

**2009 - 2010 COUNTY BOARD PROCEEDINGS**

**OFFICIAL PROCEEDINGS**

**MEETINGS**

**OF THE**

**BOARD OF SUPERVISORS**

**WASHINGTON COUNTY, WISCONSIN**

**2009 - 2010**

APRIL .....	MONTHLY
MAY .....	MONTHLY
JUNE .....	MONTHLY
JULY .....	MONTHLY
AUGUST.....	MONTHLY
SEPTEMBER.....	MONTHLY
OCTOBER .....	MONTHLY
NOVEMBER .....	MONTHLY
DECEMBER .....	MONTHLY
JANUARY .....	MONTHLY
FEBRUARY .....	MONTHLY
MARCH .....	MONTHLY
APRIL FINAL SESSION.....	MONTHLY

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HERBERT J. TENNIES .....	CHAIRPERSON
DANIEL W. STOFFEL.....	FIRST VICE-CHAIRPERSON
JOHN W. STERN .....	SECOND VICE-CHAIRPERSON
BRENDA J. JASZEWSKI .....	COUNTY CLERK

**OFFICIAL PROCEEDINGS**

**2009 - 2010**

**BOARD OF SUPERVISORS**

**OF**

**WASHINGTON COUNTY**

**WISCONSIN**

HERBERT J. TENNIES - Chairperson

DANIEL W. STOFFEL - 1st Vice-Chairperson

JOHN W. STERN - 2nd Vice-Chairperson

Compiled and Tabulated by

BRENDA J. JASZEWSKI, County Clerk

## DIRECTORY OF OFFICIALS

Administrative Coordinator - Doug Johnson  
Circuit Court Judge, Branch I - Patrick Faragher  
Circuit Court Judge, Branch II - James Muehlbauer  
Circuit Court Judge, Branch III - David Resheske  
Circuit Court Judge, Branch IV - Andrew Gonring  
Clerk of Circuit Courts - Kristine Deiss  
County Attorney - Kimberly Nass  
County Clerk - Brenda Jaszewski  
County Conservationist - Jill Hapner  
County Engineer/County Surveyor - Scott Schmidt  
County Treasurer - Janice Gettelman  
District Attorney - Todd Martens  
Emergency Management Coordinator - Rob Schmid  
Fair Park Director - Tera Greenland  
Family Court Commissioner - Dolores Bomrad  
Finance Director - Susan Haag  
Health Department Director - Linda Walter  
Highway Commissioner - Jon Edgren  
Human Resources Director - Peter German  
Human Services Director - Jim Strachota  
Medical Examiner - Kelly McAndrews  
Planning and Parks Administrator - Paul Mueller  
Aging and Disability Resource Center Director - Linda Olson  
Register in Probate, Probate Registrar & Clerk of Juvenile Court - Kay Morlen  
Register of Deeds - Sharon Martin  
Samaritan Health Center Administrator - Edward Somers  
Sheriff - Dale Schmidt  
University of Wisconsin Extension - Washington County  
Farm Business Educator - Alan Linnebur  
Community Development Educator - Paul Roback  
Family Living Educator - Marma Jean McIntee  
4-H Youth Development Educator - Kandi O'Neil  
Veterans Service Officer - Mark Baldwin, Jr.

**BOARD OF SUPERVISORS**  
**2009 - 2010 Membership - Committees, Boards and Agencies**

**Supervisory**  
**District No.**

- 1     Roy C. Justman  
Administrative Services Committee, Chairperson  
Samaritan Committee  
University of Wisconsin - Washington County Board of Commissioners, Alternate
- 2     Herbert J. Tennes  
County Board, Chairperson  
Economic Development - Washington County Board of Directors  
Executive Committee, Chairperson  
Fair Park Study Committee  
Radio Communications Systems Committee, Vice-Chairperson  
Securities and Facilities Committee  
Washington-Ozaukee-Waukesha Workforce Development Board of Commissioners
- 3     Ralph R. Hense  
Finance Committee, Chairperson  
Samaritan Committee, Vice-Chairperson  
University of Wisconsin - Washington County Board of Commissioners, Vice-Chairperson
- 4     Michael R. Miller  
Joint Review Tax Increment Representative - Village of Jackson  
Planning, Conservation and Parks Committee  
Public Safety Committee
- 5     Robert S. Adam  
Education and Culture Committee  
HOME Board  
Samaritan Committee
- 6     Carol A. Puerling  
Historical Society Board  
Human Services Board
- 7     Paul E. Ustruck  
County Library Services Board, Chairperson  
Human Services Board
- 8     John W. Stern  
County Board, 2<sup>nd</sup> Vice-Chairperson  
Executive Committee, 2<sup>nd</sup> Vice-Chairperson  
Inland Lakes Protective District Commissioner - Big Cedar Lake  
Planning, Conservation and Parks Committee, Chairperson  
Radio Communications Systems Committee, Chairperson
- 9     Gerald J. Schulz  
Land Information Advisory, Chairperson  
Planning, Conservation and Parks Committee  
Public Safety Committee  
Washington-Ozaukee-Waukesha Workforce Development Board
- 10    Daniel W. Stoffel  
County Board, 1<sup>st</sup> Vice-Chairperson  
Executive Committee, 1<sup>st</sup> Vice-Chairperson  
Mid-Wisconsin Federated Library Systems Board  
Samaritan Committee, Chairperson

- 11 Brian W. Bausch  
Board of Adjustment, Vice-Chairperson  
Public Safety Committee  
Radio Communications Systems Committee  
Transportation Committee
- 12 Kenneth W. Brandt  
Board of Adjustment, Alternate  
Education and Culture Committee  
Sergeant-At-Arms
- 13 Richard L. Bertram  
Board of Adjustment, 1<sup>st</sup> Alternate  
Finance Committee, Vice-Chairperson  
Joint Review Tax Increment Representative - City of Hartford  
Tax Deed Committee, Vice-Chairperson  
University of Wisconsin - Washington County Board of Commissioners, Chairperson
- 14 Donald J. Berchem  
Human Services Board  
Inland Lake Protective District Commissioner - Little Cedar & Silver Lake  
Radio Communications Systems Committee  
Transportation Committee, Vice-Chairperson
- 15 Joseph C. Gonnering  
Board of Adjustment, Chairperson  
Public Safety Committee, Chairperson  
Sergeant-At-Arms  
Transportation Committee
- 16 Rick Gundrum  
Human Services Board, Vice-Chairperson  
East Wisconsin Railroad Consortium  
Fair Park Study Committee  
Radio Communications Systems Committee  
Transportation Committee, Secretary
- 17 Marilyn H. Merten  
Agriculture and Industrial Society Board  
Education and Culture Committee, Chairperson  
Historical Society Board  
Planning, Conservation and Parks Committee
- 18 Raymond W. Heidtke  
Administrative Services Committee  
Agriculture and Industrial Society Board  
Board of Adjustment, Secretary  
Education and Culture Committee, Vice-Chairperson
- 19 Philip E. Laubenheimer  
Joint Review Tax Increment Representative - Village of Kewaskum  
Local Emergency Planning Committee  
Samaritan Committee, Secretary  
Sergeant-At-Arms
- 20 James H. Core  
Administrative Services Committee  
Fair Park Study Committee  
Human Services Board  
Joint Review Tax Increment Representative - Village of Germantown

- 21 Joan A. Russell  
Finance Committee  
Health and Aging Committee
- 22 John M. Jung  
Inland Lakes Protective District Commissioner - Pike Lake  
Planning, Conservation and Parks Committee, Vice-Chairperson  
Southeastern Wisconsin Regional Planning Commission
- 23 Mark T. McCune  
County Library Services Board  
Executive Committee  
Inland Lakes Protective District Commissioner - Druid Lake  
Southeast Wisconsin Professional Baseball District Board
- 24 William S. Meyers  
Finance Committee  
Fair Park Study Committee  
Health and Aging Committee  
Tax Deed, Chairperson  
University of Wisconsin - Washington County Board of Commissioners, Alternate
- 25 Daniel R. Goetz  
East Wisconsin Railroad Consortium  
Inland Lakes Protective District Commissioner - Friess Lake  
Public Safety Committee, Vice-Chairperson  
Radio Communications Systems Committee  
Transportation Committee, Chairperson
- 26 Melvin K. Ewert  
Administrative Services Committee, Vice-Chairperson  
Health and Aging Committee, Vice-Chairperson
- 27 Charlene S. Brady  
Executive Committee  
Health and Aging Committee, Chairperson  
Planning, Conservation and Parks Committee, Secretary  
Wisconsin Counties Association Board
- 28 Peter I. Sorce  
Administrative Services Committee  
HOME Board  
Joint Review Tax Increment Representative - City of West Bend  
University of Wisconsin - Washington County Board of Commissioners
- 29 Todd M. Healy  
Education and Culture Committee  
Fair Park Study Committee  
Planning, Conservation and Parks Committee
- 30 Leslie J. Borman  
Finance Committee  
Human Services Board, Chairperson  
Tax Deed

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
APRIL 21, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bertram (arrived @ 9:17 a.m.), Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Excused: Bausch, Brandt, Brady, Healy.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. McCune, seconded by Mr. Sorce to approve the March 10, 2009, meeting minutes as presented. Motion carried.

**APPOINTMENTS**

Moved by Mr. Stoffel, seconded by Mr. Gonnering to approve the appointment of Charlene Brady, Melvin Ewert and Patricia Hrobsky to the Board of Health for a three-year term effective April 21, 2009, to April 17, 2012. Motion carried.

Moved by Mr. Miller, seconded by Mr. Borman to approve the appointment of William Alderson and Robert Retko to the Ethics Board for a three-year term effective April 21, 2009, to April 17, 2012. Motion carried.

Moved by Mr. Core, seconded by Ms. Russell to approve the appointment of Leslie Borman, Rick Gundrum and Sara Follet to the Human Services Board for a three-year term effective April 21, 2009, to April 17, 2012. Motion carried.

Moved by Mr. Gundrum, seconded by Mr. Jung to approve the appointment of Duane Cline to the Local Emergency Planning Committee for an indefinite term. Motion carried.

**2009 RESOLUTION 2 - COMMENDATION OF GAIL I. THOMAS**

Moved by Mr. Ustruck, seconded by Mr. Hensel to adopt 2009 Resolution 2 - Commendation of Gail I. Thomas. Clerk Jaszewski read the commendation. In appreciation of her 20 years of service to the County, Chairperson Tennies presented Ms. Thomas with a clock. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Gail I. Thomas has contributed more than twenty years of loyal service to the citizens of Washington County; and

WHEREAS, Gail I. Thomas has chosen to retire from her present position of Senior Social Worker in the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Gail I. Thomas for her twenty years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Gail I. Thomas as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**WEST BEND AMERICAN LEGION POST 36 - TORI DUNCAN**

Ms. Duncan extended an invitation to the County Board to participate in the West Bend Memorial Day parade on May, 25, 2009.

**CORRESPONDENCE**

Clerk Jaszewski read correspondence from Epsilon Sigma Phi Alpha Sigma Chapter-Wisconsin regarding Cooperative Extension Educator Chapter Awards recognizing the following Washington County UW Extension staff: 4-H Youth Development Educator/Department Head Kandi O'Neil,

Community Development Educator Paul Roback, and support staff Charlotte Bales, Marge Kufahl, Christine Larson and Helen Neal. Clerk Jaszewski read correspondence from Governor Jim Doyle regarding an award of a grant.

**FINANCIAL APPROVAL REPORT NO. 1**

Moved by Ms. Russell, seconded by Mr. Ustruck to approve Financial Approval Report No. 1 in the amount of \$10,398,776.94. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Voting No: None. Absent: Bausch, Brandt, Bertram, Brady, Healy. Abstain: Adam. Ayes-24; Noes-0; Absent-5; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

Supervisor Bertram arrived at 9:17 a.m.

**ANNUAL REPORT NO. 4 - SHERIFF**

Sheriff Dale Schmidt presented the Sheriff's Department annual report. Moved by Mr. McCune, seconded by Ms. Merten to accept Annual Report No. 4. Motion carried.

**ANNUAL REPORT NO. 2 - DISTRICT ATTORNEY**

District Attorney Todd Martens presented the District Attorney annual report. Moved by Mr. Justman, seconded by Mr. Laubenheimer to accept Annual Report No. 2. Motion carried.

**ANNUAL REPORT NO. 3 - MEDICAL EXAMINER**

Medical Examiner Kelly McAndrews presented the Medical Examiner annual report. Moved by Ms. Puerling, seconded by Mr. Heidtke to accept Annual Report No. 3. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Administrative Services Committee, County Library Services Board, Education and Culture Committee, Human Services Board, Transportation Committee, Planning, Conservation and Parks Committee, Finance Committee, Samaritan Committee, University of Wisconsin-Washington County Board of Commissioners, and County Board Chairperson.

The meeting recessed at 10:08 a.m. and reconvened at 10:15 a.m.

**2009 RESOLUTION 1 - COMMENDATION OF TOM J. MCLAUGHLIN**

Moved by Mr. Stoffel, seconded by Mr. Hensel to adopt 2009 Resolution 1 - Commendation of Tom J. McLaughlin. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Tom J. McLaughlin has contributed more than twelve years of loyal service to the citizens of Washington County; and

WHEREAS, Tom J. McLaughlin has chosen to retire from his present position of Psychiatric Social Worker in the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Tom J. McLaughlin for his twelve years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to him heartfelt thanks for his many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Tom J. McLaughlin as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS as filed with the County Clerk. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 3 - AUTHORIZATION TO BECOME A MEMBER OF THE SOUTHEASTERN WISCONSIN INVASIVE SPECIES COOPERATIVE**

Moved by Mr. Berchem, seconded by Mr. Sorce to adopt 2009 Resolution 3 - Authorization to Become a Member of the Southeastern Wisconsin Invasive Species Cooperative. Planning and Parks Department Deputy Administrator Debora Sielski explained the resolution. Moved by Mr. McCune, seconded by Mr. Meyers to amend 2009 Resolution 3 on Page 1, Lines 11-14:

~~WHEREAS, the cost to monitor, contain and control invasive species to the national economy has~~



been estimated as high as \$137 billion per year and increasing due primarily to losses in agriculture, forestry and fisheries, as well as to the cost of clearing invasive clogged waterways; and. Motion to amend 2009 Resolution 3 carried by voice vote. 2009 Resolution 3 as amended carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Voting No: None. Absent: Bausch, Brandt, Brady, Healy. Ayes-26; Noes-0; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Wisconsin faces an onslaught of invasive species from other regions and countries; and

WHEREAS, these non-native plants and animals displace native species, disrupt ecosystems, harm recreational activities such as fishing, boating and hiking and, ultimately, impact local economies; and

WHEREAS, invasive species disperse widely across the landscape, making it advantageous to work cooperatively across jurisdictional boundaries toward prevention, management and control; and

WHEREAS, the number of new invasive species introduced into our region each year has been out-pacing control activities, making prevention and management tasks impractical for any one agency to manage alone; and

WHEREAS, the Washington County Land Conservation Committee and Planning and Parks Department staff have developed a 2008 Planned Activities Update to the Washington County Land and Water Resource Management Plan (2006-2010) as approved by the Land Conservation Committee on April 9, 2008; and

WHEREAS, the 2008 Planned Activities Update includes promoting identification, control and management of invasive plant and animal species as an objective of Washington County; and

WHEREAS, the Washington County Land Conservation Committee recommends adoption of the Land and Water Resource Management Plan: 2008 Planned Activities Update by the County Board of Supervisors; and

WHEREAS, the Southeastern Wisconsin Invasive Species Cooperative (SEWISC), a broad based coalition was recently formed to promote efficient and effective management of invasive species throughout an eight-county region; and

WHEREAS, SEWISC provides a forum to share information and to cooperatively execute invasive species management activities in southeastern Wisconsin; and

WHEREAS, a Memorandum of Understanding has been developed which reflects a commitment to cooperate and work together to achieve the mission of SEWISC; and

WHEREAS, Walworth County, Ozaukee County, Racine County, Milwaukee County, WE Energies, Wisconsin Department of Natural Resources, University of Wisconsin-Milwaukee, U.S. Fish and Wildlife Service, Milwaukee Metro Sewage District, Ozaukee Washington Land Trust, Weed Out! Racine, Riveredge Nature Center, and Ulao Creek Partnership have all recently entered into a Memorandum of Understanding with SEWISC; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Land and Water Resource Management Plan (2006-2010): 2008 Planned Activities Update is hereby adopted.

BE IT FURTHER RESOLVED that for the reasons stated herein, Washington County's membership in SEWISC is hereby authorized.

BE IT FURTHER RESOLVED that upon County Board approval, the Land Conservation Committee Chairperson is authorized to execute the Memorandum of Understanding with SEWISC on behalf of Washington County.

Introduced by members of the LAND CONSERVATION COMMITTEE  
John W. Stern, Chairperson

**2009 RESOLUTION 4 - GRANT APPLICATION - 2010 JOINT DATCP/DNR NONPOINT SOURCE**

Moved by Mr. Miller, seconded by Ms. Russell to adopt 2009 Resolution 4 - Grant Application - 2010 Joint DATCP/DNR Nonpoint Source. Planning and Parks Department Deputy Administrator

Debora Sielski explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Voting No: None. Absent: Bausch, Brandt, Brady, Healy. Ayes-26; Noes-0; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors; and

WHEREAS, a Washington County Land and Water Resource Management Plan (*1<sup>st</sup> Revision 2006-2010*) was prepared under the jurisdiction of the Washington County Land Conservation Committee for the years 2006-2010 and was adopted by the Washington County Board of Supervisors on December 13, 2005 as 2005 Resolution 40 - Revised Washington County Land and Water Resource Management Plan; and

WHEREAS, an approved Land and Water Resource Management Plan (*1<sup>st</sup> Revision 2006-2010*) allows the County to remain eligible for state program grant funding beginning in the year 2006 through 2010; and

WHEREAS, section §92.14, Wis. Stats., provides counties assistance with land and water conservation activities by making available allocations to counties in the form of an annual grant from an appropriation under §20.115(7)(c) or (qd) or §20.866(2)(we), Wis. Stats., to any county land conservation committee that has an approved land and water resource management plan and has undertaken county board action providing for matching funds; and

WHEREAS, Department of Natural Resources (DNR) cost sharing for targeted runoff management (TRM) projects are available under §281.65, Wis. Stats., and cost sharing and planning grants for Urban Nonpoint Source and Stormwater Management (UNPS&SW) projects are available under §281.66, Wis. Stats. for counties; and

WHEREAS, the Joint DATCP/DNR Nonpoint Source Grant Application annual deadline is April 15 and an application for said grant has been submitted by the Planning and Parks Department, conditioned on the approval of the Washington County Board of Supervisors; and

WHEREAS, the Joint DATCP/DNR Nonpoint Source Grant program is considered a routine grant as defined under the Washington County Code 4.27(2);

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department, under the direction of the Land Conservation Committee, is authorized to apply for a Joint DATCP/DNR Nonpoint Source Grant for calendar year 2010.

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Land Conservation Committee to apply for this grant as described under §92.14, Wis. Stats., for calendar year 2011, subject to the terms set forth in §4.27(2) of the Washington County Code.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**2009 RESOLUTION 5 - GRANT OF EASEMENT - WE ENERGIES - CHARTER COMMUNICATIONS - AT&T WISCONSIN - GLACIER HILLS COUNTY PARK**

Moved by Ms. Russell, seconded by Mr. Heidtke to approve 2009 Resolution 5 - Grant of Easement - WE Energies - Charter Communications - AT&T Wisconsin - Glacier Hills County Park. County Engineer Scott Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Voting No: None. Absent: Bausch, Brandt, Brady, Healy. Ayes-26; Noes-0; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has been contacted by WE Energies, Charter Communication and AT&T Wisconsin regarding the need for an easement within the boundaries of the Glacier Hills County Park in the Village of Richfield; and

WHEREAS, a preliminary site plan has been developed reflecting a 12' wide easement area for the

placement of underground utilities running generally along the west side of a asphalt drive and parking area as depicted on the exhibit attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the easement request referred to herein facilitates the removal of the above ground utilities and allows for the burying of the utilities within Glacier Hills County Park; and

WHEREAS, the Planning, Conservation, and Parks Committee has considered the WE Energies, Charter Communications, and AT&T Wisconsin's proposal for a 12' wide easement area along the west side of a asphalt drive and parking area for the purpose stated herein, subject to the approval of same by the County Board; and

WHEREAS, an easement agreement setting forth certain terms and conditions will be executed by the parties if this grant of easement is approved;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the grant of easement is authorized as presented and shall proceed under the terms and conditions set forth herein;

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute instruments necessary to complete the transaction referred to herein, subject to the review and approval of the County Attorney and the County Engineer/Surveyor.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**2009 RESOLUTION 6 - REAUTHORIZATION OF SELF-INSURANCE FOR WORKER'S COMPENSATION LIABILITIES**

Moved by Mr. Stoffel, seconded by Mr. Core to approve 2009 Resolution 6 - Reauthorization of Self-Insurance for Worker's Compensation Liabilities. Human Resources Director Peter German explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Borman. Voting No: None. Absent: Bausch, Brandt, Brady, Healy. Ayes-26; Noes-0; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in the State of Wisconsin or assume the responsibility for its own worker's compensation risk and payment by self-insurance; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) upon a commitment to report faithfully all compensable injuries and to comply with the Act and rules of the Department; and

WHEREAS, the Administrative Services Committee at its April 14, 2009, meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD §80.60(3);

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that it shall faithfully report all compensable work related injuries to the State of Wisconsin and comply with the Workers Compensation Act and the Department's rules.

BE IT FURTHER RESOLVED that the County shall continue its self-insured worker's compensation program that is currently in effect.

BE IT FURTHER RESOLVED that Brenda J. Jaszewski, County Clerk, shall forward a certified copy of this Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**2009 RESOLUTION 7 - GRANT APPLICATION - ALCOHOL ENFORCEMENT**

Moved by Ms. Russell, seconded by Mr. Schulz to approve 2009 Resolution 7 - Grant Application - Alcohol Enforcement. Sheriff Dale Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel,

Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Ewert, Borman. Voting No: Justman, Goetz, Sorce. Absent: Bausch, Brandt, Brady, Healy. Ayes-23; Noes-3; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the enforcement of traffic laws remains a high priority of the general public; and

WHEREAS, the Wisconsin Department of Transportation (WI-DOT), Bureau of Transportation Safety (BOTS), has made an alcohol enforcement grant available to the Washington County Sheriff's Department in the amount of \$20,000 directed toward alcohol enforcement in Washington County; and

WHEREAS, the grant period for the grant allocation is from October 1, 2008 through September 30, 2009 and permits the purchase of up to \$5,000 towards traffic enforcement equipment; and

WHEREAS, the local match requirement is met by conducting normal traffic enforcement; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Washington County Sheriff's Department is authorized to apply for the DOT-BOTS Alcohol Enforcement Grant in the amount of \$20,000 with a local match of \$5,000 for the period of October 1, 2008 through September 30, 2009 to provide additional alcohol and traffic enforcement in Washington County;

BE IT FURTHER RESOLVED that the Washington County Sheriff's Department is hereby authorized to accept the above noted grant funds with the understanding that there be no additional direct costs incurred by Washington County other than those match costs stated herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
Joseph C. Gonnering, Chairperson Public Safety Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 8 - GRANT APPLICATION - SPEED ENFORCEMENT**

Moved by Mr. Miller, seconded by Mr. Ustruck to approve 2009 Resolution 8 - Grant Application - Speed Enforcement. Sheriff Dale Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bertram, Gonnering, Gundrum, Merten, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Sorce, Borman. Voting No: Justman, Puerling, Berchem, Heidtke, Goetz, Ewert. Absent: Bausch, Brandt, Brady, Healy. Ayes-20; Noes-6; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the enforcement of traffic laws remains a high priority of the general public; and

WHEREAS, the Wisconsin Department of Transportation (WI-DOT), Bureau of Transportation Safety (BOTS), has made a safety grant available to the Washington County Sheriff's Department in the amount of \$15,000 directed toward speed enforcement in the Village of Richfield and Town of Polk in Washington County; and

WHEREAS, the grant period for the grant allocation is from October 1, 2008 through September 30, 2009 and permits the purchase of up to \$5,000 towards speed enforcement equipment; and

WHEREAS, the local match requirement is met by conducting normal traffic enforcement; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Washington County Sheriff's Department is authorized to apply for the DOT-BOTS Speed Enforcement Grant in the amount of \$15,000 with a local match of \$3,750 for the period of October 1, 2008 through September 30, 2009 to provide additional speed enforcement in Washington County;

BE IT FURTHER RESOLVED that the Washington County Sheriff's Department is hereby authorized to accept the above noted grant funds with the understanding that there be no additional direct costs incurred by Washington County other than those match costs stated herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
 Joseph C. Gonnering, Chairperson Public Safety Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 9 - 2008-2009 WASHINGTON COUNTY SHERIFF'S DEPARTMENT PROTECTIVE SERVICES COMMAND STAFF ASSOCIATION LABOR AGREEMENT**

Moved by Mr. Heidtke, seconded by Mr. Ewert to approve 2009 - Resolution 9 - 2008-2009 Washington County Sheriff's Department Protective Services Command Staff Association Labor Agreement. Human Resources Director Peter German explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Ewert, Sorce, Borman. Voting No: Hensel, Puerling, McCune, Meyers. Absent: Bausch, Brandt, Brady, Healy. Ayes-22; Noes-4; Absent-4. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code provides for County Board approval as a prerequisite to a voluntary binding agreement between Washington County and any employee labor group; and

WHEREAS, a tentative labor agreement has been reached between the Washington County Sheriff's Department Protective Services Command Staff Association representing certain employees and the Washington County Negotiating Committee for the period of January 1, 2008 to December 31, 2009, the original being on file and available for review with the Human Resources Department; and

WHEREAS, said tentative agreement has been ratified by the members of the employee bargaining unit and has also been ratified by the Administrative Services Committee of the Washington County Board; and

WHEREAS, the following issues summarize the major changes from the previous labor agreement:

1. A two (2) year agreement that will be in effect from January 1, 2008 through December 31, 2009.
2. Wages - Adjust the salary schedule in the contract to provide a 3% across the board increase effective January 1, 2008 and a 3% across the board increase effective January 1, 2009.
3. Amend the Health Insurance Plan as follows:
  - (A) Adjust caps as necessary to continue an 85% employer contribution and 15% employee contribution to cover the monthly cost of the health insurance premium.
  - (B) Retain \$250 single and \$750 family deductible for health insurance.
  - (C) Amend insurance effective January 1, 2008 as follows:
    - (1) In network co-pay split of 90%/10% with an out of pocket maximum of \$500 for single coverage/\$1,500 for family coverage.
    - (2) Out of network co-pay split of 70%/30% with an out of pocket maximum of \$2,000 for single coverage/\$6,000 for family coverage.
  - (E) The Washington County Sheriff's Department Protective Services Command Staff Association employees shall have the option to participate in the voluntary dental plan offered by the County at their own expense.
  - (F) Add language to include the cost of an annual physical for the employee's spouse.
  - (G) Add language to include the following: "The maximum benefits paid under the health insurance plan shall be \$1,000,000 in any one calendar year and \$2,000,000 for the lifetime of the insured person."

4. Increase annual uniform allowance to \$550/year as of 1/1/08 and to \$570/year effective 1/1/09.
5. Amend the Residency requirement to permit employees to reside in Washington County or the surrounding counties which include Dodge, Fond du Lac, Milwaukee, Ozaukee, Sheboygan and Waukesha.

THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said labor agreement between Washington County and Washington County Sheriff's Department Protective Services Command Staff Association is hereby ratified, the original being on file in the County Human Resources Department.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**2009 RESOLUTION 10 - ADVANCE FROM GENERAL FUND-SUPPORT FOR WASHINGTON COUNTY FAIR**

Moved by Mr. Heidtke, seconded by Ms. Russell to approve 2009 Resolution 10 - Advance from General Fund-Support for Washington County Fair. Clerk Jaszewski read correspondence from Slinger High School SADD Advisor Amy Keliher, Washington County Farm Bureau Representatives Michael Strupp and Kevin Gierach, West Bend, Hartford and Germantown Chambers of Commerce Executive Directors, Duane Apel, and Washington County 4H Leaders Association. Supervisor Merten explained the resolution. Scott Lopez, Michael Strupp, Donald Roskopf, Kenneth Miller, and Mary Decker spoke to the resolution. Audrey Yahr announced that a donation, in the amount of \$50,000, will be given for the Washington County Fair.

Amendment 1 - Moved by Mr. McCune, seconded by Mr. Berchem to amend 2009 Resolution 10 on Page 1, Line 12: ~~establishment of an Agricultural & Industrial Society (Society)~~, Page 1, Line 23: ~~Agricultural & Industrial Society (Society)~~. Motion to amend 2009 Resolution 10 carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Stoffel, Bertram, Berchem, Gonnering, Gundrum, McCune, Meyers, Goetz, Ewert, Sorce. Voting No: Justman, Adam, Schulz, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Borman. Absent: Bausch, Brandt, Brady, Healy. Ayes-16; Noes-10; Absent-4.

