Highway Facility Open House
June 9, 2015 4:00 -7:00 P.M.

AGENDA

JEFFERSON COUNTY BOARD MEETING

June 9, 2015 7:00 p.m.

Jefferson County Courthouse
311 S. Center Avenue, Room 205
Jefferson, WI 53549

1. **CALL TO ORDER**
2. **ROLL CALL BY COUNTY CLERK**
3. **PLEDGE OF ALLEGIANCE**
4. **CERTIFICATION OF COMPLIANCE WITH OPEN MEETING LAW**
5. **APPROVAL OF THE AGENDA**
6. **APPROVAL OF APRIL 21 AND MAY 12, 2015 MEETING MINUTES**
7. **SPECIAL ORDER OF BUSINESS**
   Presentation on Old Highway Site Redevelopment Plan– City of Jefferson
   Recognition of LEAN graduates
8. **COMMUNICATIONS**
   a. Treasurer's Monthly Report (Addendum)
   b. Statement of damages from Decinda D. Banks (Page 1)
   c. Zoning Committee – Notice of Public Hearing, June 18, 2015 (Page 2-3)
9. **PUBLIC COMMENT** (Agenda Items)
10. **ANNUAL REPORTS**
    a. Chief Judge – Randy Koschnick
    b. District Attorney – Susan Happ
    c. Health Department – Gail Scott
    d. Human Services – Kathi Cauley
    e. Veterans' Service – Yvonne Duesterhoeft

COMMITTEE REPORTS / RESOLUTIONS / ORDINANCES

11. ADMINISTRATION AND RULES COMMITTEE
    a. Resolution – Supporting Adequate Funding for Rail Preservation (Page 4-5)
    b. Resolution – Oppose Continuation of Zero Levy Cap Imposed on Wisconsin Counties (Page 6)
12. BOARD OF HEALTH
    a. Ordinance – Amending Smoke Free Air Act to include prohibiting the use of e-cigarettes and electronic delivery devices (Page 7-8)
    b. Ordinance – Repeal and recreate Environmental Sanitation Ordinance (Page 9-21)

13. FINANCE COMMITTEE
    a. Resolution – Budget Amendment for Health Department Retirements (Page 22)
    b. Resolution – Amending the Jefferson County Investment Policy (Addendum to Agenda)
    c. Resolution – Contract for Financial Advisory Services (Page 23-24)
    d. Resolution – Budget Amendment for Fee Schedule Change (Page 25-27)

14. HISTORIC SITES PRESERVATION COMMISSION
    a. Resolution – Designating the Wegner Cottage as a Historic Structure (Page 28-29)

15. PLANNING & ZONING COMMITTEE
    a. Report – Approval & Denial of Petitions (Page 30)
    b. Ordinance – Amend Zoning Ordinance (Page 31)
    c. Ordinance – Denial of Zoning Petition (Page 32)

16. **APPOINTMENTS BY COUNTY ADMINISTRATOR**
    a. Janet Sayre-Hoeft to the Zoning Board of Adjustment (Page 33)
    b. Paul Hynek to the Zoning Board of Adjustment (alternate) (Page 33)
    c. Julia Ince to the Historic Sites Preservation Commission (Page 33)

17. **APPOINTMENTS BY HUMAN SERVICES BOARD**
    a. Karen Anfang to the Nutrition Project Council (Page 33)
    b. Carol Ellingson to the Nutrition Project Council (Page 33)

18. **PUBLIC COMMENT** (General)

19. **ANNOUNCEMENTS**
    a. Update: Task Force on County Government Organization & Operations
    b. Chair/Clerk clarification of procedures

20. **ADJOURN**

NEXT COUNTY BOARD MEETING
July 14, 2015 – 7:00 P.M. - ROOM 205

From: Blair Ward
Sent: Thursday, May 28, 2015 2:32 PM
To: Barb Frank
Subject: Decinda D. Banks Claim for Damages

The Jefferson County Clerk was served with a statement of damages from Decinda D. Banks totaling $47,053.37 for pain and suffering and special damages following an automobile accident involving a Jefferson County employee on September 16th, 2014.

J. Blair Ward
Corporation Counsel
Jefferson County
311 S. Center Ave., Room 110
Jefferson, WI 53549
(920) 674-7135 main
(920) 674-7399 facsimile

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: June 18, 2015

TIME: 7:00 p.m. *(Courthouse doors will open at 6:30)*

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. **Call to Order**
2. **Roll Call**
3. **Certification of Compliance with Open Meetings Law Requirements**
4. **Review of Agenda**
5. **Explanation of Process by Committee Chair**
6. **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, June 18, 2015, 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 official zoning map of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

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

R3809A-15 – Charles & Doreen Renz: Rezone to create a 4-ac building site **near N3838 County Road G** in the Town of Jefferson from part of PIN 014-0614-1832-000 (37.89 Acres).

R3810A-15 – Lloyd & Daphne Holterman: Create a 2.5-acre lot around the home at **N8615 County Road X** and a 2.2-acre lot around the home at **N8579 County Road X**, both in the Town of Watertown, from PINs 032-0815-1641-000 (39.32 Acres) and 032-0815-1644-000 (15 Acres).

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL AND RURAL RESIDENTIAL AND N, NATURAL RESOURCES

R3811A-15 & R3812A-15 – Albert & Anne Brown: Rezone to create two, 2-acre building sites and a 2.4068-acre Natural Resource zone adjacent on **Branch Rd.** The property is part of PIN 012-0816-2422-002 (18.679 Acres) in the Town of Ixonia.

FROM A-2, AGRICULTURAL AND RURAL BUSINESS TO A-T, AGRICULTURAL TRANSITION

R3813A-15 – Gladys Vogel: Rezone 8.2 acres for its inclusion with adjoining A-T zoned property at **W5051 US Highway 18** in the Town of Jefferson. The acreage is part of PIN 014-0614-1212-000 (37.826 Acres).

CONDITIONAL USE PERMIT APPLICATIONS

CU1825-15 – Thomas & Kathy Gallitz: Allow mineral extraction involving PINs 008-0715-1922-001 (25.63 Acres) and 008-0715-1833-000 (22.385 Acres) near **N6131 County Road Y.** The site is in the Town of Farmington and is zoned A-1, Agricultural.

CU1826-15 – Katzman Farms, Inc: Conditional use to allow expansion of an existing intensive ag operation for up to 4,766 animal units at **W3223 Hoffman Rd.** The site is in the Town of Hebron, on PINs 010-0515-1121-002 (6.647 Acres), 010-0515-1122-000 (47.52 Acres) and 010-0515-1123-000 (36 Acres) and is zoned A-1, Exclusive Agricultural.

CU1827-15 – Wisconsin Furniture LLC: Conditional use to allow a duplex on each of four proposed lots made up of PINs 012-0816-2232-013 (1.5 Acres) and 012-0816-2232014 (0.254 Acre). The site is at **W1232 and W1236 Marietta Avenue** in the Town of Ixonia, in a Community zone.

CU1828-15 – Sandra Punzel: Conditional use for an extensive on-site storage structure in the Residential R-2 zone at **N3606 Riverside Lane.** The property is in the Town of Jefferson on PIN 014-0614-2312-022 (0.734 Acre).

CU1829-15 – Daryl & Tammy Payne: Conditional use for an intensive agricultural operation for up to 463 animal units at **N4363 County Rd E.** The site in the Town of Sullivan on PIN 026-0616-1014-001 (35.570 Acres) in an A-1, Agricultural zone.

