

JEFFERSON COUNTY  
LAW ENFORCEMENT/EMERGENCY MANAGEMENT COMMITTEE  
COURTHOUSE, ROOM 112 / 320 S MAIN STREET / JEFFERSON WI 53549

FRIDAY, NOVEMBER 1, 2013 @ 8:30 A.M.

COMMITTEE MEMBERS: PAUL BABCOCK, GEORGE JAECKEL,  
DWAYNE MORRIS, ED MORSE, PAM ROGERS

1. CALL TO ORDER
2. ROLL CALL (ESTABLISH A QUORUM)
3. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW
4. REVIEW THE AGENDA
5. COMMUNICATIONS
6. CITIZEN COMMENTS
7. APPROVAL OF MINUTES FROM THE SEPTEMBER 27, 2013 MEETING
8. N4214 SLEEPY HOLLOW ROAD PROPERTY TRANSFER TO THE LAKE RIPLEY MANAGEMENT DISTRICT
9. DISCUSSION AND POSSIBLE DECISION ON CHANGES TO THE SLOW/NO WAKE ORDINANCE
10. DISCUSSION AND POSSIBLE DECISION ON CHANGES TO EMERGENCY MANAGEMENT ORDINANCE
11. PLAN OF WORK 2013
12. PLAN OF WORK 2014
13. CONTINUITY OF OPERATIONS PLAN
14. TRAINING / EXERCISE
15. TIME & PLACE OF NEXT MEETING – NOVEMBER 22, 2013 AT 8:30 A.M.
16. ADJOURN

THE COMMITTEE MAY DISCUSS AND/OR TAKE ACTION ON ANY ITEM SPECIFICALLY LISTED ON THE AGENDA

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE COUNTY ADMINISTRATOR AT 920-674-7101 24 HOURS PRIOR TO THE MEETING SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

#7

**COUNTY BOARD COMMITTEE MINUTES****COMMITTEE: LAW ENFORCEMENT/ EMERGENCY MANAGEMENT COMMITTEE****DATE: September 27, 2013**

Meeting called to order by Vice Chair George Jaeckel at 8:30 a.m. Members of the committee present were: George Jaeckel, Ed Morse, Pam Rogers, Dwayne Morris  
Others present were: John Molinaro, Phil Ristow, Ben Wehmeier, Sheriff Milbrath

Absent: Paul Babcock

**Compliance with open meetings law:** Compliance was assured.

**Approve agenda:** The agenda was approved as presented.

**Approval of minutes:** A motion was made by Pam Rogers, and seconded by Ed Morse that the August 23, 2013 minutes be approved as printed. Motion carried.

**Public Comment:** No public comment.

**Communications:** None

**Update on Communication Towers:** No information available on part of this topic. Sheriff Milbrath said that Charter had entered into an agreement with the property owner of the Sullivan Tower. Once the budget is approved with the funding for this site, it should move forward.

**Grants – Status of ongoing or new grants:** The Sheriff's Office received the \$10,000 grant from the Wisconsin Propane Council. The Sheriff hopes that this grant will continue to be offered as most of the other grants will not be available after this year. The Sheriff's Office will be extending the use of squad vehicles for another year (3 years as opposed to 2 in the past) due to the lateness of grant funding and propane systems. They also have been approved for a Project Lifesaver grant and training will begin in November. Have looked at this program in the past but didn't have the resources to get it started. The system uses radio waves and the Sheriff's Office will start out with two receivers and two transmitters. Some donations have come in for the batteries in the wrist transmitter which run about \$10 - \$15 per month. The Sheriff will also apply for the Canadian Railroad Grant which is a limited grant and tough to get. The Enbridge Pipeline Grant that they received (\$1,000) is also something that the Communication Center and Emergency Management can apply for. They are small grants of between \$500 and \$1,000 but would enable them to purchase some additional equipment such as radios for the Jefferson County Emergency Communications (JCEC's). The Treatment Alternative and Diversion Grant (TAD) was discussed. This grant is put out by the Wisconsin Department of Justice. The D.A., the judges, Human Services, Ben Wehmeier, John Molinaro, Phil Ristow, the public defender's office and the sheriff's office are all involved with this grant and are looking to start an OWI court with 3<sup>rd</sup> and 4<sup>th</sup> offenders. It is a volunteer court so subjects must choose to participate (or comply with a jail sentence). There have been some very good results with this type of program in other areas to cut down on 4<sup>th</sup> and 5<sup>th</sup> time offenders. The grant will be very competitive this year. Ben Wehmeier added that the Department of Justice wanted to know how many areas would apply for funding so they can get data to the legislature for more possible funding for these programs. John Molinaro also added that Judge Hue has been the driving force behind getting this going and it will be extra

