

**JEFFERSON COUNTY BOARD MINUTES  
TUESDAY, MARCH 13, 2012, 7:00 P.M.**

Mr. John Molinaro presiding.

Mr. Christensen led the Pledge of Allegiance.

A moment of silence was observed.

County Clerk Barbara A. Frank called the roll. Supervisors Morris and Delaney gave prior notice of their inability to attend.

District 1 .....	Richard C. Jones	District 2.....	Vic Imrie, Jr.
District 3.....	Greg David	District 4.....	Augie Tietz
District 5.....	Jim Braughler	District 6.....	Ron Buchanan
District 7.....	Dwayne C. Morris	District 8.....	Rick L. Kuhlman
District 9.....	Amy Rinard	District 10.....	Lloyd Zastrow
District 11 .....	Donald Reese	District 12 .....	Mike Burow
District 13 .....	Ed Morse	District 14 .....	Pamela Rogers
District 15 .....	Steven J. Nass	District 16.....	John Molinaro
District 17 .....	Mary Delany	District 18 .....	Jennifer Hanneman
District 19.....	Jim Schroeder	District 20 .....	Jan Rooo
District 21 .....	Craig Peterson	District 22 .....	Blane Poulson
District 23 .....	George Jaeckel	District 24.....	Vacant
District 25 .....	Walt Christensen	District 26.....	Carlton Zentner
District 27 .....	Glen D. Borland	District 28.....	Dick Schultz
District 29 .....	Paul Babcock	District 30 .....	Jim Mode

The revised agenda was approved as printed.

**Mr. Mode moved that the minutes of the February 14, 2012, meeting be approved as printed and corrected.** Seconded and carried.

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY, WISCONSIN  
MARCH 1, 2012**

Available Cash on Hand		
February 1, 2012	\$ 764,018.68	
February Receipts	<u>11,280,923.34</u>	
Total Cash		\$12,044,942.02
Disbursements		
General - February 2012	\$ 9,227,298.34	
Payroll - February 2012	<u>1,133,105.71</u>	
Total Disbursements		<u>10,360,404.05</u>
Total Available Cash		\$ 1,684,537.97
Cash on Hand (in banks) March 1, 2012	\$ 2,511,908.82	
Less Outstanding Checks	<u>827,370.85</u>	
Total Available Cash		\$ 1,684,537.97
AIM Government & Agency Portfolio		\$ 3,991,244.66
Local Government Investment Pool - General		23,269,911.42
Institutional Capital Management		15,917,245.40
Local Government Investment Pool - Clerk of Courts		25,863.96
Local Government Investment Pool – Farmland Preservation		252,101.94
Local Government Investment Pool - Parks/Liddle		<u>112,218.99</u>
		\$43,568,586.37

2012 Interest - Super N.O.W. Acct.	\$	686.08
2012 Interest - L.G.I.P. - General Funds		3,542.57
2012 Interest - ICM		60,004.04
2012 Interest - AIM		132.04
2012 Interest - L.G.I.P. - Parks/Carol Liddle Fund		24.87
2012 Interest - L.G.I.P. - Farmland Preservation		55.87
2012 Interest - L.G.I.P. - Clerk of Courts		5.73
Total 2012 Interest	\$	64,451.20

JOHN E. JENSEN  
JEFFERSON COUNTY TREASURER

**The following communications were presented by County Board Chair Molinaro and County Clerk Frank:**

1. A Notice of Public Hearing from the Planning & Zoning Committee for a hearing to be held on March 15, 2012, at 7:00 p.m., in Room 205 of the Jefferson County Courthouse.

2. Letter dated March 8, 2012, from Clerk of Circuit Court/Register in Probate Carla Robinson regarding non-lapsing funds/carry over request.

The communication and notice were received and placed on file.

**The floor was open for public comment.** Speaking were Barry Block on the Personnel Policy; Gary Luebke and Jae Ames on the Highway 12 bypass; and Buck Smith on creating jobs.

**Coroner Patrick Theder, County Clerk Barbara Frank, Register of Deeds Staci Hoffman, and Treasurer John Jensen presented annual reports.** The annual reports were received, placed on file but not printed in the minutes pursuant to Board Rule 3.03(12).

**Mr. Nass read the following report:**

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

The Jefferson County Planning and Zoning Committee, having considered a Jefferson County county-wide zoning ordinance text amendment, a Jefferson County county-wide zoning map amendment and petitions to amend the zoning ordinance of Jefferson County, filed for public hearing held on January 19 and February 16, 2012, 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 R3559T-12, R3560T-12, R3564A-12,  
R3565A-12, R3566A-12, R3567A-12, R3568A-12, R3569A-12  
and R3570A-12

DATED THIS TWENTY-SEVENTH DAY OF FEBRUARY 2012  
Donald Reese, Secretary

THE PRIOR MONTH'S AMENDMENTS, 3555A-11, R3562A-12 AND  
R3563A-12, ARE EFFECTIVE UPON PASSAGE BY COUNTY BOARD,  
SUBJECT TO WIS. STATS. 59.69(5).

**Mr. Nass moved that said report be adopted.** Seconded and carried.

**Mr. Nass presented Ordinance No. 2011-27.**

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

WHEREAS, Petitions R3564A-12, R3565A-12, R3566A-12, R3567A-12, R3568A-12, R3569A-12 and R3570A-12 were referred to the Jefferson County Planning and Zoning Committee for public hearing on February 16, 2012, and

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

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

**FROM RESIDENTIAL R-1 AND AGRICULTURAL A-1  
TO A-2, AGRIBUSINESS**

Rezone PINs 026-0616-1743-004 (8.5 acres) and 026-0616-1734-009 (7 acres) currently zoned Residential R-1 and PIN 026-0616-1734-008 (12.6 acres) currently zoned Agricultural A-1, at N3778 and N3780 West Water St. in the Town of Sullivan. This action is conditioned upon approval by the Board of Adjustment of a variance from the minimum campground area requirement. (R3564A-12 – Thomas Jurasinski/Rome Riverside Real Estate LLC property)

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

Create a 1.25-acre building site from part of PINs 012-0816-0941-004 (19.78 acres) and 012-0816-0942-002 (18.794 acres) as a consolidation of parcels of record from PIN 012-0816-0942-000 (12.78 acres). The site is on Gopher Hill Road in the Town of Ixonia. 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, 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. The rezoning 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. (R3565A-12 – Carl & Shelby Jaeger)

Create a 1.1307-acre building site on Bear Hole Road in the Town of Jefferson from part of PIN 014-0615-1641-004 (3.795 acres). 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, 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. The rezoning 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. (R3566A-12 – Royal Walther)

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

Rezone to create a 6-acre building site and a 4-acre Natural Resource zone from part of PIN 022-0613-1131-001 (38.276 acres), near W7880 Perry Road in

the Town of Oakland. 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, 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. The Natural Resource zone shall not be transferred away from the A-3 zone without meeting all the requirements of the Jefferson County Zoning Ordinance for frontage and access. The rezoning shall be null & void and of no effect one year from the date of County Board approval unless all applicable conditions have been completed by that date. (R3567A-12 & R3568A-12 – Connie Barbian)

Create a 3.6-acre vacant lot, a 2-acre vacant lot and a 2-acre lot at W1658 Froelich Road in the Town of Sullivan. Create a 27-acre Natural Resource zone adjacent to these lots, all from PIN 026-0616-0932-000 (29.72 acres). This utilizes the last available A-3 zone for the property; therefore, rezoning is conditioned upon an affidavit acknowledging that fact. It is further conditioned upon road access approval for each lot, upon receipt of a soil test showing sites for installation of both initial and replacement private sewage systems for each building site, and upon approval and recording of a final certified survey map for the lots. The rezoning 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. (R3569A-12 and R3570A-12 – Heath Schluter)

**Mr. Nass moved to adopt Ordinance No. 2011-27 as printed.** Seconded and carried.

**Mr. Nass presented Ordinance No. 2011-28.**

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the Jefferson County Zoning Ordinance in a manner to assure continued compliance with the State's farmland preservation/working lands law (Chapter 91 of Wisconsin Statutes), and

WHEREAS, Petitions R3559T-12 and R3560T-12 were referred to the Jefferson County Planning and Zoning Committee for public hearing on January 19, 2012, and

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

NOW, THEREFORE, the Jefferson County Board of Supervisors does ordain as follows:

Section 1. Amends the text of the Jefferson County Zoning Ordinance to comply with Chapters 59.69(5) and 91 Wis. Stats., Farmland Preservation and the Jefferson County Agricultural Preservation and Land Use Plan, by adopting the September 12, 2011, draft text amendment meeting the requirements of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) for ordinance certification under Chapter 91 as shown below:

**TEXT AMENDMENT TO TABLE OF CONTENTS**

**Amend the Table of Contents to:**

- Add the new A-T Agricultural Transition zoning district.
- Add the new Section 11.09(g).
- Change the name of the A-2 Agricultural Business district to A-2

- Agricultural and Rural Business district.
- Renumber pages accordingly

## **TEXT AMENDMENT TO SEC. 11.01, INTRODUCTION**

### **Amend the authority and intent subsections of Sec. 11.01 as follows.**

**(a) Authority.** These regulations are adopted under the authority granted by various sections of the Wisconsin Statutes, including but not limited to Sections 59.69, 59.692, 59.694, 59.696, 59.697, 87.30, 281.31, and Chapters 91, 236, 287, 289 and 823, Wis. Stats. 1999-00, as amended from time to time. Therefore, the County Board of Jefferson County, Wisconsin, does ordain as follows:

**(c) Intent.** It is the general intent of this Ordinance to regulate and to restrict the use of all structures, lands, shorelands, and waters; regulate and restrict lot coverage, population distribution and density, and the size and location of all structures so as to lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic, and other dangers; provide adequate light, air, sanitation, and drainage; prevent overcrowding; avoid undue population concentration; facilitate the adequate provision of public facilities and utilities; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; prevent and control water pollution; protect spawning grounds, fish and aquatic life; preserve shoreline cover; and implement the Jefferson County Comprehensive Plan, Agricultural Preservation and Land Use Plan as approved by the Jefferson County Board of Supervisors on October 12, 1999 and as may be amended by the County Board from time to time. It is further intended to provide for the administration and enforcement of this Ordinance and to provide penalties for its violation.

## **TEXT AMENDMENT TO SEC. 11.02, DEFINITIONS**

### **Add new definitions and amend existing definitions in Sec. 11.02 as follows.**

**Accessory Residential Structure:** Any accessory structure that primarily accommodates the sheltered parking of a vehicle or the storage of residential maintenance equipment. Also includes gazebos, swimming pools, greenhouses, and wind and solar energy systems for on-site residential use.

**Agricultural Accessory Structure:** A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use on the same farm, subject to normal setback requirements in the associated zoning district. These include, but are not limited to:

- a. A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
- b. A facility used to keep livestock on the farm, subject to other quantitative thresholds within this Ordinance, which may require a conditional use permit if such thresholds are exceeded.
- c. A facility used to store or process inputs primarily for agricultural uses on the farm.
- d. A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.
- e. A manure digester, bio-fuel facility, or other facility that produces energy from materials grown or produced on the farm, primarily for use on the farm.

- f. An Animal Waste Storage Facility, subject to the Jefferson County animal waste management ordinance.
- g. Up to three semi-trailers or truck boxes used for the storage of agricultural equipment, supplies, or products on A-1 zoned property of 35 or more contiguous acres in the same ownership (for the purposes of this provision, a road shall not be considered a divider of contiguity). Normal setbacks and permits shall be required for trailers and truck boxes used for storage of agricultural equipment.

**Agricultural Preservation and Land Use Plan:** The Agricultural Preservation and Land Use Plan for Jefferson County, Wisconsin, prepared as the County's State-certified farmland preservation plan under Chapter 91 of the Wisconsin Statutes and as a component of the County Comprehensive Plan, which is intended to guide County farmland preservation and land use decision making and may be amended from time to time.

**Agriculture-Related Use:** An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products, or facility for processing agricultural wastes, except for An area or facility, whether or not located on a farm, that has at least one of the following as a primary and not merely incidental purpose: providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to farms; storing, processing, or handling raw agricultural commodities obtained directly from farms; slaughtering livestock; marketing livestock to or from farms; processing agricultural by-products or wastes received directly from farms. Agriculture related uses include, but are not limited to, agricultural implement sales, storage, and/or repair operations; feed and seed stores and storage facilities (except those accessory to an "Agricultural Use"); commercial raising of fish; fur farms; licensed farm auction operations; greenhouses and garden centers; orchard stores; agricultural waste and by-product disposal facilities (except those accessory to an "Agricultural Use"); game farms or hunt clubs, excluding clubhouses with food and/or beverage services; farms regularly open for tours, demonstrations, hayrides, corn mazes, farm breakfasts, and other similar events. Not included within the "Agriculture Related Use" land use category for purposes of this Ordinance are facilities intended to convert agricultural products to energy as a principal use and primarily serving entities outside the premises; agricultural chemical dealers and/or storage facilities; commercial dairies; commercial food processing facilities; canning and other food packaging facilities; sawmills; de-barking operations; and chipping facilities.

**Agricultural Use:** Any of the following activities conducted for the purpose of producing an income or livelihood: crop or forage production; keeping livestock (e.g., bovine animals, equine animals, goats, bison, elk, poultry, sheep, swine, farm raised deer, farm raised game birds, camelids, ratites); beekeeping; nursery, sod, or Christmas tree production; floriculture; forest management; enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land and conservation payment program. Does not include any uses of land otherwise defined as an "Agriculture-Related Use."

**Animal Waste Storage Facility:** A manure storage impoundment made by construction embankments, excavating a pit or dugout, or fabricating a structure, including stationary equipment and piping used to load or unload a manure storage facility if the equipment is specifically designed for that purpose and is an

integral part of the facility, but not including equipment used to apply manure to land.

**Bed and Breakfast Establishment:** An indoor lodging facility as defined in Chapter DHS 197 in the Wisconsin Administrative Code, and different from a “Tourist Rooming House” or other lodging facility. Within the A-1 district, shall also be subject to the following limitations:

- a. Be conducted by the owner or operator of the farm.
- b. Require no buildings, structures, or improvements other than a farm residence, an Agricultural Accessory Structure, or both.
- c. Not impair the current or future agricultural use of the farm or of other farmland within a certified farmland preservation zoning district, legally protected from nonagricultural development, or both.

**Comprehensive Plan:** The Comprehensive Plan of Jefferson County, Wisconsin, as defined and adopted under Wisconsin Statutes, from time to time amended, which is intended to guide the physical development of the County over a 20 year planning period.

**Family Day Care Home (4-8 children):** An accessory use within an occupied dwelling in which a qualified person or persons provide child care for four to eight children. The care of less than four children is not subject to the regulations of this Ordinance. Family day care homes are also regulated under §66.1017(1)(a) of the Wisconsin Statutes.

**Farm:** A parcel or parcels of land where the majority of the land is used for growing farm products, such as vegetables, trees (e.g., orchard), and grain, and/or the raising of the farm animals, from which at least \$6,000 of gross farm revenue in the prior full calendar year (or \$18,000 total over the last 3 years) have been earned or where the land is enrolled in a farm commodity or conservation program, and typically operated as a single business venture distinct from other farms. Also referred to as a “farm operation.”

**Farm Residence:** A single-family residence located on a farm that meets one of the following criteria:

- a. Is the only residence on the farm; or
- b. Is occupied by an owner or operator of the farm; or
- c. Is occupied by an individual who earns more than 50 percent of his or her gross income from the farm.

**Game Farm:** A facility where wild animals, birds, or fish are raised and/or hunted for food or sport; may include shooting range, retail area, maintenance and repair services related to hunting and fishing.

**Home Occupation:** Any occupation for gain or support conducted by resident occupants of a premises, entirely in buildings located in the Agricultural A-1, Agricultural A-2, Agricultural A-3, Residential R-1, Residential R-2, Community (C) Districts, or Waterfront (W) Districts, provided the use does not alter the residential or agricultural appearance of the premises, does not produce noise, vibration, light, odor, dust, smoke or other air pollution detectable outside the parcel by persons with normal sensitivities, is not identifiable by an on-premises sign of more than six (6) square feet in area, and there is only one such use on any lot; In zoning districts in which they are allowed, all home occupations shall meet the following requirements:

- a. Shall be clearly incidental and secondary to a principal residential use of the

- property.
- b. Only one such use shall be permitted on any lot.
  - c. Shall not be designed or conducted in a manner that would cause the premises to differ from its residential or agricultural appearance, such as through the use of colors, materials, construction, lighting, or excessive signs or through the production of noise, vibration, light, odor, dust, smoke or other air pollution detectable outside the parcel by persons with normal sensitivities.
  - d. The display, storage, or parking of materials, goods, supplies, or equipment outside is prohibited, except for those vehicles incidental to the principal use of the property.
  - e. One on-premises sign of not more than six (6) square feet in area to advertise the home occupation is permitted.
  - f. Within the A-1 district, the home occupation shall also:
    1. Be conducted by the owner or operator of the farm.
    2. Require no buildings, structures, or improvements other than a farm residence, Agricultural Accessory Structures or improvements, or some combination.
    3. Not impair the current or future agricultural use of the farm or of other farmland within a certified farmland preservation zoning district, legally protected from nonagricultural development, or both.
    4. Provide only stock-in-trade produced on the premises, such as a roadside stand for the sale of products grown or produced on the premises, or a commercial service delivered on or off the premises.

A home occupation is **Accessory** if it is conducted entirely within the dwelling by resident occupants, does not occupy more than twenty five (25) percent of the dwelling area, and no stock in trade is kept or sold except that made on the premises;

a. unique to accessory

Where allowed as permitted accessory uses, each **Accessory Home Occupation** shall meet the following additional standards:

- a. Shall be conducted completely within the dwelling.
- b. Shall occupy no more than twenty-five (25) percent of the dwelling floor area.
- c. Shall employ no persons besides permanent residents of the premises in the R-1, R-2, C, and W districts and may additionally employ no more than one non-resident employee in all other zoning districts where allowed.
- d. The business of selling stocks of merchandise, supplies, or products that are kept on the premises shall not be permitted, except for those produced by the home occupation and for small household or personal care products. The direct retail sale of products is not allowed, except for events designed to market small household or personal care products and for persons picking up an order they have placed in advance.

A home occupation is **Conditional** in the A 1, A 2, or A 3 Districts if it employs no more than four (4) employees who resides off premises, or if it is conducted in buildings other than the dwelling or involves stock in trade. When occupying accessory building(s) the home occupation cannot exceed a total of 1500 sq. ft. of floor area. No outside storage of stock in trade or vehicles, or other items related to the occupation is permitted excepting those vehicles incidental

to the principal use of the property.

Where allowed by conditional use permit, each **Conditional Home Occupation** shall meet the following additional standards (but not those standards exclusive to an Accessory Home Occupation):

- a. Shall be conducted completely within the dwelling, completely within one or more accessory buildings, or both, except for farms regularly open for tours, demonstrations, hayrides, corn mazes, farm breakfasts, and other similar events.
- b. Shall occupy no more than a total of 2,500 sq. ft. of accessory building floor area.
- c. Shall employ no more than four (4) non-resident employees in addition to permanent residents of the premises.

**Kennel:** Premises where dogs, cats, or other household pets are maintained, boarded, bred, or cared for in return for remuneration or are kept for the purpose of sale. The activity described in the preceding sentence is prohibited in any Residential, Community (C), or Waterfront (W) District. Use of land in any Agricultural District to keep five (5) or more dogs, or use of land in any Residential, Community (C) or Waterfront (W) District to keep three or more dogs as household pets (not counting pups below the age of five (5) months constitutes a kennel and is prohibited, unless permitted as a conditional use. A premises within which one or more of the following activities is conducted:

- a. Dogs, cats, or other household pets are maintained, boarded, bred, kept, or cared for in return for remuneration or for the purpose of sale.
- b. Within any agricultural district, five (5) or more dogs are kept as household pets, not counting pups below the age of five (5) months, unless more are allowed by conditional use permit.
- c. Within any other district, three (3) or more dogs are kept as household pets, not counting pups below the age of five (5) months, unless more are allowed by conditional use permit.

Within the A-1 district, the kennel shall be subject to the following standards:

- a. Be conducted by the owner or operator of the farm.
- b. Require no buildings, structures, or improvements other than a farm residence, an Agricultural Accessory Structure, or both.
- c. Not impair the current or future agricultural use of the farm or of other farmland within a certified farmland preservation zoning district, legally protected from nonagricultural development, or both.

**Nonfarm Residence:** Any residence that is not a farm residence, as defined in this section.

**Non-Prime Agricultural Lands:** Class IV through VII soils as defined within the Soil Survey of Jefferson County, Wisconsin and Class III soils that exhibit non-prime agricultural land capabilities comparable to Class IV through VII soils. Also, Class I, II and III soils and other unclassified lands where evidence demonstrates a long-term history of non-cultivation or the presence of physical feature, (e.g. rock outcroppings, upland cover) that limit the potential for use of the land as productive agricultural land, as determined by the Planning and Zoning Committee ~~as part of a request for rezoning.~~

**Parcel of Record:** All contiguous lands zoned A-1 ~~or A-T~~ under the same ownership and in the A-1 zoning district that existed on February 8, 2000 at the

~~adoption date of ordinances that implement the 1999 Agricultural Preservation and Land Use Plan.~~ Lots created by recorded certified survey map approved by the Planning and Zoning Department since December 13, 1977, are considered separate parcels of record. Parcels of record may contain one or more tax parcels as described by the property tax rolls.

**Parent Parcel:** All contiguous lands zoned A-1 or A-T and under the same ownership that existed on December 13, 1977. A-1 or A-T zoned ~~lands~~ parcels created by variance before December 13, 1977, are not considered parent parcels. Parent parcels may contain one or more tax parcels as described by the property tax rolls.

**Prime Agricultural Lands:** Class I or II soils as defined within the Soil Survey of Jefferson County, Wisconsin and Class III soils that exhibit prime agricultural land capabilities comparable to Class I and II soils as determined by the Planning and Zoning Committee ~~as part of a request for rezoning.~~

**Stable:** A building or premises used for the housing, boarding, rent, or lease of riding animals.

**Stable, Agricultural:** A stable housing less than ten (10) riding animals. Within the A-1 district, shall also be subject to the following limitations:

- a. Be conducted as an accessory use to the farm by the owner or operator of the farm.
- b. Require no buildings, structures, or improvements other than an Agricultural Accessory Structure.
- c. Not impair the current or future agricultural use of the farm or of other farmland within a certified farmland preservation zoning district, legally protected from nonagricultural development, or both.

**Stable, Commercial:** A stable housing ten (10) or more riding animals. Within the A-1 district, shall be subject to the following limitations:

- d. Be conducted as an accessory use to the farm by the owner or operator of the farm.
- e. Require no buildings, structures, or improvements other than an Agricultural Accessory Structure.
- f. Not impair the current or future agricultural use of the farm or of other farmland within a certified farmland preservation zoning district, legally protected from nonagricultural development, or both.

**Tourist Rooming House:** An indoor lodging facility as defined in Chapter DHS 195 in the Wisconsin Administrative Code. Different from a “Bed and Breakfast Establishment” and other lodging facilities.

**Waste Storage, Treatment or Disposal:** A land use that includes sites or facilities where solid wastes or hazardous wastes are stored, treated or subject to disposal as defined in Ch. 287 and 289, Wisconsin Statutes; waste recycling facilities, commercial or governmental, which in the A-1 district must be “consistent with agricultural uses” as defined in Section 91.01(10) of the Wisconsin Statutes; and dumps or landfills as otherwise described in this Ordinance. New or expanded waste storage, treatment, or disposal uses shall not unreasonably burden private or public interests to the satisfaction of the County based on the following considerations:

- a. Whether a waste facility or usage is an appropriate land use, considering land use plans, site factors, neighboring uses and environmental considera-

- tions; and
- b. Safety and security, in relation to dangers of fire, explosion, leakage, hazards through unauthorized entry onto the site, etc.; and
- c. Pollution of land, air, water, noise, dust, vibration, blowing of refuse, smell, etc.; and
- d. Damage or excess wear and tear to roads, bridges, etc.; and
- e. Traffic hazards; and
- f. Economic injuries; present or potential; through precluding reasonable uses of nearby lands; and reuse plans/potentials after the waste facility ceases operations.

**TEXT AMENDMENTS TO SECTION 11.03, GENERAL PROVISIONS**

**Amend Section 11.03(f)2. as follows.**

2. Accessory uses and structures are permitted in any zoning district only when the principal structure is present or under construction, except essential services which may precede construction. Except where specifically prohibited, all machinery, equipment, temporary storage, vehicles, construction, and other related materials or activities used in the conduct of a permitted principal, accessory, or conditional use in the applicable zoning district are permitted. These include but are not limited to those vehicles, materials, and activities that may be employed in the day-to-day operation of a farm, if farming is allowed in the associated zoning district.

**TEXT AMENDMENTS TO SECTION 11.04, ZONING DISTRICTS**

**Amend Section 11.04(a)1. as follows.**

1. The Zoning Districts are provided as follows:
  - a. R-1 Residential-Sewered
  - b. R-2 Residential-Unsewered
  - c. B Business
  - d. I Industrial
  - e. A-T Agricultural Transition
  - f. e. A-1 Exclusive Agricultural
  - g. ~~f.~~ A-2 Agricultural and Rural Business
  - h. ~~g.~~ A-3 Agricultural/Rural Residential
  - i. ~~h.~~ C Community
  - j. ~~i.~~ W Waterfront
  - k. ~~j.~~ S Shoreland-Wetland (Overlay Zone)
  - l. ~~k.~~ N Natural Resources
  - m. ~~l.~~ R/R Residential/Recreational

**Amend the purpose statement and CERTAIN listed accessory uses in Section 11.04(f)1. as follows.**

**1. R-1 – RESIDENTIAL – SEWERED**

**Purpose.** To identify those areas where predominantly residential development has occurred or will be likely to occur within the urban service areas and limited service areas as described in the Jefferson County Agricultural Preservation and Land Use Plan. To protect residential neighborhoods by prohibiting uses which will not mix well with homes.

**Accessory Uses.**

- c. Home occupations, accessory, ~~and~~
- d. Professional home office.
- ~~e.~~ e. Child care provided in a residence.
- e. f. Local utilities.
- f. g. Household pets. (Kennels separately defined, not included here.)

**Amend the purpose statement and CERTAIN listed accessory uses in Section 11.04(f)2. as follows.**

**2. R-2 – RESIDENTIAL – UNSEWERED**

**Purpose.** To identify non-farm residential areas not served by public sewer. To be applied only within the urban service areas, limited service areas, and rural hamlet areas described in the Jefferson County Agricultural Preservation and Land Use Plan. To ensure that, when used within urban service areas or limited service areas, that the establishment of unsewered development does not unreasonably inhibit future public sewer service. To protect residential neighborhoods by prohibiting uses which will not mix well with homes.

**Accessory Uses.**

- c. Home occupations, accessory, ~~and~~
- d. Professional home office.
- ~~e.~~ e. Child care provided in a residence.
- e. f. Local utilities.
- f. g. Household pets. (Kennels separately defined, not included here.)
- ~~g.~~ h. Growing of field crops.