Amendment 2 - Moved by Mr. McCune, seconded by Mr. Meyers to amend 2009 Resolution 10 on Page 1, Lines 43-45: ~~and for our partner organization, the Agricultural & Industrial Society, a private non-profit organization of~~ and all dedicated staff and fair volunteers. Motion to amend 2009 Resolution 10 carried by voice vote.

Amendment 3 - Moved by Mr. McCune, seconded by Mr. Bertram to amend 2009 Resolution 10 on Page 2, Line 3: for Fair ~~Park~~. Motion to amend 2009 Resolution 10 carried by voice vote.

Amendment 4 - Moved by Mr. McCune, seconded by Mr. Stoffel to amend 2009 Resolution 10 on Page 2, Lines 6-9: ~~The proposed line of credit shall be a formal, written credit term agreement between Washington County and the Agricultural and Industrial Society, which shall be subject to final legal review and final content review of both the County Attorney and the Washington County Chairman.~~ Motion to amend 2009 Resolution 10 carried by voice vote.

2009 Resolution 10 - Advance from General Fund-Support for Washington County Fair as amended carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Schulz, Stoffel, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Ewert, Sorce, Borman. Voting No: Hensel, Ustruck, Stern, Berchem, Meyers, Goetz. Absent: Bausch, Brandt, Brady, Healy. Ayes-20; Noes-6; Absent-4. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the County Board of Supervisors authorized and implemented a new Washington County Fair Park (Fair Park) through the purchase and development of land, preparation of plans, and commitment of funds; and

WHEREAS, Fair Park was established to be the home of the annual County Fair and to serve as a year round, multi-purpose site for community activities; and

WHEREAS, the annual county tax levy budgeted for Fair Park makes up less than 15% of the annual cost of operations, with the balance funded from rental fees, memberships, and program revenues paid by its customers and vendors; and

WHEREAS, financial problems related to the construction of the Ziegler Center during 2008 have depleted the reserves of the Agricultural & Industrial Society (Society) and exhausted its available resources for the payment of monthly invoices from Washington County and paying for the expenses

required for the implementation of a robust County Fair in 2009; and

WHEREAS, the Fair Park Study Committee has begun a thorough review of Fair Park finances and operations to develop forward looking recommendations for how to best continue the annual County Fair and year round use of the Fair Park buildings and grounds at an acceptable level of county tax support in 2010 and thereafter; and

WHEREAS, it is in the interests of Washington County and our citizens for county government to take prompt, necessary and reasonable steps, to assure that a successful 2009 County Fair is organized and held and that appropriate booking and use of the Fair Park buildings is encouraged for 2009 and 2010; and

WHEREAS, it is the County's desire to express its support for the Washington County Agricultural and Industrial Society in its efforts to host the 2009 County Fair and its continued support of the Washington County 4-H programming that utilizes the Fair Park facilities;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the County Board affirm its support for the Washington County Fair Park, and all dedicated staff and fair volunteers;

BE IT FURTHER RESOLVED that the Board authorizes the Society to delay payment of any January – June monthly invoices from Washington County as needed until August 31, 2009.

BE IT FURTHER RESOLVED that the Board extends a line of credit of up to \$250,000 from the County's General Fund as needed prior to the County Fair to be used solely for Fair operating bills for budgeted expenses that otherwise could not be paid timely, which funds will be held by the County and released upon the review and approval of the County's Finance Director of satisfactory itemized monthly invoices detailing said expenses, with repayment of this loan expected from Fair Park revenues. The proposed line of credit shall be a formal, written credit term agreement between Washington County and the Agricultural and Industrial Society, which shall be subject to final legal review and final content review of both the County Attorney and the Washington County Chairman.

BE IT FURTHER RESOLVED that the Finance Director is instructed to work with the Fair Park staff to identify any additional short-term cash flow needs which will require assistance in order to conduct the 2009 County Fair and to bring forward for consideration a related resolution for action by the County Board in June.

Introduced by members of the EDUCATION and CULTURE and FINANCE COMMITTEES  
Marilyn H. Merten, Chairperson Education and Culture Committee  
Ralph R. Hensel, Chairperson Finance Committee

**ADJOURNMENT**

Moved by Mr. Bertram, seconded by Mr. Heidtke to adjourn the meeting at 12:42 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on April 21, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 21st day of April 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
MAY 12, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Hensel, Stoffel.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. Miller, seconded by Mr. Sorce to approve the April 21, 2009, meeting minutes as presented. Motion carried.

**HARTFORD ENERGIZERS DANCE TEAM**

The Washington County Board of Supervisors recognized the Energizers Dance Team of Hartford for achieving the highest honor in competitive dance, a first place Gold Level finish in the Pom Division at the World Dance Championships in Orlando, Florida on April 26, 2009.

**CORRESPONDENCE**

County Clerk Jaszewski read correspondence from Governor Jim Doyle regarding a Homeland Security grant award and the Department of Veterans Affairs regarding a Veterans Service grant award.

**FINANCIAL APPROVAL REPORT NO. 5**

Moved by Mr. Borman, seconded by Ms. Russell to approve Financial Approval Report No. 5 in the amount of \$8,674,818.72. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Stoffel. Abstain: Adam. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 6 - AGING & DISABILITY RESOURCE CENTER (ADRC)**

ADRC Director Linda Olson presented the ADRC annual report. Moved by Ms. Brady, seconded by Mr. Gundrum to accept Annual Report No. 6. Motion carried.

**ANNUAL REPORT NO. 7 - HEALTH DEPARTMENT**

Health Director Linda Walter presented the Health Department annual report. Moved by Mr. Bertram, seconded by Mr. Ustruck to accept Annual Report No. 7. Motion carried.

**ANNUAL REPORT NO. 8 - HUMAN SERVICES DEPARTMENT**

Human Services Director Jim Strachota presented the Human Services Department annual report. Moved by Mr. McCune, seconded by Ms. Puerling to accept Annual Report No. 8. Motion carried.

**2009 ORDINANCE 1 - STAFFING PLAN AND CLASSIFICATION AND COMPENSATION PLAN - COMPREHENSIVE COMMUNITY SERVICES AGENCY; DEPARTMENT OF SOCIAL SERVICES AND HUMAN SERVICES DEPARTMENT; AND EMPLOYEE BENEFIT PROGRAM - OVERTIME - (7.02, 7.03 AND 7.05)**

Moved by Ms. Puerling, seconded by Mr. Ustruck to enact 2009 Ordinance 1- Staffing Plan and Classification and Compensation Plan - Comprehensive Community Services Agency; Department of Social Services and Human Services Department; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05). Supervisor Justman and Supervisor Borman explained the ordinance. Motion carried by roll call vote. Voting Aye: Justman, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Tennies. Absent: Hensel, Stoffel. Ayes-27; Noes-1; Absent-2. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02, 7.03 and 7.05 of the code; relating to: Staffing Plan and Classification and Compensation Plan- Comprehensive Community Services Agency; Department of Social Services and Human Services Department; and Employee Benefit Program - Overtime.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. 7.02 of the code is amended to read:



7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

~~COMPREHENSIVE COMMUNITY SERVICES AGENCY - Administration~~

~~COMPREHENSIVE COMMUNITY SERVICES AGENCY - Mental Health Services~~

**DEPARTMENT OF SOCIAL SERVICES**

HUMAN SERVICES DEPARTMENT - Access & Outreach (CR 09-1)

Authorized Position	Pay Grade	Positions
Acute Care Supervisor	E-6	1
Developmental Disabilities Case Manager	E-2	7 <u>5</u>
<del>Developmental Disabilities &amp; Long Term Support</del>		
<del>Access &amp; Outreach Coordinator</del>	<del>E-7</del>	<del>1</del>
<del>Disability Benefits Specialist</del>	<del>H-7</del>	<del>1</del>
Mental Health Specialist/Crisis Intervention	E-2	9 <u>7</u>
Mental Health Specialist/Crisis Intervention	E-2	4 (P.T.)
Mental Health Specialist/Crisis Intervention Pool	E-2	As Needed
Psychiatric Social Worker	E-5	4 <u>1</u> (P.T.)
Senior Social Worker	"C"	5
Social Worker	"C"	3
Social Worker	"C"	1 (P.T.)

HUMAN SERVICES DEPARTMENT - Administration (AM 09)

Authorized Position	Pay Grade	Positions
Accounting Assistant	H-6	3
<del>Accounting Assistant</del>	<del>H-6</del>	<del>1 (P.T.)</del>
Account Clerk	"C"	4 <u>2</u>
Accounting Supervisor	E-2	2 <u>1</u>
Administrative Assistant	H-7	1
Case Management Technician	H-4	1
Clerk Typist	"C"	2
Deputy Director	E-10	1
Director	E-13	1
<del>Office Assistant</del>	<del>H-2</del>	<del>1 (P.T.)</del>
<del>Office Supervisor</del>	<del>E-1</del>	<del>2</del>
Program Assistant	H-3	4 <u>2</u>
<del>Program Assistant</del>	<del>H-3</del>	<del>2 (P.T.)</del>
Program Support Clerk	"C"	2
Secretary/Receptionist	H-3	3

HUMAN SERVICES DEPARTMENT - Behavioral Health (CR 09-1)

Authorized Position	Pay Grade	Positions
Alcohol & Other Drug Abuse Case Manager	E-2	1
Case Manager In-Home/Outpatient(5)	E-2	1
<del>Chief Clinical Psychologist</del>	<del>Pd. by voucher</del>	<del>1</del>
<del>Clinical Director/Psychiatrist</del>	<del>Pd. by voucher</del>	<del>1</del>
Community Treatment Services Supervisor	E-6	1
Health Information Assistant	H-4	1
Intake Coordinator	E-2	1
<del>Mental Health &amp; Alcohol and Other Drug Abuse</del>		
<del>Behavioral Health Coordinator</del>	<del>E-7</del>	<del>1</del>
Mental Health Case Manager	E-2	1
Mental Health Specialist/CTS	E-2	7
Mental Health Technician	E-1	2
Mental Health Technician	E-1	1 (P.T.)
Occupational Therapist (Registered)	E-3	1
Outpatient Services Coordinator	E-7	1
Psychiatric Social Worker	E-5	5
Psychiatric Social Worker(9)	E-5	1
Psychiatric Social Worker	E-5	4 <u>1</u> (P.T.)
Registered Health Information Technician	E-1	1

Registered Nurse	E-3	3
Registered Nurse	E-3	1 (P.T.)
Resource/Community Support Specialist(9)	E-2	1

HUMAN SERVICES DEPARTMENT - Children & Families (CR 09-1)

Authorized Position	Pay Grade	Positions
<del>Adult</del> Family Aide	"C"	1
<del>Adult</del> Family Aide	"C"	2 (P.T.)
Children & Families Coordinator	E-7	1
<del>Developmental Disabilities</del> CLTS Case Manager(9)	E-2	2
Senior Social Worker	"C"	4+ 9
<del>Social</del> Family Services Supervisor	E-6	3
Social Worker	"C"	6
Social Worker	"C"	2 1 (P.T.)
Social Worker(14)	"C"	2 1

HUMAN SERVICES DEPARTMENT - Economic Support (CR 09-1)

Authorized Position	Pay Grade	Positions
<del>Adult</del> Family Aide		
<del>Economic Support Assistant</del> (9)	"C"	1
<del>Adult</del> Family Aide		
<del>Economic Support Assistant</del>	"C"	1 (P.T.)
Economic Support – Lead Worker	"C"	3
Economic Support Manager	E-5	1
Economic Support Specialist	"C"	42 14
<del>Economic Support Specialist(7)</del>	"C"	1
<del>Economic Support Specialist(20)</del>	"C"	1
Economic Support Supervisor	E-2	2
<del>Office Supervisor Program</del>		
Support Supervisor	E-1	1
Program Support Clerk	"C"	3

(2)(AM 09-1) ~~Limited to Mental Health Services Inpatient Unit. Bonus program will expire 4/31/03 unless reapproved by the Administrative Services Committee of the County Board of Supervisors. Bonuses shall not be used in the calculation of paid overtime rates. Bonus payments shall be authorized at the discretion of the Director of Psychiatric Nursing Mental Health Services and only during times when the unit is short the equivalent of 40 hours per shift per week. (Reserved)~~

(5)(AM 09-1) ~~Twelve hours per week authorized only while appropriate non-County funds meet the full cost of the position. (Reserved)~~

(7)(AM 09-1) ~~The change in these positions provided by Ordinance No. 9 89 90 is conditioned upon the Department of Social Services being named the W 2 Administrative Agency. (Reserved)~~

(9) Authorized only while appropriate non-County funds meet the full cost of these positions.

(14) Position must receive at least 50% State or Federal funding.

(20)(AM 09-1) ~~Position must be funded for the first year without increasing County levy for economic support functions as Family Care is implemented. (Reserved)~~

SECTION 2. NEW POSITIONS.

HUMAN SERVICES DEPARTMENT - Access & Outreach

Authorized Position	Pay Grade	Positions
<del>Mental Health Technician</del>	E-1	1
<del>Family Services Supervisor</del>	E-6	1

SECTION 3. RECLASSIFICATIONS.

HUMAN SERVICES DEPARTMENT - Administration

Authorized Position	Pay Grade	Positions
<del>Accounting Supervisor</del>		
<u>Human Services Accounting Manager</u>	<del>E-2</del> <u>E-3</u>	1
<del>Office Supervisor</del>		
<u>Human Services Office Manager</u>	<del>E-1</del> <u>E-2</u>	1

SECTION 4. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 5. Section 7.05(2) of the code is amended to read:  
 7.05 EMPLOYEE BENEFIT PROGRAM. (2)(AM 09-1) Holidays. (c) The following provisions shall govern eligibility for holiday pay:

\* \* \*

4. The employees of any department which, because of the nature of the work of that department, must remain open on weekends and holidays, shall be entitled to a day off for the holiday on which they work, such day to be scheduled at the discretion of the department head. Employees of the Samaritan Health Center, Medical Examiner and ~~Mental Health Crisis Staff~~ Human Services – Access & Outreach who are required to work a holiday have the option to take holiday time off 60 calendar days prior to or 30 calendar days after the actual holiday subject to the approval of the department head. Any employee who elects to leave his or her employment prior to the holiday for which holiday pay has been paid in advance shall have an equivalent amount deducted from his or her last paycheck.

8. Accrued holiday time including the "floating holiday", cannot be taken off in increments of less than one hour duration. Samaritan Health Center and ~~Mental Health Center~~ Human Services - Access & Outreach personnel covered by this chapter cannot take off accumulated holiday time in increments of less than 4 hours duration.

SECTION 6. Section 7.05(12) of the code is amended to read:  
 7.05 EMPLOYEE BENEFIT PROGRAM (12)(AM 09-1) Overtime. (c) Personnel in the following exempt job classifications: Accounting Supervisor, Administrative Assistant to the Administrative Coordinator/Deputy Emergency Management Coordinator, Admissions Coordinator, Adult Protective Services Social Worker, Alcohol & Other Drug Abuse Case Manager, Assistant to County Treasurer, Assistant to the Highway Commissioner, Buyer, Case Manager In-Home/Outpatient, Central Reproduction Supervisor, Chief Assistant Medical Examiner, Chief Deputy County Clerk/Office Supervisor, Child Support Specialist, Child Support Supervisor, Clerk of Courts Administration and Accounting Supervisor, CLTS Case Manager, Deputy Director (Fair Park), Deputy Register of Deeds, Developmental Disabilities Case Manager, Economic Development Coordinator, Economic Support Manager, Economic Support Supervisor, Emergency Management Coordinator, Employee Benefits Manager, Environmental Health Specialist, Health Educator, Human Resources Analyst, Human Services Accounting Manager, Human Services Office Manager, Information and Assistance Specialist, Inspector in Charge, Intake Coordinator, Juvenile Detention Administrator, Landscape Architect, Landscape Designer, Mental Health Case Manager, Mental Health Specialist, Mental Health Technician, Occupational Therapist, Office Manager Clerk of Circuit Court, Office Manager Planning and Parks, Office Supervisor, Payroll Supervisor, Planner, Program Support Supervisor, Project Technician/Highway, Project Technician/Land Conservation, Public Health Data Specialist, Radio Systems Administrator, Registered Health Information Technician, Resource/Community Support Specialist, Senior Technician, Social Worker (Samaritan Health Center), Victim/Witness Coordinator, and WIC Program Supervisor shall earn overtime credit in the following manner:

SECTION 7. Section 7.05(22) of the code is amended to read:  
 7.05 EMPLOYEE BENEFIT PROGRAM. (22)(AM 09-1) Shift Premium. Licensed nursing personnel employed at the Samaritan Health Center ~~or the Inpatient Unit of the Mental Health Center~~ ~~and~~ scheduled to work either the second or third shift shall in addition to the regular hourly rate, receive a shift differential as determined by the County Board of Supervisors. The shift differential shall not be allowed for meetings held on the day shift or for time spent on jury duty. Shift differential and weekend differential shall not be used in the calculation of severance pay or retirement payout benefits.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.  
 Introduced by members of the HUMAN SERVICES BOARD, ADMINISTRATIVE SERVICES and

**FINANCE COMMITTEES**

Leslie J. Borman, Chairperson Human Services Board  
Roy C. Justman, Chairperson Administrative Services Committee  
Ralph R. Hensel, Chairperson Finance Committee

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Education and Culture Committee, Administrative Services Committee, Public Safety Committee, Wisconsin Counties Association Board of Commissioners, Transportation Committee, Planning, Conservation, and Parks Committee, Radio Communications and Systems Committee, and County Board Chairperson.

**2009 RESOLUTION 11 - COMMENDATION OF ALLEN AND AUDREY YAHR**

Moved by Mr. Gonnering, seconded by Mr. Sorce to adopt 2009 Resolution 11 - Commendation of Allen and Audrey Yahr. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, on April 21, 2009, Allen and Audrey Yahr, among others, appeared at a meeting of the Washington County Board of Supervisors to show their support for the Washington County Fair; and

WHEREAS, Audrey Yahr made a statement of support of the Washington County Fair at that meeting; and

WHEREAS, as a part of her statement, Audrey Yahr made a generous donation of \$50,000 to be used for the benefit of the 2009 Washington County Fair; and

WHEREAS, during her statement, Audrey Yahr reflected on many fond memories shared by her and her family of County Fairs in years past as well as the many years her father, Orrin J. Peters, served on the Washington County Board of Supervisors and his longtime support of 4-H activities and the County Fair; and

WHEREAS, this substantial expression of support in keeping with her wishes will provide financial assistance for the 2009 Washington County Fair including 4-H activities and events that occur during the Fair; and

WHEREAS, the Washington County Executive Committee voted unanimously to commend the remarkable generosity of Allen and Audrey Yahr and thank them for their statements and actions in support of the Fair;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that Allen and Audrey Yahr are hereby commended for their generous donation and the many benefits it will provide to the Washington County Fair.

BE IT FURTHER RESOLVED that it is the distinct desire of the County Board on behalf of all citizens of Washington County to pause in its deliberations to pay tribute and to thank Allen and Audrey Yahr for their community spirit, generosity and genuine support for the Washington County Fair.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Allen and Audrey Yahr as a token of appreciation on the part of this Board.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennies, Chairperson

**2009 RESOLUTION 12 - GRANT APPLICATION - DIGITAL RECORDING EQUIPMENT**

Moved by Mr. Bausch, seconded by Mr. Gundrum to adopt 2009 Resolution 12 - Grant Application - Digital Recording Equipment. Sheriff Dale Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Stoffel. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant programs or applications for funds receive prior approval by the County Board of Supervisors; and

WHEREAS, pursuant to 2005 Act 60, Wisconsin law requires recording of certain juvenile custodial interrogations and all felony interrogations; and

WHEREAS, the Washington County Sheriff's Department was awarded an initial grant for the purchase of digital recording equipment for use in juvenile custodial interrogations and felony interrogations in the amount of \$8,400; and

WHEREAS, the Washington County Sheriff's Department has awarded a second grant for the purchase of digital recording equipment for use in juvenile custodial interrogations and felony interrogations in the amount of \$6,087; and

WHEREAS, additional interview rooms in the Sheriff's Department would benefit from the installation of recording equipment; and

WHEREAS, the Sheriff's Department has been awarded a third grant for a total of \$11,592, with no match funding required;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board approves and authorizes the Sheriff's Department to apply for and accept the Wisconsin Department of Administration, Office of Justice Assistance, grant funds for digital recording equipment, with the understanding that there be no additional staffing and no additional direct costs incurred by Washington County.

BE IT FURTHER RESOLVED that the Sheriff is authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES

Joseph C. Gonnering, Chairperson Public Safety Committee

Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 13 - GRANT APPLICATION - 2009 JUSTICE ASSISTANCE STIMULUS FUNDING AMERICAN RECOVERY AND REINVESTMENT ACT**

Moved by Mr. Sorce, seconded by Mr. Miller to adopt 2009 Resolution 13 - Grant Application - 2009 Justice Assistance Stimulus Funding American Recovery and Reinvestment Act. Sheriff Dale Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Stoffel. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, on February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009; and

WHEREAS, Wisconsin is receiving \$32.5 million in justice-related funding through the Recovery Act, with \$11.2 million of these funds being awarded directly from the federal government to cities and counties across the State of Wisconsin; and

WHEREAS, applicants are limited to units of local government listed in the Recovery Act Justice Assistance Grant Program (JAG) allocation list for JAG funds; and

WHEREAS, Washington County is listed on the Recovery Act JAG allocation list as the recipient of a direct award in the amount of \$19,683.00; and

WHEREAS, there are no match requirements as part of the direct award; and

WHEREAS, Washington County may spend the awarded funds in one of seven program areas, including law enforcement and technology improvement programs; and

WHEREAS, to meet the requirements of the grant, the Washington County Sheriff's Department proposes to use the awarded funds to purchase law enforcement related equipment and/or improved technology; and

WHEREAS, said equipment and/or technology will be purchased with the goal of improving the productivity, efficiency and quality of service provided by the Sheriff's Department to the citizens of Washington County;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board approves and authorizes the Sheriff's Department to apply for and accept the Recovery Act Justice Assistance Grant Program funds in the amount of \$19,683.00 to provide for the purchase of law enforcement related equipment and/or improved technology, with the understanding that there be

no additional staffing and no additional direct costs incurred by Washington County.

BE IT FURTHER RESOLVED that the Sheriff is authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
Joseph C. Gonnering, Chairperson Public Safety Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 14 - OPPOSITION TO THE GOVERNOR'S PROPOSED CHANGES TO WISCONSIN PREVAILING WAGE LAW**

Moved by Mr. Miller, seconded by Mr. Core to adopt 2009 Resolution 14 - Opposition to the Governor's Proposed Changes to Wisconsin Prevailing Wage Law. Chairperson Tennes and County Attorney Kim Nass explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Healy, Borman. Voting No: None. Absent: Hensel, Stoffel. Abstain: Sorce. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Governor Jim Doyle's proposed biennial state budget, 2009 Assembly Bill 75, proposes to make the prevailing wage law applicable to any public work contract over \$2,000; and

WHEREAS, under the current law, the prevailing wage requirements only apply to multiple-trade public works projects over \$234,000 and single-trade public works projects over \$48,000; and

WHEREAS, reducing the threshold to \$2,000 will increase the cost of small public works projects previously exempted from the prevailing wage requirement; and

WHEREAS, the cost increase to pay prevailing wages on all public works projects over \$2,000 will force counties and municipalities to either reduce the number of and/or size of public works projects or raise taxes to meet the increased costs, which is an increased burden on property taxpayers; and

WHEREAS, the requirement to pay prevailing wage on all public works projects over \$2,000 will remove the competitive advantage that many smaller local contractors have on smaller public works projects over larger contractors from outside the immediate community, and thus, may hurt the local economy in these communities while still increasing the costs of these projects; and

WHEREAS, the Governor's proposed state budget also, for the first time, proposes to make the prevailing wage law applicable to private projects that receive public financing, public funding or other forms of public assistance; and

WHEREAS, the proposed changes to the prevailing wage law in the state budget are non-fiscal policy changes that only affect local governments and should be introduced as separate and transparent legislation rather than be included in the state budget;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board opposes the changes to the prevailing wage law as described herein, which are included in Governor Doyle's state budget proposal, 2009 Assembly Bill 75, and hereby urges the Wisconsin State Legislature to remove these items from the Budget Bill.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all State Senators and Representatives representing Washington County, Governor Doyle, and the Wisconsin Counties Association.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 RESOLUTION 15 - OPPOSITION TO THE GOVERNOR'S PROPOSED CHANGES TO INSURANCE LAWS AND 2009 SENATE BILL 20**

Moved by Mr. McCune, seconded by Ms. Puerling to adopt 2009 Resolution 15 - Opposition to the Governor's Proposed Changes to Insurance Laws and 2009 Senate Bill 20. County Attorney Kim Nass explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Healy, Borman. Voting No: None. Absent: Hensel, Stoffel. Abstain: Sorce. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in

attendance.

WHEREAS, Governor Jim Doyle's 2009 Executive Budget Bill (2009 Assembly Bill 75) contains several anti-tort reform proposals including, but not limited to:

- 1) Changing comparative negligence laws to force a defendant to pay one hundred percent of the damages when they have as little as one percent of liability;
- 2) Forcing individuals, companies and local governments to pay for higher levels of insurance by increasing mandatory minimum auto liability insurance limits;
- 3) Changing the definition of an "underinsured motorist" in a way that may increase insurance claims;
- 4) Requiring insurance companies to cover "uninsured motorist" insurance claims when no contact was made between the insured's car and another car, thereby increasing the risk of fraudulent claims;
- 5) Allowing "stacking" of coverage for "underinsured motorists" such that the coverage limits for an accident are not limited to the policy relating to the particular vehicle involved in the accident;
- 6) Forcing excess or umbrella insurers to offer to cover certain claims when the coverage was not requested by the insured; and

WHEREAS, the aforementioned anti-tort reform proposals would significantly increase the cost of providing insurance in Wisconsin; and

WHEREAS, Washington County currently procures its liability insurance through Wisconsin County Mutual Insurance Corporation (WCMIC); and

WHEREAS, WCMIC is a county owned and operated mutual insurance company created for the purpose of providing long-term stability in insurance coverage and insurance costs for counties; and

WHEREAS, as a mutual insurance company, WCMIC's increased cost of providing insurance resulting from the anti-tort reform proposals would be borne by counties and their taxpayers directly in the form of increased insurance premiums; and

WHEREAS, Senate Bill 20 would have a dramatic financial impact on counties by changing employment discrimination laws as follows:

- 1) Allowing claimants to collect unlimited punitive damages against counties contrary to current state and federal law;
- 2) Forcing counties to pay a punitive 10% surcharge to the court system in addition to unlimited damages;
- 3) Forcing counties to litigate issues of compensatory and punitive damages years after the initial discrimination complaint was filed;
- 4) Creating an irrational and inefficient complaint process where both parties have an incentive to litigate claims to the fullest extent possible; and

WHEREAS, Washington County faces significant budgetary challenges related to the provision of critical state and county services at a time when state and federal financial support for such services is decreasing and the burden placed on Washington County taxpayers is growing; and

WHEREAS, adding new costs for counties and forcing counties to increase their tax levies during our current economic downturn would be devastating to property taxpayers who can ill afford increased taxes or increased insurance costs;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board opposes the Governor's proposed changes to insurance laws included in his 2009 Executive Budget (2009 Assembly Bill 75) and the proposed changes to employment discrimination laws in 2009 Senate Bill 20 and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals and 2009 Senate Bill 20.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all State Senators and

Representatives representing Washington County, Governor Doyle, and the Wisconsin Counties Association.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 ORDINANCE 2 - OPEN MEETINGS - (2.08)**

Moved by Ms. Russell, seconded by Mr. Heidtke to adopt 2009 Ordinance 2 - Open Meetings - (2.08). County Attorney Kim Nass explained the ordinance. Motion defeated by roll call vote. Voting Aye: Tennes, Miller, Schulz, Bausch, Merten, Heidtke, Core, Russell. Voting No: Justman, Adam, Puerling, Ustruck, Stern, Brandt, Bertram, Berchem, Gonnering, Gundrum, Laubenheimer, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Absent: Hensel, Stoffel. Ayes-8; Noes-20; Absent-2. Vote requirement for passage is a majority of the members in attendance.

**ADJOURNMENT**

Moved by Mr. Meyers, seconded by Mr. Ustruck to adjourn the meeting at 12:03 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON                )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on May 12, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 14<sup>th</sup> day of May 2009.

Brenda J. Jaszewski, County Clerk



**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
JUNE 9, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Berchem, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Gonnering, Gundrum. Absent: Bertram.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. McCune, seconded by Mr. Sorce to approve the May 12, 2009, meeting minutes as presented. Motion carried.