work for him if/when the drug court is set up. There are several different types of courts that can be set up and Jefferson County is starting with the OWI court, possibly expanding to a drug court in the future. Sheriff Milbrath said that the worst case is that Jefferson County doesn't get the grant. He feels the grants will offered again and the county would be more than ready for the next round. It's definitely worth the time and effort (it's a very comprehensive grant application) to apply for the grant even if the county doesn't get it this time. Phil Ristow said the county has a smaller version of the OWI court in place right now without the personnel. As part of the bail process a subject charged with multiple OWI's would have the option of wearing an ankle bracelet to detect alcohol and it is only at the court level right now. The model they are looking at for this grant would involve contracting with an outside service (such as Wisconsin Correctional Service which is Waukesha County's vendor and currently runs the smaller version of the program here) to run the program. Sheriff Milbrath said the outside agency would have more experience with this and it would be cheaper to do it that way. The county committee would still oversee the program. The Department of Justice has allocated \$1.5 million across the state for grant funding and the vendor has estimated a position and a half with the projected case load. The reason the county is going with an outside agency to run the program is that the grant will be awarded on October 17 and the state wants it up and running by January 1<sup>st</sup>. The outside agency has the experience and would be able to come in and get it started within that time frame. The county would supply some office space for the program.

Dwayne Morris made a motion for authorization of a resolution in support of the TAD grant application. Pam Rogers seconded.

**Report from the Sheriff:** On Wednesday the jail inspector was in the facility. He couldn't find anything that wasn't 100% in compliance. He also had some very positive comments about the jail kitchen. The only negative he mentioned was to try and put more time toward the mental health person. He wasn't aware that the Sheriff's Office also uses interns from U.W. Whitewater and that Deputy Blake is also assisting. Deputy Blake is functioning as a program director in charge of getting inmates focused on tasks (parenting, education, veteran's assistance, etc.) and/or getting them treatments. Her efforts have saved a lot of money, given inmates positive reinforcement and helped keep them from coming back to jail.

Deputy Dandoy also has been doing a lot of training in the schools dealing with active shooters or other weapons. He has been very instrumental in the training, it's been very well received and many schools have commented that this is some of the best training they have had. Deputy Dandoy is doing a great job.

The Honor Guard was in the Gemuetlichkeit Parade and took 1<sup>st</sup> place for Honor Guard units. They received \$100 to put in their account toward uniforms and other needed items.

The Sheriff is working on an Emergency Management program dealing with disasters and animals. This would include dogs, cats, birds, etc. as well as regular farm animals. The program will be modeled after the Dane County equivalent. It should hopefully be in place by the end of November.

The Sheriff's Office is losing a deputy today. He will be going to Trek in their IT department. Dwayne Morris asked about the discussion had previously regarding the 24/7 program. The Sheriff said that program was not implemented due to the way the judges wanted it run and the financial obligation to do that (can't use sworn deputies because the Sheriff's Office doesn't have enough bodies to do that). There was also some concern by the defense bar that the program would be

inconveniencing their clients. However, the Sheriff feels that the daily face to face contact is good as well as the knowledge that the person has to go in every day which will influence their decision to drink. Most don't want to fail that test because they will likely end up in jail right away. The Sheriff is looking at other opportunities such as incorporating it in the TAD grant. The Project 24/7 people have also agreed to waive some fees if it could be implemented here. Trying to make first offense OWI a crime is a tough sell because it would take a considerable amount of money away from the municipalities (first offense is a municipal forfeiture).

**Review monthly bills and financial items:** – The committee approved the monthly recap reports for August bills in the amount of \$106,181.15. A spreadsheet summarizing current bills was reviewed by the committee members. Sheriff Milbrath mentioned that the jail kitchen recently received about 700 pounds of cheese from Crystal Farms. The kitchen had just received a couple loads of produce as well. They never expected to have this program make so much of an impact on the food budget.