CU1830-15 – Laura Romlein: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N8517 Pleasant Valley Ln**. It is proposed on PIN 032-0815-1333-000 (4.967 Acres) in the Town of Watertown.

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.

A recording of the meeting will be available from the Zoning Department upon request.

RESOLUTION NO. 2015 - _____

Supporting Adequate Funding for Rail Preservation

Executive Summary

The Wisconsin River Rail Transit Commission consists of appointed representatives from Crawford, Dane, Grant, Iowa, Jefferson, Rock, Sauk, Walworth and Waukesha counties for the purpose of ensuring that their communities have quality and reliable access to freight rail service. The Wisconsin River Rail Transit Commission also helps communities in southern Wisconsin to be economically competitive through connection to the national rail system. Rail lines in Wisconsin have been reduced and eliminated over the years, forcing increasingly heavier truck traffic to move goods from point to point. In an effort to preserve freight rail service, the Wisconsin Department of Transportation created a Freight Railroad Preservation Program which provides grants to local units of government, industries and railroads. Funding for this program has decreased in recent years and this resolution encourages the Governor to increase the proposed funding in the 2015-2017 biennium budget for the Freight Rail Preservation Program.

WHEREAS, Jefferson County is a member of the Wisconsin River Rail Transit Commission, and

WHEREAS, the Wisconsin River Rail Transit Commission's mission statement is "to preserve and protect the publicly-owned railroad corridors throughout southern Wisconsin and northern Illinois," and

WHEREAS, rail lines in Wisconsin have been reduced and eliminated over the years, forcing increasingly heavier truck traffic to move goods from point to point, and

WHEREAS, the Wisconsin Department of Transportation oversees surface transportation as part of its statutory authority, and

WHEREAS, the Wisconsin Department of Transportation created a Freight Railroad Preservation Program to help communities and shippers preserve freight rail service during an era when widespread railroad bankruptcies and line abandonments threatened the availability of rail service in Wisconsin, and

WHEREAS, the Freight Rail Preservation Program provides grants to local units of government, industries and railroads for the purpose of preserving essential rail lines and rehabilitating them following purchase, and

WHEREAS, the 2009-2011 state budget provided $60 million for the biennium in bonding authority for the Freight Rail Preservation Program, and

WHEREAS, the 2011-2013 state biennium budget for the Freight Rail Preservation Program was reduced to $30 million, and

WHEREAS, the 2013-2015 state biennium budget for the Freight Rail Preservation Program was increased to $52 million, and

WHEREAS, the Wisconsin River Rail Transit Commission has gone on record supporting increased funding for the Freight Rail Preservation Program.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors supports increasing the proposed funding in the 2015-2017 biennium budget for the Freight Rail Preservation Program.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to Governor Walker, the Joint Finance Committee of the Wisconsin Legislature, the state legislators for Jefferson County, Secretary of Transportation Mark Gottlieb, the Wisconsin Counties Association and the Wisconsin River Rail Transit Commission.

Fiscal Note: This resolution will have no fiscal impact to Jefferson County.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Administration and Rules Committee 06-09-15

J. Blair Ward: 05-27-15 APPROVED: Administrator ____; Corp. Counsel ____; Finance Director ____

Item 11b

RESOLUTION NO. 2015-_____

Oppose Continuation of Zero Levy Cap Imposed on Wisconsin Counties

Executive Summary

The cost of living has increased in the State of Wisconsin over recent years. In spite of these cost of living increases, zero tax levy cap limits have been imposed on Wisconsin counties since 2012. These tax levy cap limits have forced Wisconsin counties to absorb increased operational expenses of which they have no control. These include utilities, fuel, health insurance, road maintenance and funding high cost placements by the Human Services Department. It is difficult if not impossible to continue to maintain an adequate level of service to the citizens of Jefferson County when the costs of services are increasing and the ability to increase revenues is limited to State funding, sales tax revenues and the local tax levy. For these reasons, the Jefferson County Board of Supervisors opposes the continuation of the current zero tax levy cap imposed on Wisconsin counties.

WHEREAS, the zero levy cap limits have been imposed on Wisconsin counties since 2012, and

WHEREAS, the cost of living has increased 3.4% for 2011, 1.6% for 2012, 1.7% for 2013 and 0.9% for 2014 (as measured by the CPI-U for Midwest urban class D), and

WHEREAS, counties have been forced to absorb increased expenses of which they have no control (utilities, fuel, health insurance, road maintenance, funding high cost placements and services by the Human Services Department, etc…), and

WHEREAS, Jefferson County has done its best to curb spending by cutting costs, eliminating positions, limiting employee wage increases, reducing program offerings and postponing work on highway infrastructure, and

WHEREAS, it is becoming nearly impossible to maintain an adequate level of service to the citizens of Jefferson County when the costs of services are increasing and the ability to increase revenues is limited to State funding, sales tax revenues and the local tax levy.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors opposes the continuation of the current zero tax levy cap imposed on Wisconsin counties.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to Governor Walker, the Joint Finance Committee of the Wisconsin Legislature, the state legislators for Jefferson County and the Wisconsin Counties Association.

Fiscal Note: This resolution will have no fiscal impact to Jefferson County.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by Administration and Rules Committee 06-09-15

J. Blair Ward: 05-26-15 APPROVED: Administrator ____; Corp. Counsel ____; Finance Director BL

ORDINANCE NO. 2015-____

Amending Smoke Free Air Act to include prohibiting the use of e-cigarettes and electronic delivery devices

Executive Summary

The Jefferson County Board of Health proposes to amend the Jefferson County Smoke Free Air Act, Ordinance No. 2003-06, to include the use of e-cigarettes and electronic delivery devices.

Unregulated high-tech smoking devices, commonly referred to as electronic cigarettes, or "e-cigarettes," closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid nicotine created by heat through an electronic ignition system. After testing a number of e-cigarettes from two leading manufacturers, the Food and Drug Administration (FDA) determined that various samples tested contained not only nicotine, but also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze. The FDA's testing also suggested that "quality control processes used to manufacture these products are inconsistent or nonexistent." ("Summary of results: laboratory analysis of electronic cigarettes conducted by FDA," Food and Drug Administration (FDA), July 22, 2009; http://www.fda/gov/NewsEvents/PublicHealthFocus/ucm173146.htm Accessed on: October 22, 2009.)

According to a more recent study, electronic cigarette emissions are made up of a high concentration of ultrafine particles, and the particle concentration is higher than in conventional tobacco cigarette smoke. (Fuoco, F.C.; Buonanno, G.; Stabile, L.; Vigo, P., "Influential parameters on particle concentration and size distribution in the mainstream of e-cigarettes," Environmental Pollution 184: 523-529, January 2014.)

Electronic cigarettes produce an aerosol or vapor of undetermined and potentially harmful substances, which may appear similar to the smoke emitted by traditional tobacco products. Their use in workplaces and public places where smoking of traditional tobacco products is prohibited creates concern and confusion and leads to difficulties in enforcing the smoking prohibitions. Smoke-filled workplaces result in higher worker absenteeism due to respiratory disease, lower productivity, higher cleaning and maintenance costs, increased health insurance rates, and increased liability claims for diseases related to exposure to secondhand smoke.