**Amend the purpose statement in Section 11.04(f)3. as follows.**

**3. B-BUSINESS**

**Purpose.** To identify areas appropriate for non-agricultural commercial use ~~outside the downtown and community business areas but~~ located within the urban service areas or limited service areas as described in the Jefferson County Agricultural Preservation and Land Use Plan.

**Amend the purpose statement in Section 11.04(f)4. as follows.**

**4. I-INDUSTRIAL**

**Purpose.** To identify areas best suited for non-agricultural industrial development because of the location, topography, existing streets, utilities and relationship to other land uses and located within the urban service areas or limited service areas as described in the Jefferson County Agricultural Preservation and Land Use Plan.

**Amend Section 11.04(f)5. as follows.**

**5. ~~A-1 EXCLUSIVE AGRICULTURAL~~ A-T AGRICULTURAL TRANSITION**

**Purpose.** To preserve for an unspecified time period in agricultural and open space land use those lands generally located in proximity to developed areas within Jefferson County where future development is in keeping within town, city, village, and/or county plans, and located within 15 Year Growth Areas as described in the Jefferson County Agricultural Preservation and Land Use Plan. The long range goal for agricultural land use within Jefferson County is to preserve the most valuable of all resources, that of fertile land for agricultural pursuits, and to protect the land best suited for farming from premature urbaniza-

tion. The agricultural district regulations are therefore designed to regulate the use of land and structures within the areas of the county where soil and topographic conditions are best adapted to agricultural pursuits. The agricultural lands best suited for farming and for protection against development are prime agricultural lands as defined in this ordinance and as reflected in the Agricultural Preservation and Land Use Plan. All uses, structures and improvements in this district are restricted to those "consistent with agricultural use" as defined in §91.01(10) Wisconsin Statutes. Any uses that are not "agricultural uses" as defined in §91.01 Wisconsin Statutes but are "consistent with farm family business" shall be conditional uses as described in the ordinance. Any references to Chapter 91 of the Wisconsin Statutes are applicable only as long as the Wisconsin Farmland Preservation Program remains in effect in Jefferson County. Notification is required to the Department of Agriculture, Trade and Consumer Protection (DATCP) for all rezonings in or out of the A-1 zone as required by §91.77(3) Wisconsin Statutes for as long as is applicable. Rezoning out of the A-1 zone may occur consistent with the provisions identified in the Jefferson County Agricultural and Land Use Plan and with findings based upon consideration of the items specified in Section 91.77(1)(a), (b), (c).

#### **Principal Uses.**

- a. Agriculture, subject to the limitations under subs. (p) through (r) below.
- b. Horticulture.
- c. Dairying, subject to the limitations under subs. (p) through (r) below.
- d. Beekeeping.
- e. Livestock raising, subject to the limitations under subs. (p) through (r) below.
- f. Hatching of fowl, subject to the limitations under subs. (p) through (r) below.
- g. Nursery.
- h. Greenhouse.
- i. ~~Non-commercial~~ Stable, agricultural.
- j. Truck farm.
- k. Forest management.
- l. Game farm.
- m. Hunt club.
- n. Roadside stand for the sale of products grown or produced on the premises.
- o. Existing dwellings ~~that predate the enactment of this ordinance~~ built before January 15, 1975, and their replacements, as long as the replacement dwelling is placed within 100 feet of the existing dwelling, unless otherwise reviewed and approved by the Planning and Zoning Committee. ~~Occupancy in any existing residence in the A-1 zone shall be consistent with §91.75(2)(b) Wisconsin Statutes.~~
- p. Feedlot for 150 livestock units or less, ATCP 51 regulated livestock facilities for more than 150 animal units are not permitted in the A-T district [see Section 11.05(d)2].
- q. Fowl and poultry farm housing 10,000 birds or less, ATCP 51 regulated poultry farms housing more than 10,000 birds are not permitted in the A-T district [see Section 11.05(d)2].
- r. On parcels with less than 35 acres of contiguous land, only one animal unit is allowed per acre, with a minimum of 2 acres required.

#### **Accessory Uses.**

- a. Essential services.
- b. Accessory uses as listed in the A-3 zoning district, with the exception of ~~letter sub. g.~~ for existing and/or replacement dwellings.
- c. A parcel of land zoned ~~A-T A-1 Exclusive Agricultural~~ can contain and is not limited to equipment used in different types of farming activities at the particular location or on other ~~A-T A-1~~ zoned lands owned or leased by the owners of the parcel in question. This includes construction equipment used in the farming activities; machinery and equipment used in the housing and care of livestock or agricultural production; storage units and associated equipment; feed storage areas such as bunker or pit silos; other such materials as may be employed in the day-to-day operation of agricultural activities, whether or not these items were originally intended for such purposes. Also included is up to three (3) semi-trailers or truck boxes if used for storage of agricultural equipment, supplies or products on ~~A-T A-1~~ zoned property of 35 or more contiguous acres (for the purpose of this provision, a road shall not be considered a divider.) Normal setbacks and permits shall apply to these trailers and truck boxes used as storage units. Greater than three (3) semi-trailers or truck boxes utilized for storage shall require a conditional use permit. This section does not apply to licensed semi-trailers that are located on the property for the regular transport of agricultural goods and supplies produced on the particular farm.

#### **Conditional Uses.**

~~Commercial stable with more than ten animals for the boarding, rental or lease of riding animals.~~

a. Commercial raising of fish.

~~Feedlot for more than 150 livestock units.~~

b. Home occupation, conditional.

~~The housing of fowl for more than 10,000 birds. [Sec. 11.05(d)2] (Non-ATCP51 regulated facilities.)~~

~~ATCP 51 regulated livestock facilities for more than 150 animal units and poultry farms housing more than 10,000 birds [Sec. 11.05(d)3].~~

c. Fur farm.

d. Public and semi-public uses [see Section 11.05(b)] except those uses listed in Section 11.05(b)1.

e. Private agri-related airstrips.

f. Greater than three (3) semi-trailers or truck boxes utilized for storage of agricultural equipment, supplies or products on ~~A-1~~ A-T zoned property of 35 or more contiguous acres (for the purpose of this provision, a road shall not be considered a divider.)

g. Non-metallic mineral extraction use that meets the requirements of Section 11.05(c). ~~shall only be non-metallic extraction to be considered in the A-1 zone with restoration to agricultural use as required by §91.75(9)(2)(b).~~

~~Uses identified as conditional uses in the A-2 District with the exception of residences, golf courses, campgrounds, storage of non farm equipment, trap and skeet shoot, rifle ranges, motocross courses, race tracks, festival grounds and clubhouses for such operations, clubhouses for game farm or hunt club operations, veterinarian facilities and animal hospitals and, within public and semi public uses, radio and television towers with associated buildings and salvage yards.~~

~~An Agri Business use proposed to be established on a farm parcel as an acces-~~

sory or subordinate use to the dominant farm can occupy only existing buildings and can involve only stock in trade produced for sale on the premises and can involve only employees who reside on the premises.

As a condition of approving a conditional use for Agri Business uses, the Committee must find that the proposed use has a necessity to be at the proposed location in light of alternative locations available for such uses and that it will not conflict with agricultural uses in the vicinity. Conditional uses will be granted only if, in addition to other limitations listed in this ordinance, the use is "consistent with agricultural uses" as defined in §91.10(10) Wisconsin Statutes, and is found to be necessary in light of alternative locations available for such use unless such uses qualify as farm family businesses as described in §91.75(8) and also meeting the county home occupation definition.

h. Public recreational and waste storage, treatment or disposal uses., must be governmental owned to be allowed by Conditional Use in the District. It shall be a condition of approving a conditional use permit for a new or expansion or alteration activity that the operation is accepting wastes generated predominantly in the County or from agricultural agri business areas of adjoining counties and be governmentally owned to be considered in the A-1 zone.

Waste storage, treatment or disposal includes:

- a. Sites or facilities where solid wastes or hazardous wastes are stored, treated or subject to disposal as defined in Ch. 287 and 289, Wisconsin Statutes;
- b. Waste recycling facilities, commercial or governmental. Note: In the A-1 zone, all such uses described in (1) through (2) shall be "consistent with agricultural uses" as defined in §91.01(10) Wisconsin Statutes

Existing waste storage, treatment or disposal operations shall be required to apply for and be issued conditional use permits within one year of the date of this Ordinance. The permit shall describe and authorize the existing level and type of operation only. Permits to describe and authorize existing operations shall be issued administratively without public hearing. Expansions or alterations will require new permits.

Standards for deciding applications for conditional use permits for waste storage, treatment or disposal uses:

- (1) Whether a waste facility or usage is an appropriate land use, considering land use plans, site factors, neighboring uses and environmental considerations; and
- (2) Safety and security, in relation to dangers of fire, explosion, leakage, hazards through unauthorized entry onto the site, etc.; and
- (3) Pollution of land, air, water, noise, dust, vibration, blowing of refuse, smell, etc.; and
- (4) Damage or excess wear and tear to roads, bridges, etc.; and
- (5) Traffic hazards; and
- (6) Economic injuries; present or potential; through precluding reasonable uses of nearby lands; and reuse plans/potentials after the waste facility ceases operations.

The County must be satisfied that the operation will not unreasonably burden private or public interests because of the above factors.

**Minimum Lot Area.** Thirty-five (35) acres with the following exceptions ~~of:~~

- (1) A one (1) acre to five (5) acre lot for farm consolidation for an existing residence and associated accessory structures is permitted if the residence in question was constructed prior to the enactment of the January 15, 1975 Zoning Ordinance and existed on or after this date even if subsequently replaced with a newer home and the parcel remaining contains a minimum of thirty-five (35) contiguous acres. Between three (3) and five (5) acres shall be considered by the Planning and Zoning Committee, at a regularly scheduled Committee meeting, if necessary to accommodate existing driveways and/or existing structures, and if the town board approved the preliminary certified survey map. All provisions of the A-3 Agricultural/Rural Residential District are applicable to the farm consolidation parcel created. ~~(Note: Lots created as a result of farm consolidation are exempt from the payback provisions of the Wisconsin Farmland Preservation Program described in Wisconsin Statutes, Chapter 91, unless changed.)~~
- (2) Parcels of less than thirty-five (35) acres which existed prior to January 15, 1975.
- (3) Parcels of less than thirty-five (35) acres which are a result of a zoning district amendment to the official Zoning Map of Jefferson County. ~~A-TA-1~~ zoned lands transferred from a parcel of record after ~~the adoption of these ordinance provisions~~ February 8, 2000, shall not be used to create A-3 lots or in the calculation of the number of A-3 lots available.

**Minimum Width.** Two hundred (200) feet.

**Minimum Depth.** Two hundred (200) feet.

**Minimum Frontage.** All lots shall front on a public road for a minimum distance of at least sixty-six (66) feet. Access to the lot shall be provided within this frontage.

**Minimum Yards.** Front - Section 11.07(d)2. Rear - 20 feet. ~~(ATCP 51 setbacks may differ)~~ Side - 20 feet each, providing that agricultural structures do not exceed in height twice their distance from the nearest lot line.

**Maximum Building Height.** ~~Three (3) stories or~~ Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures.

**Renumber the current Section 11.04(f)(6) as the new Section 11.04(f)(7), the current Section 11.04(f)(7) as the new Section 11.04(f)(8), the current Section 11.04(f)(8) as the new Section 11.04(f)(9), the current Section 11.04(f)(9) as the new Section 11.04(f)(10), the current Section 11.04(f)(10) as the new Section 11.04(f)(11), the current Section 11.04(f)(11) as the new Section 11.04(f)(12), and the current Section 11.04(f)(12) as the new Section 11.04(f)(13).**

**Create a new Section 11.04(f)(6) as follows.**

#### **6. A-1 EXCLUSIVE AGRICULTURAL**

**Purpose.** The long range goal for agricultural land use within Jefferson County is to preserve the most valuable of all resources—fertile land for agricultural pursuits—and to protect the land best suited for farming from premature urbanization. The A-1 Exclusive Agricultural district is intended to promote continued agricultural uses on the best quality agricultural land; protect and encour-

age long-term investments in food, fiber, and other resource-related production; be a state-certified farmland preservation zoning district to maintain property owner eligibility in the State's farmland preservation tax credit program in conjunction with the Agricultural Preservation and Land Use Plan; preserve rural character and manage nonfarm development; and provide reasonable opportunities for agriculturally-related businesses and home occupations. The Exclusive Agricultural zoning district may be utilized only in areas designated as Agricultural Preservation Areas within the Jefferson County Agricultural Preservation and Land Use Plan. Rezoning out of the A-1 district may occur only after the County Planning and Zoning Committee conducts a public hearing and makes findings as specified in §91.48(1) of the Wisconsin Statutes, as articulated in Section 11.11(c) of this Ordinance. Rezoning to the A-3 district under the associated policies of that district and the Agricultural Preservation and Land Use Plan is the only way that new housing may be built on lands currently zoned A-1, except for replacement of certain farm residences as authorized by this section.

**Permitted Principal Uses.**

- a. Agricultural use, subject to the following limitations:
  - 1. Each feedlot may not exceed 150 livestock units [see Section 11.05d(1) non ATCP-regulated facility].
  - 2. Each fowl or poultry farm shall house 10,000 birds or less [see Section 11.05d(1) non ATCP-regulated facility].
  - 3. Each ATCP 51 regulated livestock facility shall have 150 animal units or less [see Section 11.05d(2)].
- b. Undeveloped natural resource or open space area.
- c. Transportation, utility, communication, or other use that is required under state or federal law to be located in a specific place, or that is authorized to be located in a specific place under a state or federal law that preempts the requirement for a conditional use permit.

**Permitted Accessory Uses.**

- a. Existing farm residence built before January 15, 1975, or its replacement, as long as the replacement farm residence is placed within 100 feet of the residence built before January 15, 1975, unless otherwise approved by the Planning and Zoning Committee.
- b. Accessory residential structure to a farm residence listed under sub. a above.
- c. Agricultural accessory structure.
- d. Stable, agricultural.
- e. Home occupation, accessory.

**Conditional Uses.**

- a. Agricultural use that exceeds one or more of the limitations under the Agricultural Use listing in the Principal Uses section above, including:
  - 1. A feedlot for more than 150 livestock units [see Section 11.05d(1) non ATCP-regulated facility].
  - 2. The housing of fowl for more than 10,000 birds [see Section 11.05(d)1 Non-ATCP 51 regulated facilities].
  - 3. An ATCP 51 regulated livestock facility for more than 150 animal units or a poultry farm housing more than 10,000 birds [see Section 11.05(d)2].
- b. Fur farm.

- c. Commercial raising of fish.
- d. Agriculture-related use.
- e. Bed and breakfast establishment.
- f. Home occupation, conditional.
- g. Kennel.
- h. Stable, commercial.
- i. Non-metallic mineral extraction use that meets the requirements of Section 11.05(c).
- j. Transportation, communication, pipeline, electrical transmission, utility, or drainage use that qualifies under §91.46(4) of the Wisconsin Statutes.
- k. Greater than three (3) semi-trailers or truck boxes used for the storage of agricultural equipment, supplies, or products on A-1 zoned property of thirty-five (35) or more contiguous acres in the same ownership (for the purposes of this provision, a road shall not be considered a divider of contiguity). Normal setbacks and permits shall be required for trailers and truck boxes used for storage of agricultural equipment.

**Minimum Lot Area.** Thirty-five (35) acres, with the following exceptions and qualifiers:

- a. A-1 lots created around a residence constructed before January 15, 1975, as a result of a farm consolidation certified survey map recorded between January 15, 1975, and [insert date of County Board adoption of zoning ordinance amendment], with such lots instead having a minimum lot area of one acre. (Farm consolidation lots for certified survey maps recorded after [insert date of County Board adoption of zoning ordinance amendment] are still allowed, but require rezoning to the A-3 district.)
- b. Parcels of less than thirty-five (35) acres which existed prior to January 15, 1975, with such parcels instead having a minimum lot area equal to their lot area on January 15, 1975.
- c. On parcels with less than thirty-five (35) acres of contiguous land under common ownership, only one animal unit is allowed per acre, with a minimum of 2 acres required to house animal units.
- d. A-1 zoned lands transferred from a parcel of record to another after February 8, 2000, shall not be used to create A-3 lots or in the calculation of the number of A-3 lots available under the policies expressed in this Ordinance or the Agricultural Preservation and Land Use Plan.

**Minimum Width.** Two hundred (200) feet.

**Minimum Depth.** Two hundred (200) feet.

**Minimum Frontage.** All lots shall front on a public road for a minimum distance of at least sixty-six (66) feet. Access to the lot shall be provided within this frontage.

**Minimum Yards.** Front – See Section 11.07(d)2. Rear – 20 feet. Side – 20 feet each, providing that agricultural structures do not exceed in height twice their distance from the nearest lot line. (ATCP 51 setbacks may differ.)

**Maximum Building Height.** Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures.

**Amend the title, purpose, maximum building height, and CERTAIN listed components of the principal uses and conditional uses sections of the current Section 11.04(f)6 [the new Section 11.04(f)7] as follows.**

**67. A-2 AGRICULTURAL AND RURAL BUSINESS** Agriculturally Related Manufacturing, Warehousing and Marketing District.

**Purpose.** ~~The purpose of this district is~~ To provide for the proper location and regulation of manufacturing, storage warehousing and related marketing or industrial activities that are related to the agricultural industry and otherwise suited to a relatively isolated, rural location. ~~These uses~~ This district may be considered within the Agricultural Preservation Areas, Rural Hamlet areas, Urban Service Areas, and Limited Service Areas Environmental Corridor sections of as described in the Jefferson County Agricultural Preservation and Land Use Plan. Uses listed for the A-2 district involve fixed locations, year-round or seasonal. A listed use that is mobile, moving from farm to farm, is not regulated. A site may have a conditional use without the primary use being established.

**Principal Uses.**

- a. Agriculture.
- b. Horticulture.
- c. Dairying.
- d. Beekeeping.
- e. Livestock raising.
- f. Hatching of fowl.
- g. Nursery.
- h. Greenhouse.
- i. ~~Non-commercial~~ Stable, agricultural.
- j. Truck farm.
- k. Forest management.
- l. Game farm.
- m. Hunt club.
- n. Roadside stand for the sale of products grown or produced on the premises.
- o. Existing dwelling built before January 15, 1975, that predates the enactment of this ordinance and its replacement, as long as the replacement dwelling is placed within 100 feet of the existing dwelling, unless otherwise reviewed and approved by the Planning and Zoning Committee.
- p. On parcels with less than 35 acres of contiguous land, only one animal unit is allowed per acre, with a minimum of 2 acres required.

**Conditional Uses.**

- a. Residences will be occupied by a person who, or a family of which one adult member, earns a majority of his/her gross income from conducting the farm operations on the parcel or parcels in close proximity. Substantial evidence shall be provided to the Committee documenting the intended agricultural use. A-2 Agricultural and Rural Business District rezonings for farm labor housing would count against the total number of A-3 lots available for the parent parcel. Multi-family housing for farm labor is considered as a conditional use under this provision.
- ee. Home occupation, conditional.
- nn. Stable, commercial.

**Maximum Building Height.** Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures.

**Amend the certain components of the purpose, principal uses, accessory uses, conditional uses, maximum lot area, and maximum building height sections of the current Section 11.04(f)7. [the new Section 11.04(f)8] as follows.**

## **78. A-3 AGRICULTURAL/RURAL RESIDENTIAL**

**Purpose.** The purpose of the A-3 Agricultural/Rural Residential District is to allow limited rural residential development on lands in predominantly agricultural areas that are not suited for agricultural production or, due to the proposed location, would have limited impact on agricultural production. Lots are limited in number, size and location to minimize the impacts associated with rural residential development. Residents of this district may experience conditions associated with farming that are not necessarily compatible with rural residential use. This district may be considered within the Agricultural Preservation Areas, Rural Hamlet areas, Environmental Corridor overlay, ~~and~~ Urban Services Areas, and Limited Service Areas, as described in the Jefferson County Agricultural Preservation and Land Use Plan ~~sections of the plan~~. Within planned Agricultural Preservation Areas, the number of A-3 lots created from a parcel of record shall be limited per the associated policies within that Plan.

### **Principal Uses.**

#### **d. Stable, agricultural.**

### **Accessory Uses.**

d. Home occupations, ~~and professional home office~~, accessory.

e. Professional home office.

f e. Home child care.

g f. Household pets.

h g. Raising/keeping of farm animals provided that parcel is 2.0 acres or larger and number of animals will not exceed one animal unit per 1.0 acre.

i h. Growing of field crops.

j i. Roadside stands.

k j. Local utilities.

### **Conditional Uses.**

#### **h. Stable, commercial.**

**Maximum Lot Area.** Two (2) acres, with the following possible exceptions and qualifiers:

a. ~~with~~ Possible lot combinations under the policies for creation of A-3 lots within this Ordinance and the Agricultural Preservation and Land Use Plan, which may allow for larger area in non-prime and prime agricultural land lots (i.e., e.g., one six-acre lot may be substituted for three two-acre lots in non-prime agricultural land or one four-acre lot may be substituted for two two-acre lots in prime agricultural lands upon Planning and Zoning Committee and County Board approval). A lot combination may be considered by the Committee in an environmental corridor if enough non-prime agricultural land is available, even though the maximum number of lots may have been reduced due to environmental corridor density provisions described in A-3 Maximum Number of Lots section.

b. A lot of greater than two (2) acres in area shall be considered by the Planning and Zoning Committee if necessary to accommodate a dwelling built before February 8, 2000, and its driveway and accessory structures, if the town board first approves the preliminary certified survey map. Acreage may be exceeded for existing homes and associated driveways that predate this provision if necessary to accommodate the home, upon town and County Board approval. In such cases, lot area around the home

dwelling and accessory structures shall not exceed the maximum acreage allowed by this section.

- c. A lot of up to five (5) acres in area may be considered by the Planning and Zoning Committee in association with a farm consolidation for an existing residence and associated accessory structures, if the residence in question was constructed prior to January 15, 1975 (or was subsequently replaced with a newer home) and the parcel remaining contains a minimum of thirty-five (35) contiguous acres and continues to be zoned A-1.

**Maximum Building Height.** Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures.

**Amend the purpose statement and CERTAIN listed accessory uses and conditional uses in the current Section 11.04(f)8. [the new Section 11.04(f)9.] as follows.**

### **89. C - COMMUNITY**

**Purpose.** To identify those areas which have traditionally serviced the nearby farms and residences, but were not legally incorporated into villages or cities. To recognize that these older communities have mixed their residential, commercial and farming uses. The Community zoning district shall be utilized in Rural Hamlet areas and Urban Limited Service Areas ~~policy sections as described in~~ of the Jefferson County Agricultural Preservation and Land Use Plan.

#### **Accessory Uses.**

- c. Home occupations, accessory.

#### **Conditional Uses.**

- k. ~~Conditional~~ Home occupations, conditional.

**Amend the current Section 11.04(f)11. [the new Section 11.04(f)12.] as follows.**

### **4412. N - NATURAL RESOURCE**

**Purpose.** To identify those areas where development is prohibited due to ground water, the presence of significant wildlife habitat and natural vegetation or the need to protect water quality. To allow for low impact agricultural uses, generally those which predated zoning to the N district. To be a state-certified farmland preservation zoning district to maintain property owner eligibility in the State's farmland preservation tax credit program in conjunction with the Agricultural Preservation and Land Use Plan. All applicable sections of the Agricultural Preservation and Land Use Plan shall be evaluated in determining a rezoning to this district. Rezoning out of the N district may occur only following the County Planning and Zoning Committee conducts a public hearing and makes findings as specified in §91.48(1) of the Wisconsin Statutes, as articulated in Section 11.11(c) of this Ordinance.

#### **Permitted Principal Uses.**

- a. Undeveloped natural resource and open space area, including public lands, Parkland and recreational use such as hunting, fishing, hiking, and ~~bridle path, wild crop harvesting.~~
- b. Raising of waterfowl, fish, or other wildlife, including necessary non-residential buildings servicing the use and meeting the requirements for accessory uses under §91.01(1) of the Wisconsin Statutes.

- c. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
- d. The practice of silviculture, including the planting, thinning and harvesting of timber. Forestry practices.
- e. Other activities and uses which do not require the issuance of a zoning permit and which must be carried out without filling, flooding, draining, dredging, ditching, tiling or excavating.

**Permitted Accessory Uses.**

- a. Essential services.
- b. Agricultural accessory structure. Boathouse, dock, pier.

**Conditional Uses.**

- a. An agricultural use not listed as a Principal Use in the N district practices, except for:
  - 1. A feedlot for more than 150 livestock units.
  - 2. The housing of fowl for more than 10,000 birds [see Section 11.05(d)1 Non-ATCP 51 regulated facilities].
  - 3. ATCP 51 regulated livestock facilities for more than 150 animal units and poultry farm housing more than 10,000 birds [see Section 11.05(d)2].
- b. Watercourse relocation, filling, draining, dredging that qualifies under §91.46(4) of the Wisconsin Statutes.
- c. Dam, hydroelectric plant that qualifies under §91.46(4) of the Wisconsin Statutes.

**Minimum Lot Area.** Two (2) acres.

**Minimum Width.** One hundred (100) feet.

**Minimum Depth.** One hundred (100) feet.

**Minimum Yards.** Front - Section 11.07(d)2. Rear - 75 feet. Side - 75 feet each.

**Maximum Building Height.** ~~Three (3) stories or~~ Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures.

**Amend certain provisions of the purpose statement, accessory use, and minimum lot area sections in the current Section 11.04(f)12. [the new Section 11.04(f)13.1 as follows.**

**1213. R/R - RESIDENTIAL/RECREATIONAL**

**Purpose.** To identify those areas where predominantly recreational development has occurred or will be likely to occur, generally in accordance 15 Year Growth Areas, Urban Service Areas, Limited Service Areas, and Rural Hamlet Areas as described within the Agricultural Preservation and Land Use Plan. This zoning is appropriate within areas described under the Urban Service Areas policy or Rural Hamlet policy section of the plan. Due to soils types, agricultural productivity class, topographic conditions, and adjacent uses, the area would be best suited to sparse residential and recreational development rather than intensive agricultural development.

**Accessory Use.** Essential services. Home occupation, accessory, and Professional home office. Private garage or parking areas.

**Minimum Lot Area:** ~~Appendix A.~~ Sewered lots: 10,000 square feet.  
Unsewered lots: 20,000 square feet.

**TEXT AMENDMENT TO SECTION 11.05, CONDITIONAL USES**

**Amend Section 11.05(b) as follows.**

**(b) Public and Semi-public Uses.** ~~Except where such uses are not allowed by conditional use within the A-1 and N districts (per secs. 11.04(f)(6) and 11.04(f)(12) respectively), the following public and semi-public uses shall be conditional uses. and may be permitted as specified~~ Wherever allowed, such uses shall also be subject to the included standards below.

1. Airports, airstrips, landing field, and helicopter landing areas, providing that these facilities meet the regulations contained in Chapter 114 of the Wisconsin Statutes.

2. Governmental and cultural uses, such as administrative offices, fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, and museums.

3. Utilities and all towers such as radio and television (except in R-1, R-2, W, S, N districts) with associated buildings, but not including studios, or telecommunication towers. Telecommunication towers and facilities shall be regulated as set forth in sec. 11.05(h).