The Sheriff gave an update on the budget. The only area that is of concern is the overtime budget. At this time it is around 74% (should be 66.67% at this point in the year). Some items may look high or be over budget; however, reimbursement will be received for most of these and they will fall back to where they are supposed to be.

Sheriff Milbrath also mentioned that it's been a bad month for motorcycle accidents. There have been three of them recently, two of them on one day.

**Review monthly jail and patrol activity reports:** Jail and patrol activity reports were reviewed.

**Jail assessment fund items:** General fund items for the month in the amount of \$2,703.98.

Next meeting date is Friday, November 1, 2013 (Emergency Management). The committee members would possibly like to go out to the Annex building after the meeting.

A motion made by Pam Rogers to adjourn at 9:32 a.m., was seconded by Dwayne Morris. Motion carried.

Motions Carried:   3   Lost:   0  .

Signed \_\_\_\_\_

#9

ORDINANCE NO. 96-36

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

An Ordinance to regulate boating on the rivers and streams of Jefferson County.

**SECTION 1. APPLICABILITY AND ENFORCEMENT.** (a) The provisions of this ordinance shall apply to the rivers and streams of Jefferson County.

(b) The provisions of this ordinance shall be enforced by the Jefferson County Sheriff's Department which is authorized to issue citations in accordance with Section 66.119, Wis. Stats., for violations of this ordinance.

**SECTION 2. INTENT.** The intent of this ordinance is to permit the Jefferson County Sheriff's Department to issue citations for violations of state boating laws incorporated herein.

**SECTION 3.** Sections 30.50 through 30.71, Wis. Stats. (1995), inclusive, except Sections 30.67, 30.68(2) and 30.681(2) are incorporated herein and hereby adopted by reference, including all changes and amendments hereafter made thereto.

**SECTION 4. SLOW - NO WAKE AREA.** The term "Slow - No Wake Area" shall mean that area within which boats shall be operated at the slowest speed at which said boat can be operated and still maintain forward motion and steering control. Slow - No Wake Areas shall be so designated by notices posted at points of public access and buoys. Such posting and buoys shall be made when the water level is 779.5 feet above sea level at Jefferson County Hydrologic Unit 07090001 which is located 80 feet east of Pottawatom Trail Bridge at Bingham Point Estates on Lake Koshkonong. No person shall operate a power-driven boat faster than a "Slow - No Wake" speed in an area so marked.

**SECTION 5. PENALTIES.** For violations of the incorporated statutory sections above, the penalties shall be the Wisconsin State Boating Penalties as found in Section 30.80, Wis. Stats., which is hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted. Deposits for citations issued pursuant to this ordinance shall be those established in the Uniform Deposit and Bail Schedule promulgated by the Wisconsin Judicial Conference which is hereby adopted by reference, with all references to fines amended to forfeitures and including all applicable state assessments and court costs.

**SECTION 6. SCHEDULE OF CASH DEPOSITS.** Jefferson County Ordinance No. 96-17 is hereby amended to include the applicable portions of the Uniform Deposit and Bail Schedule described above for citations issued for violations of this ordinance.

**SECTION 7. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its passage and publication.

Adopted by the Jefferson County Board of Supervisors the 11th day of March, 1997.

ATTEST:

Raymond C. Kisow, Jr., Vice-chairman

Barbara A. Frank, County Clerk

Published the 15th day of March, 1997.

**ORDINANCE NO. 87-24*****Emergency Management***

The County Board of Supervisors of the County of Jefferson , State of Wisconsin , do ordain as follows:

The 1979 Civil Defense Ordinance adopted January 16, 1979, is hereby repealed and recreated as the "Emergency Management Ordinance".

**SECTION 1. TITLE.** This ordinance shall be known as, referred to or cited as the "Emergency Management Ordinance".

**SECTION 2. AUTHORITY.** This ordinance is enacted pursuant to the provisions of Chapter ~~166~~ 323 of the Wisconsin Statutes.

**SECTION 3. PURPOSE AND DEFINITIONS. (1) PURPOSE.** It is determined and declared to be necessary to establish an organization for emergency management to prepare the County of Jefferson and towns, cities and villages within said county to cope with emergencies resulting from enemy action and natural or man-made disasters.

**(2) DEFINITIONS.**

(a) The term "enemy action" means any hostile action taken by a foreign power which threatens the security of Jefferson County or a portion thereof.