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

Section 1. Section 3 of the Jefferson County Smoke Free Air Act is amended as follows:

3. DEFINITION.

~~(a) "Smoking" means burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:~~

~~1. A lighted cigar.~~
~~2. A lighted cigarette.~~
~~3. A lighted pipe,~~
~~4. Any other lighted smoking equipment.~~
~~[am. 06-08-10, Ord. 2010-10]~~

(a) "Smoking" shall mean inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" shall include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(b) "E-Cigarette or Electronic Delivery Device" shall mean any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. "Electronic Delivery Device" shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

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

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Board of Health

06-09-15

Gail Scott & J. Blair Ward: 03-13-15

APPROVED: Administrator ___; Corp. Counsel ___; Finance Director ___

ORDINANCE NO. 2015-___

Repeal and recreate Environmental Sanitation Ordinance

Executive Summary

Jefferson County Health Department and Watertown Department of Public Health formed an Environmental Health Consortium to meet the environmental health needs of Jefferson County and the City of Watertown. The coordinated program optimized the limited financial resources of the health departments.

The Jefferson County/Watertown Environmental Public Health Consortium became an agent of Department of Health Services in 2002 and an agent of Department of Agriculture, Trade and Consumer Protection in 2009 to conduct food and recreational inspections and licensing locally. This program expansion was done as a response to the community need to assure the safety of the public. Businesses were unable to make contact with State inspection staff with questions and problems. The local health departments were spending a considerable amount of time responding to local businesses.

The City of Watertown, Watertown Department of Public Health, has been the fiscal agent of the program since the beginning. The Health Officers provide supervision and manage the program in their respective jurisdictions.

Requested Ordinance Updates:

- Charge for the 1st and all subsequent re-inspections [8(d) Fees]
- Raising pool inspection fees to bring the fee in line with the cost of inspections
- Raise all other fees by 2%; fees have not been increased since 2010
- Remove the fee schedule from the ordinance

These changes are being coordinated by the City of Watertown Department of Public Health to keep the policies consistent in the Jefferson County/Watertown Environmental Health Consortium.

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

Section 1. The Environmental Sanitation Ordinance is hereby repealed and recreated as follows:

A. GENERAL PROVISIONS.

(1) ADMINISTRATION. This ordinance shall be administered by the County Health Department and shall be in effect in all parts of the County except the City of Watertown.

(2) ENFORCEMENT.

(a) The Health Officer or the Health Officer's duly authorized representative shall enforce the regulations of this chapter and may issue orders to effect correction of violations and may issue citations pursuant to Ordinance No. 84-10. All enforcement actions shall minimally be analogous to Wisconsin Statutes Sections 254.85, 254.86, 254.87 and 254.88.

(b) The Corporation Counsel may in his discretion, commence legal action and may proceed pursuant to the provisions outlined in Wisconsin Statutes Section 66.0119 and Section 66.0114, or pursuant to the issuance of a summons and complaint. [am. 12/09/08, Ord. 2008-29]

(c) The County of Jefferson is an agent for the Department of Health ~~and Family~~ Services under the provisions as set forth in Wisconsin Statutes Chapter 254, Subchapter VII, 254.69 and 254.47 with the powers as described in Wisconsin Statutes 254.74.

(d) The County of Jefferson adopts by reference the following Chapters of the Wisconsin Administrative Codes: DHS 192, DHS 195, DHS 196, DHS 197, DHS 198, COMM 90, DHS 172, DHS, 173, DHS 175, and DHS 178 and DATCP 75 and DATCP 97 and all other state and federally referenced rules and Memorandums of Understanding. [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]

(e) The County of Jefferson recognizes and adopts the same exemptions for inspections and licensure as contained in the aforementioned state statutes, administrative codes and the State of Wisconsin Department of Health Services (DHS) and Department of Agriculture, Trade ~~&~~ and Consumer Protection (DATCP) policies. [am. 12/09/08, Ord. 2008-29]

(f) The County of Jefferson is an agent for Department of Agriculture, Trade and Consumer Protection, under the provisions as set forth in Wisconsin State Statute Chapter 97.41. [cr. 12/09/08, Ord. 2008-29]

(3) SEVERABILITY. Each section, paragraph, sentence, clause, word and provision of this ordinance is severable, and if any provisions shall be held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the ordinance nor any part thereof other than that affected by such a decision.

(4) DEFINITIONS.

(a) "Department" means the Jefferson County Health Department.

(b) "Health Officer" means the Health Department Director or his/her authorized agent.

(c) "Person" means an individual, partnership, association, firm, company, corporation, organization, municipality, county, town, or state agency, whether tenant, owner, lessee or licensee, or the agent, heir, or assignee of any of these.

(d) "License" means the granting of permission in a written/certificate form from the appropriate authority to carry on an activity. In this chapter, it is synonymous with *permit.*

(5) LICENSE APPLICATION.

License application shall be made to the Health Department on forms approved by DHS or DATCP, and supplied by the ~~department~~ Department, accompanied by the appropriate license fee and pre-inspection fee. Licenses hereunder shall not be granted or issued by the Department unless and until the Health Officer/Director, or designee, determines and certifies compliance, of the premises to be licensed, with all the applicable terms and conditions of all Wisconsin Administrative Codes under contract. [am. 12/09/08, Ord. 2008-29]

Applications for licenses required in this chapter shall be made in writing to the Health Department on forms provided by the Health Department and shall contain, but not be limited to, the following information:

(a) The name, home address and date of birth of the entity requesting the privilege of operating the said business/conducting the activity.

(b) The trade name and address of the establishment.

(c) Whether the applicant is a person, corporation, or partnership.

1. If the applicant is a corporation, the application shall contain the registered agent's name, home address and date of birth.
2. If the applicant is a partnership, the applicant shall include the names, home addresses and date of births of the partners.
3. The mailing address of the legal licensee.

(d) The signature of all applicants and their agents to confirm that all information on the application is correct and to acknowledge that any change in the information on the application shall be reported to the Health Officer within 14 days of the change.

(6) LICENSE ISSUANCE.

The Health Officer shall issue a license to the applicant only after compliance with the requirements of this chapter and upon payment to the ~~health department~~ Health Department of all required fees. The ~~department's~~ Department's decision to grant or withhold a license shall not exceed 30 calendar days. The decision to withhold shall accompany written inspection or documentation of justification or cause.

(a) No license may be issued until all applicable fees have been paid.

(7) LICENSE PERIOD.

The license period for licenses issued per the DHS and DATCP contract shall be from July 1 through the following June 30th. Those licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year, except temporary and mobile food licenses. Licenses are not transferable between persons, entities, or any combination thereof (see DHS Change Assessment Worksheet). [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]

(8) FEES.

In addition to the license fees, the licensee shall pay any applicable DHS or DATCP administrative fee, the amount of which is on file with the department, as well as, the fee schedule. See current fee schedule for fees pursuant to this section.

(a) NON-PRORATION OF FEES. Permit fees and other applicable fees are not prorated for the fiscal year and must be paid in full at any time.

(b) PRE-INSPECTIONS AND THEIR ASSOCIATED FEES. ~~Preinspections~~ Pre-inspections are required to be conducted for establishments within the scope of Wisconsin Statutes 254 Subchapter VII and DATCP 74. [am. 12/09/08, Ord. 2008-29]

(c) LATE FEES. Assessed to all Wisconsin Statutes 254.69 establishment licensees for payment after July 1.

(d) RE-INSPECTION FEES. In the event that the County Health Department observes violations during the course of its inspections~~, and in the event that the violation is not corrected upon the Department's first re-inspection to confirm compliance,~~ the Department shall charge the party in violation a fee as set forth ~~below~~ for each ~~second or subsequent~~ re-inspection necessary to confirm that the original violations ~~has~~ have been remedied. [Amended 07/13/04, Ordinance No. 2004-14; am. 12/09/08, Ord. 2008-29]

(e) NO CERTIFIED OPERATOR FEE. If facility owners do not obtain certificate issued by State of Wisconsin within 90 days, facility owners will be assessed a $150.00 fee. [cr. 12/09/08, Ord. 2008-29]

(9) DISPLAY OF LICENSE.

