that decreases worker compensation claims and potential OSHA violations; the new saws will require less maintenance, thus saving money.

This is the kind of management of details and dollars that will be required by all departments now and into the future, given the pressures on county finances by the economy and decreasing federal and state funds and local fees. It’s important to share with the public such information so that they can see county resources are being managed closely and that processes and procedures are being updated and modernized to save money and maximize the use of limited tax dollars.

-- END --

Jefferson County Board

Chairman Sharon L. Schmeling

March 4, 2010

The Honorable Russell D. Feingold
United States Senate
1600 Aspen Commons
Middleton WI 53562-4716

Dear Senator Feingold:

I am writing to follow-up on phone conversations that Jefferson County Emergency Management Director Donna Haugom has had with your staff regarding flood recovery dollars that are being held by FEMA.

As you know, the 2008 disaster that affected Jefferson County was a 500-year flood. It devastated thousands of people in Jefferson County, prompting more than \$11 million in individual disaster assistance. Thirty-five properties were substantially damaged. The homeowners lost everything and their homes must be torn down (see attached photos). Hundreds more received damages and suffered many losses.

The properties for which Jefferson County has requested funding have all met the conditions for the Hazard Mitigation Program. The funding was approved. Yet we were recently informed the money is now "frozen." Many of these homeowners are on the brink of financial ruin as they have been -- for nearly two years-- shouldering mortgage payments and taxes on their flooded properties while also paying for "temporary" housing elsewhere.

In addition, we have six property owners who have not received Historical Society clearance. Because the Historical Society process is taking so long and their added list of requirements are cumbersome at best, they were not included in the initial request by the state. Now the funds are frozen and these homes cannot be acquired, and we do not know when the funds will be available.

FEMA has indicated they will not honor their funding commitment because they do not want to drain the Disaster Relief Fund because another disaster may happen. What about the disasters that have already occurred and to which FEMA has committed funding?

As you can imagine, this is very upsetting for these property owners whose lives are in limbo. They are being held hostage by a failing federal government program that promised relief and then cruelly snatched it away with little warning and with no plan for the future. Jefferson County government is caught helplessly in the middle, with no ability to solve this problem. It is unacceptable to run a publicly funded program in this fashion. Surely we can do better.

I am writing to seek your support and intervention with FEMA to release the funds necessary for Jefferson County to relieve the suffering of the aforementioned affected property owners. The amount necessary to accomplish this is \$3,536,276.00. If it is not possible to "un-freeze" this money, then FEMA must be made to commit to some future action and a timeline so that these homeowners can move forward with their lives.

We look forward to your swift response. In the meantime, please do not hesitate to contact me or Ms. Haugom for further information or to discuss possible options for resolving this problem.

Sincerely,

A handwritten signature in cursive script that reads "Sharon L. Schmeling".

Sharon L. Schmeling

cc: Gov. Doyle
Jefferson County Board
Jefferson County Homeowners awaiting FEMA funding

ORDINANCE NO. 2009-24

Amended Board Rules for 2010-2012

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 highlighted sections below:

**CHAPTER III
BOARD OF SUPERVISORS
RULES OF ORDER – 2010-2012**

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 [Amended 08/08/06, Ord. 2006-13; am. 03/11/08, Ord. 2007-34]:

- Tuesday, April 20, 2010
- Tuesday, May 11, 2010
- Tuesday, June 8, 2010
- Tuesday, July 13, 2010
- Tuesday, August 10, 2010
- Monday, September 13, 2010
- Tuesday, October 12, 2010
- Tuesday, October 26, 2010 (Board Meeting & Budget Public Hearing)
- *Tuesday, November 9, 2010
- Tuesday, December 14, 2010
- Tuesday, February 8, 2011
- Tuesday, March 8, 2011

- Tuesday, April 19, 2011
- Tuesday, May 10, 2011
- Tuesday, June 14, 2011
- Tuesday, July 12, 2011
- Tuesday, August 9, 2011
- Tuesday, September 13, 2011
- Tuesday, October 11, 2011
- Tuesday, October 25, 2011 (Board Meeting & Budget Public Hearing)
- *Tuesday, November 15, 2011
- Tuesday, December 13, 2011
- Tuesday, February 14, 2012
- Tuesday, March 13, 2012
- Tuesday, April 17, 2012

*Annual Meeting (Required by Statute)

(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. [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. [Created 10/14/08, Ord. No. 2008-21]

(2) Board meetings shall commence at 7:00 p.m. unless by majority vote the Board prescribes a different time for convening. [Amended 02/10/04, Ord. 2003-34; amended 02/14/06, Ord. No. 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. [Amended 3/12/02, Ord. 2001-29; amended 02/14/06, Ord. No. 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~~
 - (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) Announcements.
- [Amended 02/14/06, Ord. No. 2005-47]

(6) The Chair may limit the number of persons addressing the Board under Section 3.01(5)(e) 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)(e) shall be at the discretion of the Chair, with all public comment confined to a maximum of 15 minutes.

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. [Amended 03/12/02, Ord. No. 2001-29; am. 06/13/06, Ord. 2006-08; am. 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 diem, 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 per diem 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.

(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. [Amended 06/10/03, Ord. No. 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. 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. Communications may be referred 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 shall acknowledge receipt of communications by return mail.

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. 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.

(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 blackboard 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 Board Chairperson~~ Clerk shall appoint three members as election tellers and the who shall assist the County Clerk shall assist in the tabulation of results.

(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. [Amended 06/19/01, Ord. No. 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, 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. The County Clerk shall attend board meetings and shall perform administrative duties related to the Board.

(3) 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. [Amended 03/09/04, Ord. No. 2003-35; amended 06/08/04, Ord. No. 2004-10; amended 12/13/05, Ord. No. 2005-31; amended 07/11/06, Ord. 2006-07; am. 07/10/07, Ord. No. 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. [Amended 03/12/02, Ord. No. 2001-30; am. 07/10/07, Ord. No. 2007-11; am. 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. No. 2007-11]

The Board Chair 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. [Amended 03/14/06, Ord. No. 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. [Amended 04/18/06, Ord. No. 2006-01; am. 05/08/07, Ord. 2007-06; am. 11/13/07, Ord. No. 2007-23; am. 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, ~~County Clerk and County Treasurer and staff~~ shall meet with the Committee and shall assist in the preparation of the budget. [Amended 05/11/04, Ord. No. 2004-04]

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. [Amended 03/14/06, Ord. No. 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 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. [Amended 08/13/02, Ord. No. 2002-16; amended 03/14/06, Ord. No. 2005-48d, effective 04/18/06; am. 03/11/08, Ord. 2007-39]

The Committee shall supervise the County's contracts with the Jefferson County land preservation groups. [Amended 04/16/02, Ord. No. 2002-05; amended 03/14/06, Ord. No. 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 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.