4. Public passenger transportation terminals such as heliports, bus and rail depots, provided that all principal structures and uses are not less than one hundred (100) feet from any residential lot line.

5. Public, private and parochial preschool, elementary and secondary schools, and churches, provided the lot area is not less than one acre and all principal structures and uses are not less than fifty (50) feet from any lot line.

6. Institutions. Colleges, universities, hospitals, sanitarium, religious, charitable, penal, and correctional institutions; cemeteries and crematoria; provided that all principal structures and uses are not less than fifty (50) feet from any lot line.

**Amend Section 11.05(c) as follows.**

**(c) Mineral Extraction and Processing.** Mineral extraction and processing operations are conditional uses in the following zoning districts: I, A-1, A-2, A-T. Such operations ~~and~~ include mining, quarrying, borrow pits, crushing, washing, or other removal or processing of mineral resources, the erection of buildings and the installation of necessary machinery used in said extraction or processing, and the preparation of hot blacktop mix and ready-mixed concrete. Mineral extraction and processing uses shall be subject to the following standards where allowed:

1. Where in the A-1 district only, the operation and its location shall be consistent with the purposes of the A-1 district and are reasonable and appropriate, considering alternative locations outside the A-1 district, or are specifically approved under state or federal law.

2. The operation shall be designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

3. The operation shall not substantially impair or limit the current or future

agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

~~4. 4-~~ No such operation shall commence, no such operation shall be expanded onto land under separate ownership on the effective date of this Ordinance, and no operation which has been abandoned for a period of twelve (12) months or longer shall be renewed, except in compliance with the provisions of this section and after a conditional use permit has been obtained.

5. The operation shall comply with subchapter I of §295 of the Wisconsin Statutes and rules promulgated under that subchapter, with applicable provisions of the local ordinance under §295.13 of the Wisconsin Statutes.

~~6. 2-~~ Application for the conditional use permit shall include an adequate description of the proposed operation; a list of equipment, machinery, and structures to be used; the source, quantity, and disposition of any water which will be used; a topographic map of the site showing existing contours with minimum vertical contour intervals of two (2) feet, trees and other ground cover, proposed and existing roads, and all buildings and property owners' names within five hundred (500) feet of the site boundaries; the depth of all existing and proposed excavations; and a restoration plan.

~~7. 3-~~ The restoration plan shall contain adequate provision that all final slopes within the site do not exceed a thirty-five (35) percent slope in a pit operation, or in a safe angle of repose in a quarrying operation. All final slopes shall be covered with topsoil, with seeding and erosion control practices as indicated in the Jefferson County Soil and Water Conservation District Technical Manual. After completion of the operation, the area shall be cleared of all debris and left in a sanitary condition. The plan shall indicate the proposed future use of the site and meet all applicable requirements of the Department of Transportation. If located in the A-1 district, the site shall be restored to agricultural use once extraction is completed.

The applicant shall furnish the sureties which will enable the County to perform the planned restoration of the site in the event of default by the applicant. The amount of such sureties shall be based upon reasonable cost estimates, and the form and type of such sureties shall be approved by the County's legal counsel.

~~8. 4-~~ The conditional use permit shall be in effect for a specified period of time, but not less than one (1) year nor more than ten (10) years. It may be renewed upon application, at which time additional conditions or modifications may be imposed.

~~9. 5-~~ The Committee shall consider the effect of the proposed operation upon existing streets, neighboring development, proposed land use, drainage, water supply, soil erosion, natural beauty, character, and land value of the locality, and shall also consider the practicality of the proposed restoration plan for the site.

~~10. 6-~~ Excavating and other operations and activities producing noise, smoke, or dust shall not take place within three hundred (300) feet of a residence, or within five hundred (500) feet of a school or institution.

~~11. 7-~~ No excavation shall take place within fifty (50) feet of a lot line.

~~12. 8-~~ Screening in accordance with 11.07(c) shall be required.

**Amend the title paragraph of Section 11.05(d) as follows.**

**(d) Fowl and Feedlot Facilities (Non-ATCP51 Livestock Facilities), Wisconsin Administrative Rule ATCP 51 Livestock Facilities, Pursuant to the provisions of §93.90 of the Wisconsin Statutes, Jefferson County does hereby adopt and incorporate into this section the provisions of §93.90 of the Wisconsin Statutes and ATCP 51 of the Wisconsin Administrative Rules inclusive of all future amendments to any provisions of these sections of Wisconsin Statutes and Administrative Rules.**

**Amend Section 11.05(h)(4) as follows:**

**(4) Areas Permitting Telecommunication Facility Location With Conditional Use Approval.** Telecommunications facilities may be permitted in the following zoning districts, subject to conditional use review and approval by the Jefferson County Planning and Zoning Committee, and in compliance with all other applicable sections of this Ordinance:

- ~~1-b.~~ a. A-T
- ~~1-b.~~ A-1, provided that each such use qualifies under §91.46(4) of the Wisconsin Statutes.
- ~~2-c.~~ A-2
- ~~3-d.~~ A-3
- ~~4-e.~~ B
- ~~5-f.~~ I
- ~~6-g.~~ C
- ~~7-h.~~ R/R

**TEXT AMENDMENT TO SECTION 11.09, NONCONFORMING USES, STRUCTURES, AND LOTS**

**Create new Section 11.09(g) as follows.**

**(g) Non-farm residences within the A-1 District.** Residences within the A-1 district legally constructed before January 15, 1975, but not defined as a farm residence under Section 11.02, may continue as prior nonconforming uses, and shall not be subject to any standard or limitation under Section 11.09, except for the following:

1. If such a nonconforming use is discontinued, vacated, or otherwise terminated for a period of twelve (12) months, any future use of the structure shall conform to the provisions of this Ordinance.
2. Where such a nonconforming use is damaged by fire, explosion, flood, the public enemy, or other calamity, or is dismantled for the purpose for the purpose of reconstruction, it may be restored or replaced, as long as the replacement residence is placed within 100 feet of the residence built before January 15, 1975.

**TEXT AMENDMENT TO SECTION 11.10, SHORELAND PROVISIONS**

**Amend Section 11.10(b) as follows.**

**(b) Districts.** The following districts shall be permitted within the shoreland area to the extent that they are not prohibited by any other ordinance provisions. Districts are specifically described in Section 11.04(f) of this ordinance. The floodplain provisions are described in Jefferson County Floodplain Ordinance No. 14. Districts are:

1. R-1 Residential - Sewered
2. R-2 Residential - Unsewered
3. B-Business
4. I-Industrial
5. A-T Agricultural Transition
- ~~6. S-~~ A-1 Exclusive Agricultural
- ~~7. 6-~~ A-2 Agricultural and Rural Business
- ~~8. 7-~~ A-3 Agricultural/Rural Residential
- ~~9. 8-~~ C-Community
- ~~10. 9-~~ W-Waterfront
- ~~11. 10-~~ S-Shoreland - Wetland (Overlay Zone)
- ~~12. 11-~~ N-Natural Resource
- ~~13. 12-~~ R/R-Residential/Recreational

**TEXT AMENDMENT TO SECTION 11.11, ADMINISTRATION AND ENFORCEMENT**

**Amend Section 11.11(c) as follows.**

(c) **Amendment Procedures.** Amendments: The Jefferson County land use ordinances are adopted by the County Board and may be amended by the County Board. State law prescribes how amendments are processed. Five major steps occur:

1. A hearing is held by the County Planning and Zoning Committee;
2. The Planning and Zoning Committee reviews the proposed amendment and makes recommendations to the County Board;
3. The County Board votes on the proposal;
4. In the case of amendments to general zoning outside shoreland and flood-plain areas, the affected town board can veto an amendment adopted by the County Board;
5. The amendment is published and recorded.

In addition, persons owning lands proposed to be subject to zoning amendment or owners of abutting property can file a "protest" which requires a three-fourths vote of the County Board to approve the proposed amendment. All of these procedures are subject to detailed statutory rules of §59.69 Wisconsin Statutes, which are adopted herein by reference. The Zoning Administrator shall create and maintain a current summary of the statutory procedures for interested persons.

**Standards for Rezoning from the A-1 Exclusive Agricultural and N Natural Resource Districts:** ~~Decisions on petitions for rezoning of areas in the A-1 Exclusive Agricultural District to other districts shall consider the following as interpreted by utilizing the Jefferson County Agricultural Preservation and Land Use Plan:~~ Land that is zoned A-1 Exclusive Agricultural or N Natural Resource may be rezoned to a zoning district that is not a certified farmland preservation zoning district if all of the following additional criteria are met (some of which are based on §91.48 of the Wisconsin Statutes):

- (a) The land is better suited for a use not allowed in the A-1 or N district.
- (b) The rezoning is consistent with the County Comprehensive Plan.

- (c) The rezoning is substantially consistent with the Jefferson County Agricultural Preservation and Land Use Plan.
- (d) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
- (e) ~~Availability of~~ There will be adequate public facilities to serve the proposed and potential land use changes that would be enabled by the rezoning.
- (f) ~~Reasonableness of~~ The burdens on local government for providing the needed services to the proposed and potential land use changes that would be enabled by the rezoning are reasonable.
- ~~(g) Suitability of land for development.~~
- (h) ~~Prospects that~~ The development may will not cause unreasonable air or water pollution, soil erosion, or adverse effects on valued natural areas.
- (i) The soil productivity rating has been considered in the location of the area proposed for rezoning.
- (j) The remaining A-1 parcel shall front on a public road for a minimum distance of at least sixty-six (66) feet. Access to the lot shall be provided within this frontage.

Section 2. Amends the Jefferson County Zoning Map to adopt the September 12, 2011, draft Zoning Map which incorporates an Agricultural Transition Zoning District in locations depicted as 15-year growth areas in the Jefferson County Agricultural Preservation and Land Use Plan and satisfies DATCP requirements for certification under Chapter 91 Farmland Preservation.

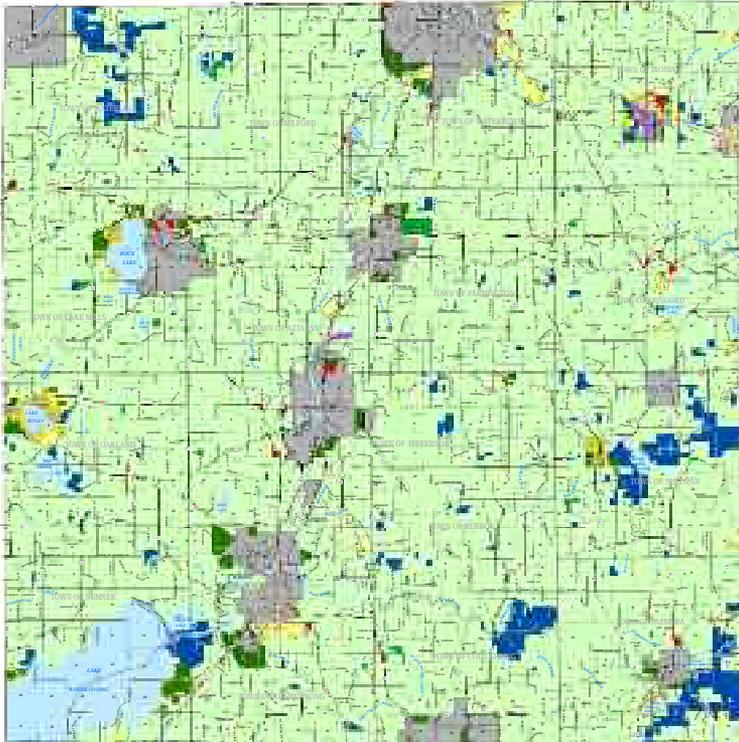
**Mr. Nass moved that Ordinance No. 2011-28 be adopted.** Seconded and carried: Ayes 26, Noes 1 (Peterson), Absent 2 (Morris, Delany), Vacant 1.

(Zoning maps on pages 242 through 250)

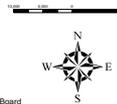
# Zoning Map

## Jefferson County, WI

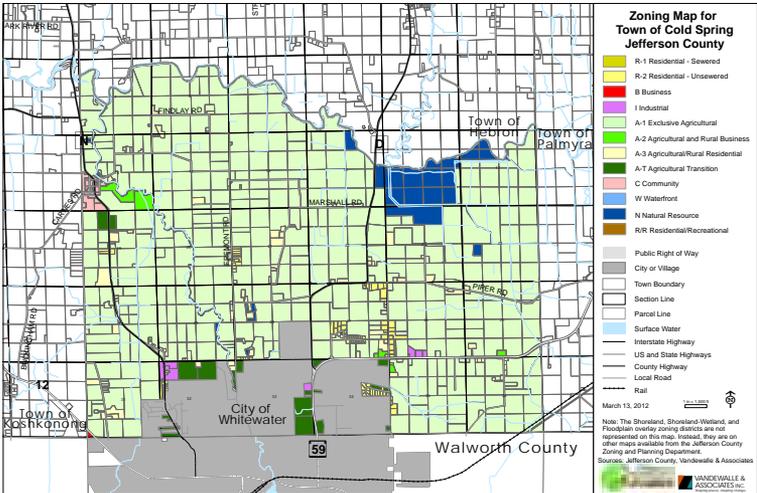
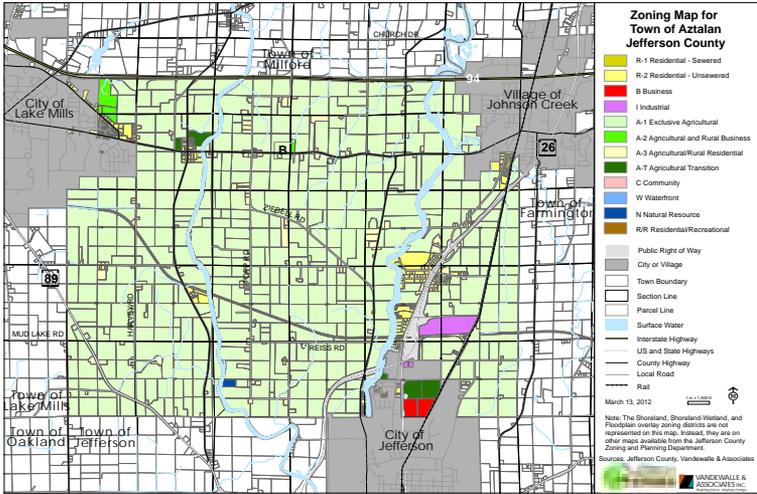
amended through September 12, 2012

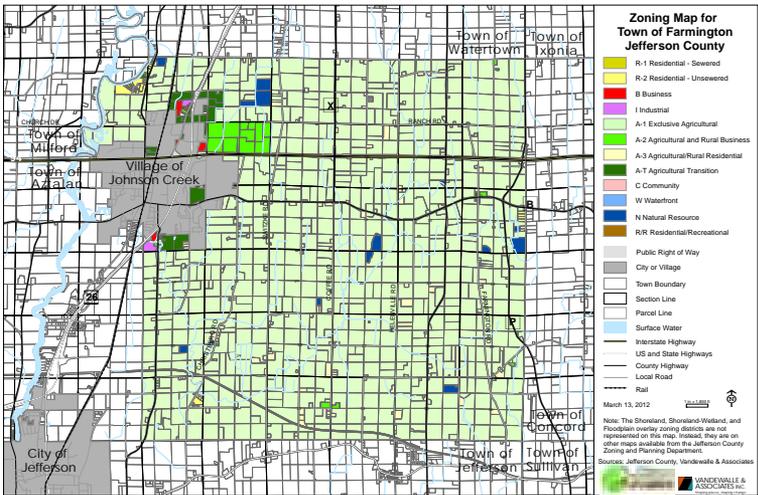
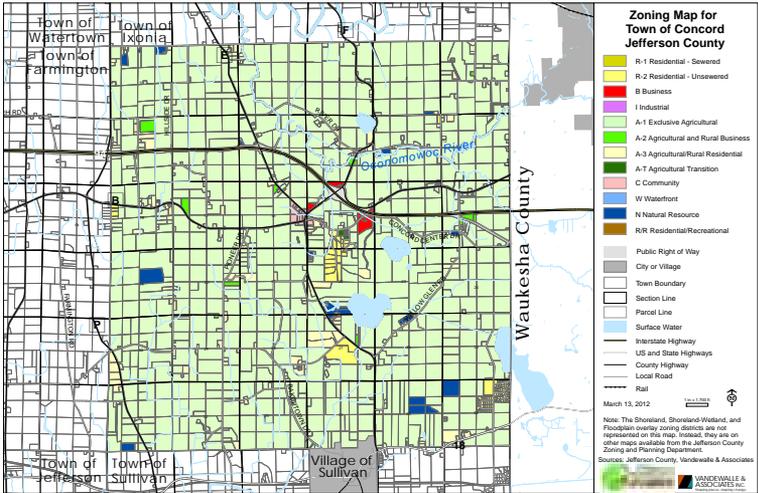


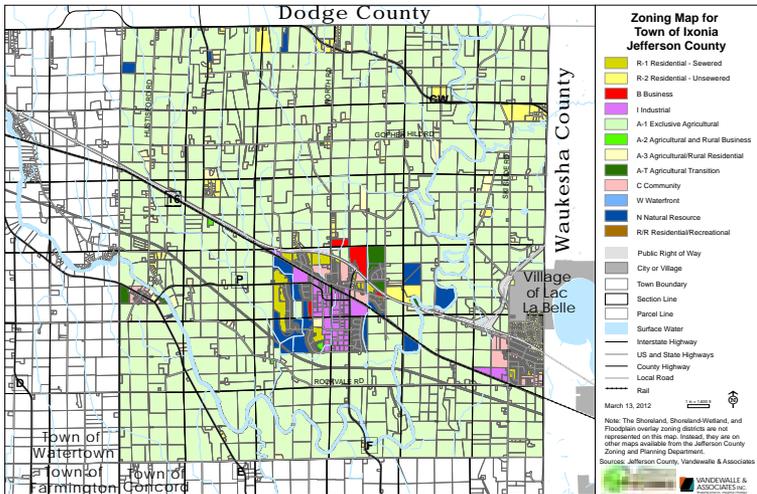
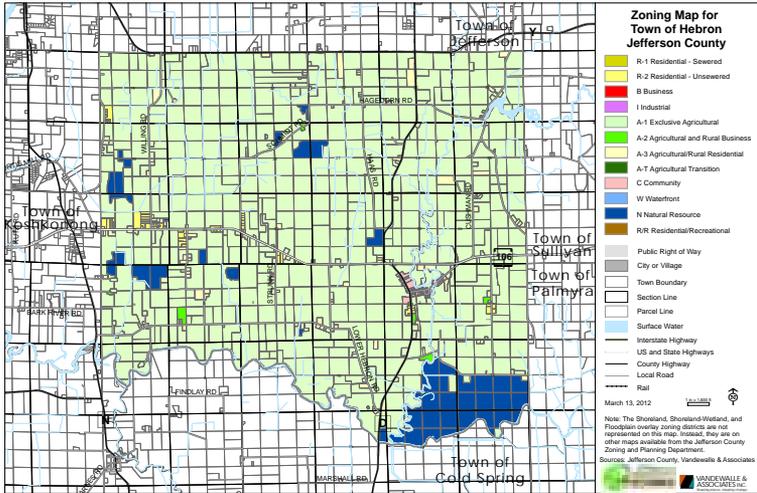
<span style="color: lightgreen;">■</span> A-1 Exclusive Agricultural	<span style="color: purple;">■</span> I Industrial	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> Public Right of Way	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> INTERSTATE HWY
<span style="color: green;">■</span> A-2 Agricultural & Rural Business	<span style="color: blue;">■</span> N Natural Resource	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> City or Village	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> US HWY
<span style="color: yellow;">■</span> A-3 Agricultural/Rural Residential	<span style="color: yellow;">■</span> R-1 Residential - Sewered	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> Town Boundary	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> STATE HWY
<span style="color: darkgreen;">■</span> A-T Agricultural Transition	<span style="color: yellow;">■</span> R-2 Residential - Unsewered	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> Section Line	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> COUNTY HWY
<span style="color: red;">■</span> B Business	<span style="color: olive;">■</span> R/R Residential/Recreational	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> Parcel Line	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> LOCAL ROAD
<span style="color: pink;">■</span> C Community	<span style="color: blue;">■</span> W Waterfront	<span style="border: 1px solid gray; display: inline-block; width: 10px; height: 10px;"></span> Surface Water	<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> PRIVATE ROAD
		<span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Rail centerline	

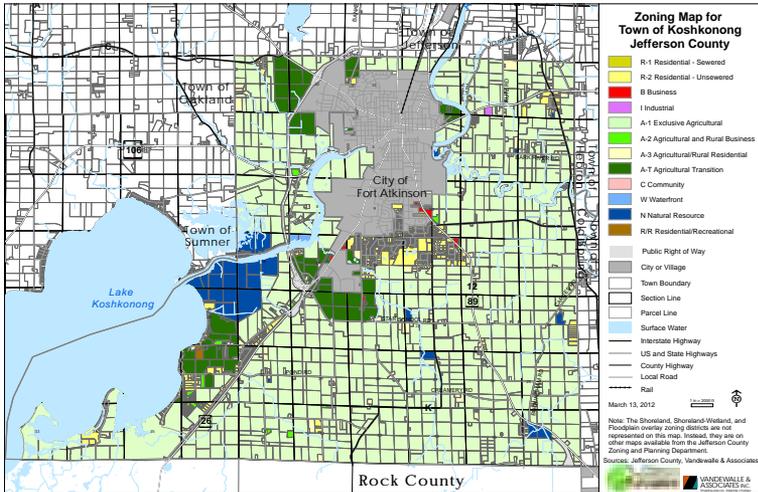
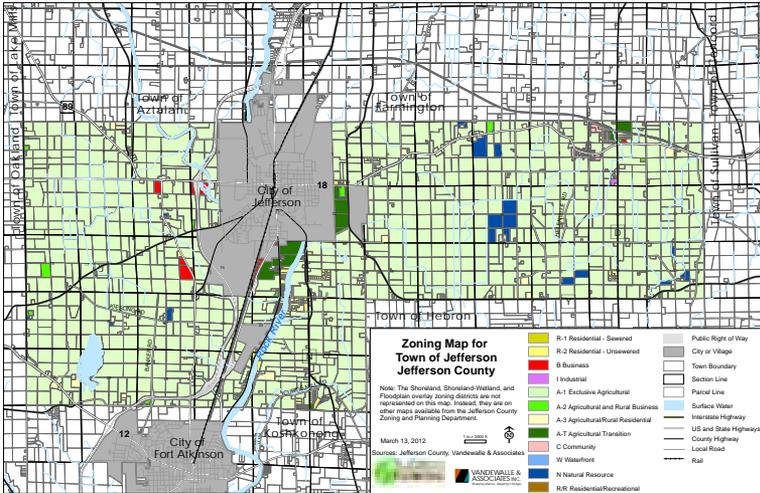


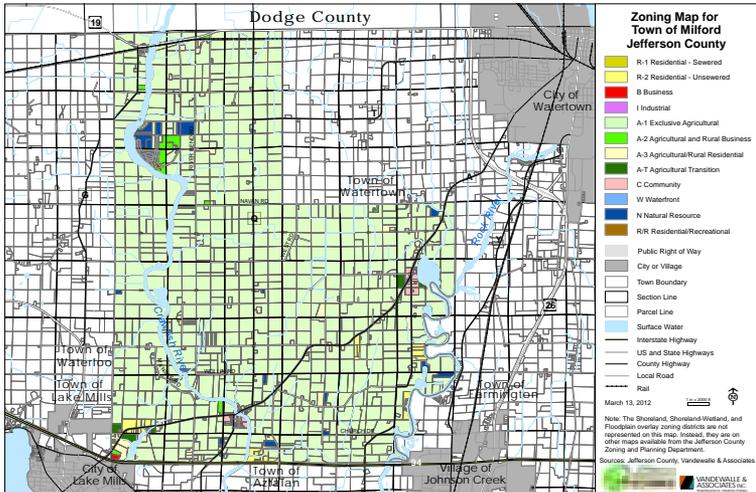
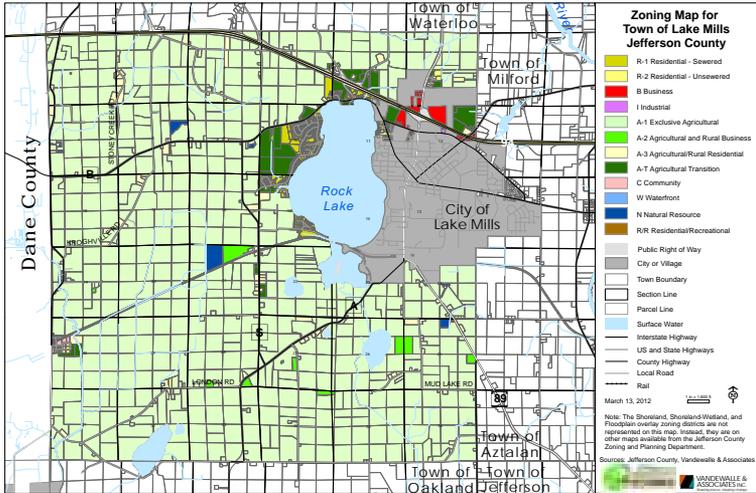
Adopted by the Jefferson County Board of Supervisors on March 13, 2012.