**2009 RESOLUTION 16 - COMMENDATION OF LOUANN C. KOCHER**

Moved by Mr. Stoffel, seconded by Mr. Bausch to adopt 2009 Resolution 16 - Commendation of Louann C. Kocher. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Louann C. Kocher has contributed more than thirty years of loyal service to the citizens of Washington County; and

WHEREAS, Louann C. Kocher has chosen to retire from her present position of Licensed Practical Nurse at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Louann C. Kocher for her thirty years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Louann C. Kocher as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**LANDMARK COMMISSION CERTIFICATION**

Landmark Commission Chair Marilyn Merten presented a Landmark Certificate to former Town of Richfield Chair Ralph Schulteis and Village of Richfield Trustee Chuck Kugel for the Messer/Mayer Mill in the Village of Richfield in recognition of the preservation of this historic site.

**CORRESPONDENCE**

County Clerk Jaszewski read correspondence from Governor Jim Doyle regarding Homeland Security grants.

**FINANCIAL APPROVAL REPORT NO. 9**

Moved by Ms. Merten, seconded by Mr. Sorce to approve Financial Approval Report No. 9 in the amount of \$4,331,948.19. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Stern, Schulz, Stoffel, Bausch, Brandt, Berchem, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Ustruck. Absent: Bertram, Gonnering, Gundrum. Abstain: Adam. Ayes-25; Noes-1; Absent-3; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 10 - VETERANS SERVICES ANNUAL REPORT**

Veterans Service Officer Mark Baldwin presented the Veterans Services annual report. Moved by Ms. Brady, seconded by Mr. Bausch to accept Annual Report No. 10. Motion carried.

**ANNUAL REPORT NO. 11 - SAMARITAN ANNUAL REPORT**

Samaritan Administrator Ed Somers presented the Samaritan annual report. Moved by Mr. Hensel, seconded by Ms. Puerling to accept Annual Report No. 11. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Administrative Services Committee, Human Services Board, Transportation Committee, Samaritan Committee, Board of Health, Aging, Disability and Resource Center Board, Planning, Conservation and Parks Committee, Radio Communications and Systems Committee, Finance Committee, and County Board Chairperson.

**2009 RESOLUTION 17 - GRANT APPLICATION - FFY 2009 ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM**

Moved by Mr. Miller, seconded by Mr. Borman to adopt 2009 Resolution 17 - Grant Application - FFY 2009 Energy Efficiency and Conservation Block Grant (EECBG) Program. Administrative Coordinator Doug Johnson explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Berchem, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bertram, Gonnering, Gundrum. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors; and

WHEREAS, on February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the funds from the federal government for Federal Fiscal Year 2009 within the Energy Efficiency and Conservation Block Grant (EECBG) Program are provided to fund initiatives in Washington County for energy efficient equipment; and

WHEREAS, the residents of Washington County would benefit from having energy efficient buildings and utilities that reduce costs and pollution; and

WHEREAS, grant funds of up to \$524,400.00 may be available to Washington County for the EECBG Program through the U.S. Department of Energy; and

WHEREAS, the Executive Committee, at its meeting on April 28, 2009, recommended that the grant funds be used for acquiring energy efficient boilers, solar panels and lighting;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the County Administrative Coordinator is authorized to apply for and accept grant funds with the understanding that other energy grants will be applied, if available, and that there be no additional direct costs incurred by Washington County other than those costs to be covered by the grant award.

BE IT FURTHER RESOLVED that the County Board Chairperson, Finance Director and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

BE IT FURTHER RESOLVED that upon receipt of the grant funds, distribution will be at the discretion of the Washington County Administrative Coordinator, consistent with the requirements of the grant.

Introduced by members of the ADMINISTRATIVE SERVICES and FINANCE COMMITTEES  
 Roy C. Justman, Chairperson Administrative Services Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 18 - AUTHORIZATION TO EXPAND COUNTY'S ENVIRONMENTAL HEALTH PROGRAM TO SERVE AS AGENT OF THE DEPARTMENT OF HEALTH SERVICES FOR LOCAL FOOD SAFETY AND RECREATIONAL LICENSING SERVICES**

Moved by Ms. Brady, seconded by Mr. Ewert to adopt 2009 Resolution 18 - Authorization to Expand County's Environmental Health Program to Serve as Agent of the Department of Health Services for Local Food Safety and Recreational Licensing Services. Health Director Linda Walter explained the resolution.

Moved by Mr. McCune, seconded by Mr. Goetz to amend 2009 Resolution 18 on Page 2, Line 27: ~~apply for and accept.~~ Motion to amend 2009 Resolution 18 carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Berchem, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Goetz, Ewert, Sorce, Healy, Borman. Voting No: Russell, Meyers, Brady. Absent: Bertram, Gonnering, Gundrum. Ayes-24; Noes-3; Absent-3. Vote requirement for passage is a majority of the members in attendance. 2009 Resolution 18 as amended carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Bausch, Heidtke, Core, Russell, Jung, Meyers, Ewert, Brady, Sorce, Healy, Borman. Voting No: Justman, Schulz, Stoffel, Brandt, Berchem, Merten, Laubenheimer,

McCune, Goetz. Absent: Bertram, Gonnering, Gundrum. Ayes-18; Noes-9; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, the Washington County Board of Supervisors is committed to its mission to provide all County citizens with cost effective, prompt and high quality services that conform to requirements and meet or exceed the public's expectations; and

WHEREAS, the Washington County Health Department is committed to its mission to promote health, prevent disease and protect health for all; and

WHEREAS, both the 2001-2005 and 2006-2010 Community Health Improvement Plans have identified a need to assure citizens of Washington County that licensed facilities meet safety and sanitary standards to prevent communicable diseases; and

WHEREAS, both the 200-2005 and 2006-2010 Health Department Strategic Plans address advocating for local food safety and recreational licensing services; and

WHEREAS, the 2004 Department of Health and Family Services, Division of Public Health Restructuring Report recommended all local health departments offer local food safety and recreational licensing (FSRL) services; and

WHEREAS, as a part of the 2004 Restructuring Report and other reorganization at the State level, the Food Safety and Recreational Licensing Bureau was established within the State Department of Health Services (DHS), Division of Public Health (DPH); and

WHEREAS, as a part of the development of the County's Multi-Jurisdictional Comprehensive Plan, the Board of Health recommended that local FSRL services be provided by the Health Department; and

WHEREAS, the need for local FSRL services has been assessed and recommended by the State of Wisconsin during the past three DHS 140 review processes (1999, 2005 and 2009); and

WHEREAS, the Board of Health has assessed public health needs and advocated for the Health Department to provide local FSRL services as a reasonable and necessary public health service by voting on May 6, 2009 to send the proposal to the Executive Committee for review; and

WHEREAS, the County's Executive Committee reviewed the proposal on May 26, 2009 and recommended it be forwarded to the County Board; and

WHEREAS, licensed facility operator input has been sought and operator support for food safety and recreational licensing services has been documented; and

WHEREAS, Section 254.69 of the Wisconsin Statutes and HFS Chapter 192 of the Wisconsin Administrative Code allow local health departments to conduct inspections and investigations, issue permits and enforce environmental health sanitation rules by entering into an agreement with the Department of Health Services, Division of Public Health, Food Safety and Recreational Licensing Bureau to become agents of the state;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Health Department is authorized to expand its Environmental Health Program to include food safety and recreational licensing services starting in 2010 as an agent of the state under Chapters HFS 172, 173, 175, 178, 192, 195, 196, 197 and 198 of the Wisconsin Administrative Code and in accordance with the intent of §254.69, Wis. Stats.

BE IT FURTHER RESOLVED that appropriate Washington County Code amendments be drafted and presented to the Board in 2009 in preparation for the implementation of the local program referred to herein.

BE IT FURTHER RESOLVED that the Health Department is authorized to explore any grant funding available to defray or offset start-up costs for this program.

BE IT FURTHER RESOLVED that the County Board Chair and County Clerk are authorized to execute the agreements with the State of Wisconsin necessary for the implementation of the local program referred to herein, subject to the review and approval of the County Attorney.  
 Introduced by members of the HEALTH and AGING and EXECUTIVE COMMITTEES  
 Charlene S. Brady, Chairperson Health and Aging Committee  
 Herbert J. Tennies, Chairperson Executive Committee

**2009 RESOLUTION 19 - ADVANCE FROM THE GENERAL FUND - 2009 COUNTY FAIR - CHANGE FUND**

Moved by Mr. Heidtke, seconded by Ms. Russell to adopt 2009 Resolution 19 - Advance from the General Fund - 2009 County Fair - Change Fund. Finance Director Susan Haag explained the resolution. Moved by Mr. Meyers, seconded by Mr. Ustruck to amend 2009 Resolution 19 on Page 2, Line 10: change fund and the \$250,000. Chairperson Tennes declared the amendment out of order.

Moved by Mr. Stoffel, seconded by Mr. McCune to amend 2009 Resolution 19 on Page 2, Line 2: . . in this resolution, and as further described in a written loan agreement between Washington County and AIS, which shall be executed prior to release of said funds. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Berchem, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bertram, Gonnering, Gundrum. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

2009 Resolution 19 as amended carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Stern, Schulz, Stoffel, Bausch, Brandt, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Ewert, Brady, Sorce, Healy, Borman. Voting No: Ustruck, Berchem, Meyers, Goetz. Absent: Bertram, Gonnering, Gundrum. Ayes-23; Noes-4; Absent-3. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the County Board of Supervisors authorized and implemented a new Washington County Fair Park (Fair Park) through the purchase and development of land, preparation of plans and commitment of funds; and

WHEREAS, Fair Park was established to be the home of the annual County Fair and to serve as a year round, multi-purpose site for community activities; and

WHEREAS, 2009 Resolution 10 adopted by the Washington County Board of Supervisors on April 21, 2009, approved, among other items, extending a line of credit of not to exceed \$250,000 for the 2009 County Fair; and

WHEREAS, 2009 Resolution 10 also identified the possibility of additional short-term cash flow needs for the 2009 County Fair; and

WHEREAS, the Finance Director and County Treasurer have met with the Agricultural and Industrial Society's financial personnel (Treasurer and Accounting Manager) to discuss the specific cash flow needs during the six day County Fair (July 21, 2009 thru July 26, 2009) including the need to have available an adequate amount of money to make change in the various ticket booths and beverage tents ("change fund") for each day of the Fair; and

WHEREAS, the Society has reviewed and considered the cash flow needs of previous County Fairs and based on this review, has determined that approximately \$260,000 is needed to meet the day-to-day operational needs ("change fund") during the 2009 event; and

WHEREAS, the Society's financial personnel have worked cooperatively with the County's Finance Director and Treasurer to establish a procedure to address the day-to-day cash flow during the week of the 2009 County Fair;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Board extends a line of credit of up to \$260,000 from the County's General Fund as needed during the six days of the 2009 County Fair beginning July 21, 2009 for day-to-day change fund needed for daily operations and for specific daily expenses during the Fair.

BE IT FURTHER RESOLVED that during the week of the Fair, the County's working bank account will receive the daily deposits from the Fair.

BE IT FURTHER RESOLVED that any and all of the \$260,000 advanced per the authorization in this resolution and as further described in a written loan agreement between Washington County and AIS, which shall be executed prior to release of said funds, be returned to the County in full and upon the conclusion of a complete reconciliation but no later than the close of business on July 29, 2009.

BE IT FURTHER RESOLVED that the Finance Director is instructed to implement the necessary procedures and safeguards to ensure that any and all funds deposited into the County's working bank and advanced per the authorization in this resolution be properly managed.

BE IT FURTHER RESOLVED that the balance of the Fair proceeds be held by the County (Fair proceeds less the change fund advanced by and returned to the County) be distributed to the Society upon the written request(s) made to the County's Finance Director by the Society's Treasurer.

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**OPEN HOUSE AT THE NEW GOLF COURSE REPLACEMENT STORAGE BUILDING**  
Supervisors Miller, Ustruck, Stoffel, Heidtke, Russell, Schulz, Jung, Brady, Core, Hensel, Puerling, Stern, Ewert, Brandt, Laubenheimer, Justman, Healy, and Chairperson Tennes were in attendance.

**ADJOURNMENT**

Moved by Ms. Puerling, seconded by Mr. Heidtke to adjourn the meeting at 1:00 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on June 9, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 10th day of June 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
JULY 14, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Berchem, Russell.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. McCune, seconded by Mr. Sorce to approve the June 9, 2009, meeting minutes as presented. Motion carried.

**APPOINTMENT**

Moved by Mr. Hensel, seconded by Mr. Miller to approve the appointment of James Spella, replacing Robert Retko, Alternate, to the Ethics Board for an unexpired three-year term, effective July 14, 2009, through April 17, 2012. Motion carried.

**PETITION NO. 1 - AMEND ZONING ORDINANCE/MAP: BLACK MAPLE LLC,  
SECTION 22, TOWN OF WAYNE  
REPORT NO. 13 - PLANNING, CONSERVATION AND PARKS COMMITTEE: BLACK  
MAPLE LLC, SECTION 22, TOWN OF WAYNE  
2009 ORDINANCE 3 - SHORELAND/WETLAND/FLOODPLAIN ZONING MAPS - TOWN  
OF WAYNE - (23.02, 23.03 AND 23.16)**

Clerk Jaszewski read Petition No. 1 - Amend Zoning Ordinance/Map: Black Maple LLC, Section 22, Town of Wayne. Supervisor Stern presented Report No. 13 - Planning, Conservation and Parks Committee: Black Maple LLC, Section 22, Town of Wayne. Moved by Mr. Stoffel, seconded by Mr. Heidtke to enact 2009 Ordinance 3 - Shoreland/Wetland/Floodplain Zoning Maps - Town of Wayne - (23.02, 23.03 and 23.16). Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Berchem, Russell. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend the Shoreland/Wetland/Floodplain Zoning Maps established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the code; relating to: Shoreland/Wetland/Floodplain Zoning Maps.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland/Wetland/Floodplain District to a revised Shoreland/Wetland/Floodplain District, the property located in the northeast quarter of Section 22, Township 12 North, Range 18 East, Town of Wayne, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**PUBLIC AGENCY CENTER & SENIOR CENTER SPACE PLANNING REPORT &  
MASTER PLAN REPORT**

Appearance: Ron Locast and Wendy von Below, Potter Lawson.  
Ms. von Below presented the Public Agency Center & Senior Center Space Planning report. Mr. Locast presented the Short Term and Long Term Master Plan. Moved by Mr. Bertram, seconded by Mr. Jung to accept the report. Motion carried.

The meeting recessed at 11:09 a.m. and reconvened at 11:15 a.m.

**FINANCIAL APPROVAL REPORT NO. 12**

Moved by Ms. Puerling, seconded by Mr. Gonnering to approve Financial Approval Report No. 12 in the amount of \$6,687,843.60. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Berchem, Russell. Abstain: Adam. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**REPORT NO. 15 - 2010 BUDGET INTRODUCTION**

Administrative Coordinator Doug Johnson gave an overview of the 2010 County Budget guidelines and process. Moved by Mr. Bausch, seconded by Mr. Gundrum to accept the report. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Education & Culture Committee, Transportation Committee, Aging, Disability and Resource Center Board, Board of Health, Southeastern Wisconsin Regional Planning Commission, Human Services Board, Planning, Conservation and Parks Committee, Radio Communications Systems Committee, Finance Committee, Samaritan Committee, and County Board Chairperson.

**2009 RESOLUTION 20 - GRANT APPLICATION - GYPSY MOTH SUPPRESSION PROGRAM**

Moved by Mr. Ustruck, seconded by Mr. Miller to adopt 2009 Resolution 20 - Grant Application - Gypsy Moth Suppression Program. Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Berchem, Russell. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the Washington County Board of Supervisors; and

WHEREAS, Washington County continues to experience gypsy moth infestations in areas of the county and aerial spraying is currently the most cost-effective manner to suppress large scale gypsy moth infestations; and

WHEREAS, a continued gypsy moth suppression program would aid in protecting foliage on trees in wooded residential and high-use recreational areas which would help prevent severe tree damage and loss that can occur after three years of defoliation, provide homeowner protection from a widespread nuisance pest, protect the environment by spraying with a safe, uniform product and provide an economic program for residents; and

WHEREAS, Washington County, on behalf of individual municipalities, may participate in the Department of Natural Resources Gypsy Moth Suppression Program to assist residents by providing cost sharing for the treatment of and associated administrative costs for suppression of Gypsy Moth outbreaks; and

WHEREAS, the Gypsy Moth Suppression Program may reimburse municipalities up to 50% of treatment and associated administrative expenses, depending on available U.S. Forest Service cost share funding; and

WHEREAS, Washington County may assign an agent who will be responsible to ensure all applicable duties as outlined in the provisions s. NR 47, Wis. Adm. Code and applicable Wisconsin Statutes and Wisconsin Administrative Codes are fulfilled; and

WHEREAS, the 2008 Planned Activities Update to the Washington County Land & Water Resources Plan (*1<sup>st</sup> Revision 2006-2010*) includes continued participation in the Wisconsin Department of Natural Resources Gypsy Moth Suppression Program as a planned action of Washington County; and

WHEREAS, in 2009, Washington County was awarded \$4,516.11 on behalf of the City of West Bend for aerial spraying of a gypsy moth infestation;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department is hereby authorized to apply for grant funding as part of the Wisconsin Department of Natural Resources Gypsy Moth Suppression Program on an annual basis without the need for further County Board consideration provided that no additional staff are

required and that the program and any matching costs are included in the approved budget for the year of proposed grant program functioning; and

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary contracts in order to retain an agent who will be responsible to ensure all applicable duties as outlined in the provisions s. NR 47, Wis. Adm. Code and other applicable Wisconsin Statutes and Wisconsin Administrative Codes are fulfilled, upon the annual review and approval of the County Attorney.

Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
John W. Stern, Chairperson Land Conservation Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 21 - GRANT APPLICATION - AQUATIC INVASIVE SPECIES CONTROL**

Moved by Mr. Gonnering, seconded by Mr. Sorce to adopt 2009 Resolution 21 - Grant Application - Aquatic Invasive Species Control. Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Berchem, Russell. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors; and

WHEREAS, the Aquatic Invasive Species Control Grant Program set forth in NR 198 of the Wisconsin Administrative Code and §23.22(2)(c), Wis. Stats., establishes a cost-sharing grant to public and private entities for up to 75% of the cost of projects to control invasive species; and

WHEREAS, the lakes and rivers of Washington County are an important natural resource used by the public for recreation and enjoyment which should be afforded protection from infestation of aquatic invasive species; and

WHEREAS, the 2008 Planned Activities Update to the Washington County Land & Water Resources Plan (1<sup>st</sup> Revision 2006-2010) includes the need to preserve streams and wetlands, protect exceptional water resources, and provide information and education to the public regarding invasive species; and

WHEREAS, Washington County may apply for an Aquatic Invasive Species Control Grant not to exceed \$250,000 to assist local efforts to provide information and education on the types of existing and potential aquatic invasive species in the County, the threats they pose for the County's aquatic resources and the techniques available for their control; and

WHEREAS, an award of grant monies by the Wisconsin Department of Natural Resources through this grant process will require 25% matching grant funds from the County which will be fully satisfied by the in-kind services of the County with no levy increase and public inland lake protection and rehabilitation districts; and

WHEREAS, Washington County may retain a contracted agent as the Aquatic Invasive Species Coordinator who will be responsible to ensure all applicable duties as outlined in the grant agreement and other applicable Wisconsin Statutes and Wisconsin Administrative Codes are fulfilled;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department is authorized to apply for an Aquatic Invasive Species Control Grant described herein;

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Planning and Parks Department Administrator to execute any and all documents, including but not limited to the grant agreement, subject to the review and approval of the County Attorney;

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary contracts in order to retain a contracted agent to serve as the Aquatic Invasive Species Coordinator, subject to the review and approval of the County Attorney;

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require the in-kind services of the County and public inland lake protection and rehabilitation districts to cover 25% of the grant and shall not require the hiring of additional County staff.



Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
John W. Stern, Chairperson Land Conservation Committee  
Ralph R. Hensel, Chairperson Finance Committee

**TOUR OF REMODELED SAMARITAN HEALTH CENTER AREAS**

The Washington County Board Supervisors toured the remodeled areas at the Samaritan Health Center. Supervisor John Stern was excused.

**ADJOURNMENT**

Moved by Mr. Bertram, seconded by Mr. Healy to adjourn the meeting at 12:58 a.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on July 14, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 16<sup>th</sup> day of July 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
AUGUST 11, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Heidtke.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. McCune to approve the July 14, 2009, meeting minutes as presented. Motion carried.

**APPOINTMENT**

Moved by Mr. Miller, seconded by Mr. Hensel to approve the appointment of Paul Rice, replacing Amy Bingen, to the County Library Services Board for an unexpired three-year term, effective August 11, 2009, through April 30, 2011. Motion carried.

**2009 RESOLUTION 22 - COMMENDATION OF KAY M. LIESSE**

Moved by Mr. Stoffel, seconded by Mr. Gonnering to adopt 2009 Resolution 22 - Commendation of Kay M. Liesse. Clerk Jaszewski read the commendation. In appreciation of her 32 years of service to the County, Chairperson Tennies presented Ms. Liesse with a clock. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Kay M. Liesse has contributed more than thirty-two years of loyal service to the citizens of Washington County; and

WHEREAS, Kay M. Liesse has chosen to retire from her present position of Economic Support Supervisor in the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Kay M. Liesse for her thirty-two years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Kay M. Liesse as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 23 - COMMENDATION OF MARY E. VANBEEK**

Moved by Mr. Gonnering, seconded by Mr. Goetz to adopt 2009 Resolution 23 - Commendation of Mary E. VanBeek. Clerk Jaszewski read the commendation. In appreciation of her 35 years of service to the County, Chairperson Tennies presented Ms. VanBeek with a clock. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Mary E. VanBeek has contributed more than thirty-five years of loyal service to the citizens of Washington County; and

WHEREAS, Mary E. VanBeek has chosen to retire from her present position of Dietary Aide at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Mary E. VanBeek for her thirty-five years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Mary E. VanBeek as

a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**PETITION NO. 2 - AMEND ZONING ORDINANCE/MAP: ALAN & CINDY SCHMITZ, SECTION 12, TOWN OF ADDISON  
REPORT NO. 16 - PLANNING, CONSERVATION AND PARKS COMMITTEE: ALAN & CINDY SCHMITZ, SECTION 12, TOWN OF ADDISON  
2009 ORDINANCE 4 - SHORELAND/WETLAND/FLOODPLAIN ZONING MAPS - TOWN OF ADDISON - (23.02, 23.03 AND 23.16)**

Clerk Jaszewski read Petition No. 2 - Amend Zoning Ordinance/Map: Alan & Cindy Schmitz, Section 12, Town of Addison. Supervisor Stern presented Report No. 16 - Planning, Conservation and Parks Committee: Alan & Cindy Schmitz, Section 12, Town of Addison. Moved by Mr. Stern, seconded by Mr. Gonnering to enact 2009 Ordinance 4 - Shoreland/Wetland/Floodplain Zoning Maps - Town of Addison - (23.02, 23.03 and 23.16). Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Heidtke. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend the Shoreland/Wetland/Floodplain Zoning Maps established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the code; relating to: Shoreland/Wetland/Floodplain Zoning Maps.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland/Wetland/Floodplain District to a revised Shoreland/Wetland/Floodplain District, the property located in a part of the Northwest Quarter and a part of the Southwest Quarter of Section 12, Township 11 North, Range 18 East, Town of Addison, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**FINANCIAL APPROVAL REPORT NO. 14**

Moved by Mr. Stoffel, seconded by Ms. Russell to approve Financial Approval Report No. 14 in the amount of \$14,665,715.63. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Borman. Voting No: None. Absent: Heidtke. Abstain: Adam, Healy. Ayes-27; Noes-0; Absent-1; Abstain-2. Vote requirement for passage is a majority of the members in attendance.

**CORRESPONDENCE**

County Clerk Jaszewski read correspondence from Governor Jim Doyle regarding a Homeland Security grant award.

**ANNUAL REPORT NO. 17 - HISTORICAL SOCIETY**

Executive Director Chip Beckford presented the Historical Society annual report. Moved by Mr. Bausch, seconded by Mr. Borman to accept Annual Report No. 17. Motion carried.

**2008 AUDIT REPORT**

Mr. David Maccoux of Schenck Business Solutions reviewed the Comprehensive Annual Financial Report and Report on Compliance and Internal Control for the year ending December 31, 2008, detailing the findings from the 2008 audit of the general-purpose financial statement of Washington County. The results of the audit disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. Moved by Ms. Puerling, seconded

by Mr. Sorce to accept the 2008 Washington County Audit Report. Motion carried.

**ANNUAL REPORT NO. 18 - COUNTY TREASURER**

County Treasurer Janice Gettelman presented the County Treasurer annual report. Moved by Mr. Gundrum, seconded by Ms. Merten to accept Annual Report No. 18. Motion carried.

**ANNUAL REPORT NO. 19 - FINANCE DEPARTMENT**

Finance Director Susan Haag presented the Finance Department annual report. Moved by Mr. Miller, seconded by Mr. Borman to accept Annual Report No. 19. Motion carried.

**ANNUAL REPORT NO. 20 - COUNTY CLERK**

County Clerk Brenda Jaszewski presented the County Clerk annual report. Moved by Mr. Core, seconded by Mr. Ewert to accept Annual Report No. 20. Motion carried.

**2009 RESOLUTION 24 - SUPPORT FOR THE UNITED WAY**

Moved by Mr. Ustruck, seconded by Mr. Miller to adopt 2009 Resolution 24 - Support for the United Way. Supervisor Justman explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Heidtke. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, various United Way Programs operating in Washington County depend on an annual fund drive in order to assist a wide variety of agencies dedicated to providing services to improve the quality of life for Washington County residents; and

WHEREAS, the United Way drive is currently underway; and

WHEREAS, the county elected officials and employees are encouraged to help build a successful 2009 campaign in this workplace;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that all county officials and employees are encouraged to help make this year's United Way drive a success.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**ADJOURNMENT**

Moved by Mr. Sorce, seconded by Mr. Gonnering to adjourn the meeting at 10:29 a.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on August 11, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 12<sup>th</sup> day of August 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
SEPTEMBER 8, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel (arrived at 9:43 a.m.), Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Excused: Ewert.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:27 a.m. A moment of silent prayer and Pledge of Allegiance were observed.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. Borman to approve the August 11, 2009, meeting minutes as presented. Motion carried.

**PETITION NO. 3 - AMEND ZONING ORDINANCE/MAP: KAREN SEMIANCZUK, SE-1/4, SECTION 7, TOWN OF JACKSON  
REPORT NO. 22 - PLANNING, CONSERVATION AND PARKS COMMITTEE: KAREN SEMIANCZUK, SE-1/4, SECTION 7, TOWN OF JACKSON  
2009 ORDINANCE 5 - SHORELAND/WETLAND/FLOODPLAIN ZONING MAPS - TOWN OF JACKSON - (23.02, 23.03 AND 23.16)**

Clerk Jaszewski read Petition No. 3 - Amend Zoning Ordinance/Map: Karen Semianczuk, SE-1/4, Section 7, Town of Jackson. Supervisor Stern presented Report No. 22 - Planning, Conservation and Parks Committee: Karen Semianczuk, SE-1/4, Section 7, Town of Jackson. Moved by Mr. Gonnering, seconded by Ms. Puerling to enact 2009 Ordinance 5 - Shoreland/Wetland/Floodplain Zoning Maps - Town of Jackson - (23.02, 23.03 and 23.16). Supervisor Stern explained the ordinance. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Stoffel, Ewert. Ayes-28; Noes-0; Absent-2. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend the Shoreland/Wetland/Floodplain Zoning Maps established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the code; relating to: Shoreland/Wetland/Floodplain Zoning Maps.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland/Floodplain District to a revised Shoreland/Floodplain District, the property located in the Southeast 1/4 of the Southeast Quarter, Section 7, Township 10 North, Range 20 East, Town of Jackson, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**LANDMARK COMMISSION CERTIFICATE: CEDAR LAKE YACHT CLUB, TOWN OF WEST BEND**

Landmark Commission Chairperson Marilyn Merten presented a Landmark Certificate to Pamela Erdman for Cedar Lake Yacht Club in the Town of West Bend in recognition of the preservation of this historic site.

Supervisor Stoffel arrived at 9:43 a.m.

**FAIR PARK STUDY REPORT**

UWEX Community Development Educator Paul Roback presented the Fair Park Study Report and recommendations of the Fair Park Study Committee. Moved by Mr. Healy, seconded by Ms. Russell to accept the report. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Puerling, Schulz, Stoffel, Bausch, Gonnering, Merten, Heidtke, Laubenheimer, Core, Russell, Jung,

McCune, Healy, Borman. Voting No: Hensel, Ustruck, Stern, Brandt, Bertram, Berchem, Gundrum, Meyers, Goetz, Brady, Sorce. Absent: Ewert. Ayes-18; Noes-11; Absent-1. Vote requirement for passage is a majority of the members in attendance.