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. [Created 04/16/02, Ord. No. 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. [Created 04/16/02, Ordinance No. 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. [Amended 03/12/02, Ord. No. 2001-34; amended 05/14/02, Ord. No. 2002-07; amended 03/14/06, Ord. No. 2005-48e; am. 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 recommend 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. [Amended 03/14/06, Ord. No. 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. [Amended 03/12/02, Ord. No. 2001-33; am. 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. [Amended 03/14/06, Ord. No. 2005-53; am. 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 Department. This Committee shall handle grievances arising under the Sheriff's Department 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. 166.03(4), 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. [Amended 02/08/05, Ord. No. 2004-31; amended 03/14/06, Ord. No. 2005-48g]

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. [Amended 06/08/04, Ordinance No. 2004-05; amended 03/14/06, Ord. No. 2005-48i, 04/18/06; renumbered 07/10/07, Ord. No. 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. [Amended 03/14/06, Ord. No. 2005-48l, effective 04/18/06; renumbered 07/10/07, Ord. No. 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. [Amended 03/09/04, Ord. No. 2003-38; am. 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. [Amended 07/09/02, Ord. No. 2002-09; amended 11/09/04, Ord. No. 2004-20; amended 03/14/06, Ord. No. 2005-48j, effective 04/18/06; renumbered 07/10/07, Ord. No. 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. [Created 03/12/02, Ordinance No. 2001-36; renumbered 07/10/07, Ord. No. 2007-11]

3.06 BOARDS, COMMISSIONS, COMMITTEES AND OTHER BODIES (1) 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: [Amended 03/14/06, Ord. No. 2005-49a]

(a) BLUE SPRING LAKE MANAGEMENT DISTRICT – One member. [Created 03/14/06, Ord. No. 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)

(c) 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 appointments 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. [Amended 03/14/06, Ord. No. 2005-49c]

~~Note: After April 18, 2006, the reduction in county supervisor positions on this Board shall take place as current terms expire or vacancies occur. The first two vacancies will not be filled.~~

(d) 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. [Created 03/14/06, Ord. No. 2005-49d]

(e) 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]

(f) 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]

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

(h) 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. [Amended 03/09/04, Ord. No. 2003-39; am. 03/11/08, Ord. 2007-49; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(i) 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. [Amended 05/11/04, Ordinance No. 2004-06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(j) LAKE RIPLEY MANAGEMENT DISTRICT – One member. [Created 03/14/06, Ord. No. 2005-49g, effective 04/18/06; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

(k) LOCAL EMERGENCY PLANNING COMMITTEE – Thirteen members appointed in accordance with s. 59.54(8), Stats., and applicable federal law.

(l) 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 staggered 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. [Amended 05/11/04, Ordinance No. 2004-07; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

~~**(m) ROCK RIVER KOSHKONONG ASSOCIATION** – One member. County board member to serve two-year term coinciding with county board term. To study and coordinate solutions to Lake Koshkonong problems. [renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]~~

(m) 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]

(n) TRAFFIC SAFETY COMMISSION – ~~Appointed~~ In accordance with s. 83.013, Stats., the Traffic Safety Commission shall consist of twelve members appointed by the County Administrator. [Created 03/14/06, Ordinance No. 2005-54; renumbered 0/15/08, Ord. 2008-01 and Ord. 2008-02]

(o) 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]

(p) 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. ~~County board members and non-county board members shall be eligible for appointment. After expiration of the current incumbents' terms on the Board of Adjustment,~~ 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. [Amended 03/14/06, Ord. No. 2005-49h; renumbered 04/15/08, Ord. 2008-01 and Ord. 2008-02]

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. 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'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. [Amended 02/12/02, Ord. No. 2001-27; amended 12/13/05, Ord. No. 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. [Amended 03/09/04, Ord. No. 2003-40; amended 06/08/04, Ord. No. 2004-08; am. 04/15/08, Ord. 2008-03]

(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. [Created 12/13/05, Ord. No. 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 after passage and publication as provided by law.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

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. (1st reading - February 16, 2010)

Requested by
Administration & Rules Committee

03-09-10

Philip C. Ristow: 02-04-10

Designation of official county newspaper

WHEREAS, the Administration & Rules Committee has solicited proposals from the *Daily Jefferson County Union* and the *Watertown Daily Times* to be the County's official newspaper for the next two years, and

WHEREAS, the *Watertown Daily Times* has a 21 character line instead of a 22 character line used by the *Daily Jefferson County Union* requiring about 1% more lines equating to a cost of about 80 cents per line versus 81 cents per line for the *Daily Jefferson County Union*, and

WHEREAS, with the anticipated number of lines and the difference in the price for the minute books, the expected cost of the contract is about the same for either vendor, and

WHEREAS, the Committee determines that sixty minute books in a 5 ½ inch by 8 ½ inch format should be purchased, together with a CD of the minutes allowing for electronic access, and

WHEREAS, the *Daily Jefferson County Union* has paid circulation of 6,283 in Jefferson County compared to the *Watertown Daily Times* circulation of 5,178, and

WHEREAS, the Committee has determined that the bid of the *Daily Jefferson County Union* has met all the required specifications and is preferred given its greater circulation in Jefferson County at virtually no extra cost,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County accepts the bid of the *Daily Jefferson County Union* and awards the printing and publishing work in accordance with the specifications for the two year term commencing April 15, 2010.

BE IT FURTHER RESOLVED that the *Daily Jefferson County Union* is hereby designated the official county newspaper for the 2010-2012 term of the Jefferson County Board.

Fiscal Note: Costs vary based on the amount of minutes actually published. However, the per line price will allow for proper auditing of the publication charges. For publishing the minutes and sixty copies of the minute books, the annual cost is estimated to be about \$12,400.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Administration & Rules Committee

03-09-10

Philip C. Ristow: 02-25-10

Item 10d

RESOLUTION NO. 2009- _____

Support repeal of section 79.07, Wisconsin Statutes

WHEREAS, section 79.07 of the statutes was created in the 2009 budget bill, requiring counties and municipalities to obtain approval from the State Department of Revenue (DOR) if they want to reduce spending on emergency services below 2009 base line levels, and

WHEREAS, a county or municipality that reduces spending for emergency services below the 2009 base line level without DOR approval is subject to a penalty reducing its shared revenue payments from the State, and

WHEREAS, the Administration & Rules Committee believes the funding decisions for local services should be made at the local level without being prescribed by the Department of Revenue, and legislation repealing section 79.07 is desirable,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board supports legislation repealing section 79.07, Statutes, requiring maintenance of expenditure levels as prescribed by the State.

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this resolution to legislators representing Jefferson County and the Wisconsin Counties Association.

Fiscal Note: No change in revenues or expenses.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Administration & Rules Committee

03-09-10

Philip C. Ristow: 02-25-10

Approve CDBG- Emergency Assistance Program loans/grants

WHEREAS, the Board adopted Resolution No. 2009-16 on April 21, 2009, which authorized participation in the Community Development Block Grant – Emergency Assistance Program, and

WHEREAS, Jefferson County was notified on June 9, 2009, by the Department of Commerce that Jefferson County was awarded \$4 million to assist in flood recovery efforts, and

WHEREAS, \$2 million was designated to be used to assist Jefferson County businesses in business flood mitigation, which may be in the form of repairing structural damage to the place of business, flood proofing, reimbursing loss of equipment or inventory, and/or documentable loss of revenue that occurred during the disaster period, and

WHEREAS, public hearings were held on July 15, 2009, and September 29, 2009, at which time the public was invited to learn about the CDBG program and to comment on the activities included in the CDBG application, and

WHEREAS, the Revolving Loan Fund Committee recommends the applications of J.G. Van Holten and Sons, Inc. (Van Holten Pickles) be approved for an amount not to exceed \$250,000 to relocate and expand its product handling and tank storage out of the flood plain, which loan will be in the form of a 0% interest forgivable loan, with 20% of the loan forgiven each year that the owner continues to operate the business, continuing as long as the business remains in operation, with 100% of the loan forgiven at the end of 5 years, and

WHEREAS, approval of the use of the grant funds for these forgivable business loans will enhance and assist this business in its flood recovery efforts,

NOW, THEREFORE, BE IT RESOLVED that J.G. Van Holten and Sons, Inc. is authorized to receive a loan/grant up to \$250,000 for flood damage prevention and mitigation, and

BE IT FURTHER RESOLVED that the Economic Development Director shall administer the loan.