(b) The term "natural or man-made disasters" includes floods, tornadoes, snowstorms, fires and other extraordinary natural or man-made disasters not included in the term "enemy action".

(c) The term "emergency management" means all those activities and measures undertaken by or on behalf of the County, designed: 1. to minimize the effect upon persons and property of enemy action or natural disasters, 2. to deal with the immediate emergency conditions created by enemy action or natural disasters, and 3. to effectuate emergency repairs to, or emergency restoration of, vital public utilities and facilities destroyed or damaged by enemy action or natural disasters.

**SECTION 4. EMERGENCY MANAGEMENT COMMITTEE. (1) How Constituted.** There is hereby created an Emergency Management Committee. The Law Enforcement Committee of the County Board, as established by the County Board Rules, is hereby designated the Emergency Management Committee. As provided in Section 323.14(1) (3), Statutes, the County Board Chair shall designate a member of the committee to act as chairperson when this committee is convened as an Emergency Management Committee. [Amended 02/14/06 , Ord. No. 2005-45; am. 09/13/10, Ord. No. 2010-14]

**(2) Duties of Emergency Management Committee.** The Emergency Management Committee is hereby delegated policy-making and rule-making authority for the implementation of Chapter 466 323 of the Wisconsin Statutes. Said committee shall plan and execute activities in accordance with said section. Said committee shall be subject to the powers of the County Board and shall comply with the personnel, purchasing and budgeting rules established by said Board. The committee shall utilize the services of the County Administrator and shall exercise general supervision and control over the Emergency Management Director.

**SECTION 5. EMERGENCY MANAGEMENT DIRECTOR. (1) Position Created.** There is hereby created the position of Emergency Management Director. The Director shall be the principal executive officer of the Emergency Management Department and shall carry out the powers and duties set forth in Chapter 323 of the Wisconsin Statutes and also the powers and duties set forth in the job description established by the Personnel Committee and the Emergency Management Committee. [am. 09/13/10, Ord. No. 2010-14]

**(2) Tenure.** The Emergency Management Director shall be a department head and a full-time or part-time County employee, as determined by the County Board. The salary and fringe benefits of the Director and his their staff shall be set from time to time by the County Board.

**(3) Appointment and Term.** The Director shall be appointed by the County Administrator, subject to confirmation by the County Board, and shall serve at the pleasure of the County Administrator. [Amended 02/14/06 , Ord. No. 2005-45]

**(4) Statutory Provisions.** The provisions of Chapter 323 of the Wisconsin Statutes relating to emergency management personnel shall apply to the Director and his their staff. [am. 09/13/10, Ord. No. 2010-14]

**SECTION 6. DUTIES OF EMERGENCY MANAGEMENT DIRECTOR. (1) County-wide Duties.** The Director, in his their capacity as County Director , subject to the general supervision and rules of the County Board and subject to the direction and control of the County Administrator and the Emergency Management Committee, shall:

(a) Develop and promulgate emergency plans for the County, including planning for joint action municipalities consistent with the state plan of emergency management.

(b) Coordinate and assist in the development of non-joint action municipal emergency management plans within the County and integrate such plans with the County plan.

(c) Direct the County and joint action municipality emergency management planning programs.

(d) Direct County-wide emergency management planning training programs and exercises.

(e) Advise the State Administrator of the Division of Emergency Management, through the State Area Director, of all emergency management planning for the County and render such reports as may be required.

(f) In a state of emergency proclamation by the Governor, coordinate the County and joint action municipalities' emergency actions and coordinate the non-joint action municipal emergency actions within the County.

(g) Coordinate County emergency management plans and programs with state and federal emergency plans and programs.

(h) Perform such other duties related to emergency management as may be required by the County Board or the Emergency Management Committee.

**(2) Municipal Duties.** The Director, in his their capacity as coordinator for a municipality participating in joint action, subject to the general supervision and rules of the County Board and subject to the direction and control of the County Administrator and the Emergency Management Committee, shall:

(a) Coordinate the municipal emergency management organization.

(b) Develop, promulgate and integrate into the County plan, emergency plans for the operating services of the municipality.

(c) Coordinate participation of the municipality in such emergency management training programs and exercises as may be required on the County level.

(d) Direct the municipal emergency management training programs and exercises.

(e) Perform all administrative duties necessary for the rendering of reports and procurements of matching federal funds for each municipality requesting federal matching funds.