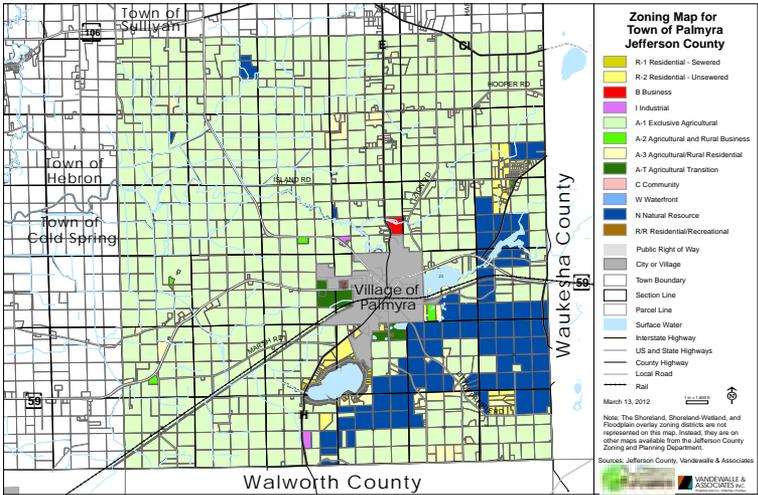
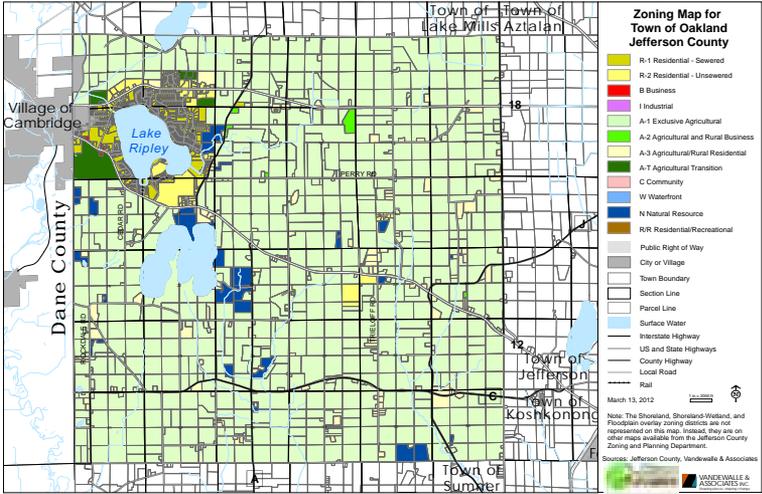


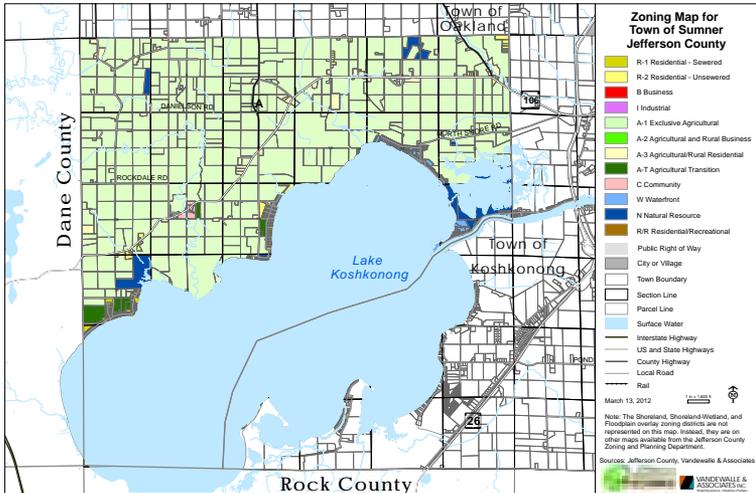
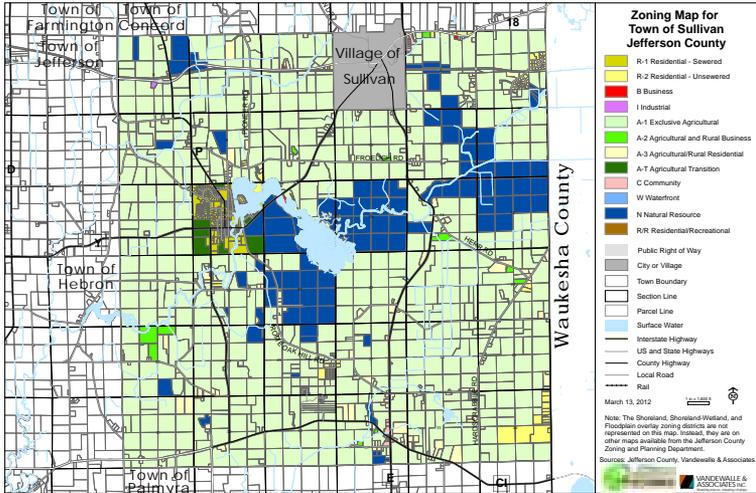


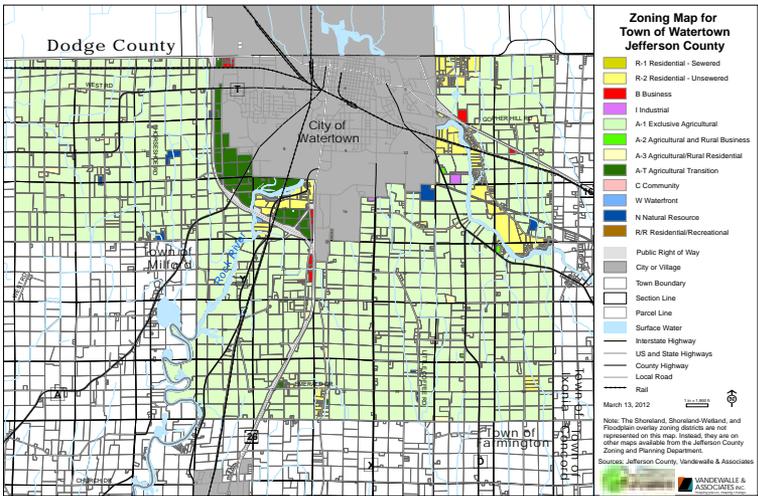
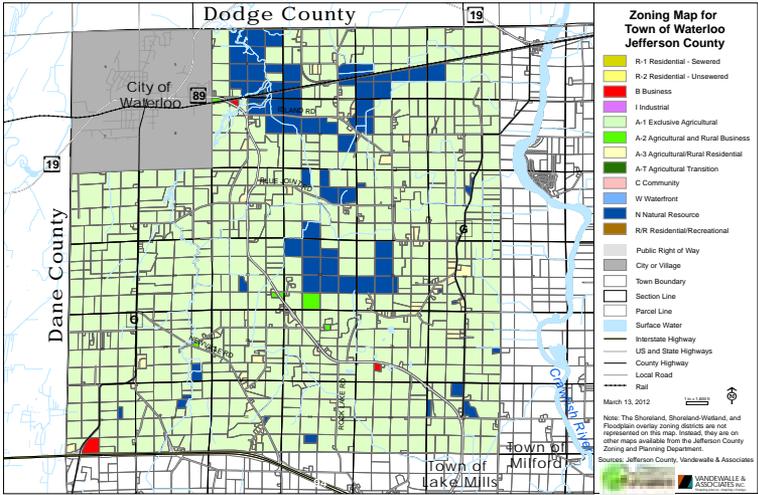












**Mr. Mode reintroduced Ordinance No. 2011-24, which had its first reading on February 14, 2012, (see text on page 173 of the February 14, 2012, County Board minutes) and moved that it be adopted. Seconded.**

**Mr. Zentner moved to amend 3.05(1) of Ordinance No. 2011-24 as follows:**

**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. Board members assigned to certain committees are limited to four year contiguous tenure on that committee; however, they may be re-assigned to that same committee after four years absence from stated committee. 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. [Am. 03/09/04, Ord. 2003-35; 06/08/04, Ord. 2004-10; 12/13/05, Ord. 2005-31; 07/11/06, Ord. 2006-07; 07/10/07, Ord. 2007-16]

**Mr. Zentner withdrew said motion for further study by the County's legal counsel.**

**Mr. Zentner moved to amend 3.05(2)(a), paragraph 4, of Ordinance No. 2011-24 as follows:**

The Board Chair ~~or his designee~~ 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. [Am. 03/14/06, Ord. 2005-48a]

**Motion to amend Board Rule 3.05(2)(a), paragraph 4, seconded and failed:** Ayes 2, Noes 25 (Jones, Imrie, David, Tietz, Braughler, Buchanan, Kuhlman, Rinard, Zastrow, Reese, Burow, Morse, Rogers, Nass, Molinaro, Hanneman, Schroeder, Peterson, Poulson, Jaeckel, Christensen, Borland, Schultz, Babcock, Mode), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Zentner moved to create Board Rule 3.08(9) in Ordinance No. 2011-24 as follows:**

**(9)** Committee members and all others in attendance at committee meetings need to withhold comments until being recognized by committee chairperson before blurting out opinions and/or corrections of comments made by other duly

recognized participants, without chairperson recognition of desire to speak.

**Motion to create Board Rule 3.08(9) seconded and failed:** Ayes 2, Noes 25 (Jones, Imrie, David, Tietz, Braughler, Buchanan, Kuhlman, Rinard, Zastrow, Reese, Morse, Rogers, Nass, Molinaro, Hanneman, Schroeder, Roou, Peterson, Poulson, Jaeckel, Christensen, Borland, Schultz, Babcock, Mode), Absent 2 (Morris, Delany), Vacant 1.

**Ordinance No. 2011-24 adopted:** Ayes 26, Noes 1 (Schroeder), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Mode presented Ordinance No. 2011-29.**

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

Section 1. Amend Section 3.05(2)(i) of the Board of Supervisors' Rules of Order as follows:

(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. The Committee shall have oversight of and recommend policy affecting property acquired by the County for flood mitigation purposes. [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]

Section 2. Amend Section 3.05(2)(e) of the Board of Supervisors' Rules of Order as follows:

(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 in accordance with provisions ~~are made by~~ of union contracts, ~~or~~ the Civil Service Ordinance or the Personnel 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]

Section 3. This ordinance shall be effective after passage and publication as provided by law.

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

**There being no objection to waiving the laying over of Ordinance No. 2011-29, Mr. Mode moved for its adoption.** Seconded and carried: Ayes 26, Noes 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Mode abstained from presenting and voting on Resolution No. 2011-88 due to conflict of interest. Mr. David read Resolution No. 2011-88.**

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 commencing April 2012, and

WHEREAS, the *Watertown Daily Times* did not submit a bid, and

WHEREAS, the Committee has determined that the bid of the *Daily Jefferson County Union* meets all requirements, and

WHEREAS, it will be more economical to print the annual minute books through the County's Central Duplicating staff than to contract for books through the *Daily Union*,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County accepts the bid of the *Daily Jefferson County Union* excepting therefrom the printing of annual minute books and awards the contract to the *Daily Union* for the remaining printing and publishing work in accordance with the specifications for the two year term commencing April 17, 2012.

BE IT FURTHER RESOLVED that the *Daily Jefferson County Union* is hereby designated the official county newspaper for the 2012-2014 term of the Jefferson County Board.

BE IT FURTHER RESOLVED that the annual minute books shall be prepared through County Central Duplicating.

*Fiscal Note: Cost per line for publishing will decline from 81 cents per line in the 2010 - 2011 contract to 76 cents per line commencing April 2012, which is a 6.2% reduction. Printing the books in-house will save several hundred dollars, based on, in part on choice of the binding to be used.*

**Mr. David moved that Resolution No. 2011-88 be adopted.** Seconded and carried: Ayes 25, Noes 1 (Peterson), Abstain 1 (Mode), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Mode presented Resolution No. 2011-89.**

WHEREAS, the Town of Koshkonong adopted Resolution No. 2011-119 on November 9, 2011, which resolution states the basis for the Town's opposition to Highway 12 bypass plan 7a located in the Town of Koshkonong, and

WHEREAS, the Planning & Zoning Committee and the Land & Water Conservation Committee have expressed their opposition to Highway 12 bypass alternative 7a, and

WHEREAS, the Administration & Rules Committee has reviewed the Town of Koshkonong's request for County support of its resolution, and

WHEREAS, the Administration & Rules committee believes that traffic counts on Highway 12 have diminished to the point where a bypass is no longer warranted; that the additional lane miles a bypass would create would add additional cost to taxpayer funded highway maintenance; that DOT mapping of the bypass infringes on property owners' rights in the affected area; and, improvement of the existing alignment between Fort Atkinson and Whitewater is preferable to creating the bypass,

NOW, THEREFORE, BE IT RESOLVED that the County Board expresses its support for Town of Koshkonong Resolution No. 2011-119, and recommends

that the Department of Transportation stop mapping activities for a Highway 12 bypass alternative, and

BE IT FURTHER RESOLVED that the Board recommends improvement of the existing alignment between Fort Atkinson and Whitewater in lieu of a Highway 12 bypass of Fort Atkinson.

BE IT FURTHER RESOLVED that the Clerk shall send a copy of this resolution to Jefferson County's legislative representatives as well as the Department of Transportation.

*Fiscal Note: No fiscal impact.*

**Mr. Mode moved that Resolution No. 2011-89 be adopted.** Seconded and carried.

**Mr. Tietz presented Resolution No. 2011-90.**

WHEREAS, the Board adopted Resolution No. 2009-16 on April 21, 2009, Resolution No.2009-65 on November 10, 2009, and Resolution 2010-91 on February 8, 2011, which authorized participation in the Community Development Block Grant – Emergency Assistance Program, and

WHEREAS, Jefferson County was notified on June 9, 2009, by letter from 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, on May 18, 2010, Jefferson County was notified by letter from the Department of Commerce that Jefferson County was awarded an additional \$1,349,935 to assist in flood recovery efforts, and

WHEREAS, on March 10, 2011, Jefferson County was notified by letter from the Department of Commerce that Jefferson County was awarded an additional \$1,631,000 to assist in flood recovery efforts, and

WHEREAS, public hearings were held on July 15, 2009, September 29, 2009, July 7, 2010, and January 27, 2011, at which time the public was invited to learn about the CDBG program and to comment on the activities included in the CDBG applications, and

WHEREAS, on February 28, 2012, the Revolving Loan Fund Committee reviewed and recommended the application of DJC CPAs & Advisors of Jefferson, Wisconsin, be approved for an amount not to exceed the lesser of the appraised value of the business premises located at 705 S. Main, Jefferson, Wisconsin, or \$180,000 to assist in flood mitigation expenses associated with business flood mitigation activities, relocation of the business out of the floodplain, documentable losses of equipment and inventory, and expenses attributed to the 2008 flooding, which will be in the form of a 0% interest forgivable loan, with 20% of the loan forgiven each year that the business owner continues to operate the business, and 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 this forgivable business loan will enhance and assist the business in its flood recovery efforts, and

NOW, THEREFORE, BE IT RESOLVED that DJC CPAs & Advisors of Jefferson, Wisconsin, is authorized to receive a loan of up to \$180,000 to assist its flood mitigation activities.

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

*Fiscal Note: This fund is represented by grants received from Wisconsin Department of Commerce in the total sum of \$6,980,935. No county tax levy funds are used for these loans.*

**Mr. Tietz moved that Resolution No. 2011-90 be adopted.** Seconded and carried: Ayes 24, Noes 3 (Peterson, Poulson, Jaeckel), Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rogers presented Resolution No. 2011-91.**

WHEREAS, Jefferson County owns a 0.67 acre parcel at the end of Vinne Ha Ha Road in the Town of Koshkonong, which parcel has been leased to the DNR at least since 1980 for use as a parking lot to serve a DNR boat ramp, and

WHEREAS, the current lease to the DNR runs through the year 2028, and

WHEREAS, the DNR wants to improve the parking lot and desires to own the property before making the investment and the improvements, and

WHEREAS, conveyance of the parking lot to the DNR will facilitate improvement of the lot and enhance public recreation opportunities in Jefferson County through partnership with the State, and

WHEREAS, the County owns two additional parcels from previous tax foreclosures, one of which is adjacent to the parking lot described above and the other is landlocked in the middle of the Lake Mills State Wildlife Area, and

WHEREAS, conveyance of those two parcels to the DNR will also serve to title the land to the government agency best able to manage it, and

WHEREAS, both the Parks Committee and Finance Committee have reviewed these issues and recommend conveyance of all three parcels to the DNR, subject to reversionary language in the event the land is no longer used for public purposes,

NOW, THEREFORE, BE IT RESOLVED that the Clerk is authorized to convey Parcels 016-0513-2413-003, 016-0513-2413-004 and 018-0713-2212-001 to the State of Wisconsin (DNR).

BE IT FURTHER RESOLVED that the deed shall contain language requiring the County's written consent to use of the property for other than public purposes, or in the alternative, reversion of title to the County in the event the land is conveyed without the County's consent.

*Fiscal Note: These parcels have minimal value.*

**Ms. Rogers moved that Resolution No. 2011-91 be adopted.** Seconded and carried: Ayes 26, Noes 1 (Peterson), Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rogers presented Resolution No. 2011-92.**

WHEREAS, Jefferson County became a member of Wisconsin Municipal Mutual Insurance Company (WMMIC) effective January 2009, and

WHEREAS, Jefferson County is responsible for the first \$150,000 deductible for each individual claim with an annual aggregate deductible of \$525,000, and

WHEREAS, a Highway Department vehicle was involved in an accident in January 2011 which resulted in total claims being paid of \$64,907, and

WHEREAS, County Board Resolution 2009-66 created a Liability Insurance Retention Reserve in the amount of \$262,500, and

WHEREAS, the Highway Department has requested a transfer of funds from the Liability Insurance Retention Reserve of \$64,907 to pay for the deductible costs, and

WHEREAS, the Highway Committee at its meeting on January 24, 2012, supported the request for a transfer of funds, and

WHEREAS, the Finance Committee at its meeting on February 28, 2012, also supported the request for a transfer of funds,

NOW, THEREFORE, BE IT RESOLVED that the County Board amends the 2011 budget for the Highway Department and transfers \$64,907 from the Liability Insurance Retention Reserve (A/C 100.353150) to the Highway Department budget.

*Fiscal Note: Because this is a budget amendment, twenty (20) affirmative votes are required for passage. Amounts in subsequent year-end resolutions being discussed this evening make the assumption that this amendment is adopted. Should the amendment not be adopted, amounts in the subsequent resolutions may require modification.*

**Ms. Rogers moved that Resolution No. 2011-92 be adopted.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rogers presented Resolution No. 2011-93.**

WHEREAS, due to circumstances arising after the 2011 budget was formulated, the following transfer of funds are necessary to be made from the contingency appropriation account and/or General Fund as indicated to close the accounting books for 2011:

<b>Department</b>	<b>Bus Unit</b>	<b>Account Number</b>	<b>Deficit Amount</b>	<b>Original Levy</b>	<b>Present of Levy</b>
Sheriff	2001	599999	114,311	11,835,093	1.0%
Fair Park	6901	599999	<u>36,306</u>	161,683	22.5%
Total			<u>150,616</u>		
Contingency Fund			150,617		
General Fund			<u>0</u>		
Total			<u>150,617</u>		

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 and the 2011 budget be amended to reflect the same.

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

*The contingency fund has enough available to cover the entire amount for 2011.*

*The Sheriff's Office experienced a large workers compensation claim during 2011, which resulted in expenditures exceeding the budget by \$97,190 for the department. No further analysis regarding the departmental deficit was done.*

*For the Fair Park, a recap by category appears on the following page. Terminated wages and unemployment compensation relate to the decision to reduce hours with the 2012 budget which resulted in a long time employee retiring. The Act 10/32 savings relate to employees paying for their retirement contributions beginning in August 2011 and a larger health insurance premium effective December 2011. Workers compensation relates to an injury that occurred at the Fair Park. No further analysis was done on other operating expenditures or revenues.*

<b>Description</b>	<b>Actual</b>	<b>Budget</b>	<b>Surplus (Deficit)</b>	<b>Surplus (Deficit)</b>
Revenues	(1,058,565)	(989,550)	69,015	7.0%
Operating expenditures				
Wages (non-terminated)	328,333	327,888	(445)	-0.1%
Wages (terminated)	8,899	0	(8,899)	
Act 10/32 savings	70,818	79,992	9,174	11.5%
Unemployment compensation	3,337	0	(3,337)	
Workers compensation	18,333	0	(18,333)	
All operating expenditures	<u>806,367</u>	<u>697,837</u>	<u>(108,530)</u>	-15.6%
	1,236,088	1,105,717	(130,371)	-11.8%
Capital expenditures (blacktopping)	24,950	50,000	25,050	50.1%
Department totals	202,473	166,167	(36,306)	-21.8%

**Ms. Rogers moved that Resolution No. 2011-93 be adopted.** Seconded and carried: Ayes 26, Noes 1 (Schroeder), Absent 2 (Morris, Delany), Vacant 1.

## Jefferson County Departmental Surplus (Deficit) Recap For the Year Ended December 31, 2011

29-Feb-12 Updated

Dept	Department	General Ledger Surplus (Deficit)	Budgetary Only Accounts	Estimated Additional Activity	Actual Non-Lapsing Request	Actual Surplus (Deficit)	Deficit Transfer		Amended Surplus (Deficit)	Tax Levy 2011	Actual Surplus (Deficit)
							Contingency Fund	General Fund			
000	General Revenues	(3,126,976.00)	3,345,783.00	30,000.00		248,807.00	(150,617.00)		98,190.00	(17,732,468.00)	3.2%
001	County Board	352,416.00			(302,135.00)	50,281.00			50,281.00	466,410.00	10.8%
002	Economic Development	88,562.00			(88,562.00)	0.00			0.00	0.00	
004	Human Resources	26,672.00			(18,357.00)	8,315.00			8,315.00	331,109.00	2.5%
008	County Administrator	3,686.00				3,686.00			3,686.00	237,612.00	1.6%
010	Register of Deeds	155,151.00			(79,909.00)	75,242.00			75,242.00	(130,151.00)	57.8%
012	County Clerk	237,714.00		(20,357.00)	(211,225.00)	6,132.00			6,132.00	168,231.00	3.6%
013	Land Information	96,225.00			(91,016.00)	5,209.00			5,209.00	371,677.00	1.4%
014	County Treasurer	174,710.00				174,710.00			174,710.00	(696,243.00)	25.1%
016	District Attorney	75,270.00				75,270.00			75,270.00	729,569.00	10.4%
017	Corporation Counsel	22,680.00			(1,000.00)	21,680.00			21,680.00	344,904.00	6.3%
018	Parks	283,991.00			(267,864.12)	16,126.88			16,126.88	788,789.00	2.0%
019	Central Services	46,401.00			(45,000.00)	1,401.00			1,401.00	789,364.00	0.2%
020	Sheriff	1,295,029.00		(360,905.00)	(1,048,435.00)	(114,311.00)	114,311.00		0.00	11,835,093.00	-1.0%
023	Child Support	65,456.00				65,456.00			65,456.00	125,799.00	52.0%
024	Clerk of Courts	78,889.00			(55,167.80)	23,721.20			23,721.20	1,657,542.00	1.4%
025	Coroner	20,076.00				20,076.00			20,076.00	96,758.00	20.7%
026	Finance	4,717.00				4,717.00			4,717.00	387,473.00	1.2%
027	Emergency Management	0.00		360,905.00	(360,905.00)	0.00			0.00	77,764.00	0.0%
053	Veterans Services	16,701.00			(16,701.00)	0.00			0.00	162,245.00	0.0%
068	UW Extension	70,733.00			(26,384.15)	44,348.85			44,348.85	312,237.00	14.2%
069	Fair Park	(35,806.00)			(500.00)	(36,306.00)	36,306.00		0.00	161,683.00	-22.5%
070	Land Conservation	57,335.00			(29,271.25)	28,063.75			28,063.75	285,153.00	9.8%
071	Zoning	261,194.00			(213,719.00)	47,475.00			47,475.00	374,192.00	12.7%
099	Library System	1,086.00				1,086.00			1,086.00	1,002,518.00	0.1%
General Fund Totals		271,912.00	3,345,783.00	9,643.00	(2,856,151.32)	771,186.68	0.00	0.00	771,186.68	12,138,260.00	6.4%

Fund	Fund	Beginning Fund Balance 1-Jan-11	Current Activity	Estimated Additional Activity	Ending Fund Balance 31-Dec-11	Percentage Change
100	General Fund	30,412,457.85	1,155,956.48	9,643.00	31,578,057.33	3.7%
240	Health Department	168,866.65	387,351.01		556,217.66	69.6%
250	Human Services	255,926.85	133,517.32		389,444.17	34.3%
300	Debt Services	0.18	(0.18)		0.00	#DIV/0!
700	Highway Department	11,647,137.35	744,047.46		12,391,184.81	6.0%
750	MIS Fund	0.00			0.00	#DIV/0!
Subtotal		42,484,388.88	2,420,872.09	9,643.00	44,914,903.97	5.4%
900	Fixed Assets	25,934,687.42	2,859,046.14		28,793,733.56	9.9%
950	Gov't Type Conversion	48,712,285.43	2,093,353.37		50,805,638.80	4.1%
Total		117,131,361.73	7,373,271.60	9,643.00	124,514,276.33	5.9%

Ending fund balance 12/31/11	44,914,903.97
Less beginning fund balance	#####
Subtotal	2,430,515.09
Act 10/32 >>>	
Less health insurance surplus	(518,930.00)
Act 10/32 >>>	
Plus employer retirement deficit	79,685.00
Less employee retirement surplus	(491,352.00)
<b>Increase due to operations</b>	<b>1,499,918.09</b>

Spreadsheet values as of 29-Feb-12

Total increase in fund balances	2,430,515.09
Tax levy for 2011	26,707,843.00
<b>Increase as a percent of tax levy</b>	<b>9.1%</b>

**Ms. Rogers presented Resolution No. 2011-94.**

WHEREAS, at the close of each fiscal year, it may be desirable to carry over funds in some accounts so that 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 the total amounts as listed below in various accounts as indicated in the detail in the Finance Committee minutes of February 28, 2012,

<b>Fund Type</b>	<b>Description</b>	<b>Requested Amount</b>	<b>Non-lapsing Request</b>
Governmental funds	Non-spendable	169,775.53	
Governmental funds	Spendable, restricted	1,720,033.55	1,720,003.55
Governmental funds	Spendable, committed	<u>2,138,630.43</u>	2,138,630.43
Governmental funds	Total	4,028,439.51	
Proprietary funds	Capital net assets	7,835,277.32	
Proprietary funds	Restricted net assets	113,466.08	113,466.08
Proprietary funds	Non-restricted net assets	<u>4,507,348.41</u>	4,507,348.41
Proprietary funds	Total	12,456,091.81	
Grand Total		16,484,531.31	8,479,478.47

AND WHEREAS, the Finance Committee recommends various accounts be designated as non-lapsing for fiscal year 2012 in the same total amounts as listed above,

NOW, THEREFORE, BE IT RESOLVED that the funds in the accounts identified in the Finance Committee minutes of February 28, 2012, totaling \$8,479,478.47 are designated as non-lapsing in the 2011 budget and the 2012 departmental budgets are hereby amended in the respective amounts approved.