Fiscal Note: This loan is funded by a grant received from Wisconsin Department of Commerce in the amount of \$4 million. No county tax levy funds are used for these types of loans.

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____
VACANT _____

Requested by
Economic Development Consortium

03-09-10

Dennis Heling: 3-02-10
Philip Ristow: 3-03-10

ORDINANCE NO. 2009-_____

Amend reimbursement rules to reflect new state automobile liability insurance minimums

WHEREAS, new state law has established minimum amounts for automobile liability insurance, and

WHEREAS, county reimbursement rules need to be amended to address the new state minimums,

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

Section 1. Amend Section 64.08 of the Rules for Reimbursement of Expenses as follows:

As a condition for mileage reimbursement, eligible persons ~~are required to~~ shall, at their own expense, carry auto liability insurance in an amounts meeting the minimum state requirements. ~~of \$50,000 for one person, \$100,000 for one accident and \$10,000 property damage at their own expense. At least annually,~~ Eligible persons shall file a copy of their current driver's license, proof of and the declaration page for their auto insurance coverage, and an Affirmation of Automobile Insurance Coverage form with the Finance Office of the County Clerk. In the event an eligible person no longer has a valid driver's license or changes insurance ~~coverage~~ carriers, such person shall promptly advise the ~~Clerk's Finance Office,~~ and provide a new proof of insurance coverage declaration page if applicable.

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

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Finance Committee

03-09-10

Philip C. Ristow: 03-03-10

RESOLUTION 2009-_____

Act on year-end budget amendments

WHEREAS Clifton Gunderson recommended the County’s financial statements for 2008 for Countryside Home and Highway Department be prepared on the under full accrual accounting rather than modified accrual accounting, and

WHEREAS part of this conversion required the creation of liabilities for non-vested employee benefits for both Countryside Home and Highway Department, and

WHEREAS sufficient funds were transferred from the General Fund for both 2007 and 2008 to pay for these liabilities, and

WHEREAS Clifton Gunderson recommended as part of the “Management Letter” for the 2008 audit that Jefferson County modify the calculation method for computing non-vested sick leave for the entire County, and

WHEREAS the non-vested sick leave liability for 2007 and 2008 has been recalculated under the revised methodology, which indicated that Countryside Home and Highway Department received excess funds in 2007 of \$70,930.69 and \$70,771.19, respectively, and

WHEREAS the Finance Committee has recommended that these excess fund transfers be returned to the General Fund as part of the year end 2009 processing,

NOW THEREFORE, BE IT RESOLVED that the 2009 budget be amended to return \$70,930.69 from Countryside Home and \$70,771.19 from the Highway Department to the General Fund.

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

Fiscal Note: Any amounts in subsequent amendments being introduced as part of year-end 2009 closing make the assumption that this resolution has been adopted as proposed.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Finance Committee

3-9-10

David P. Ehlinger: 2/22/10
David P. Ehlinger and Philip C. Ristow: 2/25/10

Act on year-end requests to carry over funds

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

WHEREAS, the Finance Committee has reviewed the collective requests of all departments to carry over \$2,942,896.34 in various accounts as indicated in the detail in the Finance Committee minutes of March 1, 2010, and

WHEREAS the Finance Committee recommends various accounts be designated as non-lapsing or reserved for fiscal year 2010 in the amount of \$2,902,724.34.

NOW, THEREFORE, BE IT RESOLVED that the funds in the accounts identified in the Finance Committee minutes of February 27, 2009, totaling \$2,902,724.34 are designated as non-lapsing or reserved in the 2010 budget year.

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

Fund	Discretionary Items	As per 2010 budget	Subtotal Discretionary	Required Items	Fund Total
General Fund	355,551	1,398,432	1,753,983	1,181,101	2,935,084
Health			-	117,519	117,519
Human Services	19,214		19,214	224,083	243,297
Debt Service			-	1	1
Capital Projects			-	-	-
Countryside Home			-	6,472,185	6,472,185
Highway	1,129,527		1,129,527	9,950,813	11,080,340
MIS			-	-	-
Totals	1,504,292	1,398,432	2,902,724	17,945,702	20,848,426

Fiscal Note: Above is a summary of the non-lapsing requests by fund to carry over unspent funds into the 2010 budget. Detail is included with the Finance Committee meeting minutes of March 1, 2010. Also shown in addition to the above amount are items which do not lapse either as a result of current accounting practices (such as fixed assets, inventory, and prepaid items) or items that do not lapse because they are committed to pay for approved contracts, statutory restrictions, restricted donations, or capital projects in progress as per the Fund Balance Policy approved October 23, 2007, by Resolution 2007-62.

AYES _____
 NOES _____
 ABSTAIN _____
 ABSENT _____
 VACANT _____

Requested by
 Finance Committee

03-09-10

Act on year-end departmental deficits

WHEREAS, due to circumstances arising after the 2009 budget was formulated, the following transfers of funds are necessary to be made from the contingency appropriation account and/or General Fund as indicated to close the accounting books for 2009:

Bus Unit	Account Number	Department	Deficit Amount	Original Levy	Percent
1401	599999	County Treasurer	93,243	(1,248,456)	-7.5%
2001	599999	Sheriff	644,640	10,939,233	5.9%
7101	599999	Zoning	31,771	255,431	12.4%
5200	599999	Human Services	4,507	7,768,551	0.1%
		Total	774,161		
		Contingency Fund	391,575		
		General Fund	382,586		
		Total	774,161		

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

NOW, THEREFORE, BE IT RESOLVED that the aforementioned transfers of funds are hereby approved.

Fiscal Note:

1. *The net deficit for the County Treasurer includes four major items.*
 - a. *Surplus from interest on delinquent property taxes of \$198,000 due to 27% increase in delinquent taxes over the prior year.*
 - b. *Deficit from investment interest of (\$472,000) due to low interest rates*
 - c. *Deficit from fair market value adjustment of investments of (\$108,000). This accounting loss will only be realized if investments are not held to maturity.*
 - d. *Surplus of \$271,000 from sale of foreclosed property on Highway D.*
2. *The net deficit for the Sheriff Department includes two major items:*
 - a. *Workers compensation claims and reserves \$300,000 above budgeted amounts*
 - b. *Revenue from boarding of prisoners for other governmental entities was \$240,000 below budgeted amounts*
3. *The net deficit for the Zoning Department includes two major items:*
 - a. *Vested sick pay benefits for retired employee of \$22,000 to be paid from General Fund Reservation A/C 100.341230.100.*
 - b. *Revenue down \$12,000 due to downturn in the economy.*
4. *The deficit for Human Services was not investigated due to the small percentage involved.*

AYES _____
 NOES _____
 ABSTAIN _____
 ABSENT _____
 VACANT _____

Requested by
 Finance Committee

03-09-10

David P. Ehlinger: 2/22/10, 2/25/10, 3/1/10

Act on MIS Department year-end requests to carry over funds

WHEREAS prior year end resolutions have included the MIS Department non-lapsing requests with all other department requests, and

WHEREAS the County’s Accounting Manager has recommended a change in procedure so that internal cost allocations of MIS charges are not carried over, thus reflecting actual current year costs, and

WHEREAS under this change in procedure, a total of \$203,286.03 is proposed to be transferred from the MIS Department back to the General Fund at year-end 2009, and

WHEREAS the Finance Committee has reviewed the request of the MIS Department to add \$128,333 to the 2010 budget as indicated in the detail in the Finance Committee minutes of March 1, 2010, and

WHEREAS the Finance Committee recommends the budget for various accounts within the MIS Department be increased in the amount of \$86,280,

NOW, THEREFORE, BE IT RESOLVED that the 2009 budget be amended to transfer \$203,286.03 from the MIS Department to the General Fund, and

BE IT FURTHER RESOLVED that the 2010 budget be amended to transfer funds in the accounts identified in the Finance Committee minutes of March 1, 2010, totaling \$86,280 from the noted accounts to the MIS Department’s budget for 2010, and

BE IT FURTHER RESOLVED that a transfer of funds totaling of \$86,280 be transferred from the General Fund to the MIS Department to pay for these increased budgeted expenditures.