(f) In a state of emergency proclamation by the Governor, coordinate the activities of the municipal emergency management organization.

(g) Perform such other duties related to emergency management as may be required by the municipal governing body.

**SECTION 7. UTILIZATION OF EXISTING SERVICES AND FACILITIES. (1) Policy.** In preparing and executing the emergency management program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with the Emergency Management Director and to provide such services and facilities as are needed.

**(2) Responsibility.** To make certain the existing County government facilities are fully utilized in the event of an emergency, specific responsibilities are assigned to department heads as follows:

County Administrator -----Director of Supply

Sheriff -----Director of Police

Highway Commissioner ----- Director of Engineering

Human Services Director ----- Director of Emergency Welfare

Coroner -----Director of Mortuary

Other department heads not specifically names shall fulfill emergency and non-emergency duties as assigned under the County emergency plan.

**(3) Joint Action.** Towns, cities and villages entering into joint action with Jefferson County shall provide for utilization of existing services by enacting an ordinance comparable to this section of the County ordinance.

**SECTION 8. DECLARATION OF EMERGENCY. Emergency Conditions Defined.** An emergency shall be defined as a natural or man-made disaster that exceeds the capacity of the county to respond to in such a way as to save lives; to preserve property; and to maintain the social, ecological, economic, and political stability of the county.

The County Board may declare, by resolution, a state of emergency for the County or any portion thereof ~~if the County Board determines that an emergency resulting from enemy action, natural or man-made disaster exists~~ in accordance with Chapter 323 of the Wisconsin Statutes. In the event an emergency occurs within Jefferson County at a time when the County Board is unable to meet for the purpose of making such a declaration in order to access state emergency resources, fix liability for emergency response costs or authorize emergency repairs to county facilities, the following persons may declare a state of emergency:

- (a) County Board Chair.
- (b) In the event the County Board Chair is unavailable, the First Vice-Chair of the County Board.
- (c) In the event the County Board Chair and the First Vice-Chair are unavailable, the Second Vice-Chair of the County Board.
- (d) In the event the County Board Chair or Vice-Chairs are unavailable, the County Administrator.

Such declaration shall be confirmed ~~or rescinded~~ by resolution of the County Board at its

next regularly scheduled or special meeting. The duration of a declared state of emergency may not exceed the length of time beyond which emergency conditions exist **or 60 days unless extended by County Board Resolution.** ~~A declaration of a state of emergency may be rescinded by written order at the discretion of the County Board Chairperson, or in his/her absence, the First Vice Chair of the County Board, or in his/her absence, the Second Vice Chair of the County Board, or in his/her absence, the County Administrator.~~ [Amended 02/14/06 , Ord. No. 2005-45]

**General Powers.** The emergency powers conferred herewith include the general authority to order, by ordinance, resolution, or proclamation, whatever is necessary and expedient for the health, safety, welfare and good order of the County during such emergency.

**SECTION 9. SUCCESSION TO COUNTY OFFICES.** (1) All County officers and department heads shall designate persons as emergency interim successors to their respective offices as provided by Section 323.54 of the Wisconsin Statutes. [Amended 02/14/06 , Ord. No. 2005-45 09/13/10, Ord. No. 2010-14]

(2) If a County officer or department head is absent or unable to exercise the powers and perform the duties of **their** office because of an emergency, such successor shall have the powers and perform all the duties of the officer or department head.

**SECTION 10. PRESERVATION OF PUBLIC RECORDS.** During a state of emergency it shall be the duty of every County officer and department head to take immediate steps to keep and preserve all records customarily in **their** possession. [Amended 02/14/06 , Ord. No. 2005-45]

**SECTION 11. OBSTRUCTION PROHIBITED - PENALTIES.** (1) It shall be unlawful for any person willfully to obstruct, hinder or delay the Emergency Management Director or **their** subordinates in the implementation or enforcement of any order, rule, regulation or plan made pursuant to this ordinance or the Statutes of the State of Wisconsin or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. [Amended 02/14/06 , Ord. No. 2005-45]

(2) Any person violating the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$500.00, together with the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days.

**EFFECTIVE DATE.** This ordinance shall be effective upon adoption and publication as provided by law.

**Adopted February 9, 1988**  
**Amended February 14, 2006**  
**Amended October 11, 2011**