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

*Explanation of governmental funds: Non-spendable fund balance includes pre-paid items, deposits, and inventory accounts. Spendable, restricted items are funds legally restricted by outside parties such as statutes, contracts, purchase orders, or funding source. Spendable, committed items are discretionary.*

*Explanation of proprietary funds (Highway): Capital net assets are items that are being depreciated along with land. Restricted net assets relate to municipal deposits for subsequent year work by the County. Non-restricted net assets include both required items and discretionary items.*

**Ms. Rogers moved that Resolution No. 2011-94 be adopted.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

Jefferson County  
Final Non-Lapsing Requests  
For the Year Ended December 31, 2011

Department	Bus Unit	Acct #	Sub Acct	Explanation	Non-Spendable Fund Bal	Spendable Fund Balances		Total
						Restricted	Committed	
County Board	12	699992		Remaining brick project donations as per 2012 budget		5,180.00		
County Board	12	594950		Remaining brick project donations operating reserve adjustment		(3,823.00)		
County Board	13	699992		Remaining farmland preservation funds as per 2012 budget			300,539.00	
County Board	13	594960		Remaining farmland preservation capital reserve adjustment			(4,270.00)	
County Board	13	699992		Remaining Historical Commission funds as per 2012 budget		1,184.00		
County Board	14	594950		Remaining Historical Commission operating reserve adjustment		3,325.00		302,135.00
Economic Development	31	594955		Increase JCEDC vested benefit reserve to actual		2,912.34		
Economic Development	31	594950		Increase JCEDC fiduciary funds operating reserve		6,719.66		
Economic Development	31	699992		Remaining JCEDC fiduciary funds as per 2012 budget		78,930.00		88,562.00
Human Resources	41	512144		Employee elected family health after 2012 budget was adopted			8,357.00	
Human Resources	41	521220		Increase HIPAA consultant from ten to thirty hours			5,000.00	
Human Resources	41	532350		Funds for annual department head / manager training			5,000.00	18,357.00
Register of Deeds	1001	521295		Remaining scanning/redaction funds for data conversion per Statutes		26,142.00		
Register of Deeds	1001	699992		Remaining scanning/redaction funds as per 2012 budget per Statutes		53,767.00		79,909.00
County Clerk	1202	594810		New ballot machines still have not received federal certification			211,225.00	211,225.00
Land Information	1303	594950		Remaining land records modernization funds as per Wisc Statutes		13,177.00		
Land Information	1303	699992		Remaining land records modernization funds as per 2012 budget		31,164.00		
Land Information	1308	594950		Remaining land records modernization funds as per Wisc Statutes		30,823.00		
Land Information	1308	699992		Remaining land records modernization funds as per 2012 budget		15,852.00		91,016.00
Corporation Counsel	1701	531314		Replace Dictaphone recording equipment			1,000.00	1,000.00
Parks Department	1801	521219		Contract to update Parks, Recreation, and Open Space Plan			9,550.00	
Parks Department	1801	535245		Asphalt maintenance at 3 separate parks plus Parks shop building			15,000.00	
Parks Department	1801	699992		Remaining ATC damage funds from 2009			14,822.00	
Parks Department	1806	594960		Remaining Carol Liddle estate funds, restricted by estate		(139.88)		
Parks Department	1806	699992		Carol Liddle estate funds as per 2012 budget		112,334.00		
Parks Department	1809	535245		Remaining interest earnings on Carlin Weld CD, restricted by donor		(85.00)		
Parks Department	1809	699992		Carlin Weld certification of deposit remaining interest as per 2012 budget		131.00		
Parks Department	1812	594951		Farmland rental to be used for future restoration projects			2,325.60	
Parks Department	1812	699992		Farmland rental receipts as per 2012 budget			15,900.00	
Parks Department	1812	535245		Remaining Carnes Park Development funds			3,342.40	
Parks Department	1814	594950		Remaining donation funds from Theo Garman, restricted by donor		10,000.00		
Parks Department	1814	699992		Remaining Theo Garman donations as per 2012 budget		16,136.00		
Parks Department	1816	535245		Remaining grants & donations for Glacial Heritage Area, restricted by source		7,546.00		
Parks Department	1816	699992		Remaining grants & donations for Glacial Heritage Area, as per 2012 budget		12,007.00		
Parks Department	1824	535245		Remaining grants & donations for bike trail development, restricted by source		6,681.00		
Parks Department	1824	699992		Remaining grants & donations for bike trail development, as per 2012 budget		700.00		
Parks Department	1826	594950		Remaining Dog Park funds as per 2012 budget			(7,049.00)	
Parks Department	1826	699992		Remaining Dog Park funds as per 2012 budget			39,663.00	
Parks Department				Increase grounds keeping allocated budget for work deferred in the past				
Parks Department	1901	529170		Central Services			2,520.00	
Parks Department	5200	529170		Human Services			2,790.00	
Parks Department	6901	529170		Fair Park			2,880.00	
Parks Department	7020	529170		Land Conservation			180.00	

Jefferson County  
Final Non-Lapsing Requests  
For the Year Ended December 31, 2011

Department	Bus Unit	Acct #	Sub Acct	Explanation	Non-Spendable Fund Bal	Spendable Fund Balances		Total
						Restricted	Committed	
Parks Department	53271	529170		Highway			630.00	267,864.12
Central Services	1901	594820		Men's bathroom remodeling project (original 2011 budget was \$12,500)			25,000.00	
Central Services	1901	594829		Women's bathroom remodeling project (original 2011 budget was \$12,500)			20,000.00	45,000.00
Sheriff Department	2006	521219		Radio System upgrade project not completed during 2011			12,852.00	
Sheriff Department	2006	531314		Radio System upgrade project not completed during 2011			11,932.10	
Sheriff Department	2006	594809		Radio System upgrade project not completed during 2011			35,925.00	
Sheriff Department	2006	594810		Radio System upgrade project not completed during 2011			62,833.17	
Sheriff Department	2006	594813		Radio System upgrade project not completed during 2011			47,600.00	
Sheriff Department	2006	594815		Radio System upgrade project not completed during 2011			158,900.83	
Sheriff Department	2006	594815		Radio System upgrade project not completed during 2011			(3,450.00)	
Sheriff Department	2006	594819		Radio System upgrade project not completed during 2011			42,383.90	
Sheriff Department	2006	594820		Radio System upgrade project not completed during 2011			161,573.00	
Sheriff Department	2010	594950		Fiduciary funds restricted by source -- Drug Education		45.00		
Sheriff Department	2010	699992		Fiduciary funds restricted by source -- Drug Education		5,000.00		
Sheriff Department	2011	594950		Fiduciary funds restricted by source -- Drug Restitution		3,812.00		
Sheriff Department	2011	699992		Fiduciary funds restricted by source -- Drug Restitution		2,068.00		
Sheriff Department	2014	594950	011	Remaining restricted donations -- K-9 Program		9,900.29		
Sheriff Department	2014	594950	012	Remaining restricted donations -- Community Program		399.17		
Sheriff Department	2014	594950	014	Remaining restricted donations -- Honor Guard		2,701.54		
Sheriff Department	2014	594950	016	Remaining restricted donations -- Tactical Air Wing		94.00		
Sheriff Department	2102	594950		Fiduciary funds restricted by source -- Drug Task Force		1,468.00		
Sheriff Department	2104	594950		Fiduciary funds restricted by source -- Federal Forfeitures		22,835.00		
Sheriff Department	2104	699992		Fiduciary funds restricted by source -- Federal Forfeitures		174,183.00		
Sheriff Department	2105	594950		Fiduciary funds restricted by source -- CEASE Marijuana Program		89.00		
Sheriff Department	2105	699992		Fiduciary funds restricted by source -- CEASE Marijuana Program		113.00		
Sheriff Department	2108	594950		Fiduciary funds restricted by source -- State Forfeitures		1,034.00		
Sheriff Department	2108	699992		Fiduciary funds restricted by source -- State Forfeitures		551.00		
Sheriff Department	2203	594950		Jail assessment funds restricted by Wisconsin Statutes		(37,831.00)		
Sheriff Department	2203	699992		Jail assessment funds restricted by Wisconsin Statutes		331,423.00		1,048,435.00
Clerk of Courts	2401	531243		Front office carpeting as per JM Carpet quote			2,476.00	
Clerk of Courts	2401	531243		Front office desks as per Jonas Office quote			3,643.20	
Clerk of Courts	2401	535354		Front office painting as per Ashburn quote			432.25	
Clerk of Courts	2401	594810		Front office cabinets as per SpaceSaver quote			7,121.00	
Clerk of Courts	2401	535354		Back office painting as per Ashburn quote			957.25	
Clerk of Courts	2401	594813		Back office desks based upon two desks quote in front office			25,500.00	
Clerk of Courts	2401	594820		Back office carpeting as per JM Carpet quote			5,342.00	
Clerk of Courts	2401	531243		Re-upholster chairs in courtrooms & lobby as per Lamb Furniture quote			4,884.10	
Clerk of Courts	2401	535450		Replace front of counter as per Wood Design quote			1,980.00	
Clerk of Courts	2401	535450		Slat wall and work counter as per Wood Design quote			2,832.00	55,167.80
Emergency Management	2703	594960		Adjust capital reserve for flood mitigation program			(27,230.00)	
Emergency Management	2703	699992		Remaining flood mitigation funds as per 2012 budget			385,770.00	
Emergency Management	2706	531314		Adjust small items equipment for Hazmat Truck/Trailer			(175.00)	
Emergency Management	2706	699992		Remaining Hazmat Truck/Trailer funds as per 2012 budget			2,540.00	360,905.00
Veterans Services	5301	511240		Additional clerical wages requested due to increasing number of veterans			15,514.00	
Veterans Services	5301	512141		Social security taxes on additional clerical wages requested			1,187.00	16,701.00

Jefferson County  
Final Non-Lapsing Requests  
For the Year Ended December 31, 2011

Department	Bus Unit	Acct #	Sub Acct	Explanation	Non-Spendable Fund Bal	Spendable Fund Balances		Total
						Restricted	Committed	
UW Extension	6801	594950		Donation from Nov 2008 to fund scholarships for annual 4-H fees			(115.00)	
UW Extension	6801	699992		Donation from Nov 2008 to fund scholarships for annual 4-H fees			4,600.00	
UW Extension	6801	511240		Intern wages for County Plan education and communications			1,431.86	
UW Extension	6801	512141		Social security taxes on intern wages			109.54	
UW Extension	6814	531348		Increase Family Impact Seminar budget from remaining educ supplies			871.60	
UW Extension	6809	531313		Remaining fiduciary funds for Parenting First Year Program		1,441.00		
UW Extension	6811	531348		Remaining funds for Agricultural Program			2,297.78	
UW Extension	6813	531348		Remaining funds for UW Extension Programming			6,054.19	
UW Extension	6813	531348		Remaining funds for Master Gardener Program			(4,126.28)	
UW Extension	6814	531348		Remaining funds for Family Impact Seminar			727.92	
UW Extension	6816	531348		Remaining funds for Pesticide Training program			9,613.74	
UW Extension	6817	531348		Remaining funds for Safety Program			1,856.76	
UW Extension	6819	531348		Remaining funds for Tractor Safety Program			1,621.04	26,384.15
Fair Park	6906	699992		Fair expansion donations received during 2011		500.00		500.00
Land Conservation	7008	593701		Signed contracts under the County Cost Share Program			4,271.25	
Land Conservation	7008	593701		Re-establish funding for the County Cost Share Program			25,000.00	29,271.25
Zoning	7109	594850		Solid Waste funds restricted by both grants and contracts		33,643.00		
Zoning	7109	699992		Solid Waste funds as per 2012 budget		180,075.00		213,718.00
<b>General Fund Totals</b>					<b>0.00</b>	<b>1,164,207.12</b>	<b>1,691,943.20</b>	<b>2,856,150.32</b>
Health Department	4635	699992		Public Health Preparedness Program, restricted by source		35,787.00		
Health Department	240	351300		Prepaid asset reserve	17,524.90			
Health Department	240	354900		Working capital reserve		502,905.76		556,217.66
Human Services	5000	531314		Video equipment for St Agnes			14,243.00	
Human Services	5001	531314		Video equipment for Intake			10,000.00	
Human Services	5001	594950		Remaining employee soda sales revenue			15,731.87	
Human Services	5001	594950		Remaining donations for Child Abuse, restricted by source		2,721.89		
Human Services	5001	594950		Remaining donations for Child / Family, restricted by source		2,220.00		
Human Services	5001	594950		Remaining donations for ULFC, restricted by source		682.22		
Human Services	5005	531303		Laptops and docking stations for Children's area			24,000.00	
Human Services	5009	421001		Program revenue received during 2011 but budgeted to be received in 2012			57,420.00	
Human Services	5021	594950		Remaining donations for Safe & Stable Families, restricted by source		3,297.56		
Human Services	5051	531314		Economic Support headset			4,386.00	
Human Services	5195	594950		Vehicle escrow funds, restricted by source		6,456.00		
Human Services	5195	699992		Vehicle escrow funds as per 2012 budget		1,756.00		
Human Services	5200	531304		Vehicle replacements with propane tanks from the Sheriff Department			20,000.00	
Human Services	5200	535242		Repair leaking air conditioner units			20,000.00	
Human Services	5200	535242		Tune-up three boilers (has not been done for three years)			4,000.00	
Human Services	5200	535245		Sidewalk, retaining wall repair, and rail at Lueder Haus			40,000.00	
Human Services	5200	535452		Green initiatives			10,279.00	
Human Services	250	351300		Prepaid asset reserve	152,250.63			389,444.17
Debt Service	8010	699994		Remaining fund balance, restricted by statute		Zero		0.00

Jefferson County  
Final Non-Lapsing Requests  
For the Year Ended December 31, 2011

Department	Bus Unit	Acct #	Sub Acct	Explanation	Non-Spendable Fund Bal	Spendable Fund Balances		Total
						Restricted	Committed	
MIS -- PC Group	8501	521220		Disaster recovery / continuity of operations not completed due to medical leave			32,000.00	
MIS -- PC Group	8501	529299		Temp agency wages while current employee is on medical leave			18,000.00	
MIS -- PC Group	8501	531303		UPS make before break switch and batteries for UPS			1,400.00	
MIS -- PC Group	8501	594818		Continue with backup system upgrades			70,127.36	
MIS -- PC Group	8501	593015		Zero out future equipment reserve for PC Group			(25,645.00)	
MIS -- PC Group	8501	699992		Amount applied against 2012 budget			34,427.00	
MIS -- Power Group	8502	521220		Consultant for implementing Powerha software used for data duplication			10,000.00	
MIS -- Power Group	8502	521296		Upgrade IBM operating system software to V7R1			2,500.00	
MIS -- Power Group	8502	594818		Purchase Powerha software (used for data manipulation)			13,000.00	
MIS -- Power Group	8502	593015		Zero out future equipment reserve for Power Group			(9,382.00)	
MIS -- Power Group	8502	699992		Amount applied against 2012 budget			67,700.00	
MIS -- Power Group	8520	699992		Amount applied against 2012 budget			12,500.00	
<b>Total Governmental Funds</b>					<b>169,775.53</b>	<b>1,720,033.55</b>	<b>2,138,630.43</b>	<b>4,028,439.51</b>
					<b>Proprietary Funds -- Net Assets</b>			
					<b>Capital</b>	<b>Restricted</b>	<b>Non-Restricted</b>	<b>Total</b>
Highway Department	700	361100		Capital net assets	7,670,546.32			
Highway Department	700	361200		Contributed capital -- state salt shed	164,731.00			
Highway Department	700	3625xx		Road equity, multiple municipalities		113,466.08		
Highway Department	700	363100		Maintain inventory balances at 2006 levels			284,897.60	
Highway Department	700	363200		Over-recovered fringe benefits to be applied against 2012			59,682.98	
Highway Department	700	363350		Inventory net assets			1,239,305.75	
Highway Department	700	363400		Prepaid net assets			58,216.32	
Highway Department	53241	699992		Fixed Asset replacement (machinery operations)			1,532,980.16	
Highway Department	53294	699992		Maintain funds for facility studies / design work of Highway facilities			208,151.55	
Highway Department	53311	699992		Maintain CTH Maintenance balance for additons and/or unfinished work			199,012.24	
Highway Department	53312	699992		Design / right-of-way construction work on CTH "C"			80,000.00	
Highway Department	53312	699992		Construction work on CTH "SC"			626,589.90	
Highway Department	53313	699992		Winter maintenance balance for future Winter Maintenance expenses			124,328.10	
Highway Department	53315	699992		Design and right-of-way on CTH "N from CTH "B" to "A"			93,183.81	
<b>Totals</b>					<b>7,835,277.32</b>	<b>113,466.08</b>	<b>4,507,348.41</b>	<b>12,456,091.81</b>

**Ms. Rogers presented Resolution No. 2011-95.**

WHEREAS, the last study of employee classification and compensation for non-represented employees occurred during 2002, and

WHEREAS, the last study of employee classification and compensation for represented employees occurred during 1995, and

WHEREAS, as a result of 2011 Wisconsin Acts 10 and 32, the remaining AFSCME (American Federation of State, County, and Municipal Employees) unions for Jefferson County no longer represent County employees as of January 31, 2012, and

WHEREAS, Jefferson County employee compensation has different matrices for both union and non-represented employees, and

WHEREAS, the Human Resources Director has recommended that the County look at creating a single county-wide employee classification and compensation pay matrix, and

WHEREAS, the Human Resources Committee at its meeting on February 21, 2012, directed the Human Resources Director to prepare an RFP (Request for Proposal) to contract with an outside vendor to create a county-wide employee classification and compensation pay matrix, and

WHEREAS, the Human Resources Director has received from Carlson Dettman, (our current wage classification vendor), an estimate for the cost of such a study of approximately \$70,000, and

WHEREAS, the Finance Committee recommended at its meeting on February 28, 2012, that monies for the study should be assigned within the General Fund,

NOW, THEREFORE, BE IT RESOLVED that the County Board assigns the amount of \$70,000 within the General Fund for the purpose of a future vendor contract for the creation of a county-wide employee classification/compensation study.

*Fiscal Note: Sufficient funds are available within the General Fund Unassigned Fund Balance above three months of working capital to allow for this assignment of funds. This is not considered a budget amendment, so a simple majority of votes is required. This resolution does not approve any vendor contract, but only assigns General Fund balance for a future budgetary transfer to the Human Resources Dept (A/C 41.521220).*

**Ms. Rogers moved that Resolution No. 2011-95 be adopted.** Seconded and carried: Ayes 22, Noes 5 (Rinard, Schroeder, Roou, Jaeckel, Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rogers presented Resolution No. 2011-96.**

WHEREAS, state law makes benefits under Jefferson County's current Personnel Ordinance for employees above WRS (Wisconsin Retirement System) retirement age vested for accrued sick hours, and

WHEREAS, the Personnel Ordinance indicates that employees shall be paid out 65% of their vested sick pay hours upon ending their employment with Jefferson County, and

WHEREAS, Jefferson County assigns funds within the General Fund for vest-

ed employee benefits for all governmental funds as per the Fund Balance Policy, and

WHEREAS, the Veterans Service Office has received notice of the retirement of a long-term employee effective within the first quarter of 2012, and

WHEREAS, based upon the remaining sick pay hours at December 31, 2011, this will result in a payout included social security taxes of \$4,293.50, and

WHEREAS, the Veterans Service Office is a two person office and would not have discretionary funds within the departmental budget to cover the payout, and

WHEREAS, the Finance Director has recommended a transfer at this time rather than waiting for year end 2012 in order to avoid a known departmental deficit, and

WHEREAS, the Finance Committee at its meeting of February 28, 2012, supported the recommendation of the Finance Director,

NOW, THEREFORE, BE IT RESOLVED that the amount of \$4,293.50 be transferred from A/C 100.354200.100 (Vested Sick Pay Reserve) to Veterans Services Sick Wages (A/C 5301.511310) and Social Security (A/C 5301.512141).

*Fiscal Note: At 12/31/11, the retiring employee had 311.25 hours in their sick bank. Because this resolution is amending the 2012 budget, twenty (20) affirmative votes are required for passage.*

**Ms. Rogers moved for the adoption of Resolution No. 2011-96.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rogers presented Resolution No. 2011-97.**

WHEREAS, current governmental accounting standards dictate that vested employee benefits are not recorded as expenditures for governmental funds until either paid out or if a retirement is official as of year-end, and

WHEREAS, current governmental accounting standards do not require that the liability of vested employee benefits appear on the fund financial statements, and

WHEREAS, vested benefits under the current policy creates such a liability, and

WHEREAS, the County has deemed it appropriate within the Fund Balance Policy to assign funds within the General Fund to pay these future liabilities, and

WHEREAS, the assignment of these funds allows Jefferson County to keep the tax levy stable by not having to levy for retirement benefits, and

WHEREAS, the County has approximately \$2.65 million of vested benefits within the governmental funds, and

WHEREAS, currently only the County Board has the ability to transfer funds from any Assigned General Fund account to a department's budget, and

WHEREAS, the Finance Director and Finance Committee both recognize the need to make the process of transferring funds for retirement easier, and

WHEREAS, the Finance Committee discussed this item at their February 28, 2012, meeting, and

WHEREAS, Wisconsin Statute §65.90 allows the Finance Committee to transfer amounts from the Contingency Fund to various departmental budgets,

NOW, THEREFORE, BE IT RESOLVED that the County Board within the 2012 budget shall create a new contingency fund line item in the amount of \$265,000, which is equal to about 10% of the total vested liability, and

BE IT FURTHER RESOLVED that the Finance Committee shall have the authority granted under Wisconsin Statute §65.90 to transfer funds from this new contingency account to the various departments to pay vested benefits related to employee retirements, and

BE IT FURTHER RESOLVED that the County Administrator is directed to draft the 2013 budget including this new contingency fund at approximately the same amount as 2012 along with a related usage of fund balance applied against the 2013 tax levy so that the total effect on the tax levy is zero.

*Fiscal Note: Because the Highway Department follows full accrual accounting, they have already recognized the expense of vested employee benefits and a related liability is recorded. This resolution establishes a simple process to pay these benefits as they come due.*

**Ms. Rogers moved that Resolution No. 2011-97 be adopted.** Seconded and carried: Ayes 26, Noes 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-98.**

WHEREAS, the Jefferson County Highway Committee is authorized to receive bids on bituminous asphalt products needed in 2012, and

WHEREAS, such bids were received and opened on March 6, 2012, with the following results:

<u>Company</u>	<u>Type of Asphalt (emulsion)</u>	<u>Bid Price</u>
Henry G. Meigs, Inc., Portage WI	CRS-2 (Applied)	\$2.5852 per gallon
	CRS-2 (Product)	\$2.4652 per gallon
	HFRS-2 (Applied)	\$2.5852 per gallon
	HFRS-2 (Product)	\$2.4652 per gallon
	HFRS-2P (Applied)	\$2.9852 per gallon
	HFRS-2P (Product)	\$2.8652 per gallon
	CSS-1 (Transport)	\$2.5652 per gallon
	CSS-1 (FOB Ship Pt.)	\$2.5000 per gallon
	CRS-2PD (Applied)	\$1.9752 per gallon
	CRS-2PD (Product)	\$1.8552 per gallon
Flint Hills Resources-Pearson Bros.	CRS-2 (Applied)	\$2.5900 per gallon
	HFRS-2 (Applied)	\$2.5900 per gallon
	HFRS-2P (Applied)	\$2.9900 per gallon
	CSS-1 (FOB Ship Pt.)	\$2.2000 per gallon

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Highway Department is authorized to accept the 2012 seasonal bids from Henry G. Meigs, Incorporated and Flint Hills Resources/Pearson Brothers, Incorporated for asphalt oil products to be used in all seal coat operations.

*Fiscal Note: The funds to come from the Highway Maintenance Account 53311 and the Highway Construction Account 53312.*

**Mr. Buchanan moved that Resolution No. 2011-98 be adopted.** Seconded and carried: Ayes 26, Noes 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-99.**

WHEREAS, the Jefferson County Highway Committee is authorized to receive bids on pre-mixed asphalt products needed for the state Local Road Improvement Program (LRIP), and

WHEREAS, such bids were received and opened on March 6, 2012, with the following results:

<u>Company</u>	<u>Bid Prices</u>
Payne & Dolan, Inc. [Hustisford Plant]	\$41.90 per ton, \$46.35 per ton [Binder, Surface PG64] \$42.25 per ton, \$46.80 per ton [Binder, Surface PG58]
Wolf Paving [Delafield Plant]	\$40.25 per ton, \$41.75 per ton [Binder, Surface PG64] \$41.25 per ton, \$42.75 per ton [Binder, Surface PG58]
B.R. Amon & Sons, Inc. [Cambridge Plant]	\$39.50 per ton, \$42.50 per ton [Binder, Surface PG64] \$40.00 per ton, \$43.50 per ton [Binder, Surface PG58]

NOW, THEREFORE, BE IT RESOLVED the Local Road Improvement Program project for Jefferson County Trunk Highway "SC" (STH 16 – Dodge County) be awarded to Payne & Dolan, Incorporated from Waukesha, Wisconsin, (Hustisford Plant) at the above bid prices.

*Fiscal Note: The Wisconsin Department of Transportation requires asphalt purchase projects through the Local Road Improvement Program (LRIP) be awarded to a paving contractor. Payne & Dolan's Hustisford Plant is the closest plant to the project, and is the lowest price for the project when taking asphalt price and trucking costs into account. The funds for asphalt purchases will come from the Highway Construction Account 53312.*

**Mr. Buchanan moved that Resolution No. 2011-99 be adopted.** Seconded and carried: Ayes 26, Noes 0, Abstain 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-100.**

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 bids on March 6, 2012, with the following results,

<u>Company</u>	<u>Total Bid Amount</u>
Frank Brothers, Inc.	\$175,500.00 (\$1.95/ton)
Linck Aggregates, Inc.	\$206,100.00
A.W. Oakes & Sons, Inc.	\$339,500.00

WHEREAS, the Highway Committee approved the low bid from Frank Brothers, Incorporated of \$175,500.00 at the March 6, 2012, 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 limestone crushing in 2012.

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

**Mr. Buchanan moved that Resolution No. 2011-100 be adopted.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-101.**

WHEREAS, the Jefferson County Highway Committee is authorized to receive bids on pre-mixed asphaltic concrete products needed in 2012, and

WHEREAS, such bids were received and opened on March 6, 2012, with the following results:

<u>Company</u>	<u>Bid Price (per ton)</u>	<u>Location</u>
Wolf Paving	\$41.75, \$40.25 PG64-22	Delafield
	\$42.75, \$41.25 PG58-28	Delafield
Wolf Paving	\$41.75, \$40.25 PG64-22	Sun Prairie
	\$44.75, \$42.50 PG58-28	Sun Prairie
Payne & Dolan, Inc.	\$44.40, \$40.30 PG64-22	Waukesha
	\$44.90, \$40.70 PG58-28	Waukesha
Payne & Dolan, Inc.	\$46.35, \$41.90 PG64-22	Hustisford
	\$46.80, \$42.25 PG58-28	Hustisford
B.R. Amons & Sons, Inc.	\$42.50, \$39.50 PG64-22	Cambridge
	\$43.50, \$40.00 PG58-28	Cambridge

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Highway Department is authorized to purchase pre-mixed asphaltic concrete products at the listed prices from any of the asphalt vendors.

*Fiscal Note: The Highway Department will determine the best price for each project (Asphalt price plus trucking) when selecting a plant location. The department will also consider plant schedule and availability. The funds will come from the Highway Maintenance Account 53311 and the Highway Construction Account 53312.*

**Mr. Buchanan moved that Resolution No. 2011-101 be adopted.** Seconded and carried: Ayes 26, Noes 0, Abstain 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Buchanan read Resolution No. 2011-102.**

WHEREAS, the Jefferson County Highway Committee is authorized to receive bids on full depth pulverizing and milling needed in 2012, and

WHEREAS, such bids were received and opened on March 6, 2012, with the following results:

<u>Company</u>	<u>Full Depth Pulverizing</u>
Payne & Dolan	\$0.2790 per sq. yd.
Tri-County Paving	\$0.2790 per sq. yd.
Pavement Maintenance	\$0.3100 per sq. yd.
The Kraemer Company	\$0.3380 per sq. yd.
WK Construction	\$0.4600 per sq. yd.

<u>Company</u>	<u>Milling</u>
Payne & Dolan	\$1.10 per sq. yd. @ 1 inch depth
	\$1.16 per sq. yd. @ 2 inch depth
	\$1.20 per sq. yd. @ 3 inch depth
	\$1.24 per sq. yd. @ 4 inch depth
Tri-County Paving	\$1.05 per sq. yd. @ 1 inch depth
	\$1.15 per sq. yd. @ 2 inch depth
	\$1.20 per sq. yd. @ 3 inch depth
	\$1.25 per sq. yd. @ 4 inch depth
The Kraemer Company	\$1.09 per sq. yd. @ 1 inch depth
	\$1.15 per sq. yd. @ 2 inch depth
	\$1.19 per sq. yd. @ 3 inch depth
	\$1.23 per sq. yd. @ 4 inch depth
WK Construction	\$2.79 per sq. yd. @ 1 inch depth
	\$2.84 per sq. yd. @ 2 inch depth
	\$2.88 per sq. yd. @ 3 inch depth
	\$2.92 per sq. yd. @ 4 inch depth
Pavement Maintenance	\$1.25 per sq. yd. @ 1 inch depth
	\$1.31 per sq. yd. @ 2 inch depth
	\$1.41 per sq. yd. @ 3 inch depth
	\$1.60 per sq. yd. @ 4 inch depth

NOW, THEREFORE, BE IT RESOLVED that the Highway Department accepts the seasonal bids for 2012 from all vendors. The Highway Department will utilize the lowest priced vendors, unless the vendor cannot meet the project schedule of the department.