As a budget amendment for both 2009 and 2010, this resolution requires twenty (20) affirmative votes for passage.

Fiscal Note: Amounts as listed above.

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____
VACANT _____

Requested by
Finance Committee

03-09-10

David P. Ehlinger: 2/22/10
David P. Ehlinger and Philip C. Ristow: 2/25/10
David P. Ehlinger: 3/1/10

RESOLUTION NO. 2009-_____

**Authorization for the Highway Department
to enter into contract for lime rock crushing**

WHEREAS, in an ongoing effort to reduce overall costs, the Highway Department has solicited bids for crushing approximately ninety thousand tons of lime rock, and

WHEREAS, the Highway Department opened four bids on February 25, 2010, with the following results,

<u>Company</u>	<u>Total Bid Amount</u>
Frank Brothers, Inc.	\$160,200.00
Bjoin Limestone, Inc.	\$175,200.00
B.R. Amon & Sons, Inc.	\$198,000.00
Michels Corporation	\$220,100.00

WHEREAS, the Highway Committee approved the low bid from Frank Brothers, Incorporated of \$160,200 at the March 3, 2010, Highway Committee meeting,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Highway Department is authorized to enter into a contract with Frank Brothers, Incorporated for lime rock crushing in 2010.

Fiscal Note: Adequate funds are available in the Highway Department budget for this contract.

AYES _____
 NOES _____
 ABSTAIN ____
 ABSENT ____
 VACANT _____

Requested by
Highway Committee

03-09-10

Bill Kern: 03-03-10

Item 14a

RESOLUTION NO. 2009-____

Authorize execution of an Intergovernmental Agreement to join the Marsh Country Health Alliance

WHEREAS, Dodge County currently owns and operates a facility known as Clearview Long-Term Care and Rehabilitation (“Clearview”), which, among other things, is a skilled nursing facility and facility for the developmentally disabled, and

WHEREAS, Jefferson County currently authorizes placement of Jefferson County residents in Clearview for purposes of receiving specialized services under a protective placement order, guardianship and/or private placement, and

WHEREAS, Jefferson County anticipates a need to place Jefferson County residents in Clearview for the foreseeable future, and

WHEREAS, Dodge County currently provides funding necessary to operate Clearview at a rate that exceeds the Medicaid reimbursement rate, thus creating a situation where Dodge County is contributing Dodge County tax levy funds for the care of Jefferson County residents, and

WHEREAS, Dodge County has expressed concerns regarding the continued financial viability of Clearview given Dodge County’s increasing tax levy commitment to Clearview’s operations, and

WHEREAS, it is in Jefferson County’s best interests to ensure the continued financial viability of Clearview as an appropriate placement alternative given the high costs associated with a potential placement at other facilities including the state centers, and

WHEREAS, Dodge County and other counties have studied the possibility of creating an intergovernmental commission pursuant to Wis. Stat. §66.0301(3) to be known as the Marsh Country Health Alliance Commission (hereinafter referred to as the “Commission”), and

WHEREAS, the creation of the Commission would allow Clearview to continue its operations with funding provided from all of the counties that are members of the Commission, and

WHEREAS, the legal authority and goals of the Commission are set forth in a draft Intergovernmental Charter-Contract, a copy of which is attached hereto, and

WHEREAS, in accordance with the provisions of the Intergovernmental Charter-Contract, Dodge County shall contract with the Commission for the purposes of (1) leasing a portion of Clearview to the Commission and, (2) providing for the administration, maintenance and operation of the leased portion of Clearview, and

WHEREAS, the goals of the Commission as set forth in the Intergovernmental Charter-Contract are in accordance with the philosophy and public policy objectives of Jefferson County, and

WHEREAS, Wis. Stat. §66.0301 and the Intergovernmental Charter-Contract require each participating county to execute the Intergovernmental Charter-Contract before the Intergovernmental Charter-Contract is effective and binding, and

WHEREAS, it is the intent of this resolution to authorize Jefferson County to create and become a member of the Commission and authorize a county board supervisor appointed in accordance with Jefferson County rules and procedures to finalize and execute an Intergovernmental Charter-Contract that is substantially similar to the draft Intergovernmental Charter-Contract attached hereto,

SO, NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby approves the draft Intergovernmental Charter-Contract, a copy of which is attached hereto, and authorizes and directs the Jefferson County Clerk to sign such document after receipt of preliminary approval from the other participating counties, approval from the board supervisor appointed as the Jefferson County representative on the Commission and approval of the Jefferson County Corporation Counsel, and

BE IT FURTHER RESOLVED that the Chair of the Jefferson County Board of Supervisors is hereby directed to appoint a board supervisor to act as Jefferson County's representative on the Commission and to otherwise take all action necessary to effectuate the intent of this resolution, and

BE IT FINALLY RESOLVED that the initial membership fee of \$5,000 shall be paid to the Commission from Human Services Account #5200.531324, and the Jefferson County Clerk is hereby authorized and directed to make such payment.

Fiscal Note: The proposed Intergovernmental Agreement would establish charges based on a rolling five year average of the percentage of each county member's patient days multiplied by total county subsidy for the institution. As shown on the included "Census Days by County" chart, Jefferson County has utilized an average of 1,283 patient days for the five year period from 2004 – 2008. Based on the annual subsidy required to operate Clearview, it would require a payment of up to \$54,355 for the year as Jefferson County's share. The per patient day subsidy Jefferson County would have to pay is \$42.37, which is substantially less than costs in other placements or institutions such as Mendota.

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____
VACANT _____

Requested by
Human Services Board

03-09-10

Philip C. Ristow: 02-01-10; 3-03-10

Intergovernmental Cooperation Agreement Creating MARSH COUNTRY HEALTH ALLIANCE COMMISSION

This Intergovernmental Cooperation Agreement (“Agreement”) is entered into under authority of Wis. Stat. § 66.0301 and is effective as of the date the last Member identified herein executes the Agreement. The Agreement is entered into by, among and between the Counties of Dodge, _____ each a duly organized and existing county of the State of Wisconsin (hereinafter collectively referred to as the “Initial Members”) and each county that may hereafter enter into the Agreement in the manner hereinafter described (hereinafter collectively referred to as the “Additional Members” and together with the Initial Members, as the “Members”).