All licensees shall post their license in plain public view on the premise for which the permit is issued. It shall be posted for the duration that the permit is in force.

(10) INSPECTION BY HEALTH DEPARTMENT.

Authorized employees of the Health Department, upon presenting proper identification, shall have the authority and duty to enter any licensed premises during regular business hours to inspect the same, with respect to a business open at least forty (40) hours per week. In the absence of regular business hours, inspections shall be made at any reasonable hour. In the event of an emergency, an inspection may be made at any time.

(11) DENIAL, SUSPENSION OR REVOCATION OF LICENSE.

The Health Officer, or designee, may deny any license application or suspend or revoke any license issued under this chapter for non-compliance with this code or any other state or county law. The following procedure shall be followed in the denial, suspension or revocation of any license issued under this chapter:

(a) A decision by the Health Officer to deny, suspend or revoke a license shall be in writing and shall state, with specificity, the reasons for the Health Officer's decision and shall state any and all applicable statutes, ordinances, rules, regulation or orders which may have been violated. The Health Officer shall send to the licensee copy of the written decision by mail or by personal service. Said notice shall inform the licensee or

applicant of the right to have this decision reviewed and the procedure for such review.

(b) A licensee or applicant aggrieved by a decision of the Health Officer to deny, suspend or revoke a license must send a written Request and Reconsideration to the Health Officer within 10 working days of receipt of the notice of the Health Officer's decision. The Request for Review and Reconsideration shall state the grounds upon which the person aggrieved contends that the decision should be reversed or modified.

(c) Within 10 working days of receipt of the Request for Review and Reconsideration, the Health Officer shall review its initial determination. The Health Officer may affirm, reverse or modify the initial determination. The Health Officer shall mail or deliver to the licensee or applicant a copy of the Officer's decision on review, and shall state the reasons for such decision. The decision shall advise the licensee or applicant of the right to appeal the decision, the time within which appeal shall be taken and the office or person with whom Notice of Appeal shall be filed.

(d) A licensee or applicant who wishes to appeal a decision made by the Health Officer on review must file a notice of appeal within 10 days of receipt of the Health Officer's Decision on review. The Notice of Appeal shall be filed or mailed to the Health Officer. The Health Officer shall immediately file said Notice with the Jefferson County Board of Health.

(e) A licensee or applicant shall be provided a hearing on appeal within 30 days of receipt of the Notice of Appeal. The Health Officer shall serve the licensee or applicant with notice of hearing by mail or personal service at least 5 days before the hearing.

(f) The hearing shall be conducted before the Jefferson County Board of Health and shall be conducted in accordance with the procedures outlined in Section ss. Chapter 68.11 (2) and (3).

(g) Within 15 days of the hearing, the Jefferson County Board of Health shall mail or deliver to the applicant its written determination stating the reasons therefor.

(h) OPERATING WITHOUT A LICENSE. Any person who shall operate without a license as required above shall be subject to a forfeiture in the amount of $500.00. Ongoing violations of operating without a license may be subject to forfeitures in the amount of $500.00 for each day in which the person continues to operate without a license. [am. 12/09/08, Ord. 2008-29]

(i) VOIDED PERMIT FOR FAILURE TO PAY FEES. If an applicant or owner fails to pay all applicable fees, late fees and processing charges within 15 days after the applicant or owner receives notice of an insufficiency or within 45 days after the expiration of the permit, whichever occurs first, the permit is void. An owner whose permit is voided under this subsection may appeal the decision. [cr. 12/09/08, Ord. 2008-29]

(12) TEMPORARY ORDERS.

Whenever, as a result of an inspection conducted pursuant to this chapter, the Health Officer or his/her designated agent has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to health of the Public, the Health Officer may proceed as stated in Section 66.0417, or 254.85 of the Wisconsin Statutes to issue a temporary order to prohibit the sale or movement of food for any purpose, prohibit the continued operation or method of operation of equipment, require the premises to cease any other operation or method of operation which creates an immediate danger to public health. Section 66.0417 of the Wisconsin Statute s is incorporated herein by reference and made a part of this ordinance as if fully set forth herein.

Temporary pool closures pursuant to DHS 172.30 due to chlorine/bromine and/or ph levels that are outside of prescribed water quality standards shall be in effect for the shorter of 24 hours or that time period necessary to complete three (3) turnovers of the pool water to be measured from the time of closure, in order to allow added chemicals to equalize in the pool. [am. 10/12/10, Ord. 2010-16]

(13) CONSTRUCTION OR ALTERATION OF LICENSABLE FOOD SERVICE ESTABLISHMENTS.

(a) Except as provided in (b), no person shall erect, construct, enlarge or alter a food establishment without first submitting to the Health Officer plans (drawings) which clearly show and describe the amount and character of the work proposed and without first receiving Health Department approval of submitted plans. Such plans shall include expected menu, floor plan, equipment plan and specifications, plumbing layout, wall, floor and ceiling finishes and plans and specifications for food service kitchen ventilation. Submitted plans shall give all information necessary to show compliance with applicable health codes. Submitted plans shall be retained by the ~~health department~~ Health Department. Plan submittal to the Health Officer is in addition to any plan submittal requirement of the County Zoning Department, or required building inspection. [am. 10/12/10, Ord. 2010-16]

(b) At the option of the Health Officer, plans need not be submitted to execute minor alterations. Minor alterations include, but are not limited to, the replacement of existing equipment, the replacement of existing floor, wall or ceiling coverings or other cosmetic or decorating activity.

(c) Any plans approved by the Health Department shall not be changed or modified unless the Health Officer has reviewed and approved the modifications or changes. Final approved plans will be kept in perpetuity as part of the legal file for the establishment.

(d) A ~~preinspection~~ pre-inspection fee shall be charged for any remodeling projects that exceed the definition of "minor alterations" set forth in subsection (b), examples of which shall include, but shall not be limited to, circumstances in which the entire facility is closed for remodeling,

circumstances in which a section of the facility is closed for significant remodeling, and circumstances in which new additions are added to the facility even though the original facility remains open for business. [cr. 10/12/10, Ord. 2010-16]

(14) "CLASS B" OR "CLASS C" PREMISES.

No applicant may operate under a "Class B" license or permit or a "Class C" license or permit under s.s. Chapter 125.68(5) Wisconsin Statutes, unless the premise complies with the rules promulgated by the Department of Health and Family Services governing sanitation in restaurants.

B. RESTAURANTS/MEAL FOOD SERVICE.

(1) REQUIREMENTS.

(a) Except as provided in (b), no person, party, firm or corporation shall operate a Restaurant, Temporary Restaurant or Mobile Restaurant, as defined in Wisconsin Administrative Code DHS 196, without first obtaining a license therefore from the Jefferson County Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or Wisconsin Administrative Code DHS 196, which is incorporated herein by reference and made part of this ordinance as if fully set forth herein. [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]

(b) No license is required for the following:

1. Churches, religious, fraternal, youth or patriotic organizations such as VFW, American Legion, or other like organizations, service clubs or civic organizations which occasionally prepare, serve, or sell meals to the general public. The term occasional means ~~fewer than 4 days~~ <u>not more than 3 days</u> during any 12-month period.
2. Taverns that serve free lunches of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter.
3. Any public or private school lunchroom for which food service is directly provided by the school. The department shall charge a fee for inspection services to school lunchrooms required to be inspected under federal or state law. [Amended 01/09/07, Ordinance 2006-26; am. 12/09/08, Ord. 2008-29]
4. A private individual selling food from a moveable or temporary stand at a public farm sale.
5. A concession stand at a locally sponsored sporting event, such as a little league game.