**2009 RESOLUTION 29 FAIR PARK CONCEPT PLAN**

Moved by Ms. Merten, seconded by Mr. Jung to adopt 2009 Resolution 29 - Fair Park Concept Plan with a correction noted Page 2, Lines 25 & 29: October 24, 27, 2009. Moved by Mr. Stoffel, seconded by Mr. Bertram to amend 2009 Resolution 29 - Fair Park Concept Plan as follows: Page 2, Line 13: ~~2. That the County develop a plan and negotiate purchase of all buildings and permanent structures currently owned by AIS at Fair Park in order to resolve remaining financial issues resulting from the construction of the Ziegler Center and realign roles and responsibilities for capital and building issues.~~ 2. That the County develop a financial plan which protects the County's interests while allowing AIS to operate Fair Park through the year 2010. The plan shall address the financial issues of the capital improvements at Fair Park. Motion to amend 2009 Resolution 29 - Fair Park Concept Plan carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Adam, Puerling, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: Miller, Ustruck, Stern. Absent: Ewert. Ayes-26; Noes-3; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Ms. Brady, seconded by Mr. Gundrum to amend 2009 Resolution 29 - Fair Park Concept Plan as follows: Page 2, Line 27: . . . and Culture, ~~Executive and Finance~~ Committees. Motion to amend 2009 Resolution 29 - Fair Park Concept Plan carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Russell, Jung, McCune, Meyers, Brady, Healy, Borman. Voting No: Ustruck, Bausch, Merten, Core, Goetz, Sorce. Absent: Ewert. Ayes-23; Noes-6; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. McCune, seconded by Mr. Meyers to amend 2009 Resolution 29 - Fair Park Concept as follows: Page 2, Line 34: . . . until February 28, 2010. ~~If the AIS is in default of the lease, the County will give the AIS written notice of the default.~~ Motion to amend 2009 Resolution 29 - Fair Park Concept Plan carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, McCune, Meyers, Goetz, Sorce, Healy, Borman. Voting No: Schulz, Russell, Jung, Brady. Absent: Ewert. Ayes-25; Noes-4; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. Meyers, seconded Mr. Bertram to amend 2009 Resolution 29 - Fair Park Concept as follows: Page 2, Line 24: . . . the Board a ~~comprehensive financial statement~~ and proposal to ~~implement~~ ~~present~~. Motion to amend 2009 Resolution 29 - Fair Park Concept Plan carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Laubenheimer, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: Heidtke, Core, Russell. Absent: Ewert. Ayes-26; Noes-3; Absent-1. Vote requirement for passage is a majority of the members in attendance.

2009 Resolution 29 - Fair Park Concept Plan as amended carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Adam, Puerling, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Meyers, Healy, Borman. Voting No: Miller, Ustruck, Berchem, McCune, Goetz, Brady, Sorce. Absent: Ewert. Ayes-22; Noes-7; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, the Fair Park Study Committee completed its thorough review of Fair Park finances and operations and has developed recommendations compiled in a report dated August 28, 2009; and

WHEREAS, the recommendations propose ideas for the Agricultural and Industrial Society ("AIS") to continue year-round use of the Fair Park buildings and grounds, as well as the operation of the annual County Fair; and

WHEREAS, the Washington County Board of Supervisors has heard the presentation of the Fair Park Study Committee report and has adopted a motion to accept the report; and

WHEREAS, since the discovery of the financial difficulties in 2008, several changes have occurred at Fair Park in the area of personnel and financial conditions; specifically, the Fair Park Director resigned and the Fair Manager has assumed operating responsibilities; two County employees have been removed from the AIS staffing plan; the Agricultural and Industrial Society Board of Directors has strengthened and become more active; the 2009 County Fair had strong public support with prominent sponsorships and donations; and, the requested County financial support for the 2009

County Fair was not needed as the AIS was able to operate the 2009 County Fair within its budget; and

WHEREAS, one of the findings of the Study Committee report is that a County operated year-round facility, including the annual county fair is cost prohibitive, especially due to the County's staffing costs; and

WHEREAS, the AIS actively participated in the Fair Park Study Committee meetings and has taken steps to identify key aspects of operations and personnel changes required to operate a successful year-round facility; and

WHEREAS, it is in the interest of Washington County and the citizens to consider implementing the recommendations contained in the report by having the recommendations referred to the relevant county board committee(s) for a more detailed evaluation of each recommendation; and

WHEREAS, it is the consensus of the Washington County Board of Supervisors that it desires more authority over Fair Park buildings and property and also would like to keep Fair Park open as a public year-round facility for a multitude of community and private events;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the general recommendations of the report are adopted as follows:

1. That the County continue the mission of Fair Park (to enhance cultural, education, economic, and social opportunities for the people of Washington County) and continue a year-round operation with access for community events, 4-H and the annual County Fair.
2. That the County develop a financial plan which protects the County's interests while allowing AIS to operate Fair Park through the year 2010. The plan shall address the financial issues of the capital improvements at Fair Park.
3. That a new lease agreement with AIS is negotiated to ensure greater financial oversight and stronger operations and that mutually agreed upon performance expectations are included in an Operating Agreement between AIS and the County in order to measure the effectiveness of Fair Park operations which will be annually evaluated by the appropriate County committee.

BE IT FURTHER RESOLVED that the Board directs the Finance Committee to engage in further study and evaluation of recommendation #2 above and bring to the Board a comprehensive financial statement and proposal to present same at the October 27, 2009 Washington County Board meeting.

BE IT FURTHER RESOLVED that the Board directs the Education and Culture, Executive and Finance Committees to engage in further study and evaluation of recommendation #3 above and bring to the Board a proposal to implement same at the October 27, 2009 Washington County Board meeting.

BE IT FURTHER RESOLVED that during this time of transition, the Board authorizes the AIS to delay payments of its July 2009 - December 2009 invoices from Washington County, as needed, until February 28, 2010. If the AIS is in default of the lease, the County will give the AIS written notice of the default.

Introduced by members of the EDUCATION and CULTURE COMMITTEE  
Marilyn H. Merten, Chairperson

The meeting recessed at 11:45 a.m. and reconvened at 11:53 a.m.

**FINANCIAL APPROVAL REPORT NO. 21**

Moved by Mr. Heidtke, seconded by Ms. Russell to approve Financial Approval Report No. 21 in the amount of \$33,118,034.02. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Ewert. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 23 - COUNTY LIBRARY ANNUAL REPORT**

Hartford Public Library Director Michael Gelhausen and West Bend Community Library Director Michael Tyree presented the County Library annual report. Moved by Mr. McCune, seconded by Mr. Gonnering to accept Annual Report No. 23. Motion carried.

**ANNUAL REPORT NO. 24 - HUMAN RESOURCES DEPARTMENT ANNUAL REPORT**

Human Resources Director Peter German presented the Human Resources Department annual report. Moved by Mr. Miller, seconded by Mr. Hensel to accept Annual Report No. 24. Motion carried.

**2010-2015 CAPITAL IMPROVEMENT PROGRAM PLAN**

Administrative Coordinator Doug Johnson presented an overview of projects, costs, and financing proposed for the 2010-2015 Capital Improvement Program. Moved by Ms. Russell, seconded by Mr. Bausch to accept the 2010-2015 Capital Improvement Program report. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Transportation Committee, Southeast Wisconsin Professional Baseball Park District, Administrative Services Committee, Samaritan Committee, Education and Culture Committee, Planning, Conservation and Parks Committee, Radio Communications Systems Committee, Wisconsin Counties Association, Board of Health, Human Services Board, Finance Committee and County Board Chairperson.

**MOTION - AUTHORIZE CHAIRPERSON TENNIES TO USE HIS DISCRETION IN VOTING ON THE 2009 RESOLUTIONS AT THE WCA ANNUAL CONVENTION**

Moved by Mr. Ustruck, seconded by Mr. Sorce to authorize Chairperson Tennies to use his discretion in voting on the 2009 Wisconsin Counties Association (WCA) Annual Convention resolutions. Motion carried.

**MOTION TO CONTINUE THE 2009 PAY PLAN FOR NONREPRESENTED COUNTY EMPLOYEES FOR 2010**

Moved by Mr. Justman, seconded by Mr. Core to continue the 2009 Pay Plan for nonrepresented county employees for 2010 with no cost of living adjustment. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: Berchem. Absent: Ewert. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

**2009 RESOLUTION 25 - TAX DEED SALE TO JIM AND JEAN STOFFEL**

Moved by Mr. Hensel, seconded by Mr. Ustruck to adopt 2009 Resolution 25 - Tax Deed Sale to Jim and Jean Stoffel. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Ewert. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County took a tax deed to a parcel of land in the Town of Wayne recorded as Document No. 1168628 in the Washington County Register of Deeds Office; and

WHEREAS, Section 75.69(2), Wis. Stats., governs the conveyance of land referred to herein; and

WHEREAS, Jim and Jean Stoffel having agreed to a purchase price of \$1,002.00 for the described parcel; and

WHEREAS, it may be necessary for the purchaser of the parcel referred to herein to commence a lawsuit to bar the former owner(s) from claiming any interest in the property to clear its title; and

WHEREAS, Washington County may assign its rights held under §75.39, Wis. Stats., to commence an action to bar the claims and interests of former owner(s);

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the County Clerk be and is hereby authorized upon receipt of the sum of \$1,002.00 to execute a Quit Claim Deed to Jim and Jean Stoffel for the following described parcel;

THAT PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 12 NORTH, RANGE 18 EAST, IN THE TOWN OF WAYNE, WASHINGTON COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID ¼ SECTION; THENCE N89°22'29"E ALONG THE NORTH LINE OF SAID ¼ SECTION, A DISTANCE OF 112.86 FEET; THENCE S00°22'14"W, ON A LINE PARALLEL TO THE WEST LINE OF SAID ¼ SECTION 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°22'14"W, A DISTANCE OF 49.50 FEET; THENCE S89°22'29"W ON A LINE PARALLEL TO THE NORTH LINE OF SAID ¼ SECTION 79.86 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE



WHICH IS 33.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID ¼ SECTION; THENCE N00°22'14"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 34.50 FEET; THENCE N44°52'21"E, A DISTANCE OF 21.40 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE WHICH IS 33.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID ¼ SECTION, THENCE N89°22'29"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 64.86 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.088 ACRES.

THERE SHALL BE NO ACCESS TO CTH H FROM THIS PARCEL. ACCESS TO CTH W IS RESTRICTED TO THE SOUTH 20 FEET OF THE PARCEL THAT ABUTS CTH W.

Tax Key No. T12-0315

BE IT FURTHER RESOLVED that the Board hereby assigns its rights and interest under §75.39, Wis. Stats., to Jim and Jean Stoffel thereby permitting Jim and Jean Stoffel to commence an action under said section as they deem appropriate, conditioned upon the purchaser(s) bearing any and all costs, fees and expenses associated with any action commenced as a result of this assignment and holding the County harmless from any costs, expenses, claims or damages associated with the actions of Jim and Jean Stoffel by virtue of said assignment.

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**2009 RESOLUTION 26 - COMMENDATION OF KAY F. MORLEN**

Moved by Mr. Goetz, seconded by Ms. Puerling to adopt 2009 Resolution 26 - Commendation of Kay F. Morlen. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Kay F. Morlen has contributed more than twenty years of loyal service to the citizens of Washington County; and

WHEREAS, Kay F. Morlen has chosen to retire from her present position of Register of Probate/Probate Registrar and Clerk of Juvenile Court in the Probate and Juvenile Court Office;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Kay F. Morlen for her twenty years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Kay F. Morlen as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 27 - RESOLUTION AUTHORIZING ACCEPTANCE OF AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS - 2009 BUDGET ADJUSTMENT**

Moved by Ms. Brady, seconded by Mr. Gundrum to adopt 2009 Resolution 27 - Resolution Authorizing Acceptance of American Recovery and Reinvestment Act (ARRA) Funds - 2009 Budget Adjustment. Attorney Kim Nass explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Ewert. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the federal ARRA has made available additional funding for several Washington County departments as reflected in Exhibit "A" attached hereto and incorporated herein, which was not anticipated when the County adopted the 2009 budget on November 6, 2008; and

WHEREAS, the liaison committees for the departments listed in the table below have reviewed and approved the acceptance of these funds for the programs listed in the table and approved the

expenditures therefor; and

WHEREAS, departments have been advised that it must comply with all other rules, regulations and requirements of the funding, including but not limited to having sufficient funds to cover any match requirements; and

WHEREAS, Section 65.90(5), Wis. Stats., requires County Board action to amend an existing county budget; and

WHEREAS, due to the additional unanticipated funding provided by ARRA, the 2009 budget requires amendment to allow for the increased revenue and to authorize an increase in expenditures as estimated below:

Revenue or Expense	Department	Description	Estimated Not To Exceed Amounts
Revenue	ADRC	Congregate Meals	\$13,514
Expense	ADRC	Congregate Meals	13,514
Revenue	ADRC	Home-delivered Meals	9,207
Expense	ADRC	Home-delivered Meals	9,207
Revenue	Admin/Facilities	Energy Efficiency and Conservation Block Grant	524,400
		Conservation Block Grant	571,507
Revenue	Sheriff	Justice Assistance Grant	19,683
Revenue	Sheriff	Bryne Justice Assistance	50,000
Expense	Sheriff	Bryne Justice Assistance	50,000
Revenue	Highway	Transit Vehicle Purchase	779,603
Expense	Highway	Transit Vehicle Purchase	779,603
Revenue	Highway	CTH Q Reconstruction*	3,900,000
Expense	Highway	CTH Q Reconstruction*	3,900,000
Revenue	Highway	CTH W Bridge*	465,000
Expense	Highway	CTH W Bridge*	465,000

\*Note: The State bid out and is paying for the construction of CTH Q and the CTH W Bridge.

Revenue	County Attorney	Child Support	90,000
Expense	County Attorney	Child Support	90,000

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the 2009 County Budget is amended by the amount of the funds received and expended as shown, and the Finance Department is directed to record the actual revenues and expenses in the official books of the County for the year ending December 31, 2009;

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**2009 RESOLUTION 28 - GRANT APPLICATION - 2009-2010 MULTI-AGENCY LAND & WATER EDUCATION GRANT (MALWEG) NUTRIENT MANAGEMENT FARMER EDUCATION PROGRAM**

Moved by Mr. Bausch, seconded by Ms. Brady to adopt 2009 Resolution 28 - Grant Application - 2009-2010 Multi-Agency Land & Water Education Grant (MALWEG) Nutrient Management Farmer Education Program. Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Ewert. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that all county grant programs or applications for funds receive prior approval by the County Board of Supervisors or subsequent review and ratification; and

WHEREAS, the Multi-Agency Land and Water Education Grant (MALWEG) Program was started in 1997 to encourage the integration of educational programming into locally based land and water conservation efforts in Wisconsin and is supported by the USDA Natural Resources Conservation Service (NRCS), the USDA Cooperative Research, Education and Extension Service (CSREES), the Wisconsin Department of Natural Resources (DNR), the Wisconsin Department of Agriculture, Trade

and Consumer Protection (DATCP), and the University of Wisconsin-Extension (UWEX); and

WHEREAS, the MALWEG funds have been awarded to Washington County Land & Water Conservation Division in previous years: 2002 in the amount of \$10,000; 2003 in the amount of \$15,000; 2005 in the amount of \$15,000 and 2008 in the amount of \$13,500; and

WHEREAS, applications are being accepted for the 2009-2010 grant period for the MALWEG program to conduct a Nutrient Management Farmer Education Program with a maximum grant award of \$12,000.

WHEREAS, the goal of the Nutrient Management Farmer Education Program is to empower farmers with knowledge needed to understand, develop and implement their own nutrient management plans; and

WHEREAS, the Washington County Land & Water Conservation Division of the Planning & Parks Department has been committed to assisting agricultural landowners-producers to take an active role in nutrient management planning which addresses land and water resource management concerns by offering informational and educational opportunities, through developing NRCS 590 certified nutrient management plans, including soil testing, soil nutrients and manure management, updating/revising nutrient management plans; and

WHEREAS, since 2003, the Land & Water Conservation Division has hosted an annual Nutrient Management Farmer Education Program, which has been developed by the University of Wisconsin Extension and approved by the Department of Agricultural Trade & Consumer Protection – ATCP 50.48(2)(a)4 which meet compliance requirements for Wisconsin's Agricultural Performance Standards under Department of Natural Resources NR 151.07 & NR 243.14; and

WHEREAS, the Washington County Land and Water Conservation Division seeks authorization to apply for and accept grant funding not to exceed \$12,000 for the purposes stated herein and with the recommended one-to-one County in-kind services match of approximately \$12,000;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Land and Water Conservation Division of the Planning & Parks Department's application for the grant funding described herein is ratified.

BE IT FURTHER RESOLVED that the Land and Water Conservation Division of the Planning and Parks Department is authorized to accept the above noted grant funding, if awarded, with the understanding that there be no additional direct costs incurred other than the recommended one-to-one County match and that there be no additional County positions required to be created as a result of accepting the grant funding.

BE IT FURTHER RESOLVED that upon receipt of grant funds, the Washington County Land and Water Conservation Division of the Planning and Parks Department shall comply with all grant requirements necessary to maximize the grant funding available.

BE IT FURTHER RESOLVED that the Administrator of the Planning and Parks Department is authorized to execute the necessary grant agreements or other documents, subject to review and approval of the County Attorney's Office.

Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
John W. Stern, Chairperson Land Conservation Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 ORDINANCE 6 - DUTIES AND POWERS OF THE COMMISSION AND APPOINTMENTS TO CLASSIFIED SERVICE - (5.03 AND 5.05)**

Moved by Mr. Core, seconded by Mr. Bertram to enact 2009 Ordinance 6 - Duties and Powers of the Commission and Appointments to Classified Service - (5.03 and 5.05). County Attorney Kim Nass explained the ordinance. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: Ustruck. Absent: Ewert. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Sections 5.03 and 5.05 relating to: Duties and Powers of the Commission and Appointments to Classified Service.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 5.03 of the code is amended to read:

5.03 DUTIES AND POWERS OF THE COMMISSION. (3)(AM 09-6) Eligible List. The Commission shall place upon an eligible list ~~in the order of their final grades in the examination,~~ the names of all candidates who have, within a period of time to be specified in the rules of the Commission, passed an examination appropriate to the position in question. If a candidate is not selected for a position within one year from being placed on the list, the candidate's name will be removed.

(4)(AM 09-6) Appointments. The Secretary of the Commission shall, if an eligible list as hereinbefore provided is in existence, certify to the Sheriff the names of the 3 candidates standing highest on that list when the Sheriff requests the same for the purpose of filling a vacancy in any position in the classified service of the department. ~~If more than one vacancy in the same classification is to be filled, one additional candidate shall be certified for each additional vacancy. If there is no such eligible list, an examination shall be arranged for the earliest possible date to examine applicants relative to their eligibility as hereinbefore provided.~~ Pending the holding of such examination and the creation of an eligible list, the position in question may be filled temporarily by the Sheriff as hereinafter provided.

SECTION 2. Section 5.05 of the code is amended to read:

5.05 APPOINTMENTS TO CLASSIFIED SERVICE. (1)(AM 09-6) Sheriff's Authority. The Sheriff shall make all appointments to and promotions in the classified service of the Sheriff's Department. Except as otherwise provided, the Sheriff shall fill a vacancy by appointing ~~one~~ from among the 3 candidates certified as eligible for appointment by the ~~Secretary~~ of the Commission. The Sheriff shall make appointments to fill vacancies with reference solely to merit and fitness from the candidates certified, unless he or she shall make an objection to one or more of the candidates named and such objection is sustained by the Commission, in which case the Secretary of the Commission shall ~~certify in addition the candidate next following upon the eligible remove that name from the list.~~ Any candidate who has been ~~within reach for 3 separate vacancies without being appointed~~ considered by the Sheriff for appointment for three separate vacancies without being appointed shall be dropped from the list.

(a) ~~The Sheriff shall acknowledge §59.26(10), Wis. Stats., and have the ability to make appointments to the classified service consistent with said statute. Appointments pursuant to §59.26(10), Wis. Stats., are not required, however.~~

(b) ~~When making all appointments, the Sheriff may offer experienced candidates after successful completion of the requisite probationary period up to the fourth pay step consistent with the candidate's years of experience.~~

\* \* \*

(5)(AM 09-6) Residence. (b) Employees appointed to the classified service after July 1, 1979, shall be required to establish and maintain residence within Washington County ~~within 90 calendar days of their original appointment date~~ or its six contiguous counties, by the end of the probationary period. In the event said appointee does not establish and maintain ~~residence in Washington County within said 90 calendar days as prescribed herein,~~ he or she shall be dismissed by the Sheriff. No extensions of the ~~90 calendar day~~ time limit shall be allowed.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES and PUBLIC SAFETY COMMITTEES

Roy C. Justman, Chairperson Administrative Services Committee

Joseph C. Gonnering, Chairperson Public Safety Committee

**2009 ORDINANCE 7 - EMPLOYEE BENEFIT PROGRAM - GROUP HEALTH INSURANCE - (7.05)**

Moved by Ms. Merten, seconded by Ms. Russell to enact 2009 Ordinance 7 - Employee Benefit Program - Group Health Insurance - (7.05). Human Resources Director Peter German explained the ordinance. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Adam, Puerling, Stern, Schulz, Stoffel, Bausch, Bertram, Gonnering, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Sorce, Healy. Voting No: Miller, Ustruck, Brandt, Berchem, Gundrum, McCune, Meyers, Brady, Borman. Absent: Ewert. Ayes-20; Noes-9; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Section 7.05 of the code; relating to: Employee Benefit Program -

Group Health Insurance.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. 7.05(5) of the code is amended to read:  
7.05 EMPLOYEE BENEFIT PROGRAM. (5)(AM 09-7) Group Health Insurance. (b) The County shall, for each regular full-time employee, contribute an amount not to exceed ~~\$472~~ \$532.60 per month toward the cost of single health insurance coverage. If such employee chooses, the County will contribute an amount not to exceed ~~\$1179~~ \$1330.60 per month toward the cost of dependent family coverage. Should the cost of health insurance coverage exceed ~~\$1179~~ \$1330.60 per month for family coverage or ~~\$472~~ \$532.60 per month for single coverage, the employee and the County shall split the cost of health insurance in excess of ~~\$1179~~ \$1330.60 per month for family coverage and ~~\$472~~ \$532.60 per month for single coverage on a 50/50 percentage basis.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**ADJOURNMENT**  
Moved by Mr. Miller, seconded by Mr. Heidtke to adjourn the meeting at 1:40 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                            )  
  )  
COUNTY OF WASHINGTON                    )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on September 9, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 9th day of September 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
OCTOBER 27, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Adam, Gonnering, Stoffel.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. McCune, seconded by Mr. Borman to approve the September 8, 2009, meeting minutes as presented. Motion carried.

**APPOINTMENTS**

Moved by Mr. Miller, seconded by Mr. Hensel to approve the appointment of Paul Ustruck to the County Library Services Board for a three-year term effective December 1, 2009, to April 30, 2012. Motion carried.

Moved by Ms. Puerling, seconded by Mr. Sorce to approve the appointment of Richard Lindbeck to the Civil Service Commission for a five-year term effective January 1, 2010, to December 31, 2014. Motion carried.

Moved by Mr. Heidtke, seconded by Mr. Bertram to approve the appointment of Barbara Wenzlaff, Irene Blau, and Bev Schroeder to the Landmark Commission for a three-year term effective January 1, 2010, to December 31, 2012. Motion carried.

Moved by Mr. Hensel, seconded by Mr. Sorce to approve the appointment of Ruth Schmitt to the Mid-Wisconsin Federated Library Systems Board for a three-year term effective January 1, 2010, to December 31, 2012. Motion carried.

Moved by Mr. Stern, seconded by Mr. Healy to approve the appointment of Roger Cross to the Veterans Service Commission for a three-year term effective January 1, 2010, to December 31, 2012. Motion carried.

**FINANCIAL APPROVAL REPORT NO. 26**

Moved by Ms. Merten, seconded by Mr. Justman to approve Financial Approval Report No. 26 in the amount of \$5,449,612.47. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

**FINANCIAL APPROVAL REPORT NO. 27**

Moved by Mr. Sorce, seconded by Ms. Russell to approve Financial Approval Report No. 27 in the amount of \$3,105,038.23 Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

**CORRESPONDENCE**

County Clerk Brenda Jaszewski read correspondence from Governor Jim Doyle regarding a Homeland Security grant for the Washington County Emergency Operations Center.

**UNIVERSITY OF WISCONSIN-WASHINGTON COUNTY - DEAN DAVID NIXON**

Dean David Nixon presented the University of Wisconsin-Washington County (UWWC) annual report. A check in the amount of \$340,843.67 was presented to the County Board for the UWCC Foundation portion of the third floor build out/music area renovation project. Moved by Mr. Miller, seconded by Mr. Bausch to accept the report. Motion carried.

**MORAINES PARK TECHNICAL COLLEGE - ANNUAL REPORT - PRESIDENT GAYLE HYTREK**

President Gayle Hytrek presented the Moraine Park Technical College annual report. Moved by Mr. Sorce, seconded by Mr. Goetz to accept the report. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for the Administrative Services Committee, Human Services Board, County Library Services Board, Education & Culture Committee, Historical Society, ADRC Board, Board of Health, Southeast Wisconsin Professional Baseball District, Radio Communications Systems Committee, Transportation Committee, and Finance Committee.

The meeting recessed at 10:23 a.m. and reconvened at 10:30 a.m.

**2009 RESOLUTION 30 - COMMENDATION OF PATRICIA E. KLOSKE**

Moved by Mr. Sorce, seconded by Mr. Ustruck to adopt 2009 Resolution 30 - Commendation of Patricia E. Kloske. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Patricia E. Kloske has contributed more than ten years of loyal service to the citizens of Washington County; and

WHEREAS, Patricia E. Kloske has chosen to retire from her present position of Program Assistant in the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Patricia E. Kloske for her ten years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Patricia E. Kloske as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 31 - GRANT APPLICATION - AUTHORIZATION TO ACCEPT PUBLIC HEALTH EMERGENCY RESPONSE ALLOCATION**

Moved by Ms. Brady, seconded by Mr. Heidtke to adopt 2009 Resolution 31 - Grant Application - Authorization to Accept Public Health Emergency Response Allocation. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that all county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the Washington County Health Department is committed to promoting health, preventing disease and protecting health for all; and

WHEREAS, communicable disease control and surveillance is a primary responsibility of local health departments in Wisconsin; and

WHEREAS, on April 26, 2009, Acting Secretary of Health and Human Services declared a public health emergency in the nation due to what is now known as Novel Influenza A (H1N1); and

WHEREAS, Governor Doyle has also declared a public health emergency in Wisconsin; and

WHEREAS, on June 11, 2009, the World Health Organization (WHO) signaled that a global pandemic of Novel Influenza A (H1N1) was underway by raising the worldwide pandemic alert level to Phase 6; and

WHEREAS, since the WHO declaration of a pandemic, the new H1N1 virus has continued to spread worldwide with localized and in some cases intense outbreaks occurring; and

WHEREAS, the United States continues to report the largest number of novel H1N1 cases of any country worldwide and Wisconsin has documented a significant outbreak and had seven deaths to date; and

WHEREAS, the CDC anticipates that there will be more cases, more hospitalizations and more deaths associated with this pandemic in the United States into the fall and winter of 2009; and

WHEREAS, the H1N1 virus, in conjunction with regular seasonal influenza viruses, poses the potential to cause significant illness with associated hospitalizations and deaths during the U.S. influenza season; and

WHEREAS, the State Department of Health Services Division of Public Health (DPH) has applied for new Public Health Emergency Response funding from CDC with allocations to all local health departments in Wisconsin for accelerated planning and response to H1N1 Influenza; and

WHEREAS, the grant allocations were announced to local health departments with a starting grant period of August 1, 2009 for PHER Phase I and II, including a deliverable to review and revise vaccination planning for public organized clinics by September 30, 2009; and

WHEREAS, additional Phase III allocations were announced September 11, 2009 for implementation of the 2009 H1N1 influenza mass vaccination campaign and to address remaining vaccinated related gaps;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors does hereby authorize the acceptance of the allocation of \$271,463 of Public Health Emergency Response ("PHER") cost-based reimbursement grant funding and any additional supplemental PHER funds that might become available on the condition that no County match funds are required.

Introduced by members of the BOARD of HEALTH and FINANCE COMMITTEE

Charlene S. Brady, Chairperson Board of Health  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 32 - GRANT APPLICATION - 2010 CLEAN SWEEP PROGRAM**

Moved by Mr. Miller, seconded by Mr. Stern to adopt 2009 Resolution 32 - Grant Application - 2010 Clean Sweep Program. Supervisor Stern explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that all county grant applications be approved by the County Board of Supervisors; and

WHEREAS, 2010 grant funds are currently available for the Agricultural and Household Hazardous Waste Continuous Collection and the Prescription Drug Collection Programs through the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP); and

WHEREAS, the County has committed to the collection of hazardous waste by successfully organizing and conducting and Agricultural Hazardous Waste Temporary Facility Collections in 1996, 2001, 2003, 2005 and 2008, and Household Hazardous Waste Temporary Facility Collection Programs in 1992, 1996, 1999, 2001, 2003, 2005 and 2008; and

WHEREAS, 2010 maximum grant requests have been set by DATCP at \$19,000.00 for a Household Hazardous Waste Continuous Collection, \$11,000.00 for an Agricultural Waste Continuous Collection, and \$4,000.00 for a Prescription Drug Collection Program; and

WHEREAS, an award of grant monies by DATCP through this grant process will require 25% matching grant funds from the County which will be fully satisfied by the in-kind services of the County, Clean Sweep Program revenues and \$78,838 in proposed 2010 tax levy;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department is authorized to apply for a 2010 Agricultural and Household Hazardous Waste Continuous Collection grant and a Prescription Drug Collection grant described herein.