RECITALS

WHEREAS, Wis. Stat. § 66.0301(2) authorizes municipalities to contract with other municipalities for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

WHEREAS, each of the Initial Members are municipalities within the definition set forth in Wis. Stat. § 66.0301(1)(a); and

WHEREAS, Wis. Stat. § 66.0301(3) authorizes the Members to form a commission for the purpose of administering the Members’ contractual obligations set forth herein; and

WHEREAS, every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county pursuant to s. 59.03 Wis. Stats.; and

WHEREAS, to give counties the largest measure of self government under the administrative home rule granted to counties in Wis. Stat. § 59.03(1), Chapter 59 of the Wisconsin Statutes shall be liberally construed in favor of the rights, powers and privileges of counties to exercise any organizational or administrative power; and

WHEREAS, Wis. Stat. § 59.01 Wis. Stats., authorizes each county as a body corporate to make such contracts and to do such other acts as are necessary and proper to the exercise of the powers and privileges granted and the performance of the legal duties charged upon it; and

WHEREAS, Wis. Stat. § 59.51(1) provides that a county board may exercise any organizational or administrative power under Chapter 59 without limitation because of enumeration, and these powers shall be broadly and liberally construed and limited only by express language; and

WHEREAS, counties within the State of Wisconsin have found it increasingly difficult to find nursing home placements for their residents that have specialized physical and mental health needs that are complicated by the residents' challenging behaviors; and

WHEREAS, Dodge County currently owns a facility known as Clearview Long-Term Care & Rehabilitation ("Clearview") that is licensed to operate a nursing home and a facility for the developmentally disabled ("FDD"); and

WHEREAS, each of the Members are authorized to individually own, operate and manage a nursing home and FDD under authority granted under, among other statutes, Chaps. 50 and 150 of the Wisconsin Statutes; and

WHEREAS, the Members desire to obtain the availability of placements for its residents that have specialized physical and mental health needs as economically as possible, and have found and determined that, through intergovernmental cooperation and associating together, they can obtain placement of such individuals collectively in a multi-county facility more economically than by acting separately; and

WHEREAS, the Initial Members to this Agreement are desirous of entering into this Agreement for purposes of establishing the Marsh Country Health Alliance Commission ("Commission"), which would, on behalf of the Members, own, operate and manage Clearview; and

WHEREAS, Dodge County is desirous of allowing the Commission, on behalf of its Members, to lease a portion of Clearview to allow the Members to place their residents within the facility upon terms and conditions whereby the Commission assumes responsibility for the costs associated with the maintenance and operation of the real and personal property associated with Clearview; and

WHEREAS, Dodge County is interested in contracting with the Commission for purposes of Dodge County providing the human resources and personnel associated with administering, maintaining and operating the portion of Clearview that would be leased; and

WHEREAS, the governing body of each Member has reviewed this Agreement and found that the goals of the Commission are in accordance with the philosophy and public policy objectives of such Member.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

ARTICLE 1 CREATION AND LEGAL STATUS

1.01 Creation. The Commission is formed by and on behalf of the Members to be known as the “Marsh Country Health Alliance Commission” for the purpose of administering and executing this Agreement and shall have the powers granted to it under this Agreement.

1.02 Title to Commission Assets. Except as otherwise provided in this Agreement, the Commission shall have exclusive title to all of its property and no Member shall have an ownership interest in Commission property.

1.03 Compliance with Law. The Commission shall comply with all federal and state laws, rules, regulations, and orders applicable to this Agreement, as well as with any duties or obligations that may from time to time be transferred to it from any of the Members consistent with this Agreement.

1.04 Relationship of Members. The Members agree that no Member shall be responsible, in whole or in part, for the acts of the employees, agents and servants of any other Member, whether acting separately or in conjunction with the implementation of this Agreement. The Members shall only be bound and obligated under this Agreement as expressly agreed to by each Member. No Member may obligate any other Member.

1.05 Principal Office. The Commission shall maintain a principal office in Dodge County, Wisconsin. The Commission may have such other offices, and may move its principal office either within or without Dodge County, Wisconsin, as may be designated from time to time by resolution of the Board of Commissioners.

1.06 Address of Registered Agent. The Commission shall maintain a registered agent in the State of Wisconsin whose address shall be 199 Home Road, Juneau, Wisconsin. The identity and address of the registered agent may be changed from time to time by resolution of the Board of Commissioners.

ARTICLE 2 PURPOSE AND AUTHORITY

2.01 Purpose. The purpose of the Commission shall be to organize and establish a multi-jurisdictional public entity that shall: (1) lease, manage and operate a nursing home and facility for the developmentally disabled (“FDD”) known as Clearview Long-Term Care & Rehabilitation (“Clearview”); (2) contract with Dodge County to provide personnel and human resources related to the administration and management of Clearview; and (3) provide financial resources for operation of Clearview, including any costs or services incidental thereto. The Board of Commissioners is hereby authorized to enter into any and all contractual relationships necessary to effectuate the purpose of the Commission.

2.02 Authority. The Commission is hereby empowered by the Members to take all action relating to the operation of Clearview as a certified and licensed nursing home and FDD

under the applicable Wisconsin Statutes, together with any and all actions necessary to effectuate the purpose and intent of this Agreement.

ARTICLE 3 MEMBERS

The Commission shall have two classes of Members:

3.01 Voting Members. Each Initial Member, together with any Additional Member admitted to the Commission pursuant to the procedures established herein, shall be considered a Voting Member of the Commission.

3.02 Non-Voting Members. Any entity or individual demonstrating an interest in the Commission or its business may, upon written application to the Commission, be admitted as a Non-Voting Member of the Commission. Non-Voting Members shall be entitled to notice of Commission meetings and shall be allowed to attend and participate in such meetings, but shall not be considered bound by the terms of this Agreement and not be entitled to vote on any matters of business brought before the Commission.

3.03 Voting Rights. Each Voting Member, for business at any meeting, shall have one vote, which shall be cast by the official representative of the Member. The official representative shall be designated in the Member's customary manner of designation relating to committees or commissions. Any Member may otherwise designate an official representative by written notice to the President of the Commission. Each official Member representative must, at the time of making a motion or voting, be a county board supervisor or County Executive. If any Member representative calls for a weighted vote on any matter, the member representative of each Member shall be entitled to one (1) vote for each resident that the Member has in placement in Clearview on the date of the vote.

3.04 Powers of Commission. Consistent with Article 2 above, the Commission's powers shall include the following, without limitation by enumeration:

- A. Establish the annual assessment rate ("Assessment Rate") for Members associated with the costs of operating Clearview.
- B. Establish the initial and annual dues rate for Members as a condition for the continued operation of the Commission.
- C. Establish the terms and conditions, including but not limited to the consideration, relating to the Lease Agreement by and between the Commission and Dodge County related to Clearview.
- D. Upon recommendation of the Commission Board, establish the Commission's annual budget.

- E. Upon recommendation of the Commission Board, establish the Commission's long-range capital plan.
- F. Acquire, own, hold, operate, maintain, lease, or sell real or personal property and dispose of, divide, or distribute any property.
- G. Incur debts, liabilities, or obligations consistent with the Commission's budget and as otherwise authorized by the Members.
- H. Cooperate with other public agencies.
- I. Sue and be sued in the name of the Commission.
- J. Be responsible for any liabilities that might be incurred through performance of this Agreement and insure against any such liability.
- K. Engage auditors to perform independent audits of the financial statements and other activities of the Commission as required by law.
- L. Invest surplus funds or proceeds and adopt investment policy in connection with the funds or proceeds.
- M. Purchase and maintain insurance to protect members of the Commission Board or officers or employees of the Commission from personal loss or accountability from liability for any acts or omissions of the Commission.
- N. Exercise any power necessary to effectuate the intent and purpose of this Agreement.