*Fiscal Note: The money to come from the Highway Maintenance Account 53311 and the Highway Construction Account 53312.*

**Mr. Buchanan moved that Resolution No. 2011-102 be adopted.** Seconded.

**Mr. Schroeder moved to amend the following paragraph in Resolution No. 2011-102:**

NOW, THEREFORE, BE IT RESOLVED that the Highway Department accepts the seasonal bids for 2012 from all vendors except WK Construction. The Highway Department will utilize the lowest priced vendors, unless the vendor cannot meet the project schedule of the department.

**Mr. Schroeder's motion was seconded and carried:** Ayes 25, Noes 2 (Buchanan, Reese), Absent 2 (Morris, Delany), Vacant 1.

**Amended Resolution No. 2011-102 was adopted:** Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Braugler presented Ordinance No. 2011-30.**

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

Section 1. Section HR0520(A), Grievance Resolution Process, of the Personnel Ordinance shall be amended to read as follows:

**HR0520 GRIEVANCE RESOLUTION PROCESS.**

**A. POLICY.** Jefferson County will endeavor to treat all employees equitably within established County and department policies or procedures and state or federal guidelines affecting the workplace. If an employee does not feel that fair treatment within the established policies, procedures, or state or federal guidelines has been applied to a discipline, termination or workplace safety, the employee has the right to discuss the matter with representatives of Jefferson County and/or to request formal consideration of their grievance under the Grievance Resolution Process. The Grievance Process will be available to all employees except civil service law enforcement personnel.

The Grievance Resolution Process is designed to assist employees in resolving grievances within specific parameters. The Grievance Resolution Process is intended to resolve grievances about application or administration of existing Jefferson County policies in light of the existing policy or past application of the policy. The Grievance Resolution Process is not intended to consider grievances regarding Jefferson County policies or as a mechanism to change an existing policy. Grievances are restricted to discipline, termination of employment or safety. The Grievance Resolution Process is not intended to hear grievances regarding application of issues related to health, disability or other insurances. ~~The Grievance Resolution Process does not in any way limit or modify Jefferson County's "employment at will" policy.~~ No retaliatory action will be taken against any employee for proper and good faith use of the Grievance Resolution Process or participation in processing of a grievance.

Section 2. Section HR0540, Progressive Discipline, of the Personnel Ordinance shall be created to read as follows:

**HR0540 PROGRESSIVE DISCIPLINE**

**A. Purpose:** Whenever, and wherever, people work together, certain standards of reasonable conduct need to be established in order to create a harmonious and friendly environment. Jefferson County expects all employees to maintain a work environment that encourages mutual respect, promotes pleasant working relationships among employees and the public they serve, and is free from all forms of harassment and violence.

Consequently, when an issue in the workplace arises, Jefferson County's goal is to provide a structured corrective action process that is prompt, uniform and impartial, and to correct problems, prevent recurrences and prepare employees for satisfactory service in the future. Therefore, the progressive discipline policy and procedure below will generally be followed, while maintaining the County's right to skip, combine or repeat steps, depending upon the facts of each situation and the nature of the offense(s). Progressive discipline may be issued on employees even when the conduct that leads to more serious

discipline is not the same that resulted in less severe discipline. That is, violations of different rules may be considered the same as repeated violations of the same rule for purposes of progressive action. Examples of violations that may not be subject to progressive discipline are set forth in Section G.

**B. Procedure:** The County will normally adhere to the following progressive disciplinary process:

**Step 1: Counseling:** An employee will be given a verbal caution or counseling when problematic behavior or performance is observed. As the first step in the progressive discipline policy, a verbal counseling is meant to alert the employee that a problem has been identified, which must be addressed. Verbal counseling will be documented and maintained by the supervisor.

**Step 2: Verbal Warning.** A verbal warning creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct or other issue where the employee is not meeting expectations. The supervisor should discuss with the employee the nature of the problem. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem.

**Step 3: Written Warning.** A written warning involves a more formal documentation of performance, conduct or other problematic issue identified. During step 3, the immediate supervisor and a division manager or director will meet with the employee and review any additional incidents or information about the performance, conduct or problematic issues as well as any prior disciplinary or performance improvement plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations, as well as an additional performance improvement plan if appropriate.

**Step 4: Suspension without Pay.** Unpaid suspensions are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. Depending upon the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal and state wage-and-hour employment laws. Nonexempt/hourly employees may not substitute or use any accrued paid time in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspensions for salaried/exempt employees may be reserved for serious workplace safety or conduct issues, unless specified in weekly increments. Human Resources will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

**Step 5: Demotion or Transfer.** Demotions and transfers are

subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. An employee who continues to exhibit poor performance may be demoted or transferred to a vacant position for which the employee is qualified and for which the County believes the employee will be successful in.

**Step 6: Termination of Employment.** The last and most serious step in the progressive discipline procedure is a recommendation by the department head and Human Resources Director to terminate employment. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. The recommendation to terminate employment requires the County Administrator's final approval.

- C. Paid Suspension or Administratively reassignment of duties.** When immediate action is necessary to ensure the safety of the employee or others, or the integrity of an investigation, the most effective action may be the temporary removal of the employee from the workplace. In these situations, the immediate supervisor may temporarily suspend the employee with pay, or reassign duties to another area, pending the outcome of an investigation. The Human Resources Director and County Administrator shall be notified as soon as practical regarding this immediate action and the County Administrator shall approve any continued action to be taken.
- D. Documentation.** Persons administering discipline shall systematically document each incident. The documentation shall include the employee's name, date and type of infraction, names and statements of witnesses, description of action taken and any other relevant details, including a performance improvement plan if applicable. The person implementing the discipline and the employee should sign copies of all documented warnings attesting to their receipt. Original copies of all verbal and written disciplinary actions shall be maintained in the employee's permanent personnel file in the Human Resources Department, and a copy shall be provided to the employee.
- E. County Board.** County Board members or committees will not normally be involved in the disciplinary process, as the role of a Board member or committee is related more to policy decisions than day to day management of the affected department. However, should a Board member or committee have concerns that may lead to disciplinary action for an employee, the Board member or committee shall bring those matters to the attention

of the department head, the Human Resources Director, the County Administrator, or the Human Resources Committee, in that order. Following this process should allow the appropriate party to address the issue.

**F. Performance and Conduct Issues Subject to Progressive Discipline.** The following shall be deemed violations of the Personnel Ordinance and may be the subject of disciplinary action. Unexcused absence from work, excessive absenteeism, abuse of sick leave, reporting for work late or leaving early, failure to perform the work assignment, publicizing confidential matters, unauthorized use of County vehicles or property, making false entries on official records, tampering with records, moral turpitude, Ethics Code violations, or disobedience of County or departmental rules. This list is not all inclusive.

**G. Performance and Conduct Issues Not Subject to steps in the Progressive Discipline process.** The number of steps of progressive discipline will depend on the severity of the offense. Offenses that may lead to immediate discharge include, without limitation by enumeration:

- a. Behavior that is illegal, which may also be reported to local law enforcement
- b. Intentional acts of fraud, embezzlement, theft, or any material violation of law that occurs during, or in the course of the employee's employment
- c. Insubordination, or the refusal to perform the responsibilities of the assigned job
- d. Drug or alcohol use on the job
- e. Fighting, harassment and other acts of violence
- f. Intentional destruction of County property
- g. Careless conduct on the job that results in substantial destruction of property or injury to your self or others

**H. Appeal Process.** Employees may file a grievance in accordance with Personnel Ordinance HR0520 Grievance Resolution Process.

*Again, nothing in this policy provides any contractual rights regarding employee discipline or counseling.*

Section 3. This ordinance shall be effective after passage and publication as provided by law.

**Mr. Braugler moved that Ordinance No. 2011-30 be adopted.** Seconded.

**Mr. Nass moved, and said motion was seconded, to amend Step 6 in Ordinance No. 2011-30 as follows:**

**Step 6: Termination of Employment.** The last and most serious step in the progressive discipline procedure is a recommendation by the department head and Human Resources Director to terminate employment. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine

~~and skip steps depending upon the circumstances of each situation and the nature of the offense.~~ Furthermore, employees may be terminated without prior notice or disciplinary action. The recommendation to terminate employment requires the County Administrator's final approval.

**Mr. Nass withdrew his motion.**

**Ms. Hanneman moved to add the following words to Step 6:**

**Step 6: Termination of Employment.** The last and most serious step in the progressive discipline procedure is a recommendation by the department head and Human Resources Director to terminate employment. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action as set forth in section G below. The recommendation to terminate employment requires the County Administrator's final approval.

**Ms. Hanneman's amendment to Ordinance No. 2011-30 was seconded and carried:** Ayes 25, Noes 2 (Braughler, Mode), Absent 2 (Morris, Delany), Vacant 1.

**Amended Ordinance No. 2011-30 was adopted:** Ayes 25, Noes 2 (Braughler, Rinard), Absent 2 (Morris, Delany), Vacant 1. Ms. Rinard wishes to be recorded as "aye" after voting in error.

**Mr. Braughler presented Ordinance No. 2011-31.**

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

Section 1. Section HR0110, Definitions of Terms, of the Personnel Ordinance shall be amended as follows:

**HR0110 DEFINITIONS OF TERMS.** The words and terms defined in this section shall have the following meanings in this ordinance and in any other ordinance classifying and fixing or adjusting the salaries and compensation or authorizing the employment of personnel in any department or office of Jefferson County.

- A. "Allocation" means assigning a position or a class of positions to a specific pay grade.
- B. "Class" or "class of positions" means a specifically recognized and defined kind of employment in the County service designed to embrace all positions having duties and responsibilities sufficiently similar that the same title may be used, the same qualifications may be required and the same schedule of compensation may be made to apply with equity.
- C. "Classification" means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.

- D. "Classified service" means all positions in the County service except those specifically placed in the unclassified service. (Am. Ord. 85-10, 7-9-85.)
- E. "Compensation" means the salary, wage allowances and all other forms of valuable consideration earned by or paid to any employee by reason of service in any position, but does not include any allowances authorized and incurred as incident to employment, such as mileage reimbursement, registration fees, etc.
- F. "Continuous service" means employment with the County without break or interruption. In computing continuous service for the purpose of this ordinance neither vacation leave, sick leave, including absence for injury for which worker's compensation is paid; military leaves; approved leaves of absence, whether with or without pay, or regular seasonal/annual layoffs shall be construed as a break in employment or service. Unexcused absences totaling 2 consecutive work days, layoffs other than seasonal/annual and terminations or resignation of an employee shall be construed as breaking "continuous service". (Am. Ord. 85-10, 7-9-85, 12-14-04), (Am. Ord. 2007-50, 03/11/2008)
- G. "County service" or "service of the County" means all positions in all departments as herein defined that are subject to control and regulation by the board of supervisors of Jefferson County.
- H. "Employee" means a person legally occupying a position in the County service. This includes temporary, seasonal and occasional employees but not elected officials (except as may be required by context) or independent contractors.
- I. "Exempt service" means all positions not subject to the Fair Labor Standards Act. Such positions may or may not be specifically designated by the Board of Supervisors to be exempt from the classification plan. (Am. Ord. 85-7, 6-11-85, 12-14-04.)
- J. "Full-time employee" means an employee in a ~~permanent~~ position whose normal assigned schedule of hours totals 1900 hours per year or more, or, on a monthly basis, totals 158.33 hours per month or more.
- K. "Independent contractor" is a person or business who performs services for the County under an express or implied agreement and who is not subject to the County's control, or right to control, the manner and means of performing the services. Independent contractors are not employees and are not eligible for County benefits and are not subject to the classification plan.
- L. "Limited term employee" means an employee hired on a temporary or emergency basis, not to exceed one year, whose total number of hours worked per year shall not exceed 600 as calculated by WRS. Limited term employees shall not be eligible for fringe benefits. Limited term employees shall be

paid at the minimum step of the salary range for the appropriate position, unless otherwise authorized by the County Administrator.

- M. "Occasional part-time employee" means an employee hired on an irregular basis, ~~whose total number of hours worked per year shall not exceed 600 calculated by WRS.~~ Occasional part-time employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified and will be paid at the minimum step of the salary range for the appropriate position and may progress through the step-system based on aggregate hours worked and acceptable performance.
- ~~N.S.~~ N.S. "Regular Part-time employee" means an employee in an allocated permanent position whose normal assigned schedule of hours totals less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month.
- ~~O.N.~~ "Position" means a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time services of one person.
- ~~P.O.~~ "Probationary Period" means a six (6) calendar month trial period. Employees making a job change will also serve a six (6) calendar month trial period. During said period, employees shall be subject to dismissal without just cause or recourse to the grievance procedure. Employees making a job change do not typically need to serve an additional six (6) month waiting period for benefits unless the employee is changing from/to a non-benefited to benefited position. The County Administrator, Corporation Counsel, and department heads appointed by the County Administrator and confirmed by the Board shall not serve a probationary period. (Am. Ord. 2005-08, 6/21/05)
- ~~Q.P.~~ "Project employee" means employment which is supported by a grant, ~~and is not a permanent position.~~ Project employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified. (cr. Ord. 84-16, 12-11-84.)
- ~~R.O.~~ "Reallocation" means reassigning a position or class of positions to a different pay grade.
- ~~S.R.~~ "Reclassification" means a change in classification of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same pay grade on the basis of substantial changes in the kind, difficulty or responsibility of duties performed in such position.
- T. "Title", "class title", or "title of class" means the designation given to or name applied to a class or to each position assigned to the class and to the legally appointed incumbent of each position assigned to the class. Its meaning is set forth in the corresponding class specification.
- U. "Unclassified service" means all positions of elected officials and those positions specifically designated by the Board of Supervisors as not subject to the classification plan. Where not contrary to law or other sections of this ordinance, posi-

tions in the unclassified service shall be subject to this ordinance. (cr. Ord. 85-7, 6-11-85.)

Section 2. Section HR0120, Differences for Sworn, Non-represented, Law Enforcement Employees, of the Personnel Ordinance shall be amended as follows:

**HR0120 DIFFERENCES FOR SWORN, NON-REPRESENTED, LAW ENFORCEMENT EMPLOYEES.**

- A. All sworn, non-represented law enforcement employees will be subject to the policies in the Personnel Ordinance, except as it relates to employee contribution to WRS, health insurance premium contributions in the State Health plan, and accruals for vacation, sick, holiday, shift differentials and hazardous pay, ~~in to~~ which ~~case~~ the current LAW contract language shall apply. In addition, longevity pay and sick leave payout shall be converted into a Health Insurance benefit for retirees and shall be paid by the County to the Administrator of the Health Insurance Benefit Trust, with longevity being paid on the first business day after December 1st of each year and the sick leave payout being paid on the first pay period following the employees retirement date. Sergeants shall be granted compensatory time and receive uniform allowance as set forth in the current LAW union contract. (Am. Ord. 2006-35, 2/14/06; Am. Ord 2008-24, 11/10/2008, Am. Ord. 2008-33, 01/13/09)
- B. Notwithstanding any other provision of this ordinance, effective January 2, 2011, patrol sergeants shall be scheduled for 10.5 hour shifts in a 7 days on, 7 days off pattern. 6.5 hours of accrued vacation and holiday time will be used to supplement hours worked in a 14-day work cycle. Unless extended, this provision expires December 31, ~~2011~~2012. (Ord. 2010-22; 12-14-2010)

Section 3. Section HR0145, Human Resources Committee Authority, of the Personnel Ordinance shall be amended as follows, and remaining sections renumbered B-D, accordingly:

**HR0145 HUMAN RESOURCES COMMITTEE AUTHORITY.** In addition to other powers granted herein to the Human Resources Committee, the Committee may:

- A. Approve Memorandum of Understandings or interpretations of labor contract or personnel ordinance provisions necessary to resolve grievances, as recommended by the County Administrator, unless the grievance is for discipline, termination or workplace safety, which procedure will follow the Grievance Resolution Process in HR0520.
- ~~B. Authorize use of accumulated time off for exempt employees before such time is otherwise available.~~

Section 4. Section HR0150(B), Rights of County, of the Personnel Ordinance shall be amended as follows:

**HR0150 RIGHTS OF COUNTY.**

- ~~B. The County retains the right to hire, promote, and transfer, layoff, and terminate employees. and to make promotions to supervisory positions in the manner most advantageous to the County.~~

Section 5. Section HR0210(C), Amendment and Maintenance of the Classification Plan, of the Personnel Ordinance shall be amended as follows:

**HR0210 AMENDMENT AND MAINTENANCE OF THE CLASSIFICATION PLAN.**

- C. No change in the status of a current employee, or employment of a new employee ~~(other than on an emergency help basis) on a permanent basis,~~ may be effected until the classification plan change has been approved by the Board of Supervisors. No change in the pay plan shall be made until the classification plan revision requiring a pay plan change has been approved by the Board.

Section 6. Section HR0220, Application Procedure, of the Personnel Ordinance shall be amended as follows:

**HR0220 APPLICATION PROCEDURE.** To insure compliance with the provisions outlined in HR0270 the following procedure shall be followed in making appointments to the classified service:

- A. Department heads wishing to fill budget-authorized positions shall request approval from the County Administrator or designee. A report of the positions approved will be provided to the Human Resources Committee. Department heads wishing to fill positions that are not authorized in the budget shall request approval from the County Administrator or designee, subject to review by the Human Resources Committee and final approval of the County Board. (Am. Ord. 2007-46, 02-18-08)
- B. If the filling of the position is approved, the Human Resources Department shall prepare and advertise the job description, salary, and required qualifications for the position. For generalized positions applications will be accepted annually, or as needed. In addition to advertising, the Human Resources Department shall post any vacancies within county service in several conspicuous places. Qualified county employees may notify the Human Resources Department of the desire to be included as an applicant for the position. The Human Resources Director, in concurrence with the department head, may elect to first post a position internally prior to advertising to the outside. (Am. Ord. 2007-15, 07-10-07), (Am. Ord. 2007-46, 02-18-08)
- C. The Human Resources Department will review all applications, and select all applicants meeting minimum qualifications. The applications will be forwarded to the department head to select approximately five candidates to interview based on additional skills and/or knowledge applicable to the position. The department head will interview and select an employee. The EEO officer or designee will randomly par-

ticipate in interviews as needed, or as requested. Reference checking will be completed on the ~~selected~~ recommended candidate and reviewed by Human Resources. Approval by the County Administrator or Human Resources ~~Manager~~ Director is needed prior to an offer of employment or job change. ~~unless the appointment is dictated by union contract language.~~ (Am. Ord. 2007-15, 07-10-07)

- D. The County Administrator shall appoint the Corporation Counsel and department heads pursuant to Section 59.18(2)(b), Stats., subject to confirmation by the Board. (Am. Ord. 2005-08, 6/21/05)
- E. In cases where a fully qualified person could not be found, the County Administrator or the Human Resources ~~Manager~~ Director and department head shall report to the Human Resources Committee the steps taken in attempting to locate such a qualified person, together with a statement that they wish to readvertise, or, in the alternative, that selection has been made from the applicants having less than appropriate qualifications. Human Resources Committee approval is required to select a person who has less than the appropriate qualifications.
- F. However, to meet the needs of the County in emergency situations, any department head, with the approval of the County Administrator or Human Resources ~~Manager~~ Director, may make immediate appointment of applicants on a temporary basis and delay official submission of the application as set forth in the preceding paragraphs for a period not to exceed 10 working days from the date of appointment. In such cases, the application must be accompanied by a statement showing cause for the use of this emergency procedure. Such emergency appointments shall then be reviewed and processed in accordance with the provisions of this section.
- G. The procedure set forth in this section shall also apply in the case of the promotion of any County employee.

Section 7. Section HR0240(D), Establishing Positions, Section HR0270(B), Qualifications of Employees, and Section HR0510(C), Employee Discipline, of the Personnel Ordinance shall be amended to reflect a change in job title from Human Resources Manager to Human Resources Director.

Section 8. Section HR0250, Exempt Service, of the Personnel Ordinance shall be amended as follows:

**HR0250 EXEMPT SERVICE.** The following positions shall be in the exempt service:

- A. All elected officers and department heads.
- B. In addition to elected officers and department heads:
  - 1. Courthouse: Assistant Corporation Counsel, District Attorney Office Manager, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, ~~County Accounting Manager~~, Advanced Fund Accountant, Park Operations Supervisor, Family Court

- Commissioner, Family Court Commissioner/Guardian Ad Litem, Benefits Administrator, Human Resources Specialist, Senior Systems Analyst, Management Analyst. (Am. Ord. 2006-17, 10/10/06; 2007-19, 09/11/07; 2008-07, 04/15/08)  
(Am. Ord. 2007-19, 09-11-07) (Am. Ord. 2008-35, 02/10/09) (Am. Ord. 2009-12, 08/11/09)
2. Highway Department: Superintendents, Assistant Superintendent, Accounting Manager, Highway Operations Manager, Highway Fleet Manager (Am. Ord. 85-10, 7-9-85; Am. Ord. 2008-24, 11-10-2008)
  3. Human Services: ADRC Coordinator, Advanced Accountant, Aging and Disability Resources Division Manager, Administrative Services Manager, Behavioral Health Division Manager, Child and Family Resources Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, Intake and Juvenile Delinquency Supervisor, Early Intervention Program Supervisor, Mental Health/AODA Supervisor, W-2 Economic Support Supervisor, ~~Personal Assistance Supervisors~~, Economic Support Specialist Supervisor, Office Manager, Maintenance Supervisor, Wraparound and Youth Services Supervisor. (Am. Ord. 2007-19, 09-11-07; 2008-07, 04/15/08; Am. Ord. 2008-24, 11-10-2008) (Am. Ord. 2008-35, 02/10/09)
  4. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. (Am. Ord. 2006-17, 10-10/06) (Am. Ord. 2008-35, 02/10/09)
  5. Health Department: Public Health Program Manager. (Am. Ord. 2006-17, 10-10/06) (Am. Ord. 2008-35, 02/10/09) (Am. Ord. 2009-12, 08/11/09) (Am. Ord. 2010-25, 02/08/11)

Section 9. Section HR0260, Notice of Termination, of the Personnel Ordinance shall be amended as follows:

**HR0260 NOTICE OF TERMINATION.**

- A. An employee voluntarily terminating employment shall give at least 2 weeks written notice to the department head and the County Administrator, stating the last date of employment. (Am. Ord. 2005-52, 3/14/06.)
- B. In accordance with HR0510 (D), an employee may be terminated at any time upon written notice ~~from the department head or County Administrator~~ stating the last date of employment. The County Administrator shall approve any termination. (Am. Ord. 84-16, 12/11/84; Ord. 2006-35, 2/14/06)
- C. The County Administrator or designee shall be authorized to lay off employees.
- D. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's

last date physically worked. (Am. Ord. 2005-30, 11/8/05)

Section 10. Section HR0265, Part-Time Employment, of the Personnel Ordinance shall be amended as follows:

**HR0265 PART-TIME EMPLOYMENT**

- A. As defined in HR0110-~~(S)~~, a normal assigned schedule of hours totaling less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month shall be considered part-time employment and the actual compensation therefore shall be determined by the relation that the actual number of hours of service bears to 2080 hours. All part-time positions ~~except limited term, employment~~ shall be classified and paid within the pay range assigned to the classification, except limited term, seasonal and occasional employment as approved by the County Administrator or Human Resources Director.
- B. At the time an employee is hired, the candidate's employment record shall disclose the anticipated FTE (full-time equivalent) status of the position whether the position is full-time, more than half-time, less than half-time, or less than 600 hours annually. Benefits for each status are as follows:
- Full-time (1900 hours annually) – all benefits and accruals illustrated within the Personnel Ordinance
  - More than half-time (1040 – 1899 hours annually) - health, dental, life and other insurances on the same basis as full-time employees. Accrued fringe benefits (vacation, sick, random and holiday) on a pro rata basis. However, if the employee has never worked for a Wisconsin Public employer that participates in WRS, the employee must initially be expected to work one year and 1200 hours to receive the benefits in this category. If the employee does not meet these two criteria, benefits shall be available as described in one of the two categories below.
  - Less than half-time (600 – 1039 hours annually) – random hours in accordance with HR0360 (A)(2) and all insurance benefits on the same basis as full-time employees, except NOT eligible for dental insurance or any other accrued fringe benefits. Employees working less than 1040 hours annually may be eligible for the State Health insurance, but the level of employer premium contribution is 25% of the lowest qualified plan, and the employee is responsible for the balance of the monthly premium. (Am. Ord. 2008-30, 12-09-2008) (Am. Ord. 2009-17, 10-27-2009)
  - Less than 600 hours annually- not entitled to any insurance or other fringe benefits, except that an employee may become eligible for Wisconsin Retirement, State Health insurance and State life insurance if the employee later meets the requirements for the Wisconsin Retirement System, State Health Insurance, and State Life insurance. (Am. Ord. 84-16, 12-11-84; Am. Ord.

2008-30, 12-09-2008)

- C. In the event a county employee changes from a half-time or more position to a less-than-half-time position, the employee will be treated as a terminated employee for accrued benefit purposes. Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming a less-than-half-time position will be paid out at the current rate of pay. Sick leave accrued shall be placed in escrow and paid out at time of termination providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to accepting a non-benefited position. Should the employee return to a half-time or more position from the less-than-half-time position, sick pay held in escrow will be placed in the employee's sick bank and made available for use, the employee's vacation accrual rate will be credited with the length of time the employee previously held a more-than-half-time position, and the vacation hours the employee receives in January will be prorated based on only hours worked the previous year in the more-than-half time position, exclusive of overtime. (Am. Ord. 2007-02, 04-17-07.)