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Administrator of the Planning and Parks Department to execute any and all documents, including



but not limited to the grant agreement, subject to the review and approval of the County Attorney.

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require the County to cover 25% of the grant which amount has been included in the Department's 2010 budget, but in no case shall require the hiring of additional County staff.

Introduced by members of the PLANNING, CONSERVATION and PARKS, and FINANCE COMMITTEES

John W. Stern, Chairperson Planning, Conservation and Parks Committee

Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 33 - DESIGNATION OF THE WASHINGTON COUNTY HAZARDOUS MATERIALS TEAM**

Moved by Mr. Bausch, seconded by Mr. Justman to adopt 2009 Resolution 33 - Designation of the Washington County Hazardous Materials Team. Emergency Management Coordinator Rob Schmid explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County recognizes the value of intergovernmental cooperation and efficient use of valuable community resources and has determined that a Hazardous Materials Response Team ("HazMat Team") comprised of local fire department personnel will best serve the needs of the community; and

WHEREAS, the Washington County Fire Chiefs Association ("Association") has offered to sponsor a HazMat Team with trained, qualified and certified personnel from local fire departments in Washington County; and

WHEREAS, the Local Emergency Planning Commission ("LEPC") is authorized by Wisconsin Statutes to identify a local emergency response team to respond to hazardous materials releases and has done so by the approval of a motion and the issuance of a letter in support of a County-designated team as referenced in the letter attached hereto as Exhibit "A"; and

WHEREAS, the Washington County Emergency Management Coordinator, through funding provided by various grants, has acquired a trailer and associated equipment for use by a designated, duly certified hazardous materials response team; and

WHEREAS, the Washington County Emergency Management Coordinator and the LEPC will continue to explore and, if appropriate, apply for grants to support the Team; and

WHEREAS, the Washington County Public Safety Committee has considered the Emergency Management Coordinator's proposal and recommends entering into an Intergovernmental Agreement with the Washington County Fire Chiefs Association for the purpose of creating and administering a Washington County HazMat Team staffed by personnel from local fire departments in Washington County deemed eligible by the Association; and

WHEREAS, the Team is expected to be self sufficient requiring no financial support of the County, except as mentioned herein; and

WHEREAS, it is the desire of the County to have the Team become State certified, which, in turn, will allow the Team to be eligible for annual and other grant funding;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board accepts the recommendation of the Emergency Management Coordinator and the Local Emergency Planning Commission and does hereby designate a Washington County Hazardous Materials Team as described herein with oversight and administration provided by the Association.

BE IT FURTHER RESOLVED that the Board authorizes the County Board Chairperson and the County Clerk to execute an Intergovernmental Agreement providing for a Washington County Hazardous Materials Team in cooperation with the Washington County Fire Chiefs Association, subject to the review and approval of the Public Safety Committee and the County Attorney.

Introduced by members of the PUBLIC SAFETY COMMITTEE

Daniel R. Goetz, Vice-Chairperson

**2009 RESOLUTION 34 - GRANT APPLICATION - HOMELAND SECURITY- MUTUAL AID RADIO REPLACEMENT**

Moved by Mr. Gundrum, seconded by Mr. Laubenheimer to adopt 2009 Resolution 34 - Grant

Application - Homeland Security - Mutual Aid Radio Replacement. Emergency Management Coordinator Rob Schmid explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that all county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the State of Wisconsin, Office of Justice Assistance (OJA), has available funds from the federal government for Federal Fiscal Years 2007 and 2008 to be provided to state and local response jurisdictions for domestic preparedness equipment; and

WHEREAS, no jurisdiction is exempt from incidents of domestic terrorism; and

WHEREAS, there are numerous devices that have the capability to cause death, or serious injury, through the release of toxic or poisonous chemicals, disease organisms or explosives or by other means; and

WHEREAS, the residents of Washington County would benefit from having the appropriate domestic preparedness equipment to prepare for, respond to and recover from acts of terrorism; and

WHEREAS, Homeland Security grant funds of up to \$32,000.00 may be available through the Office of Justice Assistance to the Washington County Emergency Management Office to acquire appropriate equipment in order to address acts of and consequences of terrorism;

WHEREAS, the Washington County Emergency Management Office identified and disseminated information on this grant specifically to local Offices of Public Works as a way to help fund the radios needed to convert over to the new Countywide Radio System; and

WHEREAS, the grant funds referred to herein may be made available through the Washington County Emergency Management Office to ten (10) designated local agencies located within Washington County to partially offset eligible radio equipment costs;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Emergency Management Coordinator is authorized to apply for a grant as stated above.

BE IT FURTHER RESOLVED that the Emergency Management Office is hereby authorized to accept the above noted grant funds with the understanding that there be no additional direct costs incurred by Washington County other than those costs to be covered by the grant award.

BE IT FURTHER RESOLVED that this grant shall be used by the ten (10) entities to acquire and fully fund any radio equipment eligible under the grant referred to herein and may receive reimbursement for such costs at an amount not to exceed 75% of the actual equipment costs or \$1,000.00 per specified portable radio and/or \$2,000.00 per specified mobile/fixed radio, whichever is less.

BE IT FURTHER RESOLVED that upon receipt of grant funds, distribution will be at the discretion of the Washington County Emergency Management Coordinator and Public Safety Committee, consistent with the requirements of the grant.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
 Daniel R. Goetz, Vice-Chairperson Public Safety Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 35 - GRANT APPLICATION - TREATMENT ALTERNATIVES AND DIVERSION (TAD) PROGRAM**

Moved by Mr. Goetz, seconded by Mr. Bertram to adopt 2009 Resolution 35 - Grant Application - Treatment Alternatives and Diversion (TAD) Program. Supervisor Goetz explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a

majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that all county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the TAD program is intended to reduce recidivism, increase public safety and reduce the jail population; and

WHEREAS, since the start of the TAD program in 2007, 240 clients have been served specifically for 2<sup>nd</sup> OWI cases and referrals for DOC clients in need of services; and

WHEREAS, of the 240 clients to date, 14% are active in the program, 58% have successfully completed the program and 28% were terminated from the program for non compliance; and

WHEREAS, Genesis Behavioral Services, Inc (treatment provider for the program) reports the overall completion rate of the program is 68%, with 82% of OWI clients completing the program; and

WHEREAS, Washington County is one of the seven counties eligible for this grant, and statistics indicate that the subjects that successfully completed the 2007 and 2008 program had less then 10% return to court for 3rd OWI, indicating the program has provided positive results for the community; and

WHEREAS, Washington County has been advised that it will be offered the grant funding for the 2010 and 2011 calendar years with a 5% decrease in the original funding or \$123,513 for the programs with continued contractual services of Genesis Behavioral to serve OWI referrals from the District Attorney's office and probation clients from the DOC office in West Bend, with Washington County residency; and

WHEREAS, the grant funding for the TAD Program does not require any local match funds;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Washington County Sheriff's Department is authorized to apply for the grant funding described herein for the continuation of the TAD program in Washington County.

BE IT FURTHER RESOLVED that the Sheriff's Department is hereby authorized to accept the above noted grant funds to continue the Treatment Alternatives and Diversion programming.

BE IT FURTHER RESOLVED that upon receipt of grant funds, the use of same will be within the parameters set forth in the grant program.

BE IT FURTHER RESOLVED that the County Board Chairman and County Clerk are authorized to execute the necessary application or other documents in order to grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY COMMITTEE and FINANCE COMMITTEE  
 Daniel R. Goetz, Vice-Chairperson Public Safety Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 36 - GRANT OF EASEMENT - AT&T - COUNTY TRUNK HIGHWAYS P AND PV**

Moved by Mr. Heidtke, seconded by Mr. Healy to adopt 2009 Resolution 36 - Grant of Easement - AT & T - County Trunk Highways P and PV. County Engineer Scott Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has been contacted by AT & T regarding the need for an easement along County Trunk Highways P and PV in the Town of Polk; and

WHEREAS, a preliminary site plan has been developed reflecting an easement area depicted as "underground easement" on the exhibit attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the easement request referred to herein facilitates the development and construction in the vicinity of County Trunk Highway P and County Trunk Highway PV and also provides adequate area for AT & T to relocate certain equipment underground and to provide for proper clearances; and

WHEREAS, the Education and Culture Committee has considered the AT & T proposal, including the recommendations of the County Engineer/Surveyor in support of this easement request; and

WHEREAS, an easement instrument setting forth certain terms and conditions will be executed by the parties if the grant of easement referred to herein is approved;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the grant of easement is hereby authorized to proceed under the terms and conditions set forth herein;

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute instrument(s) necessary to complete the transaction referred to herein, subject to the review and approval of the instruments by the County Attorney and the County Engineer/Surveyor.

Introduced by members of the EDUCATION and CULTURE COMMITTEE  
Marilyn H. Merten, Chairperson

**2009 RESOLUTION 37 - GRANT OF EASEMENT - CHARTER COMMUNICATIONS - COUNTY TRUNK HIGHWAYS P AND PV**

Moved by Mr. Sorce, seconded by Mr. Healy to adopt 2009 Resolution 37 - Grant of Easement - Charter Communications County Trunk Highways P and PV. County Engineer Scott Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has been contacted by Charter Communications regarding the need for an easement along County Trunk Highways P and PV in the Town of Polk; and

WHEREAS, a preliminary site plan has been developed reflecting an easement area depicted as "underground easement" on the exhibit attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the easement request referred to herein facilitates the development and construction in the vicinity of County Trunk Highway P and County Trunk Highway PV and also provides adequate area for Charter Communications to relocate certain equipment underground and to provide for proper clearances; and

WHEREAS, the Education and Culture Committee has considered the Charter Communications proposal, including the recommendations of the County Engineer/Surveyor supporting this grant of easement; and

WHEREAS, an easement instrument setting forth certain terms and conditions will be executed by the parties if the grant of easement referred to herein is approved;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the grant of easement is hereby authorized to proceed under the terms and conditions set forth herein;

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute instruments necessary to complete the transaction referred to herein, subject to the review and approval of the instrument(s) by the County Attorney and the County Engineer/Surveyor.

Introduced by members of the EDUCATION and CULTURE COMMITTEE  
Marilyn H. Merten, Chairperson

**2009 RESOLUTION 38 - GRANT OF EASEMENT - WE ENERGIES - COUNTY TRUNK HIGHWAYS P AND PV**

Moved by Ms. Russell, seconded by Ms. Merten to adopt 2009 Resolution 38 - Grant of Easement - We Energies - County Trunk Highways P and PV. County Engineer Scott Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has been contacted by WE Energies regarding the need for an easement along County Trunk Highways P and PV in the Town of Polk; and

WHEREAS, a preliminary site plan has been developed reflecting an easement area and areas that

may be released all as depicted as "underground easement" on the exhibits attached hereto and incorporated herein as Exhibit A and Exhibit B; and

WHEREAS, the easement request referred to herein facilitates continued development and construction in the vicinity of County Trunk Highway P and County Trunk Highway PV and also provides adequate area for WE Energies to relocate certain equipment underground and to provide for proper clearances; and

WHEREAS, the Education and Culture Committee has considered the WE Energies proposal, including the recommendations of the County Engineer/Surveyor in support of this easement request; and

WHEREAS, an easement instrument setting forth certain terms and conditions will be executed by the parties if the grant of easement referred to herein is approved;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the grant of easement is hereby authorized to proceed under the terms and conditions set forth herein;

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute instruments necessary to complete the transaction referred to herein, subject to the review and approval of the instruments by the County Attorney and the County Engineer/Surveyor.

Introduced by members of the EDUCATION and CULTURE COMMITTEE  
Marilyn H. Merten, Chairperson

**2009 RESOLUTION 39 - GRANT OF EASEMENT - AT & T - SCHMIDT ROAD AND STATE HIGHWAY 33**

Moved by Mr. Borman, seconded by Mr. Justman to adopt 2009 Resolution 39 - Grant of Easement - AT & T - Schmidt Road and State Highway 33. County Engineer Scott Schmidt explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has been contacted by AT & T regarding the need for an easement along Schmidt Road and Highway 33 in the City of West Bend; and

WHEREAS, a preliminary site plan has been developed reflecting an easement area as depicted on the exhibit attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the easement request referred to herein facilitates the relocation of certain equipment cabinets and underground cables along Schmidt Road; and

WHEREAS, the Administrative Services Committee has considered the AT & T proposal, including the recommendations of the County Engineer/Surveyor in support of this grant of easement; and

WHEREAS, an easement instrument setting forth certain terms and conditions will be executed by the parties if the grant of easement referred to herein is approved;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the grant of easement referred to herein is hereby authorized to proceed under the terms and conditions set forth herein;

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute instrument(s) necessary to complete the transaction referred to herein, subject to the review and approval of the instruments by the County Attorney and the County Engineer/Surveyor.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**CORRESPONDENCE**

County Clerk Brenda Jaszewski read correspondence from the West Bend Economic Development Corporation regarding the Recovery Zone Facility Bond Program under the American Recovery and Reinvestment Act of 2009.

**2009 RESOLUTION 40 - RESOLUTION DESIGNATING WASHINGTON COUNTY A**

**RECOVERY ZONE FOR PURPOSES OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

Moved by Ms. Russell, seconded by Mr. Bertram to adopt 2009 Resolution 40 - Resolution Designating Washington County a Recovery Zone for Purposes of the American Recovery and Reinvestment Act of 2009. Chairperson Tennes explained the resolution. Motion carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Justman. Absent: Adam, Gonnering, Stoffel. Ayes-26; Noes-1; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, the American Recovery and Reinvestment Act of 2009 (the "Stimulus Act") authorizes the issuance of "Recovery Zone Economic Development Bonds," "Build America Bonds" and Recovery Zone Facility Bonds," among others, all of which have tax credit or interest payment features supported by the United States Treasury; and

WHEREAS, in order to issue recovery zone economic development or recovery zone facility bonds, an issuer must first designate one or more "recovery zones," being areas which manifest significant poverty, unemployment, rate of home foreclosures or general distress or meet other criteria specified in the Stimulus Act; and

WHEREAS, Washington County ("County") has experienced significant poverty, a high rate of unemployment, a high rate of foreclosures and other general economic distress ("Recovery Zone Conditions"), and such Recovery Zone Conditions impair the sound growth and the tax base of the County and threaten the well-being of the residents of the County; and

WHEREAS, the existence of Recovery Zone Conditions in the County and the qualification of Washington County as a recovery zone are evidenced by, among other things, the following factors:

(a) the unemployment rate in the County was 10.1% for June 2009, as compared to 4.2% for 2008;

(b) the unemployment rate in the City of West Bend was 14.6% in June 2009, as compared to 6.0% for 2008, the third highest unemployment rate for Wisconsin cities for that month;

(c) the County experienced a 33% increase in foreclosure court cases in the second quarter of 2009 compared to 2008; and

(d) 2007 U.S. Census Bureau data show that 6.3% of people in the County are in poverty as compared to 3.6% in year 2000 U.S. Census Bureau data; and

WHEREAS, in order to promote the well-being of the County and its residents, it is necessary that the Recovery Zone Conditions be addressed by financing eligible costs for "qualified economic development purposes," being expenditures for promoting development and economic activity in the County through expenditures for public infrastructure and construction of public facilities and other capital expenditures with respect to property in the County; and

WHEREAS, it is desirable and in the best interests of the residents of the County to designate the County as a recovery zone due to the presence of Recovery Zone Conditions for purposes of and as provided in the Stimulus Act;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that it is declared that there exists conditions, including significant poverty, unemployment, rate of foreclosures and general economic distress which cause the County as a whole to be designated as a recovery zone under the Stimulus Act.

BE IT FURTHER RESOLVED that the Board hereby designates all of the territory located within the boundaries of Washington County as a recovery zone for all purposes of and as provided in the Stimulus Act.

BE IT FURTHER RESOLVED that the appropriate officers and staff of Washington County are authorized and directed to take all actions necessary or convenient in connection with the designation of the County as a recovery zone for the issuance of recovery zone economic development bonds or recovery zone facility bonds by the County or by other eligible issuers within the County.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 RESOLUTION 41 - AUTHORIZING ECONOMIC DEVELOPMENT OF WASHINGTON COUNTY ("EDWC") TO COORDINATE A RECOVERY ZONE FACILITY BOND PROGRAM UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

Moved by Mr. Miller, seconded by Mr. Ustruck to adopt 2009 Resolution 41 - Authorizing Economic Development of Washington County ("EDWC") to Coordinate A Recovery Zone Facility Bond Program Under the American Recovery and Reinvestment Act of 2009. Chairperson Tennes explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, the American Recovery and Reinvestment Act of 2009 (the "Stimulus Act") authorizes the issuance of "Recovery Zone Economic Development Bonds," "Build America Bonds" and Recovery Zone Facility Bonds," among others, all of which have tax credit or interest payment features supported by the United States Treasury; and

WHEREAS, 2009 Resolution 40 adopted by the Washington County Board of Supervisors declared the entire County as a recovery zone for purposes of and as provided for in the Stimulus Act; and

WHEREAS, the Wisconsin Department of Commerce has notified Washington County of its allocation of \$7.09 million in Recovery Zone Facility Bonds; and

WHEREAS, the Recovery Zone Facility Bonds are private activity bonds that, under the Stimulus Act, can provide for tax-exempt financing of projects that do not normally qualify for tax-exempt financing; and

WHEREAS, counties are not authorized to issue Recovery Zone Facility Bonds as conduit issuers so the cities, villages and towns are being made aware of this allocation; and

WHEREAS, Recovery Zone Facility Bonds must be issued on or before January 1, 2011;

WHEREAS, Economic Development of Washington County has offered to coordinate the use of the Recovery Zone Facility Bonds allocation and to act as a clearinghouse for reviewing and selecting proposals; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board designates ED/WC as the clearinghouse and coordinator in Washington County of the Recovery Zone Facility Bonds \$7.09 million allocation:

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this resolution along to all cities, villages and towns in Washington County and ED/WC as formal notice of the availability of this program, the amount of bonding authority allocated to Washington County cities, villages and towns and the designated coordinator of this program.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 RESOLUTION 42 - 2010 WASHINGTON COUNTY DEPUTY SHERIFF'S ASSOCIATION EMPLOYEES LABOR AGREEMENT**

Moved by Mr. Core, seconded by Ms. Russell to adopt 2009 Resolution 42 - 2010 Washington County Deputy Sheriff's Association Employees Labor Agreement. Human Resources Director Peter German explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code provides for County Board approval as a prerequisite to a voluntary binding agreement between Washington County and any employee labor group; and

WHEREAS, a tentative labor agreement has been reached between the Washington County Deputy Sheriff's Association representing certain employees in the Washington County Sheriff's Department and the Washington County Negotiating Committee for the period of January 1, 2010 to December 31, 2010, a copy of the proposed agreement being on file and available for review in the County Human Resources Department; and

WHEREAS, said tentative agreement has been ratified by the members of the employee bargaining unit and has also been ratified by the Administrative Services Committee of the Washington County Board; and

WHEREAS, the following issues summarize the major changes from the previous labor agreement:

1. A one (1) year agreement that will be in effect from January 1, 2010 through December 31, 2010.
2. Wages – Maintain the salary plan in the contract to maintain 2009 pay levels, thus providing for no salary increases as of January 1, 2010.
3. Health Insurance -- Amend the language as follows:
  - (A) Adjust caps on 1/1/10 as necessary to continue the same employee contributions for single and family that were paid in 2009 to cover the monthly cost of the health insurance premium.
  - (B) Readjust caps on 12/31/10 to revert back to the current contribution levels which provides for a 15% employee contribution and 85% employer contribution.
4. Uniform Allowance -- Increase annual allowance to \$590/year effective 1/1/10.
5. Funeral Leave – Revise language to reflect the change from 3 consecutive calendar days to 3 consecutive work days.
6. Holidays and Vacation -- Revise language to provide more flexibility in procedure for scheduling vacation and holiday time.
7. Compensation for New Hires – Clarify language to confirm that the County determines the starting salary for a newly hired deputy with prior work experience.
8. Use of Special Deputies – Delete three different sections of the contract to remove any implied restrictions on the Sheriff's use of special deputies.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said labor agreement between Washington County and Washington County Deputy Sheriffs' Association is hereby ratified, the original being on file in the County Human Resources Department.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
 Roy C. Justman, Chairperson

**2009 RESOLUTION 43 - VOLUNTARY RETURN OF COUNTY SUPERVISOR PAY TO THE COUNTY**

Moved by Ms. Brady, seconded by Mr. Healy to adopt 2009 Resolution 43 - Return of County Supervisor Pay to the County. Supervisor Brady explained the resolution. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Stern, Schulz, Brandt, Bertram, Merten, Laubenheimer, Jung, McCune, Meyers, Goetz, Ewert, Brady, Healy, Borman. Voting No: Hensel, Puerling, Ustruck, Bausch, Berchem, Gundrum, Heidtke, Core, Russell, Sorce. Absent: Adam, Gonnering, Stoffel. Ayes-17; Noes-10; Absent-3 Vote requirement for passage is a majority of the members in attendance.

WHEREAS, in these times of economic uncertainty, it is prudent for Washington County to evaluate and curtail its spending in order to maximize efficiency and lessen the burden on the County taxpayers; and

WHEREAS, the Washington County Board of Supervisors has voted to freeze wages for ordinance employees at 2009 levels for the 2010 calendar year and has asked its represented employees to forego a cost of living increase for 2010 as well; and

WHEREAS, county supervisors receive a nominal monthly compensation plus per diem payments for attendance at meetings above a certain number per month and reimbursement for expenses;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that any supervisor may voluntarily return, at any time, in part or in full, his or her monthly salary, per diem or reimbursements and that any return of money would be considered a donation to the County.

Introduced by members of the EXECUTIVE COMMITTEE



Herbert J. Tennes, Chairperson

**2009 ORDINANCE 8 - COUNTY ADMINISTRATION (SUPERVISOR PAY REDUCTION) - (4.20)**

Moved by Mr. McCune, seconded by Mr. Core to enact 2009 Ordinance 8 - County Administration (Supervisor Pay Reduction) - (4.20). Supervisor McCune explained the ordinance. Moved by Mr. Ustruck, seconded by Mr. McCune to amend the ordinance, line 16: ~~\$2,985~~ \$2,685. Motion to amend defeated by roll call vote. Voting Aye: Ustruck, Berchem, Gundrum, McCune, Meyers. Voting No: Justman, Tennes, Hensel, Miller, Puerling, Stern, Schulz, Bausch, Brandt, Bertram, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Ewert, Brady, Sorce, Healy, Borman. Absent: Adam, Gonnering, Stoffel. Ayes-5; Noes-22; Absent-3. Motion to enact 2009 Ordinance 8 defeated by roll call vote. Voting Aye: Stern, Berchem, Gundrum, Core, Jung, McCune. Voting No: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Schulz, Bausch, Brandt, Bertram, Merten, Heidtke, Laubenheimer, Russell, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Absent: Adam, Gonnering, Stoffel. Ayes-6; Noes-21; Absent-3. Vote requirement for passage is a majority of the members in attendance.

**2009 ORDINANCE 9 - HEALTH CODE (CHAPTER 8)**

Moved by Ms. Brady, seconded by Mr. Brandt to enact 2009 Ordinance 9 - Health Code (Chapter 8). Supervisor Brady explained the ordinance. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Chapter 8 relating to: Health Code; to create Subchapter I - Human Health Hazards and Subchapter II - Licensure and Regulation; and to create Sections 8.07 through 8.25 relating to: Authority and Purpose; Applicability; Regulations, Rules and Laws Adopted By Reference; Definitions; Restaurants, Mobile Restaurants and Temporary Restaurants; Hotels, Motels, Bed and Breakfasts and Tourist Rooming Houses; Tattoo and Body Piercing Establishments; Public Swimming Pools and Water Attractions; Camp Grounds, Camping Resorts, Recreational Camps and Educational Camps; Permits; Application Process; Inspections; Entry upon Premises; Fees and Transfers; Revocation of Permit, Reinspection After Notice and Correction; Appeal Hearing; Administration, Enforcement and Penalties; Changes in Law; Applicability of Other Laws and Regulations; Department Orders and Decisions; and Optional Plan Review Available; and to amend Section 14.42 relating to: Uniform Citation Method Adopted.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Chapter 8 of the code is amended to read:  
CHAPTER 8(AM 09-9) ~~HUMAN HEALTH HAZARDS~~ HEALTH CODE

Subchapter I – Human Health Hazards

\* \* \*

Subchapter II – Licensure and Regulation

SECTION 2. Section 8.07 of the code is created to read:  
8.07(CR 09-9) AUTHORITY AND PURPOSE. (1)(CR 09-9) Authority. Subchapter II of Chapter 8 of the Washington County Code is adopted pursuant to the authorities provided in §§97.41, 251.04, 252.23, 252.24, 252.241, 252.245, 252.25, 254.47 and 254.69 and by Wisconsin Administrative Code Chapters 172, 173, 175, 178, 192, 195, 196, 197, and 198 and Comm 90.  
(2)(CR 09-9) Purpose. The purpose of Subchapter II of Chapter 8 of the Washington County Code is to protect and improve public health and safety and to authorize the Washington County Health Department to become the designated agent of the State Department of Health Services for the purpose of issuing licenses, permits and conducting inspections and investigations of hotels, motels, restaurants (temporary, mobile and permanent), tourist rooming houses, bed and breakfast establishments, campgrounds (special event and permanent) and camping resorts, recreational and educational camps, public swimming pools, water attractions, food vending machines, food vending machine operations and vending machine commissaries, tattoo and body piercing establishments and establishing fees therefor.

SECTION 3. Section 8.08 of the code is created to read:  
8.08(CR 09-9) APPLICABILITY. The provisions of Subchapter II of this Chapter shall apply to any hotel, motel, tourist rooming house, restaurant (temporary, mobile and permanent), bed and breakfast establishment, campground (special event and permanent) and camping resort, recreational

and educational camp, public swimming pools, water attractions, vending machine commissary or vending machines, tattoo establishments and body piercing establishments in Washington County as defined herein and the owner, operator or agent of any such establishments.

SECTION 4. Section 8.09 of the code is created to read:  
 8.09(CR 09-9) REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE. The applicable laws, rules and regulations as set forth in Wisconsin Statutes Chapters 97, 251, 252 and 254; Wisconsin Administrative Code Chapter HFS 172, 173, 175, 178, 192, 195, 196, 197 and 198 and COMM 90 and any appendices associated with said chapters are incorporated in this Subchapter II of Chapter 8 of the Washington County Code by reference and shall be construed, read, interpreted and administered as if fully set forth herein until amended and then shall apply as amended. The provisions of this Ordinance shall control where more restrictive than the State laws.

SECTION 5. Section 8.10 of the code is created to read:  
 8.10(CR 09-9) DEFINITIONS. Unless specifically defined below, words and phrases used in these subchapters shall be interpreted so as to give them the same meaning as they have at common law and to give this chapter its most reasonable application.

(1)(CR 09-9) All definitions set forth in Chapters 97, 251, 252 and 254 of the Wisconsin Statutes, Chapters DHS 172, 173, 175, 178, 192, 195-198 and Comm 90 of the Wisconsin Administrative Code are incorporated herein by reference and shall be applied, construed and interpreted as if fully set forth herein until amended and then shall apply as amended.

(2)(CR 09-9) "Bed and Breakfast or Bed and Breakfast Establishment." Any place of lodging that provides eight (8) or fewer rooms for rent to no more than a total of 20 tourists or transients; provides no meals other than breakfast and provides the breakfast only to renters of the place; is the owner's personal residence; is occupied by the owner at the time of rental; was originally built and occupied as a single family residence or, prior to use as a place of lodging, was converted to use and occupied as a single family residence; and has had completed before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that this limit does not apply to any of the following:

(a) A structural addition, including a renovation, made to a structure after May 11, 1990, within the dimensions of the original structure; and

(b) A structural addition, made to a structure that was originally constructed at least 50 years before an initial or renewal application for a permit under §254.64(1)(b), Wis. Stats., is made and for which no use other than as a bed and breakfast establishment is proposed. The structural addition under this subdivision shall comply with the requirements of §101.63(1), Wis. Stats.

(3)(CR 09-9) "Body Piercer." A person who performs body piercing on another person at that person's request. Body piercing refers to the perforation of any human body part or tissue, except an ear, and to place a foreign object in the perforation to prevent the perforation from closing.

(4)(CR 09-9) "Body Piercing Establishment." The premises where a body piercer performs body piercing.