3.05 Meetings of Members.

- A. Annual Meeting. In each calendar year, an annual meeting of members shall be held during the month of August. The Commission Board shall give at least 30 days written notice of an annual meeting to each Member (voting and non-voting) at the address of the Members shown in the records of the Commission. It shall be the responsibility of each Member to inform the Commission of its designated representative to act on behalf of a Member at such meeting.
- B. Agenda. The agenda for each Annual Meeting shall include, but not be limited to the following: election of At-Large Commissioners, set the budget for the following year, set the Assessment Rate for the following year, assess dues and receive other reports or information that are in the interests of the Commission.

- C. Special Meetings. Special meetings of Members may be called by the President or by a majority of the Commission Board. Special meetings shall be held on 5 days written notice from the Secretary of the Commission, which shall describe the business to be transacted at the meeting.
- D. Place of Meetings. All meetings of Members shall be held within the State of Wisconsin.
- E. Quorum and Voting. A majority of Voting Members shall constitute a quorum necessary to conduct business on behalf of the Members. Voting shall be by Voting Members present at a meeting. Proxy voting shall not be allowed.
- F. Procedure. Meeting notices shall be given that are in compliance with the Wisconsin Open Meetings Law. Meetings shall be conducted pursuant to Robert's Rules of Order unless some other procedure is approved by a two-thirds vote of Voting Members present and voting.
- G. Adjournment. Meetings may be adjourned from time to time without further notice.

ARTICLE 4 COMMISSION BOARD

4.01 Creation. There is hereby created a board composed of representatives of the Members to be known as the Commission Board. The Commission Board shall be responsible for the governance of the Commission.

4.02 Powers and Duties of Board. The Commission Board shall have the powers common to its Members and is authorized, in its own name, to do all acts necessary to exercise such common powers to fulfill the purposes of this Agreement referred to in Article 2. In addition, the Commission Board shall have the following powers and duties:

- A. Establish the Commission's annual budget, subject to the approval of the Members as provided in Section 3.04. The Commission's annual budget shall include, without limitation, the following information: (1) anticipated revenues and expenses for the Commission separated by category of revenue or expense; and (2) anticipated capital expenditures.
- B. Pursuant to the Commission's budget, enter into leases or contracts necessary for the provision of services provided under this Agreement including, but not limited to, contracts related to: (1) the provision of management and administrative services related to the operation of Clearview; (2) the provision of accounting or legal services; and (3) the provision of human resources.

- C. Establish the Commission's Assessment Rate, subject to the approval of the Members as provided in Sections 3.04 and 4.04.
- D. In coordination with Dodge County, establish the Commission's long-range capital plan related to Clearview's building and property. The capital plan shall contain, without limitation, (1) an assessment of Clearview's physical plant and a description of capital needs on a short-term and long-term basis; (2) a description of the costs associated with funding Clearview's capital needs; and (3) a recommendation related to how MVHS should fund such capital needs. The long-range capital plan shall be approved by the Board and submitted to the Commission pursuant to Section 3.04 above.

4.03 Limitation on Powers of Commission Board. The Board shall not have the power to take any action specifically reserved to the Members as set forth in this Agreement, nor shall the Board have the power to levy taxes or otherwise borrow funds from any source other than the Members.

4.04 Assessment Rate. At the annual meeting of the Members, the Commission Board shall present to the Members for approval a proposed Assessment Rate that will provide the mechanism for funding the Commission's operations in the next fiscal year. The Assessment Rate shall take into consideration lease payments, operation costs, capital costs and any other expenses that the Commission anticipates will be incurred in the next fiscal year. The Assessment Rate shall consist of two (2) components:

- A. For all Members other than Dodge County, the Assessment Rate shall be a uniform rate that is prorated to the Members based upon the following formula:
 - i. The certified loss from the prior fiscal year operations of the Clearview North and Clearview South facilities (as certified in applicable reports prepared for submission to the State and/or Federal authorities) LESS the allocation to the Clearview Brain Injury Center. This calculation is defined as the "LOSS."
 - ii. LOSS is then adjusted to reflect additional MA reimbursements and costs associated with capital improvements (not including improvements to CBIC and CBH). This calculation is defined as "TOTAL LOSS."
 - iii. TOTAL LOSS is shared proportionally among the Members according to the average patient days utilized by a Member in the five (5) year period immediately preceding the year in which the Assessment Rate is determined. A Member's portion will be reflected as a percentage of utilization (dividing a Member's average patient days by total facility patient days).

iv. A Member's Assessment rate is the product of TOTAL LOSS multiplied by the percentage representing the Member's share of average total patient days.

B. For Dodge County, the Assessment Rate shall consist of the sum of (1) the Assessment Rate assessed all other Members; plus (2) the difference between the sum total of the Assessment Rate proceeds for all Members and the actual costs of the Commission's operations, as determined in the Commission's Medicaid cost reports filed with the State of Wisconsin ("Retroactive Assessment") after taking into account all revenue of the Commission, both received and anticipated. The Retroactive Assessment shall be determined retroactively based upon actual costs and revenues. Nothing herein shall be construed as limiting the Commission's ability to reconsider/audit the Retroactive Assessment if anticipated costs or revenues are different than actual costs or revenues provided, however, that no Member other than Dodge County shall be responsible for such reconsideration/audit.

4.05 Accounting and Reconciliation. Following the close of the previous fiscal year, the Commission Board shall undertake an accounting and reconciliation associated with the determination of the Retroactive Assessment. Dodge County agrees that it shall be responsible for all costs associated with the accounting and reconciliation, together with all sums due and owing under the Retroactive Assessment. In the event the Commission's revenues from sources other than the Assessment Rate or Retroactive Assessment rate exceed its expenses, the excess revenue shall be returned to the Members pro rata based upon a Member's contribution to MVHS in the year in which such excess revenue is realized.

4.06 Commission Board Membership. The Commission Board shall initially consist of _____ commissioners appointed by the following Members: Dodge County – 3 commissioners, _____ and _____ At-Large commissioners. Terms of the Commissioners appointed by _____ shall be 3 years. The term of the At-Large Commissioners shall be 1 year. A Commissioner may serve an unlimited number of terms. All persons serving on the Board of Commissioners, including At-Large Commissioners, shall be a duly elected county board supervisor or County Executive and appointed by the designated Member in a manner consistent with the Member's customary process for appointment of members to commissions and/or committees. Election of the At-Large Commissioners shall take place at the annual meeting of Members provided, however, that At-Large Commissioners shall be appointed consistent with the process herein at the initial meeting of the Members to serve until the Commission's first annual meeting. Candidates may be nominated by a nominating committee or nominated from the floor of the annual meeting by a Voting Member, provided no candidate for an At-Large Commissioner's position shall be a representative of Dodge County. Each Voting Member may cast 1 vote for each At-Large Commissioner position open for election at such meeting. Election shall be by a majority of the Voting Members present at the meeting, provided a quorum is present. If 1 or more candidates do not receive a majority vote in the first round of balloting, the following number of candidates with the most votes will stand for election in the second round: 2 candidates for 1 At-Large

position or 3 candidates for 2 At-Large positions. In the event of a vacancy in a commissioner position, it shall be the responsibility of the Member with appointing authority relating to such position to provide written notice to the Commission Board of the designation of a replacement commissioner. In the event of a vacancy in an At-Large commissioner position, such vacancy shall be filled by the Commission Board at the next Commission Board meeting in a manner consistent with this Section 4.06. A commissioner may be removed by 2/3 vote of the Commission Board.