~~(2) FEES.~~

~~In addition to the following fees, the licensee shall pay any applicable DHS or DATCP administrative fee, the amount of which is on file with the department. [am. 12/09/08, Ord. 2008-29]~~

~~Fees pursuant to this section (not including the state administrative fee above) shall be as follows:~~

~~(a) Limited Food Service Restaurant: A restaurant that serves only individually wrapped, hermetically sealed single servings supplied by a licensed processor.~~

~~1. License Fee $ 105.00~~
~~2. Pre-licensing Fee $ 175.00~~
~~3. Re-inspection Fee $ 130.00~~

~~(b) Simple Complexity Restaurant: As defined at DHS 196.04.~~
~~1. License Fee $ 230.00~~
~~2. Pre-licensing Fee $ 430.00~~
~~3. Re-inspection Fee $ 320.00~~

~~(c) Moderate Complexity Restaurant: As defined at DHS 196.04.~~
~~1. License Fee $ 330.00~~
~~2. Pre-licensing Fee $ 705.00~~
~~3. Re-inspection Fee $ 470.00~~

~~(d) High Complexity Restaurant: As defined at DHS 196.04.~~
~~1. License Fee $ 540.00~~
~~2. Pre-licensing Fee $ 1,020.00~~
~~3. Re-inspection Fee $ 770.00~~

~~(e)~~(c) Temporary Restaurants: A restaurant that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale for a period of no more than 14 consecutive days or in conjunction with an occasional sales promotion. Occasional means ~~fewer than 4 days~~ not more than 3 days during any 12-month period. Licenses are issued at the site of the event. A temporary restaurant may be moved from location to location within the county, but may not operate from the new location until it has been inspected and found to be in compliance. A temporary restaurant license may not be used to operate more than one restaurant at a time.

~~1. License Fee $ 170.00~~

[1.B.(2)(a) through (e) were amended and/or created 12/09/08, Ord. 2008-29; am. 10/12/10, Ord. 2010-16]

(3) ADMINISTRATION AND ENFORCEMENT.
In addition to the statutory and administrative code references and powers as indicated in Section A, the Health Officer/designee may issue temporary orders when the ~~department~~ Department has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to public health or safety.

C. BED AND BREAKFAST ESTABLISHMENTS.

(1) REQUIREMENT. No person, party, firm, or corporation shall operate a Bed and Breakfast Establishment as defined in Wisconsin Administrative Code DHS 197 for more than 10 nights in a year, without first obtaining an annual license from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 197 of the Wisconsin Administrative Code, which is incorporated herein by reference and made a part of this ordinance as if fully set forth herein. [Amended 03/11/03, Ordinance No. 2002-32; am. 12/09/08, Ord. No. 2008-29]

(2) ZONING AND CONSTRUCTION STANDARDS. Prior to Health Department approvals, the applicant must submit written verification from the Jefferson

County Zoning Department of approval of this commercial business in the building and property considered for licensure as a bed and breakfast establishment. In addition, the applicant must provide the Health Department with written verifications that this property meets all applicable local and state fire and building codes from inspections of state and local building inspectors. [am. 10/12/10, Ord. 2010-16]

~~(3) Fees for licenses issued pursuant to this section shall be as follows:~~

~~(a) Bed and Breakfast License~~

~~1.~~	~~License Fee~~	~~$ 110.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 300.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 170.00~~

~~[Am. 12/09/08, Ordinance No. 2008-29; 10/12/10, Ord. 2010-16]~~

~~(4) In addition to the above fees, the licensee shall pay any applicable DHS administrative fee, the amount of which is on file with the Health Department.~~ [Amended 12/09/08, Ordinance No. 2008-29]

D. HOTELS, MOTELS AND TOURIST ROOMING HOUSES.

(1) REQUIREMENT. No person, party, firm, or corporation shall operate a Hotel, Motel or Tourist Rooming House, as defined in Wisconsin Administrative Code DHS 195, without first obtaining an annual license therefore from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 195 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as if fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

~~(2) FEES. The fees for the licenses issued pursuant to this section shall be as follows:~~

~~Hotel/Motel~~

~~(a) 05-30 Sleeping Rooms~~

~~1.~~	~~License Fee~~	~~$ 205.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 480.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 290.00~~

~~(b) 31-99 Sleeping Rooms~~

~~1.~~	~~License Fee~~	~~$ 280.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 665.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 400.00~~

~~(c) 100 - 199 Sleeping Rooms [Amended 03/11/03, Ordinance No. 2002-32]~~

~~1.~~	~~License Fee~~	~~$ 355.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 795.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 505.00~~

~~(d) 200 or more Sleeping Rooms~~

~~1.~~	~~License Fee~~	~~$ 490.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 1,185.00~~
	~~[Created 03/11/03, Ordinance No. 2002-32]~~	
~~3.~~	~~Re-inspection Fee~~	~~$ 700.00~~

~~(e) Tourist Rooming House (1-4 rooms) [Amended 03/11/03, Ordinance No. 2002-32]~~

~~1.~~	~~License Fee~~	~~$ 110.00~~

~~2. Pre-licensing Fee $ 300.00~~
~~3. Re-inspection Fee $ 170.00~~

[10/12/10, Ord. 2010-16]

E. CAMPGROUNDS, RECREATIONAL AND EDUCATION CAMPS.

(1) REQUIREMENTS.

No person, party, firm or corporation shall operate a campground, recreational camp or educational camp, as defined in Wisconsin Administrative Code DHS 175 or 178, without first obtaining an annual license therefore from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 175 or 178 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

~~(2) FEES.~~

~~The fees for the licenses issued pursuant to this section shall be as follows:~~

~~(a) Campgrounds (1-25 sites)~~
~~1. License Fee $ 175.00~~
~~2. Pre-licensing Fee $ 380.00~~
~~3. Re-inspection Fee $ 240.00~~

~~(b) Campground (26-50 sites)~~
~~1. License Fee $ 250.00~~
~~2. Pre-licensing Fee $ 565.00~~
~~3. Re-inspection Fee $ 350.00~~

~~(c) Campground (51-100 sites)~~
~~1. License Fee $ 305.00~~
~~2. Pre-licensing Fee $ 700.00~~
~~3. Re-inspection Fee $ 425.00~~

~~(d) Campground (100 - 199 sites) [Amended 03/11/03, Ordinance No. 2002-32]~~
~~1. License Fee $ 355.00~~
~~2. Pre-licensing Fee $ 830.00~~
~~3. Re-inspection Fee $ 500.00~~

~~(e) Campground (200 or more sites)~~
~~1. License Fee $ 410.00~~
~~2. Pre-licensing Fee $ 965.00~~

[Created 03/11/03, Ordinance No. 2002-32]

~~3. Re-inspection Fee $ 580.00~~

~~(f) Recreational/Educational Camps~~
~~1. License Fee $ 505.00~~
~~2. Pre-licensing Fee $ 1,200.00~~

[Amended 03/11/03, Ordinance No. 2002-32]

~~3. Re-inspection Fee $ 720.00~~

F. PUBLIC SWIMMING POOL.

(1) REQUIREMENTS.