(5)(CR 09-9) "Campground." Any parcel or tract of land owned by a person, firm, corporation, partnership, organization, the state or a local government, which is designed, maintained, intended or used for the purpose of providing sites for non-permanent overnight use by four (4) or more camping units, or by one to three (3) camping units if the parcel or tract of land is represented as a campground.

(6)(CR 09-9) "Concession Stand." A food stand that serves meals and is operated exclusively for the benefit of a participating youth sports team or program or the governing youth sports organization.

(7)(CR 09-9) "Duplicate Permit Fee." A fee for the replacement of an original permit.

(8)(CR 09-9) "Food processing." has the meaning given under §97.29(1)(g), Wis. Stats.

- (9)(CR 09-9) "Hotel." All places wherein sleeping accommodations are offered for pay to transients in five (5) or more rooms and all common places and areas used in connection therewith.
- (10)(CR 09-9) "Mobile Food Establishment or Mobile Restaurant." A restaurant or place where food is served or sold from a movable vehicle, push cart, trailer, or boat which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance or except as specified in Wisconsin Administrative Code Section DHS 9-103.11(D). "Mobile Food Establishment" does not include a vehicle which is used solely to transport or deliver food or a common carrier regulated by the state or federal government or a movable concession stand designed to operate as a temporary food establishment or a traveling food establishment.
- (11)(CR 09-9) "Motel." A hotel that furnishes on premise parking for motor vehicles of guests as part of the room charge without extra cost and that is identified as a motel rather than a hotel at the request of the operator.
- (12)(CR 09-9) "Pool and Water Attraction Area." In an outdoor facility, the pool or water attraction and the area within the basin's enclosure. In an indoor facility, the pool or water attraction and the required deck as specified in Comm 90.09 of the Wisconsin Administrative Code.
- (13)(CR 09-9) "Potentially Hazardous Food." Any food that can support rapid and progressive growth of infectious or toxigenic micro organisms.
- (14)(CR 09-9) "Potluck Event." An event to which all of the following apply:
- (a) Attendees of the event provide food and beverages to be shared with other attendees and consumed at the event;
  - (b) No compensation is provided to any person who conducts or assists in providing the event or who provides food and beverages to be shared at the event, and no compensation is paid by any person for consumption of food or beverages at the event; and
  - (c) The event is sponsored by a church, religious, fraternal, youth, or patriotic organization or service club, civic organization, parent-teacher organization, senior citizen center or organization, or adult day care center.
- (15)(CR 09-9) "Pre-inspection Fee." A fee for inspection and consultative services provided prior to the issuance of a permit.
- (16)(CR 09-9) "Pre-packaged Restaurant." A restaurant that serves only individually wrapped, single food servings that are prepared and packaged off-premises by a licensed processor with preparation on the premises limited to heating and serving.
- (17)(CR 09-9) "Public Swimming Pool." A pool that is installed in a place of employment (as defined in §101.01, Wis. Stats.), or in a public building (as defined in §101.01, Wis. Stats.) or if it serves or is installed for use by the state, a political subdivision of the state, a motel, a hotel, a tourist rooming house, a bed and breakfast establishment, a resort, a camp, a campground, a club, an association, a housing development such as an apartment complex, condominium complex, or housing complex having a homeowner's association, a school, a religious, charitable or youth organization, or an educational or rehabilitative facility. A "Pool" is not a public pool if it serves fewer than 3 individual residences, unless it is used on a regular basis by persons other than the residents.
- (18)(CR 09-9) "Recreational Camps or Educational Camps." A premises, including temporary and permanent structures that is operated as an overnight living quarters where both food and lodging or facilities for food and lodging are provided for children or adults or both children and adults for a planned program of recreation or education, and that is offered free of charge or for a fee by a person or by the state or a local unit of government. "Recreational Camps or Educational Camps" does not include an overnight planned program of recreation or education for adults or families at an establishment holding a current hotel or motel or restaurant permit; an overnight planned program of recreation or education for less than four (4) consecutive nights and without permanent facilities for food and lodging; an overnight planned program for credit at an accredited academic institution of higher education; or a tournament, competition, visitation, recruitment, campus conference or professional sports team training camp.

- (19)(CR 09-9) "Re-inspection Fee." A fee for inspections required to verify correction of violations or compliance with this ordinance's applicable administrative rules or state statutes.
- (20)(CR 09-9) "Restaurant." Any building, room or place where meals are prepared, served or sold to transients or the general public, and all places used in connection with the building, room or place and includes any public or private school lunchroom for which food service is provided by contract. A "Restaurant" does not include taverns that serve free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter, churches, religious, fraternal, youth, or patriotic organizations, service clubs and civic organizations that occasionally prepare, serve or sell meals to transients or the general public, bed and breakfast establishments that serve breakfasts only to its lodgers; a private individual selling food from a movable or temporary stand at a public farm sale; the serving of food or beverage through a licensed vending machine; any public or private school lunchroom for which food service is directly provided by the school; any college campus as defined in §36.05(6m), Wis. Stats., institution as defined in §36.51, Wis. Stats., or technical college that serves meals only to the students enrolled in the college campus, institution, or school or to authorized elderly persons under §§36.51 or 38.36, Wis. Stats.; potluck events; and concession stands at locally sponsored sporting events.
- (21)(CR 09-9) "Special Organizations Serving Meals." A restaurant permitted under §254.64, Wis. Stats., operated by a church or a religious, fraternal, youth or patriotic organization or a service club or civic organization that prepares, serves or sells meals to which members of the general public are invited, for at least four (4) but not more than 12 days during any 12 month period. "Meals" as used in this subsection does not include a meal that is incidental to normal activities intended exclusively for members of the particular special organization nor does it include a meal served in conjunction with a church worship service, such as a funeral or wedding or to persons who attended that service.
- (22)(CR 09-9) "Tattoo." To insert pigment under the surface of the skin of a person, by pricking with a needle or otherwise, so as to produce an indelible mark or figure through the skin.
- (23)(CR 09-9) "Tattoo Establishment." The premises where a tattooist performs tattoos.
- (24)(CR 09-9) "Tattooist." A person who tattoos another.
- (25)(CR 09-9) "Temporary Food Establishment or Temporary Restaurant." A food establishment or restaurant that operates at a fixed location for a period of no more than 14 consecutive days in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.
- (26)(CR 09-9) "Tourist Rooming House." Any lodging place or tourist cabin or cottage where sleeping accommodations are offered for a fee to tourists or transients. A "tourist rooming house" does not include a private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients; a hotel, and bed and breakfast establishments.
- (27)(CR 09-9) "Vending Machine." Any self-service device offered for public use which, upon insertion of a coin or token or by other means dispenses unit servings of food or beverage either in bulk or in package, without the necessity of replenishing the device between each vending operation. "Vending Machine" does not include a device which dispenses only bottled, prepackaged or canned soft drinks, a one-cent vending device, a vending machine dispensing only candy, gum, nuts, nut meat, cookies or crackers or a vending machine dispensing only prepackaged grade A milk or milk products.
- (28)(CR 09-9) "Vending Machine Commissary." Any facility at which foods are prepared for the purpose of being dispensed in a vending machine except a place at which the operator is licensed to manufacture, distribute or sell food products under Chapter 97 of the Wisconsin Statutes.
- (29)(CR 09-9) "Vending Machine Operator or Operator." A person maintaining a place of business in the state and responsible for the operation of one or more vending machines.
- (30)(CR 09-9) "Water Attraction." A public facility with design and operational features that provide patrons recreational activity other than conventional swimming and involves partial or total immersion of the body. Types of water attractions include activity pools, interactive play attractions, leisure rivers, plunge pools, vortex pools, vanishing edge pools, waterslides, run out slides, drop slides, pool slides, wave pools, zero depth entry pools, and any public pool with play features except wading pools; all of which are defined in Wisconsin Administrative Code Section DHS 172.04.

SECTION 6. Section 8.11 of the code is created to read:  
8.11(CR 09-9) RESTAURANTS, MOBILE RESTAURANTS AND TEMPORARY RESTAURANTS. (1)(CR 09-9) No person, party, firm, partnership, corporation, organization, or other entity shall operate, manage, maintain, or conduct a restaurant, pre-packaged food establishment, temporary restaurant, mobile restaurant or vending commissary/vending operation in Washington County without first obtaining a permit from the Washington County Health Department.

(2)(CR 09-9) No special organizations serving meals as defined in §8.10 shall serve food without first obtaining a permit from the Washington County Health Department.

(3)(CR 09-9) No person may conduct, maintain, manage or operate a restaurant unless the operator or manager of the restaurant holds a current valid certificate of food protection practices issued by the State of Wisconsin Department of Health Services as required by §254.71(1), Wis. Stats.

SECTION 7. Section 8.12 of the code is created to read:  
8.12(CR 09-9) HOTELS, MOTELS, BED AND BREAKFASTS AND TOURIST ROOMING HOUSE. (1)(CR 09-9) No person, party, firm, partnership, corporation, organization, or other entity shall operate, manage, maintain, or conduct a hotel, motel, bed and breakfast establishment or tourist rooming house in Washington County without first obtaining a permit from the Washington County Health Department.

(2)(CR 09-9) Every hotel and motel with sleeping accommodations with more than 12 bedrooms above the first story shall, between the hours of 12 midnight and 6:00 a.m., shall provide a system of security personnel patrol, or of mechanical and electrical devices, or both, adequate, according to standards established by the Wisconsin Department of Commerce, to warn all guests and employees in time to permit their evacuation in case of fire.

(3)(CR 09-9) Every hotel and motel shall offer to every guest, at the time of registration for accommodation and of making a reservation for accommodation, an opportunity to identify him or herself as a person needing assistance in an emergency because of a physical condition and shall keep a record at the registration desk of where each person so identified is lodged. No hotel or motel may lodge any persons so identified in areas other than those designated by the local fire department as safe for persons so identified, based on the capabilities of apparatus normally available to the fire company or companies assigned the first alarm.

(4)(CR 09-9) The notices required by §§254.76 and 254.83, Wis. Stats., shall be posted in each sleeping room of all hotels, motels, and tourist rooming houses.

SECTION 8. Section 8.13 of the code is created to read:  
8.13(CR 09-9) TATTOO AND BODY PIERCING ESTABLISHMENTS. (1)(CR 09-9) No person, firm, partnership, corporation or other organization may operate a tattoo establishment in Washington County without first obtaining a tattoo establishment permit from the Washington County Health Department.

(2)(CR 09-9) No person may tattoo or attempt to tattoo another, designate or represent himself or herself as a tattooist or use or assume the title "tattooist" in Washington County without first obtaining a tattooist practitioner's permit from the State of Wisconsin.

(3)(CR 09-9) No person, firm, partnership, corporation or other organization shall operate a body piercing establishment in Washington County without first obtaining a body piercing establishment permit from the Washington County Health Department.

(4)(CR 09-9) No person may pierce the body of or attempt to pierce the body of another, designate or represent himself or herself as a body piercer or use the title, "body piercer", unless the person obtains a body piercer practitioner's permit from the State of Wisconsin.

SECTION 9. Section 8.14 of the code is created to read:  
8.14(CR 09-9) PUBLIC SWIMMING POOLS AND WATER ATTRACTIONS. (1)(CR 09-9) No person, party, firm, partnership, corporation, organization, government, or other entity shall operate, manage, maintain, or conduct a public swimming pool or water attraction in Washington County without first obtaining a permit from the Washington County Health Department.

(2)(CR 09-9) A separate permit is required for each public swimming pool and water attraction.

SECTION 10. Section 8.15 of the code is created to read:  
8.15(CR 09-9) CAMP GROUNDS, CAMPING RESORTS, RECREATIONAL CAMPS AND EDUCATIONAL CAMPS. (1)(CR 09-9) No person, party, firm, partnership, corporation, organization, government, or other entity shall operate, manage, maintain, or conduct a campground (temporary and permanent), camping resort, recreational camp, or educational camp in Washington County without first obtaining a permit from the Washington County Health Department.

(2)(CR 09-9) Operators shall submit plans and specifications for a new or expanded campground to the state for review and approval before commencing construction or modification. No permit can be issued under this ordinance until the plans and specifications have been approved by the State of Wisconsin and evidence of said approval is supplied to the Washington County Health Department with the application for a permit.

(3)(CR 09-9) A campground permit is not required for camping at a county or district fair at which 4-H Club members' exhibit, for the 4 days preceding the county or district fair, the duration of the county or district fair, and the 4 days following the county or district fair.

SECTION 11. Section 8.16 of the code is created to read:  
8.16(CR 09-9) PERMITS; APPLICATION PROCESS; INSPECTIONS. (1)(CR 09-9) Permits.

(2)(CR 09-9) Application Process. (a) An applicant for a permit required by this subchapter shall complete an application form furnished by the Washington County Health Department.

(b) The Washington County Health Department shall notify the applicant in writing within thirty (30) days of receipt of the completed application and associated fees of its decision, to issue a permit, conditionally issue a permit or to deny issuance of the permit.

(c) Pre-inspection. All applicants, except those transferring a permit under §254.64(4)(d) or (e), Wis. Stats., require a pre-inspection of the establishment sought to be permitted prior to the issuance of a permit to confirm that the establishment sought to be permitted is in compliance with the applicable statutes, administrative rules and this ordinance. The Washington County Health Department may condition the issuance or renewal of a permit on correction by the applicant of violation(s) identified. If the applicant fails to correct the violation(s) within the specified period of time, the permit shall be revoked.

(d) If the permit is denied, the applicant shall be given written notice of the denial including the reasons and the notice of the right to appeal said decision within fifteen (15) days of the date of the decision by filing a written request for an appeal hearing with the Washington County Health Department. The appeal hearing shall be heard before the Washington County Board of Health and conducted in accordance with this ordinance.

SECTION 12. Section 8.17 of the code is created to read:  
8.17(CR 09-9) ENTRY UPON PREMISES. Employees of the Washington County Health Department shall be permitted to enter, at any reasonable hour and upon the presentation of proper identification, any establishment in Washington County for which a permit is required under this subchapter to inspect the premises, secure samples or specimens, examine, and copy relevant documents and records, or obtain photographs or other evidence needed to enforce this ordinance.

SECTION 13. Section 8.18 of the code is created to read:  
8.18(CR 09-9) FEES AND TRANSFERS. (1)(CR 09-9) Permit, pre-inspection, re-inspection, and duplicate permit fees are as set forth consistent with the fee schedule approved annually by Washington County through the County's annual budget process as to County fees and the State of Wisconsin as to state fees.

(a) Pre-inspection fees. The applicant or operator shall be responsible for paying a pre-inspection fee at the time of application.

(b) Annual fee. The permit fees shall be paid annually. Permits issued under this Subchapter shall expire on June 30, except that permits initially issued during the period beginning on April 1 and ending June 30 shall expire as of June 30 of the following year.

(c) State of Wisconsin Administrative Fee. An applicant shall also pay the state administrative fee established by the State of Wisconsin as listed on the state approved

fee schedule as amended from time to time. The state fee is collected and processed by Washington County as a part of the application process.

(d) Re-inspection fee. The applicant or operator shall pay a re-inspection fee upon re-inspection of the establishment by the Washington County Health Department whenever an establishment is deemed by the Washington County Health Department to require a re-inspection to verify correction of violation(s) of this subchapter.

(2)(CR 09-9) Permit Transfers. Permits issued pursuant to this subchapter are not transferable, except:

(a) The holder of a permit may transfer the permit to an individual who is an immediate family member as defined in §254.64(4)(a)2., Wis. Stats., upon the transfer of operation of the establishment;

(b) A business entity may transfer the permit to a reorganized business entity if the establishment remains at the same location and at least one member of the new business entity continues an ownership interest.

SECTION 14. Section 8.19 of the code is created to read:  
 8.19(CR 09-9) SUSPENSION OR REVOCATION OF PERMIT. (1)(CR 09-9) The Washington County Health Department may suspend or revoke a permit issued to any establishment or operator under this ordinance in the event the Washington County Health Department discovers violations of this ordinance, the applicable regulations contained in the Wisconsin Statutes or the applicable regulations contained in the Wisconsin Administrative Code.

(2)(CR 09-9) Suspension. The Washington County Health Department shall by written order notify the owner and operator of the violations specifying the changes required to make the permitted establishment conform to the rules and regulations contained in this ordinance, the applicable Wisconsin Administrative Code Chapters, and applicable Wisconsin Statutes and suspend the permit until such time as the violations are corrected.

(a) The order shall set forth the time period within which the compliance shall take place.

(b) Failure to comply with the order to correct the violations within the time period stipulated in the order, or any extension of time issued, may result in the issuance of a written order permanently revoking the permit to operate the establishment.

(c) The revocation order shall notify the operator that the owner and operator can request a hearing within fifteen (15) days of the date of the revocation order by sending a written request for an appeal hearing to the Washington County Health Department. The appeal hearing shall be conducted in accordance with this ordinance.

(d) Any revocation order issued hereunder shall take effect fifteen (15) days after the date of issuance, unless the operator requests a hearing within fifteen (15) days of the date of the revocation order.

(3)(CR 09-9) Revocation Due To Immediate Danger To Health. Where reasonable cause exists to believe that any construction, sanitary condition, operation or method of operation of an establishment permitted under any section of this Subchapter creates an immediate danger to health, the Washington County Health Department may, without advance written notice and without advance hearing, issue a verbal order immediately revoking the permit and requiring the removal of the immediate danger to health.

(a) The order shall take effect upon personal delivery to the operator or other person in charge of the establishment.

(b) Verbal orders shall be confirmed in writing as soon as practicable.

(c) The order shall be limited to prohibiting the sale or movement of food (if food is sold or served on the premises), prohibiting the continued operation or method of operation of specific equipment, requiring the premises to cease other operations or methods of operation, or a combination of the prohibitions and requirements except that if a more limited order will not remove the immediate danger to health caused by a violation of this ordinance or any State of Wisconsin statute or regulation, the order may direct that all operations authorized by the permit shall cease and the establishment shall be closed down and may take any other action it deems necessary to protect the public health.

(2)(CR 09-9) All orders, suspensions or revocations issued hereunder shall be in writing and shall inform the owner/operator of the right to request an appeal hearing within fifteen (15) days of issuance of said order, suspension or revocation which request shall be in writing and conducted pursuant to §8.20 of this ordinance.

SECTION 15. Section 8.20 of the code is created to read:  
 8.20(CR 09-9) APPEAL HEARING. (1)(CR 09-9) Any applicant or permit holder aggrieved by an order or decision of the Washington County Health Department under this subchapter may request a hearing before the Washington County Board of Health or its designee to challenge the order or decision of the Washington County Health Department.

(a) The applicant or permit holder shall submit a written request for a hearing not later than fifteen (15) days after the issuance of the Washington County Health Department order or decision.

(b) The hearing shall be held no later than fifteen (15) days after the Washington County Health Department receives the written request for a hearing unless both parties agree to a later date.

(c) The Washington County Health Department shall mail a notice of hearing to the operator at least five (5) days prior to the hearing; which notice shall set forth the date, time, and place of the hearing.

(d) The hearing shall be recorded.

(e) The operator and the County may be represented by counsel, provide testimony and cross examine witnesses.

(f) Witnesses shall be sworn under oath.

(g) A final written decision shall be issued within ten (10) days of the conclusion of the hearing.

(2)(CR 09-9) The final decision of the Board of Health may be appealed to the Washington County Circuit Court within thirty (30) days of the date of the decision.

SECTION 16. Section 8.21 of the code is created to read:  
 8.21(CR 09-9) ADMINISTRATION, ENFORCEMENT AND PENALTIES. (1) The Washington County Health Department shall administer and enforce this ordinance in Washington County.

(2)(CR 09-9) Violations of this ordinance and enforcement of orders or decisions by the Department or Board of Health issued in the manner described herein shall be prosecuted by the Washington County Attorney. Each day of continued violation or noncompliance shall constitute a separate offense.

(3)(CR 09-9) Citations. Department personnel authorized by the Washington County Code may issue citations for violations of this subchapter. Citations issued to any violators of this ordinance shall be issued using the procedure and in the format specified at §14.42 of this Code.

(a) Any person, firm, partnership, or corporation or other organization that violates an order or decision issued under §8.11 or §8.12 or any operator of an establishment or facility for which a permit is required under this ordinance that violates a revocation order or decision issued pursuant to this subchapter of this ordinance shall pay a forfeiture of not less than \$250 and not more than \$10,000.00 plus court costs and the cost of prosecution plus the retail value of any food moved, sold, or disposed of in violation of the order or decision.

(b) Any person, firm, partnership or corporation or other organization that violates any of the rules and regulations set forth in Wisconsin Administrative Code Chapter DHS 196 or the DHS 196 appendix or any provisions under §8.11 of the ordinance other than a violation of an order or decision of the Washington County Health Department or Board of Health, shall pay a forfeiture of not less than \$100.00 nor more than \$1,000.00. This includes operation of any type of restaurant, food establishment, temporary restaurant, temporary food establishment, mobile restaurant, mobile food establishment, special event food establishment, or special organizations serving meals without having obtained a permit under this section.



(c) Any person, firm, partnership, or corporation or other organization that violates a rule or regulation contained in this subchapter, Wisconsin Administrative Code Chapters DHS 195 or DHS 197 as referenced in §8.12 shall pay a forfeiture of not less than \$100.00 nor more than \$1,000.00 plus court costs, including the operation of a hotel, motel, bed and breakfast or tourist rooming house without a permit.

(d) Any person, firm, partnership, or corporation or other organization that violates §8.12(4) of this section by failing to post the required notice regarding room rates or posts an inaccurate notice shall pay a forfeiture of not less than \$50.00 nor more than \$100.00 plus costs of prosecution and court costs.

(e) Any person, firm, partnership, or corporation or other organization that violates §8.13 of this ordinance or any order issued thereunder or violates any of the rules and regulations contained in this subchapter or the Wisconsin Administrative Code Chapter DHS 173, including failure to obtain a permit for a tattoo establishment or body piercing establishment, shall pay a forfeiture of not more than \$500 plus court costs.

(f) Any person, firm, partnership, or corporation or other organization that violates §8.14 of the ordinance or violates any of the rules and regulations contained in Wisconsin Administrative Code Chapters DHS 172 or Comm 90, including failure to obtain a permit, shall pay a forfeiture of not less than \$25.00 nor more than \$500.00 plus the costs of prosecution and court costs.

(g) Any operator of a public swimming pool or water attraction who fails to comply with an order of the Washington County Department of Health under this ordinance shall forfeit \$10.00, plus court costs, for each day of noncompliance after the order is served upon the operator.

(h) Any person, firm, partnership, or corporation or other organization that violates §8.15 of this ordinance or violates any of the rules and regulations contained in Wisconsin Administrative Code Chapters DHS 175 or DHS 178 shall pay a forfeiture of not less than \$25.00 nor more than \$250.00 plus court costs.

(i) Any person, firm, partnership, or corporation or other organization who fails to comply with an order of the Washington County Department of Health issued under this ordinance shall forfeit \$10.00 for each day of noncompliance after the order is served upon the operator.

(j) Any person, firm, partnership, or corporation or other organization operator who fails to obtain a permit for the operation of an establishment under §8.15 of this ordinance, the operator shall be subject to a forfeiture of not less than \$25.00 nor more than \$250.00 plus court costs.

(k) Any person who gives false information to an employee of the Washington County Health Department engaged in the performance of his or her duties under this subchapter of this ordinance, with the intent to mislead the employee or who assaults, threatens, intimidates, impedes, interferes with or obstructs an employee of the Washington County Health Department in the performance of his or her duties under this section of this ordinance shall be ordered to pay a forfeiture of not more than \$5,000.00 plus court costs.

(l) Any person, firm, partnership, or corporation or other organization who violates any state statute or rule referred to herein or any part of this subchapter or any departmental order issued under this subchapter relating to public health, for which no other penalty is prescribed, shall be subject to the penalties set forth in §1.07 of the Washington County Code.

(4)(AM 09-9) Injunctions. In case of continuing violations, department personnel, may in addition to other enforcement actions, refer such violations to the Washington County Attorney for the commencement of appropriate legal action or proceeding to enjoin continuing violations of this subchapter.

SECTION 17. Section 8.22 of the code is created to read:  
8.22(CR 09-9) CHANGES IN LAW. In the event the Wisconsin Legislature or Department of Health Services amends any of its statutes, rules or regulations which are adopted in this ordinance, said amendments shall automatically become part of this ordinance without further action by the Washington County Board of Supervisors.

SECTION 18. Section 8.23 of the code is created to read:  
 8.23(CR 09-9) **APPLICABILITY OF OTHER LAWS AND REGULATIONS.** In addition to the laws and regulations set forth herein or adopted by reference, all applicants for a permit under this ordinance shall comply with all applicable federal, state or local laws or regulations.

SECTION 19. Section 8.24 of the code is created to read:  
 8.24(CR 09-9) **DEPARTMENT ORDERS AND DECISIONS.** All orders, notices and decisions issued by the Washington County Health Department or the Board of Health shall be in writing and served on the operator by mailing a copy to the operator at the last known address or by personal delivery to the operator of the establishment or by personal delivery to an employee working at said establishment who is in charge of the establishment at said time. Immediate orders for revocation issued under §8.19 shall be personally served on the operator or an employee working at said establishment who is in charge of said establishment at the time. If an immediate order for revocation is served on an employee who is in charge of said establishment, said order for immediate revocation shall also be mailed to the operator by the Washington County Health Department.

SECTION 20. Section 8.25 of the code is created to read:  
 8.25(CR 09-9) **OPTIONAL PLAN REVIEW AVAILABLE.** Prior to the commencement of any new construction or any remodeling construction by any person, firm, partnership, corporation or other entity operating or planning to operate an establishment regulated by this subchapter, said person, firm, partnership, corporation or other entity may submit building plans and the fee set forth herein to the Washington County Health Department for a plan review based on Public Health Statutes and Codes and obtain recommendations and guidance relating to same prior to beginning construction or remodeling.

SECTION 21. Section 14.42 of the code is amended to read:  
 14.42 **UNIFORM CITATION METHOD ADOPTED.** (5)(AM 09-) Issuance of Citation.  
 (a) Any law enforcement officers may issue citations authorized under this section.

(b) The following County officials may issue citations with respect to those specific sections of this code which relate to their official responsibilities:

\* \* \*

- 6. Deputy Director (Fair Park) or designee.
- 6. County Health Officer or designee.

SECTION 22. **EFFECTIVE DATE.** This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the BOARD OF HEALTH  
 Charlene S. Brady, Chairperson

**CLOSED SESSION**

Moved by Ms. Puerling, seconded by Mr. Sorce to convene into closed session at 12:15 p.m. pursuant to §19.85(1)(e), Wis. Stats. to deliberate or negotiate the purchase of properties, specifically, to discuss the terms and conditions relating to the purchase of the buildings and other fixed assets located at the Washington County Fair Park. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Berchem, Meyers. Absent: Adam, Gonnering, Stoffel. Ayes-25; Noes-2; Absent-3. Vote requirement for passage is a majority of the members in attendance.

**OPEN SESSION**

Moved by Mr. Sorce, seconded by Mr. Ustruck to return to open session at 1:05 p.m. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Adam, Gonnering, Stoffel. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

The meeting recessed at 1:05 p.m. and reconvened at 1:12 p.m.

**2009 RESOLUTION 44 - RESOLUTION REGARDING THE PURCHASE OF FAIR PARK BUILDINGS AND OTHER FIXED ASSETS**

Moved by Mr. Heidtke, seconded by Mr. Healy to adopt 2009 Resolution 44 - Resolution Regarding the Purchase of Fair Park Buildings and Other Fixed Assets. Moved by Mr. Stern, seconded by Mr. Healy to amend 2009 Resolution 44, to add the following on page 2, line 1: 3. Authorization to commence 2010 CIP North (of Jail) Parking Lot project, Sheriff's Evidence Storage project, and Asphalt Repairs at Fair Park will not be given until such time as the Sheriff's Radio Project has been completed and a determination made that the funds referred to in #1 above are not needed by the Sheriff's Radio Project. Motion to amend carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Gundrum. Absent: Adam, Gonnering, Stoffel. Ayes-26; Noes-1; Absent-3. Motion to adopt Resolution 44 as amended carried. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Schulz, Bausch, Brandt, Bertram, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Brady, Sorce, Healy, Borman. Voting No: Ustruck, Stern, Berchem, McCune, Meyers, Ewert. Absent: Adam, Gonnering, Stoffel. Ayes-21; Noes-6; Absent-3. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, 2009 Resolution 29 expressed the County Board's desire to keep Fair Park open as a public year-round facility and to exercise more authority and control over the Fair Park buildings and property; and

WHEREAS, 2009 Resolution 29 outlined several directives including charging the Finance Committee with the development of a financial plan which protects the County's interest while allowing Fair Park to operate through year 2010 and addressing the financial issues of the capital improvements at Fair Park; and

WHEREAS, the Finance Committee has determined it is in the best interest of the County to negotiate the acquisition of all buildings and other fixed assets located at the Washington County Fair Park with the Agricultural and Industrial Society ("Society") in order for the County to accomplish its goals of control of the Fair Park buildings and property and clarity with respect to the County's relationship with the Society; and

WHEREAS, an inventory of the buildings and assets to be purchased by the County from the Society has been prepared and is attached hereto and incorporated herein as Exhibit "A"; and  
 WHEREAS, the Society and the County have cooperatively identified the buildings and assets to be purchased; however, the Society has disclosed outstanding debts, disputes and claims with regard to the items to be purchased, all of which the Society continues to negotiate resolutions thereto; and

WHEREAS, the Finance Committee recommends offering the Society a gross amount not to exceed \$756,000 for the purchase of the buildings and other fixed assets with the net not to exceed amount of \$688,000, which requires the Society to continue with its negotiations and settlement efforts relating to the outstanding debts, disputes and claims in order to eventually achieve the net not to exceed purchase price of \$688,000; and

WHEREAS, the Finance Committee recommends funding the acquisition with available sales tax funds by amending the capital improvement plan ("CIP") as follows:

1. Reduce the funding for the Sheriff's Department Radio Project by \$408,000
2. Reassign the remaining 2009 funds from the previously removed Schmidt Road project, making available \$280,000

WHEREAS, in order to achieve the net effect of not to exceed \$688,000, the Society will be requested to execute an agreement which will obligate the Society to pay to the County within no more than five years, at a minimum, the difference between the gross amount and the net amount referred to herein from funds it receives as a result of settlement of disputed claims relating to the buildings and assets;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the recommendations of the Finance Committee to acquire by purchase all buildings and other fixed assets at the Washington County Fair Park as described on Exhibit "A" attached hereto and incorporated herein using sales tax as the funding source at a net cost not to exceed \$688,000, subject to the buildings and other fixed assets being free and clear of all liens, encumbrances, judgments, lis pendens or other legal obligations and the execution of the agreement described herein.