4.07 Meetings of Commission Board. There shall be an annual meeting of the Commission Board held during the month of August during each calendar year immediately following the meeting of Members. The Commission Board shall give at least 30 days written notice of the annual meeting at the same time notice is given of the annual membership meeting. At its annual meeting, the Commission Board shall set a schedule of regular Commission Board meetings for the period until the next annual meeting. A written notice of regular Commission Board meetings will be given to all Commissioners at least 5 days prior to the Commission Board meeting. Special meetings of the Commission Board may be called by any Commissioner. Special meetings shall be on 5 days written notice from the Secretary of the Commission, which shall describe the business to be transacted at the meeting. All meetings shall be held within the State of Wisconsin. A majority of Commissioners shall constitute a quorum necessary to conduct business on behalf of the Board of Commissioners. Voting shall be by Commissioners present at the meeting. Proxy voting shall not be allowed. Meetings shall be conducted pursuant to Robert's Rules of Order unless some other procedure is approved by a two-thirds vote of Commissioners present and voting.

4.08 Commission Board Officers. At the annual meeting of the Commission Board in every calendar year, the Commission Board shall elect a President, Vice President, Secretary and Treasurer from the membership of the Commission Board. In addition to the foregoing officers, the Commission Board may appoint a Deputy Secretary and Deputy Treasurer.

- A. Selection and Term of Office. The President and Vice President shall be selected by the Commission Board from among the Commission Board representatives of Dodge County at the annual meeting in each calendar year and shall serve for a term of 1 year from the date of election until such officers' successor shall be elected and qualified. The Secretary and Treasurer shall be appointed for 1 year terms by the President subject to confirmation by majority vote of the Commission Board, and need not be Commission Board representatives or representatives of Members. One person may hold not more than two (2) offices, except that the office of President and Vice President, President and Secretary and President and Treasurer may not be held by the same person at the same time.
- B. Vacancies. A vacancy in any office created by any cause shall be filled by the Commission Board at its next meeting held after such vacancy shall occur subject to the qualification that the President and Vice President shall be Commission Board representatives of Dodge County. The person selected to fill such vacant office shall serve the remainder of the term of the person leaving such office vacant.

C. Powers and Duties of Officers.

1. President. The President shall manage the day-to-day operations of the Commission subject to the direction of the Commission Board. The President shall preside at all meetings of the Commission Board and Members. The President shall appoint members to standing and special committees created by the Commission Board. The President or his/her designee is responsible for giving notice of each meeting of the Commission and Commission Board in compliance with the Wisconsin Open Meetings Law.
2. Vice President. The Vice President shall exercise the duties of the President in the absence or incapacity of the President. If the President should die, resign, or be removed from office, the Vice President shall succeed to the office of the President.
3. Secretary. The Secretary shall maintain all records of the Commission and shall prepare minutes of all meetings of the Commission Board and Members.
4. Treasurer. The Treasurer shall have custody of the funds of the Commission and shall maintain all financial records of the Commission. The Treasurer shall report to the President, Commission Board and Members on the financial status of the Commission.
5. Deputy Secretary. The Deputy Secretary shall perform all the duties and exercise all the powers of the Secretary in the absence of such officer and shall perform such other duties as the Commission Board or Secretary shall direct.
6. Deputy Treasurer. The Deputy Treasurer shall perform all the duties and exercise all the powers of the Treasurer in the absence of such officer and shall perform such other duties as the Commission Board or Treasurer shall direct.

**ARTICLE 5
ADMISSION AND REMOVAL OF MEMBERS**

5.01 Admission of Members. The Commission may admit Additional Members upon unanimous consent of the then-current Members and upon such other terms and conditions as the Members shall unanimously determine.

5.02 Removal of Members. Any Member may be removed by two-thirds (2/3) vote of the Members. Any removal occurring hereunder shall be effective immediately provided, however, the removed Member shall be responsible to the Commission for any assessments

and/or dues based upon a Member's past or present placement of an individual in Clearview. Upon removal, a removed Member shall take all actions necessary to remove its residents from Clearview immediately and shall immediately pay the Commission the appropriate Assessment Rate for all days associated with the removed Member's placement of a resident in Clearview, up to and including the day any such resident is removed from Clearview. Dodge County shall not be obligated to remove its residents from Clearview if its membership in the Commission is terminated. Nothing herein shall be construed as limiting or modifying the Commission's obligations under state and/or federal law that may govern certain issues related to the removal of a particular resident(s) from Clearview.

ARTICLE 6 LIABILITY AND INDEMNITY

6.01 Liability for Losses; Ownership of Profits. The Members understand and agree that any and all losses of the Commission are to be borne by the Members themselves consistent with the intent and purpose of Wis. Stat. § 66.0301, *et seq.*, and this Agreement. Each Member further understands and agrees that it is financially responsible for the continuing operation of Clearview so long as the Commission is a party to the contracts and agreements relating to Clearview's operations and the Member continues to be a Member of the Commission.

6.02 Indemnity by Dodge County. Notwithstanding the responsibility for losses set forth in Section 6.01 above, the Members understand and agree that Dodge County has contractually agreed to indemnify and hold the Commission harmless from any and all fines, fees, forfeitures, suits, claims and/or causes of action relating to Clearview's operations by virtue of a lease and administrative agreement. Nothing herein nor in the lease and administrative agreement shall be construed as limiting Dodge County's indemnification obligations. Except for Dodge County, no Member shall be liable to the Commission for any sums beyond sums established through dues and Assessment Rates as provided in this Agreement.

ARTICLE 7 TERM OF AGREEMENT AND DISPOSITION OF ASSETS

7.01 Term of Agreement. The initial term of this Agreement shall be ten (10) years after the effective date and automatically renewed in five (5) year increments. This Agreement may be terminated at any time by unanimous agreement of the Members.

7.02 Continuation. This Agreement shall survive the voluntary withdrawal of any Member.

7.03 Withdrawal of Member. Any Member may voluntarily withdraw from the Commission provided that such withdrawal shall be effective on December 31 of any year and further provided such Member gives the Commission notice of its withdrawal on or before August 1 of the year in which the withdrawal takes place. Upon withdrawal, a Member shall no longer be obligated by any of the provisions set forth herein including, but not limited to, the Assessment Rate provided, however, that a withdrawing Member shall take all actions necessary to remove its residents from Clearview as of the effective date of the withdrawal and shall pay

the Commission the appropriate Assessment Rate for all days associated with the withdrawing Member's placement of a resident in Clearview, up to and including the day any such resident is removed from Clearview. Nothing herein shall be construed as limiting or modifying the Commission's obligations under state and/or federal law that may govern certain issues related to the removal of a particular resident(s) from Clearview.

7.04 Disposition Upon Termination. If the Members unanimously agree to terminate this Agreement, the Commission shall wind up its affairs as follows:

- A. All of the Commission's debts, liabilities and obligations and all expenses incurred in connection with the termination shall be paid first provided, however, that to the extent any debts are subject to proration based upon the Assessment Rate, such expenses shall be prorated consistent with the Assessment Rate; and
- B. Title to all property and assets owned by the Commission shall be distributed among the Members as determined by the Commission Board.

ARTICLE 8 AMENDMENT

This Agreement may be amended at any time by unanimous consent of the Members. Amendments shall be in writing and shall become effective only after execution by duly authorized representatives of the Members.

ARTICLE 9 MISCELLANEOUS

9.01 Fiscal Year. The Commission's fiscal year shall end on December 31 each year.

9.02 Choice of Law and Venue. This Agreement shall be construed according to the laws of the State of Wisconsin. Any lawsuit arising out of this Agreement shall be venued exclusively in the State and Federal courts in Wisconsin.