No person, party, firm or corporation shall operate a public swimming pool, as defined in Wisconsin Administrative Code DHS 172 or Comm. 90, without first

obtaining an annual license therefore from the Health Department nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 172 or Comm. 90 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

~~(2) FEES.~~

~~The fees for the licenses issued pursuant to this Section shall be as follows:~~

~~(a) Public Swimming Pools~~

~~1.~~	~~License Fee~~	~~$ 150.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 150.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 75.00~~

[Amended and/or created 12/09/08, Ordinance No. 2008-29]

~~(b) Swimming Pools with Water Attraction~~

~~1.~~	~~License Fee~~	~~$ 175.00~~
~~2.~~	~~Re-licensing Fee~~	~~$ 175.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 75.00~~

~~(c) Swimming Pools with Water Attraction with Up to 2 slides~~

~~1.~~	~~License Fee~~	~~$ 250.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 250.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 125.00~~

~~(d) Swimming Pools with Additional Pool Slides~~

~~1.~~	~~License Fee~~	~~$ 50.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 50.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 75.00~~

~~(e) Swimming Pools with Additional Waterslides~~

~~1.~~	~~License Fee~~	~~$ 150.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 150.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 75.00~~

G. SCHOOL INSPECTIONS. [Created 01/09/07, Ordinance 2006-26]

(1) REQUIREMENTS. All schools participating in the National School Lunch (NSLP) or school Breakfast Programs (SBP) shall, at least twice during each school year, obtain a food safety inspection conducted by a state or local governmental agency responsible for food safety inspections.

~~(2) Fees. The fees for the inspection conducted pursuant to this section shall be as follows:~~

~~(a)~~	~~Full Service Kitchen~~	~~$ 440.00~~
~~(b)~~	~~Full Service Pre-Inspection Fee~~	~~$ 440.00 (before opening)~~
~~(c)~~	~~Satellite Kitchen~~	~~$ 150.00~~
~~(d)~~	~~Satellite Kitchen Pre-Inspection~~	~~$ 150.00 ((before opening)~~

[Created 01/09/07, Ordinance 2006-26; amended 12/09/08, Ord. No. 2008-29; am. 10/12/10, Ord. 2010-16]

H. RETAIL FOOD ESTABLISHMENTS. [created 12/09/08, Ord. 2008-29]

(1) REQUIREMENTS. No person, party, firm or corporation shall operate a Retail Food Establishment, as defined in WI Admin. Code DATCP 75 and Section 97.30 of the Wisconsin Statutes, without first obtaining an annual license therefore from

the County of Jefferson Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DATCP 75 or Section 97.30 of the Wisconsin Statutes, which are incorporated herein by reference and made a part of this ordinance as if fully set forth herein.

~~(2) FEES.~~

~~(a) Food sales of at least $1,000,000.00 and retail food establishment processes potentially hazardous food.~~

~~1.~~	~~Fee~~	~~$ 959.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 1,000.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 450.00~~

~~(b) Food sales of at least $25,000.00, but less than $1,000,000.00 and retail food establishment processes potentially hazardous food.~~

~~1.~~	~~License Fee~~	~~$ 371.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 400.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 190.00~~

~~(c) Food sales of at least $25,000.00 and retail food establishment is engaged in food processing, but does not process potentially hazardous food.~~

~~1.~~	~~License Fee~~	~~$ 266.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 300.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 190.00~~

~~(d) Food sales of less than $25,000.00 and retail food establishment is engaged in food processing, but does not process potentially hazardous food.~~

~~1.~~	~~License Fee~~	~~$ 84.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 90.00~~
~~3.~~	~~Re-inspection Fee~~	~~$ 90.00~~

~~(e) Retail food establishment does not engage in food processing.~~

~~1.~~	~~License Fee~~	~~$ 45.00~~
~~2.~~	~~Re-inspection Fee~~	~~$ 90.00~~

~~(f) Inspection fee for mobile retail food stands is $40.00.~~

[10/12/10, Ord. 2010-16]

I. TATTOO AND BODY-PIERCING LICENSES.

(1) Adoption of Code. The tattooing and body-piercing code as promulgated by the Wisconsin Department of Health Services and codified in the Wisconsin Administrative Code, Chapter DHS 173 is adopted by reference and made a part of this Code as far as it is applicable. A violation of Chapter DHS 173 shall be a violation of this Code.

(2) Local License Required. No person, firm or entity shall engage in or work at tattooing or body-piercing, as defined as Chapter DHS 173, without being licensed as required in this Chapter or Chapter DHS 173.

~~(3) Fee Schedule. The operator of a tattoo establishment or body-piercing establishment or a combined tattoo and body-piercing establishment shall pay an annual license fee to the County of Jefferson as follows:~~

(a) ~~For a tattoo or body piercing establishment~~

~~1.~~	~~License Fee~~	~~$ 135.00~~
~~2.~~	~~Pre-licensing Fee~~	~~$ 255.00~~

~~3. Re-inspection Fee $ 180.00~~

~~(b) For a combined tattoo and body piercing establishment~~

~~1. License Fee $ 220.00~~

~~2. Pre-licensing Fee $ 400.00~~

~~3. Re-inspection Fee $ 295.00~~

~~(c) Temporary Tattoo/Piercing Fee $ 100.00~~

[cr. 12/09/08, Ordinance No. 2008-29; repealed, created, renumbered and amended 10/12/10, Ord. 2010-16]

J. PENALTIES.

Any person or business entity authorized by Wisconsin law that fails to comply with the provisions of this ordinance shall upon conviction thereof forfeit not less than $25 nor more than $500, together with costs and statutory assessments. Each day a violation exists shall constitute a separate violation. Such forfeiture action may be in addition to any other remedy lawfully available to the County such as an injunction against operating contrary to this ordinance. [Renumbered 12/09/08, Ordinance No. 2008-29]

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

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Board of Health

06-09-15

Gail Scott: 05-07-15

APPROVED: Administrator ___; Corp. Counsel ___; Finance Director ___

DRAFT
RESOLUTION NO. 2015-____

Budget Amendment for Health Department Retirements

Executive Summary

There were five (5) retirements in the Health Department in May 2015. The payout of vested benefits for these retirees, including fringe benefits, was approximately $73,000. At the end of 2014, the Health Department had an excess fund balance of approximately $203,000. According to the Fund Balance Policy, the balance should be used for capital purchases, repayment of debt or reduction of tax levy. Even though this is an operating expense, it is a non-budgeted expense. The following resolution is to fund the 2015 budget overage in the Health Department due to the payout of vested benefits.

WHEREAS, the Health Department had five (5) employees retire in May 2015, and

WHEREAS, the payout of vested benefits including fringe benefits was approximately $73,000, and

WHEREAS, the Health Department at the end of 2014 had an excess fund balance of approximately $203,000, and

WHEREAS, the Finance Committee recommends a budget transfer of $73,000 from the excess fund balance in the Health Department to fund the retirement payouts.

NOW, THEREFORE, BE IT RESOLVED that the 2015 budget be amended to authorize the transfer of $73,000 from the 2014 Health Department Fund Balance, Account #240.355100, to the appropriate expense accounts within the Health Department for the purpose of funding the payout of vested benefits for Health Department retirees.

Fiscal Note: The fiscal impact of this resolution is a $73,000 reduction in the 2014 excess Health Department fund balance. As a budget amendment, this resolution requires (20) affirmative votes for passage.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Finance Committee 06-09-15

Brian Lamers 05/18/15; J. Blair Ward 05/19/15

APPROVED: Administrator ___; Corp. Counsel ___; Finance Director ___

RESOLUTION NO. 2015-_____

Contract for Financial Advisory Services

Executive Summary

In 2007, Jefferson County engaged with Institutional Capital Management (ICM) to provide investment advisory services for the County. The Finance Committee decided in 2014 to seek Requests for Proposals for investment advisory services. Four (4) staff and two (2) Finance Committee members reviewed the Request for Proposals to determine which consultant should be awarded the contract based on criteria such as the overall quality of the proposal which considered the scope of services, qualifications and experience of the consultant and cost of services. The Finance Committee recommends contracting with DANA Investment Advisors for investment advisory services as described in the Request for Proposals.