Section 11. Section HR0310, Applicable Pay Rates for New Employees, of the Personnel Ordinance shall be amended as follows:

**HR0310 APPLICABLE PAY RATES FOR NEW EMPLOYEES.** Whenever it is appropriate and possible, new employees ~~in the non-represented classifications~~ shall be hired at the minimum step of the pay range. If, because of remarkably higher levels of education, experience, or difficult market conditions (as may be evidenced by difficulty in recruiting), the candidate will require a salary beyond the minimum, the County Administrator or Human Resources Director may authorize an advanced starting salary and additional benefits, (such as immediate health insurance or additional vacation). A report to the Human Resources Committee will be given summarizing the exceptions. Consideration must be given to the current compensation of other employees in the same classification, if applicable, to maintain internal pay equity. It is not in the County's best interests to promote a practice of hiring employees higher in the range and then adjusting current incumbents' pay thereafter. Department heads are not authorized to make compensation or benefit offers to potential candidates that exceed the entry-level step. (Res. 2001-117, 3/12/02), (Am. Ord. 2007-19, 09-11-07)

Section 12. Section HR0320, Applicable Pay Rates Following Demotion or Transfer, of the Personnel Ordinance shall be amended as follows:

**HR0320 APPLICABLE PAY RATES FOLLOWING DEMOTION OR TRANSFER.** In the case of the demotion of any employee in the County service to a class with a lower maximum salary such employee shall be assigned to a pay step in the lower range which is:

- A. If a disciplinary demotion or transfer, any designated step in the lower salary range which is at least one step less than the dollar amount received in the pay range for the class from which demoted. The pay of an employee may be reduced to a lower step within the established range upon recommendation of the department head and the Human Resources Director, and approval of the County Administrator ~~and approval by the Human Resources Committee~~ where the quality and manner of work performance do not justify the pay being received. Pay reductions of this nature shall not be made without notice ~~and hearing pursuant to Section HR0510. A new anniversary date shall be established as of the effective date of demotion.~~
- B. An employee who is demoted or transferred for involuntary reasons not related to performance will retain the present salary if the salary exceeds the new range maximum for 90 days. Thereafter, the employee will be placed in the step in the new grade that provides the least amount of decrease, which includes a step that may be equal to the current rate of pay. If the present salary is below the new range maximum, the employee will be placed in the new range at the step that provides the least amount of decrease. ~~closest to, but not less than, the current salary.~~ As long as an employee's salary exceeds the new range maximum, the employee will not be eligible for further base-accumulating pay increases until the employee's salary is again within the salary range for the new position. ~~The previous anniversary date shall be retained.~~
- C. An employee who takes a voluntary demotion will be placed in the step in the new range that provides the least amount of decrease, which includes a step that may be equal to the current rate of pay, if the present salary is above the new range maximum. If the present salary is below the new range maximum, the employee will be placed in the new range at the step that provides the least amount of decrease. ~~closest to, but not less than, the current salary. The previous anniversary date shall be retained.~~
- D. In the case of the transfer of an employee from one position to another in the same class or in a different class to which the same pay range is applicable, the employee shall remain at the same pay step, ~~and shall retain the original anniversary date.~~
- E. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows: Where the employee was at the maximum step and is now eligible for step increases following the demotion, a new anniversary date, effective the date of the demotion, shall be established for purposes of future step increases.

Section 13. Section HR0325, Applicable Pay Rates Following Promotion or

Assignment to an Interim Position, of the Personnel Ordinance shall be amended as follows:

**HR0325 APPLICABLE PAY RATES FOLLOWING PROMOTION OR ASSIGNMENT TO AN INTERIM POSITION.**

- A. In case of the promotion of any employee in the County service to a non-supervisory position in a class with a higher maximum salary, ~~or in the case of an assignment to an interim position,~~ such employee shall ~~be entitled to~~ receive the rate of compensation in the entrance step of the class to which the employee has been promoted ~~or designated by interim assignment.~~
- B. In the case of the promotion or assignment to an interim supervisory or management position, such employee shall receive the rate of compensation in the entrance step of the class to which the employee has been promoted or designated by interim assignment, or into the next higher step that provides a minimum of a 5% increase. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position.
- ~~B.C.~~ In cases where the pay range overlaps, a promotion or interim assignment shall be affected at the next higher step in the range of the new class above the rate being paid in the lower class. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the promotion, a new anniversary date shall be established for purposes of future step increases.
- ~~C.D.~~ An "interim" title is used if an employee is assigned for a longer period of time, usually exceeding 30 calendar days but less than one year. If assigned to an interim position by the County Administrator, the assignment will not require confirmation by the Board as it is a temporary placement. An "acting" title is used if the position is being temporarily filled for a short period of time, usually 30 calendar days or less, and the employee will not ~~receive be entitled to~~ additional compensation. (Am. Ord. 2005-15, 8/09/05) (Am. Ord. 2008-35, 02/10/09)

Section 14. Section HR0330, Applicable Pay Rates Upon Reclassification of Position, of the Personnel Ordinance shall be amended as follows:

**HR0330 APPLICABLE PAY RATES UPON RECLASSIFICATION OF POSITION.**

- A. Employees whose positions are reclassified to a non-supervisory position in a higher pay grade shall ~~be entitled to~~ receive the rate of compensation in the entrance step of the class to which the employee has been reclassified ~~promoted~~.

In cases where the pay range overlaps, a reclassification ~~promotion~~ shall be effected at the next higher step in the range of the new class above the rate being paid in the lower class. ~~The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the reclassification, a new anniversary date shall be established for purposes of future step increases. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position. (Am. Ord. 2005-15, 8/09/05)~~

- B. In the case of the reclassification to an interim supervisory or management position, such employee shall receive the rate of compensation in the entrance step of the class to which the employee has been reclassified, or into the next higher step that provides a minimum of a 5% increase. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position.
- ~~C.~~ B. If a position is reclassified to a class in a lower salary range, and the salary of the employee exceeds the maximum of the new range, the employee will retain the employee's present salary if the salary exceeds the new range maximum for 90 days. Thereafter, the employee will be placed in the step in the new grade that provides the least amount of decrease. As long as an employee's salary exceeds the new range maximum, the employee will not be eligible for further base-accumulating pay increases until the employee's salary is again within the salary range for the new position. If the present salary is below the new range maximum, the employee will be placed in the new range at the step that provides the least amount of decrease, which includes a step that may be equal to the current rate of pay closest to, but not less than, the current salary. The previous anniversary date shall be maintained.
- D. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the reclassification, a new anniversary date shall be established effective the date of the reclassification for purposes of future step increases. (Am. Ord. 2005-15, 8/09/05)
- ~~C.~~ E. When the reclassified position is vacant or the incumbent employee has not performed satisfactorily in the position or does not possess the required licensure, certification, or registration, the position will be filled under County selection processes.

Section 15. Section HR0335(C), Applicable Pay Rates Following Salary Range Increases and Decreases, of the Personnel Ordinance shall be amended as follows:

**HR0335 APPLICABLE PAY RATES FOLLOWING SALARY RANGE INCREASES AND DECREASES.**

- C. In the event that a pay range change becomes effective on the date an employee is promoted or reclassified to a higher class, the employee shall first receive any effective corresponding step adjustment to which the employee is entitled in the lower class and then the next higher step promotional adjustment as provided in pay rates following a promotion or reclassification.

Section 16. Section HR0340, Application of Pay Plan to Positions, of the Personnel Ordinance shall be amended as follows:

**HR0340 APPLICATION OF PAY PLAN TO POSITIONS.** The salary schedule for the respective classes of positions with such amendments as may be adopted by the Board of Supervisors from time to time by ordinance shall have the force and effect and shall be interpreted and applied as follows:

- A. The salaries or rates of compensation prescribed are fixed on the basis of full-time service in full-time positions unless otherwise designated.
- B. The rates of pay prescribed shall be deemed to include pay in every form, except for necessary expenses authorized and incurred incident to employment, except, ~~the employees of the Sheriff's, Parks, Fairgrounds, and Highway departments shall receive such~~ for allotment for uniforms and/or other clothing allowance, as well as ~~the Highway and Parks department~~ for personal use of a County vehicle, as may be prescribed by the Board of Supervisors.
- C. Normally, and as a general rule, upon progress and productivity, ~~regular~~ full-time employees may be considered eligible for increase in salary according to the current step-system plan. The minimum step shall be paid upon initial employment, accept as provided in HR0310. Employees shall advance to the next step upon satisfactory completion of 12 months and 1900 hours of service, until the employee reaches the maximum step.
- D. Normally, and as a general rule, upon progress and productivity, ~~regular~~ part-time employees may be considered eligible for increase in salary according to the current step-system plan. The minimum step shall be paid upon initial employment, accept as provided in HR0310. Employees shall advance to the next step upon satisfactory completion of 12 months and 2080 hours of service, until the employee reaches the maximum step.
- E. No advance in the step system and corresponding pay increases shall be automatic upon completion of the periods of service and all step increases shall be made on the basis of merit as established by the employee's work performance and after written recommendation of the department head and approval by the Human Resources ~~Manager~~ Director. Employees shall be evaluated at least annually. Employees

~~shall sign a copy of the evaluation form. A copy of said evaluation form shall be provided to the employee. Approximately 30 days before an employee becomes eligible for a step increase, the Human Resources Department shall notify the department head. The department head shall submit an evaluation form to the Human Resources Department no later than the employee's anniversary date. Such evaluation form shall be signed by the employee, with a copy given to the employee. Step pay increases shall be earned. No pay increase shall be granted until the department head notifies the Human Resources Department that the employee has satisfactorily completed service by indicating such on the performance evaluation. Appropriate reasons to deny step pay increases may be inferior work, poor work attitude, lack of initiative, and abnormal absence from work, but these reasons are not exclusive. Whenever an employee requests in writing the reasons for not receiving a pay increase or contingency rate for which the employee is eligible, the Human Resources ~~Manager~~ Director shall advise the employee of the reasons.~~

- F. Step increases shall normally become effective on the first day of the pay period following the employee's calendar anniversary date. An employee's calendar anniversary date may be affected by a job change or by the corresponding days in excess of an unpaid leave of absence greater than 30 calendar days or 173.33 hours in a year, or job change.
- G. If an applicant does not have the required license or certification or equivalent employment experience required of the class specification, the County Administrator and Human Resources Director ~~Human Resources Committee~~ may employ such person at an appropriate step below the assigned range for the classification until such person obtains the license, certification or employment experience required, but in no event longer than one year. A report shall be provided to the Human Resources Committee indicating the details of the exception.
- ~~H. Employees shall be evaluated at least annually. Employees shall sign a copy of the evaluation form. A copy of said evaluation form shall be supplied to the employee.~~

Section 17. Section HR0345, Deductions for Maintenance, of the Personnel Ordinance shall be amended as follows:

**HR0345 DEDUCTIONS FOR MAINTENANCE.**

- A. Officers or employees furnished complete or partial maintenance as a condition of employment and solely for the convenience of the County shall be designated by resolution of the Board of Supervisors and furnished such maintenance as shall be specified therein for which no deductions shall be made.
- B. Personal use of County vehicles is not permitted unless

mutually beneficial, as determined by the department's committee. Each committee authorizing such use shall review the determination every January and notify the Finance Department County Clerks Office for tax purposes.

- C. Employees who are furnished a County vehicle shall report personal use of said vehicle monthly to the Finance Department County Clerk on the form prescribed therefore. ~~General rules for personal use of County vehicles shall be promulgated by the Human Resources Committee. (Res. 2002-44)~~

Section 18. Section HR0360, Hours of Work, Overtime, and Compensatory Time, of the Personnel Ordinance shall be amended to remove any reference to a "regular" workweek for exempt employees in HR0360 (A), and as follows in Section HR0360(B)(6), (7), and (8):

**HR0360 HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME.**

**B. Non-exempt Employees**

6. On-Call Duty: An employee shall be on-call when given a cell phone or pager and being told they are on-call. An employee who is on-call will receive an additional one hundred twenty five dollars (\$125.00) for a week (7 consecutive days) or fifteen dollars (\$15.00) for after hours Monday – Friday and twenty-five dollars (\$25.00) for Saturday or Sunday or a designated holiday. As an alternative, if mutually agreeable, an employee who is on-call may elect 5 hours of compensatory time for a week (7 consecutive days), or .6 hours Monday – Friday and one (1) hour for Saturday or Sunday or a designated holiday. (Am. Ord. 2011-21, 12/13/2011)
7. Call-out: Any employee called into work at a time other than his/her scheduled hours of work, except where such hours are consecutively prior to or subsequent to the employee's scheduled hours of work, shall receive a minimum of two (2) hours pay at the regular rate of pay, unless otherwise required by law or ordinance, including HR0360 B.2.a above. (Am. Ord. 2011-21, 12/13/2011)
8. Shift Differentials and Premium Pay:
- a. Communications Operators working the second shift shall receive ten cents (\$.10) per hour in addition to their regular rate of pay; employees working the third shift shall receive twenty (\$.20) cents per hour in addition to their regular rate of pay; employees working a swing shift shall receive twenty-five (\$.25) cents per hour in addition to their regular rate of pay. Dispatchers working in a Field Training Officer (FTO) capacity for four (4) hours or more will receive a thirty-five (\$.35) cents per hour shift differential for those hours. (Am. Ord. 2011-21, 12/13/2011)
- b. Public Health. Full-time Public Health Technicians working in the jail receive seventy-five cents (\$.75) per

hour in addition to their regular rate of pay. Public Health Nurses or WIC Project Director assigned to work as Clinical Instructors for nursing students shall receive a one-dollar (\$1.00) per hour premium, for all hours spent by the employee with the student nurse. (Am. Ord. 2011-21, 12/13/2011)

- c. Highway Workers working in any one shift in a higher paid position for four hours or more shall receive the higher rate of pay while working in such position. Whenever employees are assigned to work as 'temporary lead', such employees shall, for the duration of the assignment, receive an additional five percent (5%) of the employee's regular rate, with the final rate not to exceed the rate in step H24D. All work assignments will be approved by a department supervisor prior to receiving the additional compensation. (Am. Ord. 2011-21, 12/13/2011)
- d. Highway workers assigned to work on roads where the speed limit is 65 MPH shall receive hazardous duty pay equal to five percent (5%) of their regular rate of pay for actual hours worked. (Am. Ord. 2011-21, 12/13/2011)

Section 19. Section HR0365, Inclement Weather, of the Personnel Ordinance shall be amended as follows:

**HR0365 INCLEMENT WEATHER.** ~~Employees unable to attend work due to severe weather may elect to take such time without pay, or use random, vacation, or compensatory time off. Inclement weather may make it dangerous for employees to come to work or it may require employees to leave work before the end of a scheduled shift. Such time off may be charged to unused vacation, random or accrued compensatory time or the employee may request that the time off be without pay, or the time may be made up within the same work week at a time mutually agreeable to the employee and the supervisor/department head. When inclement weather or some other emergent condition requires the County Administrator or designee, in concurrence with the County Board Chair, First Chair or Second Chair, to close a building or temporarily cease providing non-essential public service, the resulting work time lost may be covered as above or the time may be made up within the same work week at a time mutually agreeable to the employee and the supervisor/department head. The employee may be allowed to work from home if beneficial to the County and pre-authorized by the department head. The department head shall inform the Human Resources Director of the temporary arrangement for FLSA compliance purposes.~~

Section 20. Section HR0370, Jury and Court Duty, of the Personnel Ordinance shall be amended as follows:

**HR0370 JURY AND COURT DUTY**

- A. Employees required to serve on a jury shall be entitled to the

employee's regular pay upon surrender of the juror's fee to the ~~Finance Department County Clerk~~. No pay shall be allowed when such service falls on an employee's day off.

- B. Employees subpoenaed to appear on a matter relating to employment with Jefferson County shall be entitled to the employee's regular pay upon surrender of the witness fee to the ~~Finance Department County Clerk~~. No pay shall be allowed when such day falls on an employee's day off. Employees subpoenaed on matters not related to employment with Jefferson County shall use vacation or compensatory time off at the employee's discretion, and shall keep any witness fee received.

Section 21. Section HR0375, Pay Plan, Pay Dates, and Pay Records, of the Personnel Ordinance shall be amended as follows:

**HR0375 PAY PLAN, PAY DATES AND PAY RECORDS**

- A. Job titles and job descriptions adopted by Resolution 1995-24, July 11, 1995, and modified by Resolution 2001-117, 3/12/02, and subsequently amended, are hereby made a part of this ordinance.
- B. The most recent pay plan adopted by the Board of Supervisors is incorporated herein by reference as part of this ordinance, and shall be available in the Human Resources Department.
- C. All classifications, excluding unclassified or contract employees, shall be assigned to a salary range. ~~The Human Resources Committee shall annually determine and list those positions which are unclassified.~~ (Am. Ord. 85-19, 7-9-85.)
- D. ~~Pay Dates.~~ Pay periods are fourteen (14) days commencing on a Sunday and ending on a Saturday, with payday being the second Thursday following the end of each pay period. If a payday falls on a County, State or Bank holiday, The County shall pay on the day prior to the normal payday.
- E. ~~Pay Method.~~ The County will pay by electronic direct deposit to the account designated by the employee, subject to such rules as established by the Finance Committee. Employees will be charged \$25.00 if the ~~Finance Department Clerk's office~~ must reissue a payment due to the employee's failure to notify the ~~Finance Department County Clerk's office~~ of changes to the account designated for deposit. Employees with a county email address will receive an email check remittance notice. Other employees may receive a check remittance notice by email, if requested, or a paper copy. (Res. 2003-125; Finance Committee 8/12/2004; Am. Ord. 2006-30, 3/13/06).
- F. Each employee will be provided an original W-2 annually. There will be a charge of \$10.00 for each additional W-2 form requested. (Am. Ord. 2006-30, 3/13/06).

Section 22. Section HR0420, County Employee to Elected Official, of the Personnel Ordinance shall be amended as follows:

**HR0420 COUNTY EMPLOYEE TO ELECTED OFFICIAL.** In the event a county employee should be appointed or elected to a county elected office, the employee will be treated as a terminated employee for accrued benefit purposes. County benefits such as health, dental, and life insurance shall continue as if the person was a classified, active employee. Elected Officials shall contribute 100% of the Wisconsin Retirement System employee contribution, as established annually by the Department of Employee Trust Fund for each applicable employment category. Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming an elected official will be paid out at the current rate of pay. Sick leave accrued shall be placed in escrow and paid out at time of termination providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to becoming an elected official. (Personnel Committee 1/31/97).

Section 23. Section HR0428(I), Employee Assistance Program (EAP), of the Personnel Ordinance shall be amended as follows:

**HR0428 EMPLOYEE ASSISTANCE PROGRAM (EAP).**

- I. EAP records are the property of the contracted agency NEAS, Inc. and will be confidentially preserved in the same manner as medical records. Personal information gathered after supervisory referrals will not be revealed to management or to the supervisor without consent of the employee, and will not be part of the employee's health records.

Section 24. Section HR0430(F), (J) and (K), Family Medical Leave Act and Military Family Leave Act, of the Personnel Ordinance shall be amended as follows:

**HR0430 FAMILY MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE ACT**

**F. Employee Benefits During Leave**

An employee may continue medical and dental benefits under the same conditions and at the same cost, if any, as if the employee had continued to work. If the employee chooses not to return to work for reasons other than a continued serious health condition, Jefferson County will require the employee to reimburse the County the amount charged to the employee's department for the employee's health insurance during the leave.

Employees whose FMLA leave runs concurrently with the exhaustion of paid leave time will continue to have premiums payroll deducted, if applicable. Benefit premiums, if any, due during unpaid FMLA leave time will be billed to the employee. Employees choosing not to retain medical and or dental coverage during FMLA leave will have benefits reinstated on the same terms as prior to taking the leave without any qualifying period.

Holiday and vacation will accrue as if the employee was

actually working for all hours under FMLA, paid and unpaid. Sick accruals, however, will accrue in accordance with other unpaid leaves and will not accrue on unpaid FMLA hours.

Employees taking unpaid FMLA will be responsible for all benefit premiums that are payroll deducted including, but not limited to, health and dental insurance premium contributions, 125B and life insurance deductions.

**J. Return to Work**

Where an absence is caused by the employee's serious health condition, the employee is required to present a certification of fitness to return to work to the Human Resources Department. No employee may return to work without such a certification. The fitness to return to work certification must be signed by a physician or health care provider as defined by applicable law. Employees are expected to return to work when released by the employee's health care provider (or when the family member is released). Failure to return to work after the employee's release or family member's release will be considered cause for disciplinary action in accordance with Jefferson County Discipline Policy and labor union contracts.

If the employee returns to work within the time frame allowed for the requested type of leave, the employee will be returned to the same or a substantially similar position, unless notified that the employee is a "key" employee. A substantially similar position is defined as a job of similar job duties, job classification, work hours, and salary as that which the employee held at the time the leave began. An employee, however, has no greater right to reinstatement or to other conditions of employment than if the employee had been continuously employed during the FMLA leave period.

If the employee is not released to return to work within the approved qualified time, the employee may request a personal leave of absence in accordance with applicable contracts and policies. While on a personal leave of absence, employees must exhaust all of their accrued time (vacation, sick, holiday, ~~random, compensatory time~~) prior to taking time off without pay, or according to ~~current~~ HR0450. Leave of Absence without Pay-policy. Once the employee is on unpaid leave for the 30-day grace period, Jefferson County will no longer pay the employer share of benefits, and some benefits may be cancelled altogether. After the 30-day grace period the employee will be sent COBRA notification which allows them to purchase health insurance at the current active rate. The 30-day grace period runs concurrently with FMLA; therefore, employees requesting a personal leave may have benefits affected immediately upon expiration of FMLA.

**K. Enforcement:**

An employee may file a complaint with the U.S. Department

of Labor or may bring a private lawsuit against an employer; 1-866-487-9243; TTY 1-877-889-5627 or [www.wagehour.dol.gov](http://www.wagehour.dol.gov) or the State of Wisconsin, Department of Workforce Development, Equal Rights Division, ~~Civil Rights Bureau~~; 1-608-266-6860 (Madison); 1-414-227-74384 (Milwaukee) or ~~[www.dwd.state.wi.us](http://www.dwd.state.wi.us)~~ [www.dwd.wisconsin.gov](http://www.dwd.wisconsin.gov).

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Section 25. Section HR0450, Leave of Absence Without Pay, of the Personnel Ordinance shall be amended as follows:

**HR0450 LEAVE OF ABSENCE WITHOUT PAY.**

A. Unless otherwise required by law, and as described below, unpaid leave shall only be granted after all applicable accrued time has been used, including applicable holidays, vacation, sick, random and compensatory time.

~~B. A. Department heads may grant leave of absence to an employee for a period not to exceed 4 calendar months. Department heads may grant voluntary Unpaid time leaves may be granted in increments of 4 or 8-hours (or 5 or 10-hours if working four 10-hour days) which and shall be limited to five (5) days or 40 hours in a calendar year, which shall not be considered leave under HR0450(C). Additional unpaid leave may be granted in smaller increments only after all applicable accrued time has been used, unless otherwise provided under State or Federal Regulations. Approval of any voluntary unpaid leave of absence shall be at the sole discretion of the department head subject to the provisions of this policy. Department heads shall ensure that an approved voluntary unpaid leave of absence will not result in overtime work for the employee upon return from leave or overtime work for remaining staff during leave. When considering departmental staffing requirements, department heads shall give preference to employee vacation requests before considering employee requests for voluntary unpaid leave of absence. If a holiday occurs during a voluntary leave without pay, the employee will receive holiday pay if eligible. Once the employee has requested the time off and it has been approved by the Department Head, the leave cannot be rescinded by the employee unless required by law. The department head may rescind the approved time off if necessitated by business need. Once the leave has been taken, there can be no rescission or retroactive substitution of accrued time. Department heads shall file the appropriate form with the Human Resources Department indicating the beginning date and ending date of such leave. The Human Resources Committee may grant a leave of absence of up to 1 year to an employee. Such 1 year leave may be extended by the Human Resources Committee in its sole discretion.~~

Only the first 30 days taken during the anniversary year of the employee shall be allowed without affecting the employee's anniversary date when used in computing the length of time between salary step increases and in computing other fringe benefits. The employee's position may or may not be protected during a leave, unless otherwise required by law. (Am. Ord. 2007-15, 07-10-07; Am. Ord. 2009-08, 06-09-09; Am Ord. 2010-25, 02-08-11)

- C. Department heads may grant leave of absence to an employee for a period not to exceed 4 calendar months, inclusive of State and Federal FMLA.
- D. The Human Resources Committee may grant a leave of absence of up to 1 year to an employee, inclusive of any approved time authorized by the department head and State and Federal FMLA. Such 1-year leave may be extended by the Human Resources Committee in its sole discretion.
- E. Only the first 30 calendar days, or 173.33 intermittent hours, of unpaid leave taken during the calendar year shall be allowed without affecting the employee's anniversary date when used in computing the length of time between salary step increases and in computing other fringe benefits. These 30 calendar days or 173.33 intermittent hours run concurrently with State and Federal FMLA.
- F. The employee's position may or may not be protected during a leave, unless otherwise required by law. (Am. Ord. 2007-15, 07-10-07; Am. Ord. 2009-08, 06-09-09; Am Ord. 2010-25, 02-08-11)
- ~~G.~~ Salaries for exempt employees electing unpaid leave, or placed on a furlough, shall be reduced in accordance with provision of 29CFR541.710, Employees of Public Agencies.
- ~~H.~~ In the event an employee is on leave of absence covered by State or Federal Family Medical Leave Act and was eligible for group health and/or dental insurance, or flexible spending accounts at the commencement of such leave of absence, the employee shall be entitled to continue coverage and will continue to be responsible for making the specified premium contribution, if any.
- ~~I.~~ In the event an employee is on leave of absence not covered by State or Federal Family Medical Leave Act and was eligible for group health insurance at the commencement of such leave of absence the employee shall be entitled to ~~continuation of coverage for 36 months and~~ COBRA coverage ~~for 36 months~~ according to Federal COBRA regulations. Wisconsin Public Employer's Group Health Insurance Plan. The employee is also eligible to continue group dental insurance and flexible spending coverage under federal COBRA regulations. (Am. Ord. 2008-35, 02/10/09)
- ~~J.~~ An employee on any leave of absence shall be entitled to continue all other group benefits at the employee's expense during the leave of absence, as permitted per the relevant insurance policy.

~~K. F.~~ An employee on leave of absence shall give the employee's department head a minimum of 1-week notice of the expected return date so necessary adjustments to the work force can be made.

~~L. G.~~ Any employee who gives false information to obtain a leave shall be subject to disciplinary proceedings.

Section 26. Section HR0461, Military Leave Procedure, of the Personnel Ordinance shall be amended as follows.

## **HR0461 MILITARY LEAVE PROCEDURE**

### **A. Requests**

1. Service in the uniformed services means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority, as defined in 20 CFR Part 1002.5. If at all possible, the employee should present an application or letter indicating the change to active military status, including the expected length of time the employee will be gone.

2. An employee of the uniformed services, or an appropriate officer of said employee, shall provide notice to the Human Resources Department that the employee intends to leave the employment position to perform service in the uniformed services, in accordance with 20 CFR, Part 1002.85. Whenever possible, notice should be given 30 days before the start of the anticipated leave. The County Human Resources Department should be notified as soon as possible, whether it is a copy of the letter from the employee, or a letter from the supervisor confirming the above information.

3. Although notice may be given in either verbal or written format, to best coordinate the leave, it is preferred that the employee present an application or letter indicating the change to active military status, including the expected length of time the employee will be gone.

### **B. Seniority and Benefits**

1. Seniority will continue to accrue while on military leave. Seniority, for purposes of this section, is consistent with USERRA, meaning longevity in employment together with any benefits of employment that accrue with, or are determined by, longevity in employment.

2. Continuation of Health insurance will be offered under the group plan for 36 months in accordance with the Wisconsin Public Employer's Group Health Insurance Plan, which also covers requirements under USERRA. The employee will be required to pay the "active" employee contribution for the first 18 months. For the next 18 months the employee will be required to pay 100% of the premium, which is due by the 20th of the month prior to the month of coverage. If the employee does not return to work within 36 months, the employee will be offered an additional 18 ~~36~~ months of continua-

~~tion of coverage as required under Federal COBRA regulations coverage as required under the Wisconsin Public Employer's Group Health Insurance Plan.~~ The employee will be required to pay 100 ~~102~~% of the full premium for COBRA coverage. [Amended Ordinance No. 2004-35, 03/08/05; Ordinance 2008-33, 01/13/2009].