BE IT FURTHER RESOLVED that the County Attorney is directed to prepare an appropriate Offer to Purchase, secure title report(s) and take all necessary steps to prepare for purchasing the buildings and other fixed assets.

BE IT FURTHER RESOLVED that the County Attorney is directed to prepare for review and

approval by the Finance Committee an appropriate agreement between the Society and the County which obligates, as a part of this transaction, the Society to pay to the County within no more than five years the difference between the gross amount and the net amount referred to herein from any and all funds it receives as a result of settlement of disputed claims relating to the buildings and assets.

BE IT FURTHER RESOLVED that the Board urges the Society to continue in its negotiations and settlement efforts with regard to the outstanding debts and disputes and to continue in its fundraising efforts in order to meet its obligations set forth in the agreement with the County.

BE IT FURTHER RESOLVED that the parties shall endeavor to close on this real estate transaction not later than December 31, 2009.

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**MOTION TO REFER OVERSIGHT OF FAIR PARK TO EXECUTIVE COMMITTEE**

Moved by Mr. Meyers, seconded by Mr. Sorce to refer the oversight of Fair Park operations and structure to the Executive Committee for further evaluation and study. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Brandt, Bertram, Berchem, Gundrum, Laubenheimer, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Borman. Voting No: Bausch, Merten, Heidtke, Core, Russell, Healy. Absent: Adam, Gonnering, Stoffel. Ayes-21; Noes-6; Absent-3. Vote requirement for passage is a majority of the members in attendance.

**2009 RESOLUTION 45 - RESOLUTION AUTHORIZING A LEASE AND OPERATING AGREEMENT WITH THE AGRICULTURAL AND INDUSTRIAL SOCIETY ("SOCIETY")**

Moved by Mr. Healy, seconded by Mr. Bertram to adopt 2009 Resolution 45 - Resolution Authorizing a Lease and Operating Agreement with the Agricultural and Industrial Society ("Society"). County Attorney Kim Nass explained the resolution. Moved by Mr. Ustruck, seconded by Mr. Gundrum to amend 2009 Resolution 45 page 1, line 33: ~~five (5) three (3) years with an annual review and amendment as needed~~ no option for renewal; Motion to amend carried by roll call vote. Voting Aye: Justman, Hensel, Miller, Puerling, Ustruck, Stern, Brandt, Bertram, Berchem, Gundrum, Laubenheimer, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Borman. Voting No: Tennes, Schulz, Bausch, Merten, Heidtke, Core, Russell, Jung, Healy. Absent: Adam, Gonnering, Stoffel. Ayes-18; Noes-9; Absent-3. Motion to adopt 2009 Resolution 45 as amended carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Schulz, Bausch, Bertram, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Ewert, Brady, Healy, Borman. Voting No: Stern, Brandt, Berchem, Meyers, Goetz, Sorce. Absent: Adam, Gonnering, Stoffel. Ayes-21; Noes-6; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, 2009 Resolution 29 expressed the County Board's desire to keep Fair Park open as a public year-round facility and to exercise more authority and control over the Fair Park buildings and property; and

WHEREAS, 2009 Resolution 29 outlined several directives including charging the Executive, Education and Culture and Finance Committees, jointly, with the development of a Lease and Operating Agreement between the County and Society which sets forth the relationship and obligations of the parties with regard to Fair Park and its operations through year 2010; and

WHEREAS, the Education and Culture Committee and the Executive and Finance and Education and Culture Committees, jointly, have determined it is in the best interest of the County to negotiate a Lease and an Operating Agreement which will be interrelated and govern both the treatment of the property and buildings (Lease) as well as the operations of the facilities (Operating Agreement); and

WHEREAS, the Education and Culture Committee has set performance measures for the Society to achieve which shall be a part of the agreement; and

WHEREAS, the Lease shall address, among other terms, the following key provisions:

1. That the County shall lease the premises to the Society for \$1.00 per year;
2. That the term of the lease shall be for three (3) years with no option for renewal;
3. That the Society shall be responsible for all utilities;
4. That the relationship between the Society and certain sublessees shall be allowed to continue;

5. That the Society shall be responsible for cleaning and day-to-day maintenance and repairs; and

WHEREAS, the Operating Agreement shall address, among other terms, the following key provisions:

1. That the Society shall organize, operate and conduct the annual County Fair at the Washington County Fair Park
2. That the Society's performance will be monitored and measured by standards established by the Education and Culture Committee
3. That the Society shall be responsible for certain expenses for services performed by the County or the County's designee
4. That the Society shall have its financial operations audited annually and report its financial condition to the County's Finance Committee on a quarterly basis

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the County Attorney is directed to prepare a Lease and Operating Agreement with the key provisions referred to herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are authorized to execute the Lease and Operating Agreement referred to herein, conditioned on the approval of 2009 Resolution 44 and subject review and approval of the instruments by the County Attorney, the Education and Culture Committee and the County Board.

BE IT FURTHER RESOLVED that the parties shall endeavor to enter into these agreements after the full implementation of 2009 Resolution 44 and not later than December 31, 2009.

Introduced by members of the EDUCATION and CULTURE, EXECUTIVE and FINANCE COMMITTEES

Marilyn H. Merten, Chairperson Education and Culture Committee

Herbert J. Tennes, Chairperson Executive Committee

Ralph R. Hensel, Chairperson Finance Committee

**ADJOURNMENT**

Moved by Mr. Borman, seconded by Mr. Sorce to adjourn the meeting at 2:27 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on October 27, 2009. Reports are filed in the County Clerk's Office. Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 28th day of October 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
NOVEMBER 5, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Stoffel.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 7:00 p.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**PUBLIC HEARING**

Clerk Jaszewski read the Affidavit of Publication for the Public Hearing. Chairperson Tennies opened the public hearing at 7:05 p.m. Comments were received from R. D. Ziegler, Richard Becker, Glenn Thoele, Donald Roskopf, Jim Reigle, Kathleen Fist, and Paul Ziegler. Clerk Jaszewski read correspondence from Sue Justesen, St. Boniface School, Joseph Zadra, and the Wisconsin Historical Society regarding 2010 funding for the Washington County Historical Society. Chairperson Tennies closed the public hearing at 7:35 p.m.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for the Transportation Committee and Education & Culture Committee.

**2009 RESOLUTION 46 - 2010 BUDGET APPROPRIATION**

Moved by Ms. Russell, seconded by Mr. Schulz to adopt 2009 Resolution 46 - 2010 Budget Appropriation. Finance Committee Chairperson Hensel and Administrative Coordinator Doug Johnson presented an overview of the 2010 county budget.

Moved by Ms. Merten, seconded by Mr. Brandt to restore \$65,000 of the county funding for the Washington County Historical Society that was cut \$95,000 by the Finance Committee on October 6, 2009, and add this to the 2010 county budget.

Moved by Mr. McCune, seconded by Mr. Meyers to call for the question and close the debate on the motion to restore \$65,000 of county funding for the Washington Historical Society and add to the 2010 county budget. Motion defeated by roll call vote. Voting Aye: Justman, Miller, Ustruck, Stern, Schulz, Brandt, Bertram, Berchem, Gonnering, Gundrum, Laubenheimer, Jung, McCune, Meyers, Goetz, Sorce, Healy, Borman. Voting No: Tennies, Hensel, Adam, Puerling, Bausch, Merten, Heidtke, Core, Russell, Ewert, Brady. Absent: Stoffel. Ayes- 18; Noes-11; Absent-1. Vote requirement for passage is 2/3 of the members present.

Motion to restore \$65,000 of the county funding for the Washington County Historical Society that was cut \$95,000 by the Finance Committee on October 6, 2009, and add this to the 2010 county budget carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Stern, Bausch, Brandt, Berchem, Gonnering, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Ustruck, Schulz, Bertram, Gundrum, Meyers. Absent: Stoffel. Ayes-24; Noes-5; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. McCune, seconded by Mr. Berchem to reduce the 2010 county budget a total amount of \$65,000 to be applied to all departments except the Historical Society.

The meeting recessed at 8:50 p.m. and reconvened at 9:20 p.m.

Moved by Mr. Borman, seconded by Mr. Bertram to call for the question and close the debate on the motion to reduce the 2010 county budget a total amount of \$65,000 to be applied to all departments except the Historical Society. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Stoffel. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is 2/3 of the members present.

Motion to reduce the 2010 county budget a total amount of \$65,000 to be applied to all departments except the Historical Society was defeated by roll call vote. Voting Aye: Stern, Brandt, Berchem, McCune, Meyers. Voting No: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Schulz, Bausch, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Ewert, Brady, Sorce, Healy, Borman. Absent: Stoffel. Ayes-5; Noes-24; Absent-1. Vote

requirement for passage is a majority of the members in attendance.

2009 Resolution 46 - 2010 Budget Appropriation, with the 2010 budget amended, carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Adam, Puerling, Ustruck, Schulz, Bausch, Brandt, Bertram, Gonnering, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Miller, Stern, Berchem, Gundrum, McCune, Meyers. Absent: Stoffel. Ayes-23; Noes-6; Absent-1. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the proposed 2010 Budget Summary - Washington County was published in the West Bend News on October 17, 2009, in accordance with the provisions of Wisconsin Statutes Section 65.90; and

WHEREAS, estimated expenditures and revenues for 2010 are shown on the Washington County 2010 Budget available for review at Washington County and incorporated herein by reference; and

WHEREAS, the total indebtedness of Washington County as of December 31, 2009, is thirty-one million nine hundred eighty-five thousand (\$31,985,000) dollars;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the 2010 budget appropriations, in the sums and for the purposes hereinafter set forth, be and the same are hereby adopted;

BE IT FURTHER RESOLVED that by the adoption of this resolution, the Washington County Board of Supervisors levies a tax against the taxable property of Washington County, both real and personal, sufficient to provide for the 2010 budget appropriations in Washington County 2010 Budget, it being understood that this general levy shall not duplicate other levies adopted by this Board;

BE IT FURTHER RESOLVED that the County Clerk be and is hereby authorized and instructed to assess said levy to the municipalities of Washington County in accordance with the schedule of equalized values as prepared by the Wisconsin Department of Revenue and presented to this Board;

BE IT FURTHER RESOLVED that a copy of this Resolution, including the Washington County 2010 Budget, and any amended version be made available for public inspection in the Office of the Washington County Clerk, upon its adoption, as provided by law.

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**ADJOURNMENT**

Moved by Ms. Brady, seconded by Mr. Bausch to adjourn the meeting at 9:36 p.m., subject to the call of the Chairperson. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on November 5, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin on this 9th day of November 2009.

Brenda J. Jaszewski, County Clerk



**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
DECEMBER 8, 2009  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert (arrived at 9:04 a.m.), Brady, Sorce, Healy, Borman. Excused: Jung.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. McCune, seconded by Mr. Berchem to approve the October 27, 2009, meeting minutes as presented. Motion carried.

Moved by Mr. Bertram, seconded by Mr. Core to approve the November 5, 2009, meeting minutes as presented. Motion carried.

Supervisor Ewert arrived at 9:04 a.m.

**4-H SPEAKER AND KEY AWARD PRESENTATIONS**

Miss Melissa Kescenovitz spoke about her experiences with 4-H. Chairperson Tennies presented Michelle Carranza, Samantha Decker, and Melissa Kescenovitz with the 4-H Key Awards, which recognizes 4-H youth for their leadership skills.

**2009 RESOLUTION 47 - COMMENDATION OF GAIL DOUGHTY**

Moved by Mr. Bausch, seconded by Ms. Merten to adopt 2009 Resolution 47 - Commendation of Gail Doughty. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Gail Doughty has contributed more than fourteen years of loyal service to the citizens of Washington County; and

WHEREAS, Gail Doughty has chosen to retire from her present position of Administrative Secretary at the Sheriff's Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Gail Doughty for her fourteen years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Gail Doughty as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 48 - COMMENDATION OF EILEEN M. GERMAN**

Moved by Mr. Stoffel, seconded by Mr. Ustruck to adopt 2009 Resolution 48 - Commendation of Eileen M. German. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Eileen M. German has contributed more than thirty-four years of loyal service to the citizens of Washington County; and

WHEREAS, Eileen M. German has chosen to retire from her present position of Corrections Officer at the Sheriff's Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Eileen M. German for her thirty-four years of

meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Eileen M. German as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 49 - COMMENDATION OF GLORIA J. KAMRATH**

Moved by Mr. Sorce, seconded by Mr. Core to adopt 2009 Resolution 49 - Commendation of Gloria J. Kamrath. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Gloria J. Kamrath has contributed more than thirty years of loyal service to the citizens of Washington County; and

WHEREAS, Gloria J. Kamrath has chosen to retire from her present position of Senior Social Worker at the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Gloria J. Kamrath for her thirty years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Gloria J. Kamrath as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 50 - COMMENDATION OF TERI A. KRESSIN**

Moved by Mr. Borman, seconded by Mr. Hensel to adopt 2009 Resolution 50 - Commendation of Teri A. Kressin. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Teri A. Kressin has contributed more than nineteen years of loyal service to the citizens of Washington County; and

WHEREAS, Teri A. Kressin has chosen to retire from her present position of Inservice Training Director at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Teri A. Kressin for her nineteen years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Teri A. Kressin as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 51 - COMMENDATION OF ALICE M. MILLER**

Moved by Mr. Miller, seconded by Ms. Puerling to adopt 2009 Resolution 51 - Commendation of

Alice M. Miller. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Alice M. Miller has contributed more than twenty-eight years of loyal service to the citizens of Washington County; and

WHEREAS, Alice M. Miller has chosen to retire from her present position of Program Assistant at the Clerk of Courts Office;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Alice M. Miller for her twenty-eight years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Alice M. Miller as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 52 - COMMENDATION OF MARY L. MILLER**

Moved by Mr. Healy, seconded by Ms. Russell to adopt 2009 Resolution 52 - Commendation of Mary L. Miller. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Mary L. Miller has contributed more than thirty-three years of loyal service to the citizens of Washington County; and

WHEREAS, Mary L. Miller has chosen to retire from her present position of Social Worker at the Human Services Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Mary L. Miller for her thirty-three years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Mary L. Miller as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**ECONOMIC DEVELOPMENT WASHINGTON COUNTY ANNUAL REPORT**

Former Interim Economic Development Executive Director Anthony Warren and Economic Development Executive Director Christian Tscheschlok presented the Economic Development-Washington County annual report.

**WASHINGTON COUNTY FAIR PARK ANNUAL REPORT**

Interim Executive Director Sandy Lang presented the Fair Park annual report.

**FINANCIAL APPROVAL REPORT NO. 28**

Moved by Mr. Stoffel, seconded by Ms. Merten to approve Financial Approval Report No. 28 in the amount of \$5,988,748.76. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Abstain: Adam. Ayes-28; Noes-0; Absent-1; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 29 - UW EXTENSION ANNUAL REPORT**

Farm Business Educator Alan Linnebur, Community Development Educator Paul Roback, Growth Management Educator Kevin Struck, Family Living Educator Marma Jean McIntee, Nutrition

Educator Pattie Carroll and 4-H Youth Development Educator Kandi O'Neil presented the UW Extension annual report. Moved by Mr. Gundrum, seconded by Mr. Bausch to accept Annual Report No. 29. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for the Samaritan Committee, Human Services Board, Administrative Services Committee, Transportation Committee, Board of Health, Finance Committee, and Education & Culture Committee.

**PROGRESS REPORT ON FAIR PARK PURCHASES**

County Attorney Kimberly Nass presented a progress report on the Fair Park building purchases and fixed assets, and the draft lease and operating agreements.

The meeting recessed 11:39 a.m. and reconvened at 11:46 a.m.

**2009 RESOLUTION 53 - COMMENDATION OF SUSAN S. PONATH**

Moved by Mr. Stoffel, seconded by Ms. Brady to adopt 2009 Resolution 53 - Commendation of Susan S. Ponath. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Susan S. Ponath has contributed more than twenty-nine years of loyal service to the citizens of Washington County; and

WHEREAS, Susan S. Ponath has chosen to retire from her present position of Licensed Practical Nurse at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Susan S. Ponath for her twenty-nine years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Susan S. Ponath as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 54 - COMMENDATION OF LOUISE L. SEVERSON**

Moved by Mr. Ustruck, seconded by Mr. Hensel to adopt 2009 Resolution 54 - Commendation of Louise L. Severson. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Louise L. Severson has contributed more than fourteen years of loyal service to the citizens of Washington County; and

WHEREAS, Louise L. Severson has chosen to retire from her present position of Corrections Officer at the Sheriff's Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Louise L. Severson for her fourteen years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Louise L. Severson as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 55 - VOIDING STALE CHECKS**

Moved by Mr. Miller, seconded by Mr. Schulz to adopt 2009 Resolution 55 - Voiding Stale Checks. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, checks issued by Washington County more than two years ago, more particularly set out below as to Check Date, Check Number, Payee, and Amount, have never been presented for payment; and

WHEREAS, these outstanding checks cause additional work and expense in keeping the books of Washington County;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that checks listed below issued more than two years ago and which have never been presented for payment shall be voided and canceled as follows:

M & I First National Bank General Account

Date	Check #	Name
01/10/07	00317265	Trinsastic, Cynthia L.
01/31/07	00318574	Dolan, John J.
01/31/07	00318594	Fischer, Anton H.
02/07/07	00318985	Long Term Care Nursing Admin
03/14/07	00320941	Sabel, Christine S.
04/04/07	00321820	Klapper, Bret A.
04/04/07	00321952	Lighthizer, Adam J.
05/02/07	00323236	Gonia, Sheryl L.
06/20/07	00325800	Blair, Corinne
06/27/07	00326280	New Hope Hmong Methodist Women
08/01/07	00327954	Gringas, Jacqueline R.
10/10/07	00331762	MW Properties & Development LL
11/21/07	00333569	Deleon, Miguel A.
11/21/07	00333698	Sanchez, Rosando
12/05/07	00334236	Schafer, Robert A.
12/05/07	00334253	Stephens, Tori L. Dr.
Total	\$1,112.57	

Introduced by members of the FINANCE COMMITTEE  
 Ralph R. Hensel, Chairperson

**2009 RESOLUTION 56 - 2010 WASHINGTON COUNTY SHERIFF'S DEPARTMENT PROTECTIVE SERVICES COMMAND STAFF ASSOCIATION LABOR AGREEMENT**

Moved by Mr. Ewert, seconded by Mr. Sorce to adopt 2009 Resolution 56 - 2010 Washington County Sheriff's Department Protective Services Command Staff Association Labor Agreement. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Berchem. Absent: Jung. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code provides for County Board approval as a prerequisite to a voluntary binding agreement between Washington County and any employee labor group; and

WHEREAS, a tentative labor agreement has been reached between the Washington County Sheriff's Department Protective Services Command Staff Association representing certain employees and the Washington County Negotiating Committee for the period of January 1, 2010 to December 31, 2010, the original being on file and available for review with the Human Resources Department; and

WHEREAS, said tentative agreement has been ratified by the members of the employee bargaining unit and has also been ratified by the Administrative Services Committee of the Washington County Board; and

WHEREAS, the following issues summarize the major changes from the previous labor agreement:

1. A one (1) year agreement that will be in effect from January 1, 2010 through December

31, 2010.

2. Wages – Maintain the salary plan in the contract to maintain 2009 pay levels, thus providing for no salary increases as of January 1, 2010.
3. Health Insurance -- Amend the language as follows:
  - (A) Adjust caps on 1/1/10 as necessary to continue the same employee contributions for single and family that were paid in 2009 to cover the monthly cost of the health insurance premium.
  - (B) Readjust caps on 12/31/10 to revert back to the current contribution levels which provides for a 15% employee contribution and 85% employer contribution.
4. Increase annual uniform allowance to \$590/year effective 1/1/10.
5. Long Term Disability Insurance – Add language that clarifies that an employee need not exhaust all accrued sick leave before being eligible for long-term disability benefits (but must satisfy the waiting period). Also, add language that indicates an employee must exhaust all paid leave (sick, vacation, floating holidays, etc.) before an unpaid leave of absence will be granted.

THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said labor agreement between Washington County and Washington County Sheriff's Department Protective Services Command Staff Association Employees is hereby ratified, the original being on file in the County Human Resources Department.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
 Roy C. Justman, Chairperson

**2009 RESOLUTION 57 - 2010 WASHINGTON COUNTY PROFESSIONAL SOCIAL WORKERS ASSOCIATION EMPLOYEES LABOR AGREEMENT**

Moved by Mr. Heidtke, seconded by Mr. Core to adopt 2009 Resolution 57 - 2010 Washington County Professional Social Workers Association Employees Labor Agreement. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Berchem. Absent: Jung. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code provides for County Board approval as a prerequisite to a voluntary binding agreement between Washington County and any employee labor group; and

WHEREAS, a tentative labor agreement has been reached between the Washington County Labor Association of Wisconsin Local Union No. 609 representing certain Professional Social Worker employees and the Washington County Negotiating Committee for the period of January 1, 2010 to December 31, 2010, the original being on file and available for review with the Human Resources Department; and

WHEREAS, said tentative agreement has been ratified by the members of the employee bargaining unit and has also been ratified by the Administrative Services Committee of the Washington County Board; and

WHEREAS, the following issues summarize the major changes from the previous labor agreement:

1. A one (1) year agreement that will be in effect from January 1, 2010 through December 31, 2010.
2. Wages - Maintain the salary plan in the contract to maintain 2009 pay levels, thus providing for no salary increases as of January 1, 2010.
3. Health Insurance -- Amend the language as follows:
  - (A) Adjust caps on 1/1/10 as necessary to continue the same employee contributions for single and family that were paid in 2009 to cover the monthly cost of the health insurance premium.
  - (B) Readjust caps on 12/31/10 to revert back to the current contribution levels which provides for a 15% employee contribution and 85% employer contribution.

4. Sick Leave - Amend language to allow up to three (3) days of sick leave to be used each calendar year for the illness of a minor child. This would be drawn from an employee's accrued sick leave, if available; it does not provide an increase in the number of sick days earned.

THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said labor agreement between Washington County and The Labor Association of Wisconsin Local Union No. 609 is hereby ratified, the original being on file in the County Human Resources Department.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**2009 ORDINANCE 10 - MARRIAGE LICENSE FEES - (4.48)**

Moved by Mr. Borman, seconded by Ms. Russell to enact 2009 Ordinance 10 - Marriage License Fees - (4.48). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Section 4.48 of the code; relating to: Marriage License Fees.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Sections 4.48(1) and (2) of the code are amended to read:

4.48 MARRIAGE LICENSE FEES. (1)(AM 09-10) Pursuant to §765.15, Wis. Stats., the marriage license fee shall be \$90, which shall be established by the County Board through its annual budget process and collected and disbursed by the County Clerk according to the law.

(2)(AM 09-10) ~~The County Clerk may grant fee for~~ special dispensation from the 5 day waiting period provided in §765.08, Wis. Stats., ~~and collect a fee for same which shall not exceed \$25.00 shall be \$10.~~

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective January 1, 2010 and upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**2009 ORDINANCE 11 - MAINTENANCE AND BOARD FOR COUNTY JAIL PRISONERS; AND SHERIFF'S DEPARTMENT - FEES FOR SERVICES PROVIDED - (5.10 AND 5.18)**

Moved by Mr. Gonnering, seconded by Mr. Sorce to enact 2009 Ordinance 11 - Maintenance and Board for County Jail Prisoners; and Sheriff's Department - Fees for Services Provided - (5.10 And 5.18). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Sections 5.10 and 5.18 of the code; relating to: Maintenance and Board for County Jail Prisoners; and Sheriff's Department – Fees for Services Provided.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Sections 5.10(2) and (3) of the code are amended to read:

5.10 MAINTENANCE AND BOARD FOR COUNTY JAIL PRISONERS. (2) (AM 09-11) Huber Law Prisoners. (d) Inmates are subject to random drug screening during incarceration and shall be charged \$5 25 for each positive result.

(3)(AM 09-11) Electronic (Home) Monitoring. Inmates placed in the home monitoring program under §302.425, Wis. Stats., shall be established at a rate of ~~\$20~~ 26 per day plus an additional \$5 per day if inmate is placed on the "Mims" Program and a one-time processing fee of \$25 and shall reimburse the County for same in accordance with the law. The Sheriff may require prepayment of the expenses set forth herein as a requirement for participation in this program.

SECTION 2. Section 5.18(7) of the code is created to read:

SHERIFF'S DEPARTMENT – FEES FOR SERVICES PROVIDED. (7)(CR 09-11) Execution of Warrant. A charge of \$25 shall be paid for the execution of a warrant, pursuant to §§814.70(1) and 814.705(1), Wis. Stats.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective January 1, 2010 and upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the PUBLIC SAFETY COMMITTEE  
Joseph C. Gonnering, Chairperson

**2009 ORDINANCE 12 - SPEED ZONES ON COUNTY TRUNK HIGHWAYS - (13.04)**  
Moved by Mr. Brandt, seconded by Mr. Laubenheimer to enact 2009 Ordinance 12 - Speed Zones on County Trunk Highways - (13.04) as corrected to include and Village of Richfield on line 25. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Section 13.04 of the code; relating to: Speed Zones on County Trunk Highways.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. 13.04 of the code is amended to read:  
13.04 SPEED ZONES ON COUNTY TRUNK HIGHWAYS. (1)(AM 09-12) A traffic and engineering investigation having been made where required on the following described highways in Washington County, the maximum permissible speed at which vehicles may be operated on said highways, which speed is herewith established as reasonable and safe pursuant to §349.11, Wis. Stats., shall be as set forth herein, subject to approval by the State Department of Transportation, Division of Highways and upon the erection of standard signs giving notice thereof. All speed zones are effective in both directions of travel.

\* \* \*

County Trunk Highway "FD," Town of Polk and Village of Richfield:

40 miles per hour from its intersection with U.S. Highway "41," easterly approximately 2,450 feet to its intersection with U.S. Highway "45".

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the TRANSPORTATION COMMITTEE  
Daniel R. Goetz, Chairperson

**2009 ORDINANCE 13 - COMPREHENSIVE PLAN; HEALTH DEPARTMENT; CONTROL OF ACCESS TO COUNTY TRUNK HIGHWAYS; COUNTY RIGHT-OF-WAY WIDTH MAP; DUTIES OF THE LAND CONSERVATION COMMITTEE; EROSION CONTROL PLAN REQUIREMENTS; DUTIES OF PLANNING, CONSERVATION AND PARKS COMMITTEE; INTRODUCTION; GENERAL PROVISION; PROCEDURE; PRELIMINARY PLAT; FINAL PLAT; GENERAL REQUIREMENTS AND DESIGN STANDARDS; VARIANCE AND MODIFICATIONS; AND FEES - (1.13, 6.04, 12.05, 12.07, 15.03, 17.08, 21.03, 24.01, 24.02, 24.03, 24.04, 24.05, 24.06, 24.07, 24.08 and 24.10)**

Moved by Ms. Brady, seconded by Mr. Ustruck to enact 2009 Ordinance 13-Comprehensive Plan; Health Department; Control of Access to County Trunk Highways; County Right-of-Way Width Map; Duties of the Land Conservation Committee; Erosion Control Plan Requirements; Duties of Planning, Conservation and Parks Committee; Introduction; General Provision; Procedure; Preliminary Plat; Final Plat; General Requirements and Design Standards; Variance and Modifications; and Fees - (1.13, 6.04, 12.05, 12.07, 15.03, 17.08, 21.03, 24.01, 24.02, 24.03, 24.04, 24.05, 24.06, 24.07, 24.08 and 24.10).