WHEREAS, Jefferson County engages for investment advisory services from an independent consultant, and

WHEREAS, commencing in 2007, the County's investment advisory services were provided by Institutional Capital Management (ICM), and

WHEREAS, proposals were received from ten (10) companies providing investment advisory services as shown below:

BMO Asset Management Corporation, Chicago, IL
Columbia Capital Management, LLC, Overland Park, KS
Cutler Investment Counsel, Charlottesville, VA
DANA Investment Advisors, Brookfield, WI
Ehlers Investment Services, Waukesha, WI
Institutional Capital Management, Inc., Lafayette, CO
PFM Asset Management, LLC, Chicago, IL
Prudent Man Advisors, Inc., (PMA), Milwaukee, WI
Spring Water Asset Management, LLC, Mequon, WI
Wangard Investment Management. Brookfield, WI

AND WHEREAS, the Finance Committee recommended that the County Administrator contract with DANA Investment Advisors for investment advisory services as described in the Request for Proposals as soon as practical following passage of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is hereby directed to contract with DANA Investment Advisors at the price 10 basis points (minimum annual fee of $12,500) contained in its proposal for investment advisory services.

Fiscal Note: The cost of 2015 Investment Advisory Services will be 10 basis points (minimum annual fee of $12,500) and is included in the 2015 budget. Cost for investment advisory services will be included in subsequent year's budgets as determined by the County Board.

Ayes _____Noes _____Abstain _____Absent _____Vacant_____

Requested by
Finance Committee

06-09-15

Brian Lamers: 04-22-15, 05-21-15, J. Blair Ward: 04-22-15
APPROVED: Administrator BL, Corp Counsel JBL, Finance Director BL

RESOLUTION NO. 2015-____

Budget Amendment to Fee Schedule

Executive Summary

Department fee schedules are adopted through the budget process. Throughout the year, departments review their fee schedules to determine if the fees established in their department fee schedule reflect the actual cost to provide the service. This resolution is a request from various county departments to amend their 2015 department fee schedule that has been adopted as part of budget to more accurately reflect the actual cost to provide services.

WHEREAS, the current department fee schedule has been adopted through the 2015 budget process, and

WHEREAS, some county departments have determined that the fees established in their 2015 department fee schedule no longer accurately reflect the cost to provide the service being provided, and

WHEREAS, the Finance Committee has reviewed the request from the departments, and recommends the attached changes to the fee schedule, and

WHEREAS, the Medical Examiner shall have the discretion to waive any fees or copying costs in exceptional circumstances, such as indigency, pursuant to written department policy establishing criteria after such policy has been reviewed by the Finance Committee. The total dollar amount of all Medical Examiner fee waivers shall be reported to the Law Enforcement and Emergency Management Committee quarterly. If a specific fee is not stated in the attached Medical Examiner Fee Schedule, the Medical Examiner shall charge for fees and costs in accordance with the Wisconsin Public Records Law unless such fees are waived as provided above.

NOW, THEREFORE, BE IT RESOLVED that the fee schedule approved in the 2015 budget be amended as set forth in the attached amended fee schedule upon passage of this resolution.

Fiscal Note: The fiscal impact of this resolution is unknown and is based on the amount of services provided. Costs for providing services should be offset by the increased fees generated for providing those services. As a budget amendment, 20 affirmative votes are required.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Finance Committee 06-09-15

Brian Lamers: 05-29-15; J. Blair Ward: 06-01-15

APPROVED: Administrator____; Corp. Counsel ____; Finance Director ____

Fee Schedule

Departments	Unit	2015 Rate	Proposed Rate
County Clerk			
Reissuance or Correction of Marriage License		-	10.00
Health Department			
Personal Care Worker (Program closed 3/31/15)	Per Hour	22.00	-
Personal Care Worker Holiday Rate (Program closed 3/31/15)	Per Hour	35.00	-
Personal Care RN Supervisory Visit (Program closed 3/31/15)	Per Visit	100.00	-
Food Service Fees			
Prepackaged Off Premise-License		116.00	107.00
Preinspection		175.00	178.00
Reinspection		130.00	132.00
Full Service-Simple-License		253.00	234.00
Preinspection		430.00	438.00
Reinspection		320.00	326.00
Full Service-Moderate-License		363.00	336.00
Preinspection		705.00	719.00
Reinspection		470.00	479.00
Full Service-Complex-License		594.00	550.00
Preinspection		1,020.00	1,040.00
Reinspection		770.00	785.00
Temporary Restaurant		187.00	173.00
Lodging Fees			
Tourist Rooming House (1-4 rooms)-License		121.00	112.00
Preinspection		300.00	306.00
Reinspection		170.00	173.00
Bed & Breakfast (8 or less rooms)-License		121.00	112.00
Preinspection		300.00	306.00
Reinspection		170.00	173.00
Hotel/Motel (5-30 rooms)-License		226.00	209.00
Preinspection		480.00	489.00
Reinspection		290.00	295.00
Hotel/Motel (31-99 rooms)-License		308.00	285.00
Preinspection		665.00	678.00
Reinspection		400.00	408.00
Hotel/Motel (100-199 rooms)-License		391.00	362.00
Preinspection		795.00	810.00
Reinspection		505.00	515.00
Hotel/Motel (200+ rooms)-License		539.00	499.00
Preinspection		1,185.00	1,208.00
Reinspection		700.00	714.00
Campground Fees			
Campground (1-25 sites)		193.00	178.00
Preinspection		380.00	387.00
Reinspection		240.00	244.00
Campground (26-50 sites)		275.00	255.00
Preinspection		565.00	576.00
Reinspection		350.00	357.00
Campground (51-100 sites)		336.00	311.00
Preinspection		700.00	714.00
Reinspection		425.00	433.00
Campground (101-199 sites)		391.00	362.00
Preinspection		830.00	846.00
Reinspection		500.00	510.00
Campground (200 or more sites)		451.00	418.00
Preinspection		965.00	984.00
Reinspection		580.00	591.00
Recreational & Educational Camp		556.00	515.00
Preinspection		1,200.00	1,224.00
Reinspection		720.00	734.00
Tattoo & Body Piercing Establishment Fees			
Tattoo Establishments-License		149.00	137.00
Preinspection		255.00	260.00
Reinspection		180.00	183.00
Body Piercing Establishments-License		149.00	137.00
Preinspection		255.00	260.00