3. Continuation of Dental insurance will be offered under the group plan for 24 months in accordance with COBRA and USERRA requirements. The COBRA and USERRA coverage will run concurrently. For COBRA or USERRA coverage, the employee will be required to pay the "active" employee contribution for the first 18 months. For the next 6 months under USERRA, and thereafter, if additional COBRA coverage is offered, the employee will be required to pay 102% of the full premium. [Am. Ord. 2008-33, 01/13/2009].

4. WRS

- a. If an employee is covered by a collective bargaining agreement under which the County will pay the total WRS employee-required contributions, the employee will receive contributions and service credit for the time he or she was on a military leave of absence.
- b. If an employee is not covered by a collective bargaining agreement under which the County will pay the WRS employee-required contributions, when the employee returns to employment, the employee will have the choice whether to make up all, some or none of the total WRS employee-required contributions dating to the employee's military leave of absence. The employee-required contributions for repayment are to be made beginning with the date of reemployment, and ending on the earlier of: (1) three times the period of military service, or; (2) five years.
- c. The employer is required to make employer-required contributions to match the contributions made by the employee.
- d. In order to ensure that an employee receives his or her rights under USERRA, the employee should provide Human Resources with the following information upon return from Military leave: 1) How much, if any, of the employee-contributions the employee intends to make up and 2) a copy of the employee's DD-214, or if the employee did not receive a DD-214 based on the length of service, a copy of his or her military orders.
- e. With respect to service credit, an employee will generally receive WRS service credit for up to five years of eligible military service whether the employee chooses to make up all, some or none of the employee-required make-up contributions. There are Federal

and State exceptions to the years of WRS service credit.

- ~~4.5.~~ Life insurance will continue under the group plan for a minimum of 30 days of unpaid leave. Once the insurance would normally end with the group plan, the employee may continue by paying premiums to Jefferson County until the employee returns to work. The County will continue to pay the employer's required portion of the premium for the first 18 months, after which, the employee will be required to pay the additional required contribution. [Amended Ordinance 2008-33, 01/13/2009]
- ~~5.6.~~ Vacation accrual rate will continue as if employee was not on military leave. Beginning in 2004, employees will receive the total vacation ~~they the employee~~ would have earned as if any time on Military leave during the previous year was actual time worked. Any donated time counts toward this total time.
- ~~6.7.~~ Sick or Holiday pay is not based on seniority and will, therefore, be handled in the same manner as any other leave of absence. Thereby, sick will not accrue while on Military leave, and Holiday pay will be distributed as if ~~they the employee was were~~ actively working. In addition, if an employee does not return to work after discharge, the employee will be responsible for returning any overpayment of holiday pay ~~they may have~~ received.
8. Contingency and Longevity. Military leave will count as hours worked for longevity and contingency purposes, providing the employee is eligible for the benefit as determined in HR0620 and HR0655.

**C. Wages**

1. Military Leave is unpaid. An employee has the choice to use vacation, holiday, random or compensatory time, but can not be forced to do so. However, any carryovers into the next calendar year will be limited in accordance with applicable ordinances.
2. Employees on Military leave will continue to receive any 'across-the board' wage adjustment approved by County Board. the annual increase at the beginning of the year.
3. Employees shall receive any step increase they reasonably would have been afforded if they had been actively working. Step increases, however, are not seniority based and will not continue while on leave.
4. Upon return from Military Leave, eEmployees shall be promoted to positions that they reasonably would have been promoted to if they had been actively working and based on seniority. must also be given any promotions their seniority would have brought.

**D. Return from Military Leave**

1. If employee is gone 1 – 30 days, the employee should report to work the next scheduled workday. Usually 8 hours is given to rest before returning to work.

2. If employee is gone 31 – 180 days, the employee has 14 days to reapply and return to work.
3. If employee is gone 181+ days, the employee has 90 days to reapply and return to work.
4. It is not reasonable to assume an employee will necessarily pass a probationary period, as defined in a union contract, without sufficient time to observe the employee's work. Therefore, if an employee is in a probationary period when military leave begins, called to active duty, the remainder of the probationary time must be completed upon return.
5. An employee returning from military leave shall be reemployed in a position according to USERRA regulations. This may include being promoted, reclassified, demoted, transferred, placed on layoff or terminated if circumstances changed as to make reemployment impossible or unreasonable. The employer must protect the position, status and pay of an employee for up to 5 years. If the leave is 90 days or less, the employee must be returned to the same job the employee would have had if the employee had continued work. If the leave is more than 90 days, the same job, or a different job with same pay, status and seniority must be made available.
6. If military leave lasts more than 30 days, Federal law gives employees certain job protection for 6 – 12 months after return.

Section 27. Section HR0465(C), Nepotism, of the Personnel Ordinance shall be amended as follows:

**HR0465 NEPOTISM.**

- C. If a supervisory relationship of an immediate family member, as defined above, is established after employment, and if, at the employer's discretion, a transfer/change of position is not available, one of the employees will be separated from County service. Every attempt will be made to effect transfer or separation on the basis of agreement between the involved employees and the County. If an agreement is unattainable, the Human Resource Director Committee will decide the employee to be transferred or separated, with final approval by the County Administrator. This policy does not affect the occasional supervisory relationship of an immediate family member that may occur due to overlapping shifts, overtime shifts, or any other sporadic or irregular situation that may occur to ensure necessary staffing coverage. (Human Resources Committee, 11/25/03) (Am. Ord 2010-25, 02-08-11).

Section 28. Section HR0475, Sexual Harassment and Harassment Policy, of the Personnel Ordinance shall be retitled HR0435, Harassment Policy, and amended as follows:

**~~HR0475~~ HR0435 SEXUAL HARASSMENT AND HARASSMENT**

## **POLICY, INCLUDING SEXUAL HARASSMENT.**

It is the belief of Jefferson County that all employees should be able to enjoy a work environment free from all forms of discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an employee's race, color, creed, ancestry, national origin, age (40 and over), disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work is expressly prohibited under this policy. Therefore, the policy and procedure of Jefferson County shall be as follows:

- A. Jefferson County will not tolerate harassment of employees, or of employees performing services for Jefferson County, by anyone, including any supervisor, co-worker, vendor, client, or customer of Jefferson County or any third party employee.
- B. In general, harassment means persistent and unwelcome conduct or actions on any of the factors above.
  1. Sexual harassment is one type of harassment and includes ~~is identified as~~ unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal, visual or physical conduct of a sexual nature. Unwelcome verbal, physical or visual conduct of a sexual nature includes, but is not limited to the repeated making of unsolicited, inappropriate gestures or comments or the display of offensive sexually graphic materials, when one of the following occurs:
    - ~~1~~a. Submission to such conduct is made explicitly or implicitly a condition of an employee's continued employment;
    - ~~2~~b. Submission to or rejection of such conduct is the basis for employment decisions affecting the employee, such as promotions or job transfers;
    - ~~3~~c. Such conduct has the purpose or effect of unreasonably interfering with a reasonable individual's work performance or of creating an intimidating, hostile or offensive working environment.
  3. Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered, including sexual harassment. Men can be harassed by either women or other men; women can be harassed by either men or other women; offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors.
  4. Some examples of verbal harassment include

jokes, insults and innuendoes (based on race, sex, age, disability, etc.), degrading remarks, referring to someone as a stud, hunk or babe; whistling; cat calls; comments on a person's body or sex life. Some examples of non-verbal harassment include gestures, staring, touching, hugging, patting, blocking a person's movement, brushing against a person's body, display of sexually suggestive or degrading pictures or emails, racist or other derogatory cartoons or drawings.

~~B.C~~ Any employee who believes he or she has ~~to have~~ experienced or witnessed ~~sexual~~ harassment should report the alleged act immediately, preferably within 48 hours, to any one of the following individuals:

1. Human Resources ~~Manager~~ Director
2. Immediate Supervisor
3. Department Head

~~C.D~~ An investigation of all complaints will be undertaken immediately. All information disclosed in the complaint and the investigation procedure will be held in the strictest confidence and only disclosed when necessary to investigate and resolve the matter. ~~Anyone who has been found by Jefferson County, after appropriate investigation, to have sexually harassed an employee will be subject to appropriate disciplinary action which may include, depending on the circumstances, a written warning, suspension or discharge.~~

~~D.E~~ The County forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation. If an employee feels retaliated against, the employee should notify the Human Resources ~~Manager~~ Director, the department head or the supervisor, and an investigation will also be undertaken immediately.

~~E.F~~ A false allegation of ~~sexual~~ harassment of any kind is a violation of this policy and is itself subject to disciplinary action. To constitute such a violation, however, the complaint would ordinarily need to be false as to a specific allegation of fact. That an investigating party or committee should, while agreeing on factual matters alleged, nevertheless differ in judgment or interpretation of the incident and conclude that it did not constitute ~~sexual~~ harassment, would not make the complaint a violation apart from evidence of conscious and willful intent to distort or exaggerate the allegation and damage the accused party. ~~We trust that all employees of Jefferson County will continue to act responsibly to establish a pleasant working environment free of discrimination.~~

G. The County trusts that all employees will continue to act responsibly to establish a pleasant working environment free of discrimination and harassment. The County views harassment, retaliation and false allegations to be serious miscon-

duct in the work place. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.

Section 29. Section HR0480, Smoking Policy, of the Personnel Ordinance shall be amended as follows:

**HR0480 SMOKING POLICY.** "Smoking" as the term is used in this Ordinance means burning or holding, or inhaling or exhaling smoke from a lighted cigar, cigarette, pipe or any other lighted smoking item or equipment.

A. No person may smoke indoors at any time in any county-owned, rented or leased building, including the Fair Park grandstand, park shelters or bathrooms, maintenance buildings or in the Dog Park.

B. No person may smoke within thirty (30) feet of a public entrance to any county-owned, rented or leased building, or outside a designated smoking area if such property has notice posted of this regulation and designated smoking areas. At the Fair Park, the 30 feet requirement shall only apply to the front door of the Activity Center.

~~B.C.~~ No person may smoke at any time inside of any county-owned, rented or leased vehicle.

~~C.D.~~ Department heads in all county-owned, rented, or leased buildings shall enforce a "No Smoking" policy consistent with Sec. 101.123, Stats. and this ordinance. (The Wisconsin Clean Indoor Air Act).

~~D.E.~~ In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply.

~~E.F.~~ Exemption from Smoking Prohibition: The following activities, facilities and vehicles are exempt from the prohibition of this ordinance:

1. With the consent of the Sheriff, and under supervision of a County detective, individuals under interrogation are permitted to smoke in designated interrogation rooms within the Sheriff's Department.

~~2. Fair Park grandstand.~~

~~3-2.~~ Vehicles owned, rented or leased for use by the Jefferson County Sheriff's Department.

3. In the presence of a bailiff, jurors may smoke in the area immediately adjacent to courthouse entrance 13.

~~F.G.~~ In addition to or in lieu of enforcement of this ordinance by forfeiture, violations of this section by County employees and officers may be punished by appropriate discipline as a violation of a reasonable work rule as determined by the employee's supervisor and/or the County Administrator. (Ord. 2003-06, 9/9/03).

Section 30. Section HR0510(F), Employee Discipline, of the Personnel Ordinance shall be amended as follows:

**HR0510 EMPLOYEE DISCIPLINE.**

- F. An employee disciplined, including suspended, demoted or dismissed, may appeal such action per HR0520, Grievance Resolution Process, ~~by requesting a hearing before the Human Resources Committee within 5 business days of notice of the action sought to be appealed. If the employee requests a hearing before the Committee, the department head or County Administrator shall file charges with the Committee upon which such action was based. The Human Resources Committee shall set a hearing within a reasonable time and provide notice thereof to the employee. The employee may be represented, present evidence, cross-examine anyone presenting evidence, and shall be entitled to a written decision based on the evidence adduced. The Committee may affirm, modify or reverse the decision to suspend, demote or discharge.~~ (Am. Ord. 85-7, 6-11-85.)

Section 31. This ordinance shall be effective after passage and publication as provided by law.

**Mr. Braugler moved that Ordinance No. 2011-31 be adopted.** Seconded.

**Mr. Burow moved that the first paragraph of HR0435, Ordinance No. 2011-31, be amended as follows:**

It is the belief of Jefferson County that all employees should be able to enjoy a work environment free from all forms of discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an employee's race, color, creed, ancestry, national origin, age (~~40 and over~~), disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work is expressly prohibited under this policy. Therefore, the policy and procedure of Jefferson County shall be as follows:

**Mr. Burow's amendment was seconded and carried:** Ayes 14, Noes 13 (David, Tietz, Buchanan, Kuhlman, Zastrow, Reese, Rogers, Hanneman, Poulson, Jaeckel, Borland, Schultz, Babcock), Absent 2 (Morris, Delany), Vacant 1.

**Ms. Rouu moved that HR0435 G, Ordinance No. 2011-31, be amended as follows:**

G. The County trusts that all employees will continue to act responsibly to establish a pleasant working environment free of discrimination and harassment. The County views harassment, sexual harassment, retaliation and false allegations to be serious misconduct in the work place. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.

**Ms. Rouu's amendment to Ordinance No. 2011-31 was seconded and carried:** Ayes 25, Noes 1 (Peterson), Abstain 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Amended Ordinance No. 2011-31 was adopted:** Ayes 25, Noes 1 (Schroeder), Abstain 1 (Zentner), Absent 2 (Morris, Delany), Vacant 1.

Board recessed at 9:04 p.m.; resumed at 9:10 p.m.

**Mr. Braugler presented Resolution No. 2011-103.**

WHEREAS, pursuant to Wis. Stat. § 59.22(1), the Board must establish the total annual compensation for services to be paid to county elected officials (other than supervisors and circuit judges) prior to April 15, 2012, the earliest time for filing nomination papers for the county elective office, and

WHEREAS, the Board desires to establish the total annual compensation for county elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer's term at the discretion of the Board and in accordance with state and federal law, and

WHEREAS, as part of the County's fringe benefit program, county elected officials may participate in the Wisconsin Retirement System in accordance with state law, and

WHEREAS, as part of the County's fringe benefit program, county elected officials may elect to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2, and

WHEREAS, the Human Resources Committee has reviewed salaries for elected officials in comparable counties, as well as compensation practices among non-represented, non-law enforcement managerial positions,

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Supervisors that the total annual compensation for county elected officers under Wis. Stat. § 59.22(1) shall be as follows, effective on the first day of a term of office that begins after the date of this resolution:

<b>Elective Official</b>	<b>2012 Rate</b>	<b>2013 Rate</b>	<b>2014 Rate</b>	<b>2015 Rate</b>	<b>2016 Rate</b>
<b>County Clerk</b>	\$68,887.52	\$69,929.60	\$70,969.60	\$72,030.40	\$73,112.00
<b>Register of Deeds</b>	\$54,753.92	\$60,777.60	\$61,380.80	\$62,004.80	\$62,628.80
<b>Treasurer</b>	\$59,192.64	\$62,150.40	\$62,774.40	\$63,398.40	\$64,022.40

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only its share of contributions required by law, and

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the County's health, dental and life insurance programs subject to the terms and conditions of the programs, which may be modified from time to time, under the same terms and conditions for such programs offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2.

*Fiscal Note:*

*The fiscal impact from 2012 to 2013 is: County Clerk, \$1042.08; Register of Deeds, \$6,023.68; Treasurer, \$2,957.76.*

*The fiscal impact from 2013 to 2014 is: County Clerk, \$1040.00; Register of Deeds, \$603.20; Treasurer, \$624.00.*

*The fiscal impact from 2014 to 2015 is: County Clerk, \$1060.80; Register of Deeds, \$624.00; Treasurer, \$624.00.*

*The fiscal impact from 2015 to 2016 is: County Clerk, \$1081.60; Register of Deeds, \$624.00; Treasurer, \$624.00.*

*The total cumulative fiscal impact for the four-year term, from 2012 to 2016, is: County Clerk, \$10,491.52; Register of Deeds, \$27,776.32; Treasurer, \$15,575.04.*

*Federal Income Continuation Tax (FICA), Wisconsin Retirement employer contribution, health and other eligible fringes will be as stated in this resolution and will be part of the budget process for each budget year.*

**Mr. Braugler moved for the adoption of Resolution No. 2011-103.**  
Seconded.

**Mr. Burow moved to divide the question.** Seconded and failed: Ayes 3, Noes 24 (Jones, Imrie, David, Tietz, Braugler, Buchanan, Kuhlman, Rinard, Zastrow, Reese, Morse, Rogers, Nass, Hanneman, Schroeder, Roou, Peterson, Poulson, Jaeckel, Christensen, Borland, Schultz, Babcock, Mode), Absent 2 (Morris, Delany), Vacant 1.

**Resolution No. 2011-103 was adopted:** Ayes 24, Noes 3 (Burow, Schroeder, Zentner), Absent 2 (Morris, Delany), Vacant 1.

**Mr. Braugler read Resolution No. 2011-104.**

WHEREAS, the Clerk of Courts office has experienced 100% turnover of part-time staff hired within the last five years, with 80% going to a full-time position and 20% resigning, and

WHEREAS, staff turnover in these positions routinely occurred in one month to two years in the part-time position, and

WHEREAS, the cost of turnover (including separation/status change costs such as time spent in exit interviews; vacancy costs such as additional overtime; replacement costs such as advertising and testing; training costs such as learning a job-specific software; and performance differential costs such as increased errors during the learning curve) exceeds the wage and benefit savings recognized by use of a part-time position, and

WHEREAS, the Clerk of Courts office recently had another part-time Deputy Court Clerk II-General employee elect to transfer to a vacant full-time Deputy Court Clerk II-General position, and

WHEREAS, the Clerk of Court has requested the creation of one (1) full-time, Deputy Court Clerk II-General, position and elimination of one (1) vacant part-time Deputy Court Clerk II-General position and one (1) unfunded, part-time Deputy Court Clerk II-General position, and

WHEREAS, after due consideration, the Human Resources Committee recommends the changes proposed by the Clerk of Courts.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget setting forth position allocations in the Clerk of Courts Office be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: No additional funds are required in 2012, as savings from two full-time vacancies and the elimination of a funded part-time position will result in an anticipated savings in 2012 of \$4777. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Braugher moved for the adoption of Resolution No. 2011-104.**  
Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Braugher read Resolution No. 2011-105.**

WHEREAS, the current Highway Custodian position does not require the employee to have a Commercial Drivers License (CDL), and

WHEREAS, the employee who previous held the Custodian position happened to have a CDL and, over time was assigned general highway maintenance work and snowplowing tasks as needed, and

WHEREAS, scheduling flexibility will be maintained if the Custodian position is assigned Highway Worker duties and the Custodian tasks are distributed to other Highway Workers, and

WHEREAS, the Highway Commissioner has requested the creation of one full-time Highway Worker position and the elimination of one full-time Custodian position, currently vacant, and

WHEREAS, after due consideration, the Human Resources Committee recommends the changes proposed by the Highway Commissioner.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget setting forth position allocations in the Highway Department be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: The proposed Highway Worker position and the Custodian position are in the same pay grade. Therefore, as money is budgeted in 2012 for the Custodian position proposed to be eliminated, no additional funds are required. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Braugher moved for the adoption of Resolution No. 2011-105.**  
Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Braugher read Resolution No. 2011-106.**

WHEREAS, the need for more direct inmate care reduces the time available for the current Jail Registered Nurse's required administrative duties, and

WHEREAS, both the current full-time Jail LPN and the Jail RN have had to work significant overtime hours to cover the needed direct inmate care, and

WHEREAS, the addition of a part-time Jail LPN would provide the needed direct inmate care, thereby allowing the RN to focus on updating and developing diagnostic procedures to assist the deputies in determining treatment plans to follow, as well as providing more time for evaluation and oversight required of the RN, and

WHEREAS, the Sheriff, Chief Deputy, Health Director/Officer and the Law Enforcement Committee request the creation of one part-time, Jail Public Health Technician, and

WHEREAS, after due consideration, the Human Resources Committee rec-

ommends the changes proposed by above.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget setting forth position allocations in the Health Department and budgetary allocations in the Sheriff's Office be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: Assuming a hire date of May 1, 2012, the cost for 2012 is approximately \$26,014, with an annualized cost of \$41,186. Due to an anticipated reduction in overtime for both the current LPN and RN positions, as well as monies available from the Jail Assessment Fund, no additional funds are required in 2012. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Braughler moved that Resolution No. 2011-106 be adopted.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Braughler read Resolution No. 2011-107.**

WHEREAS, an unprecedented number of veterans are applying for disability claims, non-service-connected pensions, education benefits and other programs due to the wars in Iraq and Afghanistan, the aging populations of WWII and Korea veterans and legislative changes concerning Agent-Orange related health issues, and

WHEREAS, it has become necessary to have a staff member, other than the County Veterans Service Officer (CVSO), be accredited and trained to assist with this workload and be capable of preparing claims under the supervision of the CVSO, and

WHEREAS, many of the administrative duties previously assigned to the Veterans Service Benefits Specialist position, currently vacant, have been eliminated or made more efficient with changes in technology, and

WHEREAS, the CVSO has requested the creation of one full-time Deputy Veteran Services Officer position, and

WHEREAS, after due consideration, the Human Resources Committee recommends the changes proposed by the CVSO.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget setting forth position allocations in the Veterans Service Office be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: Due to the overlapping of pay ranges between the proposed new Deputy Veterans Service Officer position and the Veterans Services Benefits Specialist, which currently is, and will remain, vacant, no additional funds are required in 2012. As a budget amendment, 20 affirmative votes are required for passage.*

**Mr. Braughler moved that Resolution No. 2011-107 be adopted.** Seconded and carried: Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Mode read Resolution No. 2011-108.**

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Jefferson County, and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect, and

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe and nurturing childhood, and

WHEREAS, Jefferson County has many dedicated individuals and organizations who work daily to counter the problem of child maltreatment and to help parents obtain the assistance they need, and

WHEREAS, our communities are stronger when all citizens become aware of child maltreatment prevention and become involved in supporting parents to raise their children in a safe and nurturing environment, and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community, and

WHEREAS, the Human Services Board, at its February 14, 2012, meeting, unanimously approved a motion recommending the County Board of Supervisors adopt this resolution,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby proclaims the month of April 2012 to be Child Abuse and Neglect Prevention Month.

*Fiscal Note: Adoption of this resolution will not have any fiscal impact to the County, other than the expenditure of staff time. Promotion materials will be funded by outside private donations.*

**Mr. Mode moved for the adoption of Resolution No. 2011-108.** Seconded and carried.

**Mr. Babcock read Resolution No. 2011-109.**

WHEREAS, since the 1980's the Jefferson County Sheriff's Office has used propane to fuel its squad cars, and

WHEREAS, the current net cost per gallon of propane is 81 cents, and

WHEREAS, the new incoming squad vehicles are Chevrolet Tahoes as Ford Crown Victorias are no longer available, and

WHEREAS, new propane conversion equipment is required for the Tahoes, and

WHEREAS, there are two vendors who sell this equipment, but one does not have the EPA certification for its conversion product, and

WHEREAS, the remaining vendor, Acme Alternate Fuel Systems, Inc., has been the long term supplier for the Jefferson County Sheriff, and

WHEREAS, the cost of six conversion kits for the Tahoes is \$30,384.75, and

WHEREAS, Section 6(f) of the Purchase Ordinance requires bids for contracts in excess of \$25,000, but in this instance, it is impractical to bid the contract as Acme is virtually a sole source vendor,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Sheriff's Office is authorized to purchase six propane conversion kits for the new Tahoe

squads at a contracted amount of \$30,384.75.

*Fiscal Note: There are adequate funds in the 2012 budget to pay for this equipment. Use of propane rather than gasoline generates a savings of between \$100,000 and \$200,000 per year on fuel, based on the cost of gasoline.*

**Mr. Babcock moved for the adoption of Resolution No. 2011-109.** Ayes 27, Noes 0, Absent 2 (Morris, Delany), Vacant 1.

**Mr. Babcock read Resolution No. 2011-110.**

WHEREAS, the use of analog transmissions in old voice communication technology takes up more bandwidth than newer digital technologies, and

WHEREAS, increasing congestion in public safety radio frequencies from carrying larger loads of information including data and video led the Federal Communications Commission in 2004 to order “narrowbanding” for local government communication services by not later than December 31, 2012, and

WHEREAS, narrowbanding allows for higher efficiency and doubling or quadrupling the amount of useable channels for voice, data and video transmissions, and

WHEREAS, the Sheriff’s Office has solicited proposals to upgrade the communication system to meet the new narrowband standard by the end of this year, and

WHEREAS, this system also serves local fire departments, EMS, and all local police departments in addition to the Sheriff’s Office, and

WHEREAS, two proposals were received: General Communications at \$496,370.63 and Communications Services at \$843,888, and

WHEREAS, review of the General Communications proposal indicates the desirability of replacing some additional obsolete parts in the county system for a grand total of \$527,432.57, and

WHEREAS, the Law Enforcement Committee recommends contracting with General Communications, the long time radio supplier for the Sheriff’s Office, in the amount of \$527,432.57 for the required radio system upgrade,

NOW, THEREFORE, BE IT RESOLVED that the Sheriff is authorized to contract with General Communications in the amount of \$527,432.57 for the upgraded equipment as set forth in the March 7, 2012, equipment list, together with a performance and payment bond.

*Fiscal Note: Earlier on this evening’s agenda, there was a resolution which included carrying over the sum of \$530,550 from the 2011 budget into the 2012 budget for this project. \$6,000 remains to be paid to the engineer. The shortfall of \$2,882.57 will be made up from other Sheriff Office accounts.*

**Mr. Babcock moved for the adoption of Resolution No. 2011-110.** Seconded and carried: Ayes 25, Noes 1 (Zentner), Abstain 1 (Peterson), Absent 2 (Morris, Delany), Vacant 1.

**County Administrator Gary Petre presented the following appointments:**  
TO THE JEFFERSON COUNTY BOARD OF SUPERVISORS:  
MEMBERS OF THE BOARD;

BOARD OF HEALTH

By virtue of the authority vested in me under Section 59.18 of the Wisconsin Statutes, I do hereby appoint and request the County Board's confirmation of Marie Wiesmann, Fort Atkinson, Wisconsin, as a member of the Board of Health to fill an unexpired term ending May 13, 2014.

HISTORIC SITES PRESERVATION COMMISSION

By virtue of the authority vested in me by Ordinance 2007-48, I do hereby reappoint and request the County Board's confirmation of Larry Cole, Waterloo, Wisconsin, and Cindy Arbiture, Sullivan, Wisconsin, as members of the Historic Sites Preservation Commission each for a three year term ending April 1, 2015.

**Mr. Kuhlman moved for confirmation of the appointments.** Seconded and carried.

Supplemental information presented at the March 13, 2012, Jefferson County Board meeting will be available at the County Clerk's office upon request.

**There being no further business, Mr. Buchanan moved that the Board adjourn.** Seconded and carried at 9:42 p.m.