9.03 Notices. Notices under this Agreement to Members shall be sufficient if delivered to their Representatives and the office of the Clerk of the Member. Notices to the Commission under this Agreement shall be sufficient if delivered to the President at his or her regular business office.

9.04 Severability. Should any portion, term, condition or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of Wisconsin, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions and provisions shall not be affected thereby.

9.05 Agreement Complete. The foregoing constitutes the full and complete Agreement of the Members. There are no oral understandings or agreements not set forth in writing herein.

9.06 Prohibition Against Assignment. Neither Members nor the Commission may assign any right, claim or interest it may have under this Agreement.

9.07 Execution. This Agreement shall be executed on behalf of each Member, upon approval thereof by its Governing Body by duly authorized officials. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the day and year first written above.

CLEARVIEW LONG TERM CARE REHABILITATION
CENSUS DAYS BY COUNTY
2004-2008

COUNTY	2004		2005		2006		2007		2008		TOTAL 2004-2008		2004-2008 ALLOCATIONS BASED ON LOSS OF: 3,220,323
	TOTAL	% TOTAL	TOTAL	% TOTAL	TOTAL	% TOTAL	TOTAL	% TOTAL	TOTAL	% TOTAL	TOTAL	% TOTAL	
ADAMS	0	0.00%	0	0.00%	66	0.08%	365	0.50%	366	0.54%	797	0.21%	6,749
BROWN	0	0.00%	4	0.01%	89	0.11%	0	0.00%	4	0.01%	97	0.03%	821
BURNETT	0	0.00%	262	0.34%	365	0.47%	365	0.50%	366	0.54%	1,358	0.36%	11,499
CLARK	0	0.00%	0	0.00%	0	0.00%	183	0.25%	139	0.20%	322	0.08%	2,727
COLUMBIA	1830	2.18%	2635	3.38%	2042	2.62%	785	1.08%	732	1.07%	8,024	2.11%	67,946
DANE	544	0.65%	365	0.47%	1091	1.40%	735	1.01%	732	1.07%	3,467	0.91%	29,358
DODGE	56042	66.78%	49639	63.74%	49548	63.67%	46759	64.45%	48106	70.62%	250,094	65.76%	2,117,764
FOND DU LAC	732	0.87%	730	0.94%	730	0.94%	383	0.53%	0	0.00%	2,575	0.68%	21,805
GRANT	366	0.44%	365	0.47%	365	0.47%	365	0.50%	366	0.54%	1,827	0.48%	15,471
GREEN	516	0.61%	691	0.89%	730	0.94%	705	0.97%	366	0.54%	3,008	0.79%	25,471
IOWA	727	0.87%	730	0.94%	730	0.94%	730	1.01%	732	1.07%	3,649	0.96%	30,899
JEFFERSON	845	1.01%	1089	1.40%	1674	2.15%	1646	2.27%	1165	1.71%	6,419	1.69%	54,355
KENOSHA	1098	1.31%	1109	1.42%	1095	1.41%	1095	1.51%	1098	1.61%	5,495	1.44%	46,531
MANITOWOC	0	0.00%	58	0.07%	0	0.00%	0	0.00%	0	0.00%	58	0.02%	491
MARINETTE	221	0.26%	588	0.76%	730	0.94%	730	1.01%	732	1.07%	3,001	0.79%	25,412
MARQUETTE	0	0.00%	249	0.32%	0	0.00%	0	0.00%	0	0.00%	249	0.07%	2,108
MILWAUKEE	3967	4.73%	2617	3.36%	2474	3.18%	1931	2.66%	1800	2.64%	12,789	3.36%	108,296
OZAUKEE	366	0.44%	365	0.47%	48	0.06%	0	0.00%	0	0.00%	779	0.20%	6,596
PORTAGE	366	0.44%	637	0.82%	404	0.52%	365	0.50%	366	0.54%	2,138	0.56%	18,104
RACINE	389	0.46%	365	0.47%	588	0.76%	730	1.01%	732	1.07%	2,804	0.74%	23,744
SAUK	0	0.00%	0	0.00%	785	1.01%	522	0.72%	366	0.54%	1,673	0.44%	14,167
TAYLOR	0	0.00%	0	0.00%	276	0.35%	204	0.28%	0	0.00%	480	0.13%	4,065
WALWORTH	366	0.44%	365	0.47%	365	0.47%	365	0.50%	366	0.54%	1,827	0.48%	15,471
WASHINGTON	2724	3.25%	1652	2.12%	1275	1.64%	1183	1.63%	956	1.40%	7,790	2.05%	65,965
WAUKESHA	12456	14.84%	13002	16.69%	12354	15.87%	12408	17.10%	8588	12.61%	58,808	15.46%	497,979
WAUSHARA	366	0.44%	363	0.47%	0	0.00%	0	0.00%	0	0.00%	729	0.19%	6,173
WINNEBAGO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	42	0.06%	42	0.01%	356
TOTALS	83921	100.00%	77880	100.00%	77824	100.00%	72554	100.00%	68120	100.00%	380,299	100.00%	3,220,323

NOTES:

- * Based on utilization of all payer sources
- * Based on average utilization over last five (5) years 2004-2008
- * 1% utilization results in annual assessment fee of \$32,203
- * Assumes all counties join; if all counties do not join then assumptions may need to be modified.

LOSS CALCULATION:

The loss calculation is based on:

- * Adjusted reported loss from Schedule 11 of the 2008 Cost Reports for Clearview North and Clearview South.
- * Adjustments for Clearview Brain Injury Center (CBIC) and Clearview Behavioral Health (CBH); as they are not included.
- * Includes capital improvement funds and interest associated with the improvements excluding allocations for CBIC and CBH.

Item 15a

RESOLUTION NO. 2009-_____

Jefferson County History Days

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

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

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

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

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

WHEREAS, the Jefferson County Historic Sites Preservation Commission will host a History Conference on April 23, 2010, at the Hoard Museum, and local historic societies and preservation commissions will conduct open houses and tours on April 24, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board that April 23 and 24, 2010, be declared Jefferson County History Days, and that all our citizens celebrate the long and illustrious history of Jefferson County.

Fiscal Note: No fiscal impact.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Jefferson County Historic Sites Preservation Commission

03-09-10

John Molinaro: 02-19-10

RESOLUTION NO. 2009-_____

Resolution proclaiming April 2010 "Fair Housing Month"

WHEREAS, April, 2010, marks the 42nd anniversary of the Federal Housing Act of 1968, prohibiting discrimination in housing because of race, color, sex, religion, national origin, handicap and familial status, and

WHEREAS, the Jefferson County Board of Supervisors supports making fair housing opportunities possible for its citizens and encourages others to abide by the letter and spirit of the fair housing laws, and

WHEREAS, by supporting and promoting fair housing and equal opportunity, the Jefferson County Board of Supervisors contributes to the health and welfare of county residents,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby declares April 2010 "Fair Housing Month" in Jefferson County, and urges county citizens to rededicate themselves to ensuring that fair housing laws are always upheld and citizens are protected against discrimination.

Fiscal Note: No fiscal impact.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____

Requested by
Law Enforcement/Emergency Management Committee

03-09-10

Philip C. Ristow: 02-25-10

Item 17a

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

By virtue of the authority vested in me by Ordinance 2007-48, I do hereby appoint and request the County Board's confirmation of the following individual as a member of the designated Commission:

a. Historic Site Preservation Commission

John Molinaro, Cambridge, WI for a three-year term ending April 1, 2013.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

VACANT _____