Reinspection	180.00	183.00
Tattoo & Body Piercing Establishment	242.00	224.00
Preinspection	400.00	408.00
Reinspection	295.00	300.00
Temporary Tattooing Events-License	100.00	102.00
Swimming Pool Fees		
Swimming Pool-License	165.00	408.00
Preinspection	150.00	408.00
Swimming Pool with Water Attraction-License	193.00	474.00
Preinspection	175.00	474.00
Swimming Pool with Water Attraction & up to 2 Water Slides-License	275.00	680.00
Preinspection	250.00	680.00
Swimming Pool with less than 2 Water Slides (add. Charge per slide-License	165.00	150.00
Retail Food Establishments (Department of Agriculture)		
Large Potentially Hazardous-License	1,055.00	978.00
Preinspection	1,000.00	1,020.00
Reinspection	450.00	459.00
Small Potentially Hazardous-License	408.00	378.00
Preinspection	400.00	408.00
Reinspection	190.00	193.00
Very Small Potentially Hazardous-License	92.00	85.00
Preinspection	90.00	91.00
Reinspection	90.00	91.00
Large Non-Potentially Hazardous-License	293.00	271.00
Preinspection	300.00	306.00
Reinspection	190.00	193.00
Very Small Non-Potentially Hazardous-License	92.00	85.00
Preinspection	90.00	91.00
Reinspection	90.00	91.00
Not Engaged in Food Processing-License	50.00	45.00
Reinspection	90.00	91.00
Mobile Inspection Fee-License	40.00	41.00
School Inspections		
Full Service Kitchen-Inspection Fee	440.00	448.00
Preinspection	440.00	448.00
Satellite Kitchen-Inspection Fee	150.00	153.00
Preinspection	150.00	153.00
Medical Examiner		
Cremation Permit	200.00	220.00
Death Certificate Signing	25.00	50.00

RESOLUTION NO. 2015-____

Resolution Designating the Wegner Cottage as a Historic Structure

Executive Summary

The Jefferson County Board of Supervisors created a Historic Sites Preservation Commission and Program to safeguard the County's historic, prehistoric, and cultural heritage, as embodied and reflected in historic structures, sites and districts. The Historic Sites Preservation Commission and Program further serves to stabilize and improve property values, foster civic pride in the beauty and noble accomplishments of the past, protect and enhance the County's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry to strengthen the economy of the County. In 2013, a survey of Jefferson County was completed resulting in a comprehensive report on the architectural and historical structures within Jefferson County. One such structure is located in the Shore Place Subdivision which was platted by the Wahl family on the northern shore of Lake Ripley in the Town of Oakland and completed in 1931. The present owner of this property, Raymond E. Wegner, has made application to the Jefferson County Historic Sites Preservation Commission for Jefferson County Landmark Status and the Historic Sites Preservation Commission requests the County Board to approve designation of the Wegner Cottage as a historic structure.

WHEREAS, the 2013 survey of the Southwest Quadrant of Jefferson County completed a comprehensive report on the architectural and historical structures, and

WHEREAS, the report surveyed the Shore Place Subdivision which was platted by the Wahl family on the northern shore of Lake Ripley in the Town of Oakland and completed by 1931, and

WHEREAS, additional cottages were constructed over the next 15 years with several cottages referenced in the survey, including the cottage located at N4532 E. Shore Place Road, and

WHEREAS, Raymond E. Wegner, the present owner of the property, has made application to the Jefferson County Historic Sites Preservation Commission for Jefferson County Landmark Status, and

WHEREAS, in accordance with Ordinance No. 2007-48, the Historic Sites Preservation Commission has held a public hearing on said application, and recommends that the County Board designate this cottage as a historic structure, and

WHEREAS, the Historic Sites Preservation Commission has given notice to the owner of the Commission's intent to present this property to the Jefferson County Board of Supervisors for approval as a historic site, and the Historic Sites Preservation Commission requests the County Board to approve designation of the Wegner Cottage as a historic structure.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby designates the Wegner Cottage at N4532 E. Shore Place Road as a "historic structure" pursuant to the provisions of Ordinance No. 2007-48.

Fiscal Note: This resolution has no fiscal impact.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Historic Sites Preservation Commission 06-09-15

Cynthia Arbiture: 04-21-15; J. Blair Ward: 05-05-15; 06-01-15

APPROVED: Administrator ___; Corp. Counsel ___; Finance Director ___

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 official zoning map of Jefferson County, filed for public hearing held on May 21, 2015, as required by law pursuant to Wisconsin Statutes, notice thereof having been given, and being duly advised of the wishes of the town boards and persons in the areas affected, hereby makes the following recommendations:

APPROVAL OF PETITIONS R3805A-15 AND R3807A-15
DENIAL OF PETITION R3804A-15

Petition R3804A-15 was filed by Alan S. Gaethke to create an A-2, Agricultural and Rural Business Zone at W7674 North Shore Road in the Town of Sumner. This is recommended for denial because the Town denied the rezoning, and because the petitioner was proposing a new business in the floodplain.

DATED THIS FIRST DAY OF JUNE 2015

Donald Reese, Secretary

THE PRIOR MONTH'S AMENDMENTS R3799A-15, R3800A-15, R3801A-15 AND R3802A-15 ARE EFFECTIVE UPON PASSAGE BY COUNTY BOARD, SUBJECT TO WIS. STATS. 59.69(5).

Deb Magritz: 06-01-15 06-09-15

ORDINANCE NO. 2015-_____

Amend Zoning Ordinance

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

WHEREAS, Petitions R3805A-15 and R3807A-15 were referred to the Jefferson County Planning and Zoning Committee for public hearing on May 21, 2015, and

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

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the official zoning map of Jefferson County as follows:

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

Rezone to create two, one-acre lots near **W7271 County Road C**, one on each side of the road. The site is in the Town of Koshkonong on PIN 016-0614-3122-000 (29.15 acres). These lots utilize the last available A-3 zones for this property on both sides of County Road C, thereby requiring affidavits to be recorded to that effect. Approval is further conditioned upon road access approval for each lot, for receipt of a suitable soil test for each lot, for approval and recording of a final certified survey map including extraterritorial plat review if necessary. R3805A-15 – Kimberly (Kincannon) Cheney

Create a 3.5-acre farm consolidation lot around the home at **W6127 County Road T** in the Town of Milford from part of PIN 020-0814-0941-000 (40 acres.) This approval is conditioned upon approval and recording of a final certified survey map for the lot. R3807A-15 – John & Patricia Morris

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

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Planning & Zoning Committee 06-09-15

Deb Magritz: 06-01-15

APPROVED: Administrator BW; Corp. Counsel DBW; Finance Director BC

ORDINANCE NO. 2015-____

Denial of Zoning Petition

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

WHEREAS, Petition R3804A-15 was referred to the Jefferson County Planning and Zoning Committee for public hearing on May 21, 2015, 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 deny Petition R3804A-15 and that no change shall be allowed:

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

Rezone with conditional use to allow a horticultural services/snow removal operation at **W7674 North Shore Rd** in the Town of Sumner on PIN 028-0513-1223-000 (3.679 acres). R3804A-15 & CU1822-15 – Alan S. Gaethke

Requested by
Planning & Zoning Committee 06-09-15

Deb Magritz: 06-01-15

APPROVED: Administrator BW; Corp. Counsel ___; Finance Director BL

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

By virtue of the authority vested in the County Administrator under Sections 59.18 of the Wisconsin Statutes, I do hereby request the County Board's confirmation of the following appointments:

a. Janet Sayre-Hoeft, Johnson Creek, WI to the Zoning Board of Adjustment for a three year term ending July 1, 2018.

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

b. Paul Hynek, Cambridge, WI to the Zoning Board of Adjustment as an alternate for a three year term ending July 1, 2018.

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

c. Historic Sites Preservation Commission

Julia Ince, Fort Atkinson, WI, for an unexpired term ending term ending April 1, 2016. I respectfully request confirmation of this appointment.

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

By virtue of the authority vested in the Human Services Board under Section 3.06(1)(h) of the County Board Rules, the Human Services Board hereby requests the County Board's confirmation of the following appointments:

d. Nutrition Project Council

Karen Anfang, Sullivan, WI, appointed for an indeterminate term.

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

e. Carol Ellingson, Jefferson, WI, appointed for an indeterminate term.

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

06-09-2015