Moved by Mr. Stern, seconded by Mr. Bausch to amend 2009 Ordinance 13 on Page 4, Line 21. . . as required by law and conduct public hearings therein. Motion to amend 2009 Ordinance 13 carried by voice vote.

Moved by Mr. Gonnering, seconded by Mr. Bertram to amend 2009 Ordinance 13 on Page 8, Line 4.



. . required by the Town ~~Board Plan Commission~~. Motion to amend 2009 Ordinance 13 carried by voice vote.

Moved by Mr. McCune, seconded by Mr. Meyers to amend 2009 Ordinance 13 on Page 4, Line 1: Location of primary ~~and secondary~~ environmental corridor . . . , and Page 6, remove Lines 4-8. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Adam, Puerling, Brandt, Berchem, Gonnering, Laubenheimer, Russell, McCune, Meyers, Goetz, Ewert, Sorce, Healy. Voting No: Miller, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Gundrum, Merten, Heidtke, Core, Brady, Borman. Absent: Jung. Ayes-16; Noes-13; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. McCune, seconded by Mr. Bertram to amend 2009 Ordinance 13 on Page 8, Line 20: County engineer in those cases where the County engineer is under contract with the Town for engineering services. Motion to amend 2009 Ordinance 13 carried by voice vote.

2009 Ordinance 13 - Comprehensive Plan; Health Department; Control of Access to County Trunk Highways; County Right-of-Way Width Map; Duties of the Land Conservation Committee; Erosion Control Plan Requirements; Duties of Planning, Conservation and Parks Committee; Introduction; General Provision; Procedure; Preliminary Plat; Final Plat; General Requirements and Design Standards; Variance and Modifications; and Fees - (1.13, 6.04, 12.05, 12.07, 15.03, 17.08, 21.03, 24.01, 24.02, 24.03, 24.04, 24.05, 24.06, 24.07, 24.08 and 24.10) as amended carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: McCune. Absent: Jung. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to create Section 1.13; and to amend Sections 6.04, 12.05; to create Section 12.07; to amend Sections 15.03, 17.08, 21.03, 24.01, 24.02, 24.03, 24.04, 24.05, 24.06, 24.07, 24.08 and 24.10 relating to: Comprehensive Plan; Health Department; Control of Access to County Trunk Highways; County Right-of-Way Width Map; Duties of the Land Conservation Committee; Erosion Control Plan Requirements; Duties of Planning, Conservation and Parks Committee; Introduction; General Provision; Procedure; Preliminary Plat; Final Plat; General Requirements and Design Standards; Variance and Modification; and Fees.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 1.13 of the code is created to read:  
1.13 (CR 09-13) COMPREHENSIVE PLAN. Washington County has adopted a Comprehensive Plan consistent with §66.1001, Wis. Stats., which is recognized throughout this Code. The policies and programs referred to in the Comprehensive Plan shall be reviewed and updated or implemented as authorized by the County Board from time to time.

SECTION 2. Sections 6.04(3), (4) and (5) of the code are amended to read:  
 6.04 HEALTH DEPARTMENT. (3)(AM 09-13) Powers and Duties of the Board of Health. Subject to §251.04, Wis. Stats., and the rules of the Administrative Code promulgated thereunder, the Board shall:

\* \* \*

(b) Develop policy and provide leadership that fosters local involvement emphasizing public health needs and advocates for equitable distribution of public health resources and complementary private sector activities commensurate with ~~on~~ public health needs.

\* \* \*

(d) Employ qualified public health professionals, ~~including a public health nurse to conduct general public health nursing programs. to conduct general public health nursing programs and environmental health programs.~~

(e) Coordinate the activities of environmental health professionals employed by the County Health Department and collaborate with other environmental health professionals of any ~~sanitarian~~ employed by the County ~~Health Department~~.

(f) Assure the health department meets the requirements for Level I, II or III as specified in §251.05(1), Wis. Stats., and the enforcement of State public health statutes and administrative rules.

\* \* \*

(4)(AM 09-13) Health Department Level of Service. The Health Department shall, at a minimum, meet the level of service requirements of §251.05(1)(a), Wis. Stats., and shall perform those additional duties as required in §251.05(3), Wis. Stats.

(a) Provide surveillance, investigation, control and prevention of communicable diseases, other disease prevention, health promotion, human health hazard control and public health nursing services.

(b) Collect, assemble, analyze and make available information on the health status of the community as needed.

(c) Develop public health policies and procedures for the community.

(d) Develop a community health improvement plan for Washington County.

(5)(AM 09-13) County Health Officer, Appointment, Powers and Duties. Pursuant to §251.06(4), Wis. Stats., the County Board Chairperson shall appoint a local Health Officer upon recommendation of the Administrative Coordinator and the Board of Health, subject to confirmation by the County Board of Supervisors. The local Health Officer shall be known as the Director, Health Department. The Director shall:

(a) Administer the Health Department in accordance with Public Health State Statutes and ~~Rules~~ Administrative Code.

\* \* \*

(e) Appoint and supervise qualified personnel for the department pursuant to requirements of Administrative Code HFS 139 for public health professionals.

\* \* \*

(i) Promote the ~~spread~~ distribution of information and education as to the causes, nature and prevention of prevalent diseases, and the preservation and improvement of health.

(j) Comply with §251.06, Wis. Stats., having at least the same Level I, II or III designation as the Health Department.

SECTION 3. Sections 12.05(1) and (2) of the code are amended to read:

12.05 CONTROL OF ACCESS TO COUNTY TRUNK HIGHWAYS. (1)(AM 09-13) The Washington County Highway Committee and Highway Commissioner are hereby authorized to promulgate rules to regulate and control access to Washington County Highways in order to promote the public safety, convenience, general welfare, and economic viability and to protect the public investment in existing and proposed county highways. These rules shall include the development of County access control and County utility accommodation policies and associated regulations for access to County trunk highways. The design standards underlying the regulations shall promote the orderly and safe movement of vehicles to and from private property in a manner that creates as little interference to through highway traffic as is possible and to control the use of drainage structures and appurtenances as may be necessary to preserve the physical structure of county trunk highways. The design standards may address the development of adjacent bicycle paths, pedestrian paths, and farm friendly design options for rural County highways.

(2)(AM 09-13) Statutory Authorization. This section and the regulations established under this section are authorized by the provisions of §§59.02, 59.52(24), 59.54(17), 66.1031 83.025, 83.027, 83.42, 86.07(2), and Ch. 236, Wis. Stats., and Chs. ~~Hy 34~~, Trans 231, ~~and~~ Trans 233; and Trans-RR1, Wis. Admin. Code.

SECTION 4. Section 12.07 of the code is created to read:

12.07(CR 09-13) COUNTY RIGHT-OF-WAY WIDTH MAP. Under the statutory authorization and consistent with the procedures set forth in §66.1031, Wis. Stats., the County Highway Department may create and maintain a County Street and Highway Right-of-Way Width Map.

SECTION 5. Section 15.03(5) of the code is amended to read:

15.03 DUTIES OF THE LAND CONSERVATION COMMITTEE. (5)(AM 09-13) To review and make recommendations for County Board action on matters relating to the following: (c)The County's policy toward, or participation in programs relating to water pollution control, soil conservation, drainage/flood management, farmland preservation, and farmland protection, wildlife management/damage and abatement, forestry or other natural resources management issues or programs within the County.

SECTION 6. Section 17.08(4) of the code is amended to read:  
17.08 EROSION CONTROL PLAN REQUIREMENTS. (4)(AM 09-13) Final Erosion Control Plan Contents.

\* \* \*

(b) Sites of One Acre or Greater in Total Land Disturbance. The following shall be the minimum requirements for items to be included in an erosion control plan:

1. Existing Site Map and Data. A map and supporting data of existing site conditions at a scale of one inch equals no more than 100 feet showing the following items on the site and within 50 feet in each direction of the site boundaries:

\* \* \*

n. Location of primary environmental corridor boundaries and isolated natural resource areas, as defined by the Southeastern Wisconsin Regional Planning Commission;

SECTION 7. Sections 21.03(5) and (10) of the code are amended to read:  
21.03 DUTIES OF PLANNING, CONSERVATION AND PARKS COMMITTEE. The County Planning, Conservation and Parks Committee shall have the following functions and duties:

\* \* \*

(5)(AM 09-13) ~~To make and recommend a County street and highway map to the County Board in accordance with §80.64, Wis. Stats. To consider any established street and highway right-of-way width maps as created or maintained by the Highway Department pursuant to §66.1031, Wis. Stats.~~

\* \* \*

(10)(AM 09-13) To prepare and recommend a Comprehensive Plan for County Board's consideration in accordance with §§66.1001, Wis. Stats., and to initiate the following:

(a) Amendments to the Comprehensive Plan as required by law and conduct public hearing therein;

(b) Action to ensure that these ordinances recognize and address the Comprehensive Plan;

(c) A report to the County Board, as needed, regarding the status of the County Comprehensive Plan and any amendments thereto;

SECTION 8. Section 24.01(2) of the code is amended to read:  
24.01 INTRODUCTION. (2)(AM 09-13) Purpose. The purpose of this chapter is to supplement the provisions of Ch. 236, Wis. Stats., and to promote the public health, safety and general welfare of Washington County; to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to preserve and protect the natural resource base to maintain ecological balance, natural beauty and overall quality of life; to identify lands suitable for development and appropriate for preservation; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements; and, to facilitate the further resubdivision of larger tracts into smaller parcels of land. The provisions of this chapter are made with reasonable consideration, among other things, of the character of the County, with a view of conserving the value of the buildings placed upon the land providing the best possible environment for human habitation, and encouraging the most appropriate use of land throughout the County.

SECTION 9. Sections 24.02(2), (3), (6) and (8) of the code are amended to read:  
24.02 GENERAL PROVISIONS. (2)(AM 09-13) Compliance. No person, firm or corporation shall divide any lands located within the jurisdictional limits of these regulations which results in a subdivision, minor land division or replat as defined herein; no such subdivision, minor land division or replat shall be entitled to record; and, no street shall be laid out or improvements made to land without compliance with all requirements of this chapter and:

\* \* \*

(e) Duly approved comprehensive plan or comprehensive plan components including zoning ordinances, sanitary codes, ~~Established Street and Highway Width Map of Washington County~~ and all other applicable County and town ordinances including any County or

town Construction Site Erosion Control and Stormwater Management ordinance adopted pursuant to §§59.693 or 60.627(2), Wis. Stats.

(3)(AM 09-13) Definitions. For the purposes of these regulations, the following terms are defined:

(a b) "Certified Survey Map." ~~means a~~ A map of a land split prepared in accordance with §236.34, Wis. Stats.

~~(a a)~~ "Board of Adjustment." ~~means the~~ The Washington County Board of Adjustment.

(b c) "County." ~~means~~ Washington County Planning, Conservation and Parks Committee.

(e d) "Cul de sac." ~~means a~~ A minor street closed at ~~+~~ one end with a turnaround provided for vehicles.

(d e) "Director." ~~means~~ Director of Plat Review, Wisconsin Department of Administration.

(f) "Isolated Natural Resource Area." An area between five and 100 acres containing significant remnant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat, 200 feet in width as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.

(f g) "Parkway." ~~means a~~ A continuous or semi-continuous park or drive, usually along a watercourse or park, where the land is owned or reserved for public or semi-public purposes and having access to it.

(g h) "Plan Commission." ~~means the~~ The local ~~municipality's town,~~ village or city's planning commission.

(i) "Primary Environmental Corridor." A concentration of significant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat, at least 400 acres in area, at least two miles in length, and at least 200 feet in width as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.

(h j) "Replat." ~~means the~~ The changing of any interior or exterior boundaries of a recorded subdivision plat.

(i k) "Subdivision." ~~means the~~ The division of a lot, parcel or tract of land by the owner, any successor in interest or any agent of either where:

(j l) "Submittal." ~~means plats~~ Plats shall be deemed "submitted" to the approving agencies when filed by the subdivider or agent with a Letter of Transmittal, so labeled, indicating the clear intentions to so file, together with any review and recording fees as required by this chapter or local ordinances. The reception date of said plat shall be the physical receipt by the approving authority at its normal place of business evidenced by notation or stamp to that affect.

(k m) "L W CD." ~~means Washington County Land Conservation Department~~ The Land and Water Conservation Division of the Washington County Planning and Parks Department.

\* \* \*

(6)(AM 09-13) Land Suitability. (b) In addition to the above the following criteria is to be adhered to:

\* \* \*

2. No building sites shall be created which do not meet the standards as established in Wisconsin Administrative Code Ch. COMM ~~85~~ 83 and the Washington County Sanitary Code Ch. 25.

(8)(AM 09-13) Highway Access Approval. No subdivision shall be approved by the ~~Park and Planning Commission~~ Planning, Conservation and Parks Committee until written approval is presented from the public highway authority having jurisdiction (town board, County or State Highway Department) indicating that the proposed land division each have a minimum of 66 feet of approved access frontage to a public roadway under that authority's jurisdiction.

SECTION 10. Section 24.03(2) and (3) of the code are amended to read:

24.03 PROCEDURE. (2)(AM 09-13) Preliminary Plat. (a) Prior to the submittal of a Final Plat, the subdivider shall file a Preliminary Plat and a letter of application with the town clerk along with a sufficient number of copies to be forwarded within 2 days to the following agencies involved with reviewing the plat:

\* \* \*

6. One copy to the L W CD personnel.

(3)(AM 09-13) Final Plat. (a) The subdivider shall prepare a Final Plat and a letter of application in accordance with this chapter and shall file an adequate number of copies of the plat with the town clerk, who shall within 2 days, formally file the plat as follows:

\* \* \*

2. If the original copy of the plat is filed with the State as mentioned above, copies of the plat will have to be filed with the town clerk and shall be transmitted to the approving agencies and the utility companies as outlined in sub. 24.03(a)2. through 5 of this chapter. This must be done as the State does not transmit copies to the approving agencies. A copy of the final plat shall also be filed with the L W CD personnel.

SECTION 11. Section 24.04(1) of the code is amended to read:

24.04 PRELIMINARY PLAT. (1)(AM 09-13) Plat Data. A Preliminary Plat shall be required for all subdivisions (as defined herein) and shall be based upon a survey by a registered land surveyor and the plat prepared on mylar, velum or paper of good quality at a scale of not less than 200 feet to the inch and shall show correctly on its face the following information:

\* \* \*

(k) Location of all existing property boundary ~~lines~~ lines, structures, drives, streams or water courses, marshes, rock outcrops, wooded areas, railroad tracks, primary environmental corridors, secondary environmental corridors, isolated natural resource areas and other similar significant features within the tract being subdivided or immediately adjacent thereto.

\* \* \*

(m) Existing zoning on and adjacent to the proposed subdivision along with corporate limit lines, including any airport or transportation related overlay districts.

\* \* \*

(s) Following Preliminary Plat approval, detailed construction plans shall be submitted to and reviewed by the L W CD personnel, as to conformance with accepted Natural Resources Conservation Service Standards based on the NRCS Technical Guide, Engineering Field Manual and other accepted Washington County or Natural Resources Conservation Service Standards in accordance with sub. 24.04(2) of this chapter.

SECTION 12. Section 24.05(2) of the code is amended to read:

24.05 FINAL PLAT. (2)(AM 09-13) Additional Information. The Final Plat shall show correctly on its face, in addition to the information required by Ch. 236, Wis. Stats., the following:

\* \* \*

(b) Special restrictions as may be required by the Town Board or the County ~~Planning Commission~~ Planning, Conservation and Parks Committee.

SECTION 13. Section 24.06(4) and (6) of the code are amended to read:

24.06 GENERAL REQUIREMENTS AND DESIGN STANDARDS. (4)(AM 09-13) Construction Standards. All streets and roads shall be constructed in conformance with those standards adopted by the town. Where there are no town road standards, the minimum standards of the State Department of Transportation shall apply. Local restrictions may also require the installation and improvement of curbs, sidewalks, gutters, storm drainage, sewers, ~~etc~~ and other related improvements. These improvements shall be constructed in accord with the local requirements. However, no construction shall begin until all approving authorities have approved the Preliminary Plat.

\* \* \*

(6)(AM 09-13) Easements. (c) Where a subdivision is traversed by a drainageway or stream, an adequate easement shall be provided as deemed necessary by the Town or County engineer in those cases where the County Engineer is under contract with the Town for engineering

services. The location, width, alignment and improvement of such drainageway or easement shall be subject to approval by the town engineer or the County; and parallel streets or parkways may be required in connection therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, subject to review and approval by the town engineer. Where deemed necessary, the town or the County may require these channels to be enclosed with pipe.

SECTION 14. Section 24.08(1) of the code is amended to read:  
 24.08 VARIANCE AND MODIFICATION. (1)(AM 09-13) General. Where the Board of Adjustment finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations with town board approval, so that substantial justice may be done and the public interest secured, provided that such variation will not have the effect of nullifying the intent and purpose of these regulations and any development plans of any ~~municipal~~ local agency.

SECTION 15. Section 24.10(2) and (5) of the code are amended to read:  
 24.10 FEES. (2)(AM 09-13) Preliminary Plat Review Fee. To assist in defraying the costs of review, the subdivider shall (at the time of ~~1st application~~ first request for approval of any preliminary plats) pay a fee established ~~under~~ pursuant to sec. 21.02(1)(f) of this Code. A reapplication fee shall be paid at the time of reapplication for approval of any preliminary plat which has previously been reviewed.

(5)(AM 09-13) Final Plat Review Fee. To assist in defraying the costs of review the subdivider shall (at the time of ~~1st application~~ first request for approval of said final plat) pay a fee established ~~under~~ pursuant to sec. 21.02(1)(f) of this Code. A reapplication fee shall be paid at the time of a reapplication for approval of any final plat which has previously been reviewed.

SECTION 16. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the BOARD OF HEALTH, EXECUTIVE, TRANSPORTATION PLANNING, CONSERVATION and PARKS, LAND CONSERVATION COMMITTEES  
 Charlene Brady, Chairperson Board of Health  
 Herbert J. Tennes, Chairperson Executive Committee  
 Daniel R. Goetz, Chairperson Transportation Committee  
 John W. Stern, Chairperson Planning, Conservation and Parks Committee  
 John W. Stern, Chairperson Land Conservation Committee

**2009 ORDINANCE 14 - 2010 ADDITIONAL POSITIONS - HEALTH DEPARTMENT AND VETERANS SERVICE OFFICE; CLASSIFICATION AND COMPENSATION PLAN; AND EMPLOYEE BENEFIT PROGRAM - OVERTIME - (7.02, 7.03 AND 7.05)**

Moved by Ms. Brady, seconded by Mr. Meyers to enact 2009 Ordinance 14 - 2010 Additional Positions - Health Department and Veterans Service Office; Classification and Compensation Plan; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Ewert, Brady, Healy, Borman. Voting No: Goetz, Sorce. Absent: Jung. Ayes-27; Noes-2; Absent-1. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02, 7.03 and 7.05 of the code; relating to: 2010 Additional Positions - Health Department and Veterans Service Office; Classification and Compensation Plan; and Employee Benefit Program - Overtime.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

HEALTH DEPARTMENT		
Authorized Position	Pay Grade	Positions
Environmental Health Supervisor(CR 09-14)	E-4	1
<del>Environmental Health Specialist</del>	<del>E-3</del>	<del>1</del>
Environmental Health Specialist I(9)(24)(CR 09-14)	E-2	1
Environmental Health Specialist II(24)(AM 09-14)	E-3	1 (3/4 time)
Environmental Health Specialist Pool(9)(CR 09-14)	E-3	As Needed
Environmental Health Technician(9)(CR 09-14)	H-3	1 (3/4 time)

WIC Dietetic Technician(9)(CR 09-14) H-5 1 (P.T.)

- (9) Authorized only while appropriate non-County funds meet the full cost of these positions.
- (24)(CR 09-14) Environmental Health Specialist I (EHS1) underfills the position of Environmental Health Specialist II (EHS2). After meeting the requirements of §440.98, Wis. Stats., becoming licensed as a Registered Sanitarian, and upon recommendation of the Department Head, EHS1 may be reclassified to EHS2 with the appropriate increase in salary. EHS1 not promoted at an annual 12 month review, may apply for promotion after an additional 12 months have elapsed. (Registered Sanitarians are required to have 24 months of full-time work experience in a Health Department Environmental Health Program before they can apply for Registered Sanitarian exam eligibility.)

VETERANS SERVICE OFFICE

Authorized Position	Pay Grade	Positions
Office Assistant(AM 09-14)H-2	1	<del>(P.T.)</del>

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. Section 7.05(12) of the code is amended to read:  
 7.05 EMPLOYEE BENEFIT PROGRAM. (12)(AM 09-14) Overtime. (c) Personnel in the following exempt job classifications: Accounting Supervisor, Administrative Assistant to the Administrative Coordinator/Deputy Emergency Management Coordinator, Admissions Coordinator, Adult Protective Services Social Worker, Alcohol & Other Drug Abuse Case Manager, Assistant to County Treasurer, Assistant to the Highway Commissioner, Buyer, Case Manager In-Home/Outpatient, Central Reproduction Supervisor, Chief Assistant Medical Examiner, Chief Deputy County Clerk/Office Supervisor, Child Support Specialist, Child Support Supervisor, Clerk of Courts Administration and Accounting Supervisor, CLTS Case Manager, Deputy Director (Fair Park), Deputy Register of Deeds, Developmental Disabilities Case Manager, Disability Benefits Specialist, Economic Development Coordinator, Economic Support Manager, Economic Support Supervisor, Elderly Benefits Specialist, Emergency Management Coordinator, Employee Benefits Manager, ~~Environmental Health Specialist~~ Environmental Health Specialist I, Environmental Health Specialist II, Environmental Health Supervisor, Health Educator, Human Resources Analyst, Human Services Accounting Manager, Human Services Office Manager, Information and Assistance Specialist, Inspector in Charge, Intake Coordinator, Juvenile Detention Administrator, Landscape Architect, Landscape Designer, Mental Health Case Manager, Mental Health Specialist, Mental Health Technician, Occupational Therapist, Office Manager Clerk of Circuit Court, Office Manager Planning and Parks, Office Supervisor, Payroll Supervisor, Planner, Program Support Supervisor, Project Technician/Highway, Project Technician/Land Conservation, Public Health Data Specialist, Radio Systems Administrator, Registered Health Information Technician, Resource/Community Support Specialist, Senior Technician, Social Worker (Samaritan Health Center), Victim/Witness Coordinator and WIC Program Supervisor shall earn overtime credit in the following manner:

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective January 1, 2009, upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
 Roy C. Justman, Chairperson

**2009 ORDINANCE 15 - STAFFING PLAN AND CLASSIFICATION AND COMPENSATION PLAN - HUMAN SERVICES DEPARTMENT; AND EMPLOYEE BENEFIT PROGRAM - OVERTIME - (7.02, 7.03 AND 7.05)**

Moved by Ms. Russell, seconded by Mr. Laubenheimer to enact 2009 Ordinance 15 - Staffing Plan and Classification and Compensation Plan - Human Services Department; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Jung. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02, 7.03 and 7.05 of the code; relating to: Staffing Plan and Classification and Compensation Plan – Human Services Department; and Employee Benefit Program - Overtime.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

HUMAN SERVICES DEPARTMENT - Access & Outreach		
Authorized Position	Pay Grade	Positions
Developmental Disabilities Case Manager(AM 09-15)	E-2	<del>5</del> 4
HUMAN SERVICES DEPARTMENT - Behavioral Health		
Authorized Position	Pay Grade	Positions
Mental Health Technician	E-1	2
Mental Health Technician(9)(CR 09-15)	E-1	<del>1</del> 1
<del>Resource/Community Support Specialist(9)</del>	<del>E 2</del>	<del>1</del>
(9)	Authorized only while appropriate non-County funds meet the full cost of these positions.	

HUMAN SERVICES DEPARTMENT - Children & Families		
Authorized Position	Pay Grade	Positions
CLTS Case Manager(AM 09-15)	E-2	<del>3</del> 3

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. Section 7.05(12) of the code is amended to read:  
7.05 EMPLOYEE BENEFIT PROGRAM (12)(AM 09-15) Overtime. (c) Personnel in the following exempt job classifications: Accounting Supervisor, Administrative Assistant to the Administrative Coordinator/Deputy Emergency Management Coordinator, Admissions Coordinator, Adult Protective Services Social Worker, Alcohol & Other Drug Abuse Case Manager, Assistant to County Treasurer, Assistant to the Highway Commissioner, Buyer, Case Manager In-Home/Outpatient, Central Reproduction Supervisor, Chief Assistant Medical Examiner, Chief Deputy County Clerk/Office Supervisor, Child Support Specialist, Child Support Supervisor, Clerk of Courts Administration and Accounting Supervisor, CLTS Case Manager, Deputy Director (Fair Park), Deputy Register of Deeds, Developmental Disabilities Case Manager, Disability Benefits Specialist, Economic Development Coordinator, Economic Support Manager, Economic Support Supervisor, Elderly Benefits Specialist, Emergency Management Coordinator, Employee Benefits Manager, Environmental Health Specialist, Health Educator, Human Resources Analyst, Human Services Accounting Manager, Human Services Office Manager, Information and Assistance Specialist, Inspector in Charge, Intake Coordinator, Juvenile Detention Administrator, Landscape Architect, Landscape Designer, Mental Health Case Manager, Mental Health Specialist, Mental Health Technician, Occupational Therapist, Office Manager Clerk of Circuit Court, Office Manager Planning and Parks, Office Supervisor, Payroll Supervisor, Planner, Program Support Supervisor, Project Technician/Highway, Project Technician/Land Conservation, Public Health Data Specialist, Radio Systems Administrator, Registered Health Information Technician, ~~Resource/Community Support Specialist~~, Senior Technician, Social Worker (Samaritan Health Center), Victim/Witness Coordinator and WIC Program Supervisor shall earn overtime credit in the following manner:

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon passage by the



Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**ADJOURNMENT**

Moved by Mr. Heidtke, seconded by Mr. Borman to adjourn the meeting at 11:45 a.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on December 8, 2009. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 9th day of December 2009.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
JANUARY 12, 2010  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Russell, Core, Jung, McCune (arrived at 9:15 a.m.) Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Bausch.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. Borman to approve the December 8, 2009, meeting minutes as presented. Motion carried.

**CORRESPONDENCE**

County Clerk Brenda Jaszewski read correspondence from the Southeastern Wisconsin Regional Planning Commission, Governor Jim Doyle, Wisconsin County Mutual Insurance Corporation, State of Wisconsin Department of Transportation, and State of Wisconsin Department of Military Affairs-Wisconsin Emergency Management.

**FINANCIAL APPROVAL REPORT NO. 30**

Moved by Mr. Stoffel, seconded by Mr. Heidtke to approve Financial Approval Report No. 30 in the amount of \$3,500,916.80. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch, McCune. Abstain: Adam. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

Supervisor Mark McCune arrived at 9:15 a.m.

**ANNUAL REPORT NO. 31 - ADMINISTRATION ANNUAL REPORT**

Administrative Coordinator Doug Johnson presented the Administration annual report. Moved by Mr. Bertram, seconded by Mr. Schulz to accept Annual Report No. 31. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for the Education & Culture Committee, Samaritan Committee, Human Services Board, Southeastern Wisconsin Regional Planning Commission Board, Transportation Committee, Administrative Services Committee, Planning, Conservation and Parks Committee, Aging and Disability Resource Center Board, Wisconsin Counties Association Board, Public Safety Committee, Finance Committee, and County Board Chair.

**MOTION TO AUTHORIZE 2010-12 LEASE AND OPERATING AGREEMENT WITH THE AGRICULTURAL AND INDUSTRIAL SOCIETY ("SOCIETY")**

Moved by Mr. Healy, seconded by Ms. Russell to authorize the 2010-12 Lease and Operating Agreements with the Agricultural and Industrial Society ("Society") allowing the County Attorney to make final edits before execution of the Agreements.

Moved by Mr. Meyers, seconded by Mr. Gundrum to amend the Operating Agreement Exhibit "C" 2009-10 Fair Park Performance Expectations and Measures Item 2: add **(D) cost plus analysis and market based for event pricing.** Motion to amend the Operating Agreement carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Core, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Borman. Voting No: Schulz, Merten, Heidtke, Laubenheimer, Russell, Jung, Healy. Absent: Bausch. Ayes-22; Noes-7; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. Berchem, seconded by McCune to amend the Lease Agreement on Page 2, Number 9 and Operating Agreement on Page 2, Number 9: add **For 2011 and 2012, the "Society" may seek the services of the County or others for snow removal and lawn care.** Motion to amend the Lease and Operating Agreements carried by roll call vote. Voting Aye: Justman, Hensel, Puerling, Stern, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Core, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy. Voting No: Tennies, Miller, Adam, Ustruck, Schulz, Brandt, Laubenheimer, Russell, Jung, Borman. Absent: Bausch. Ayes-19; Noes-10; Absent-1. Vote requirement for passage is a majority of the members in attendance.

Motion to authorize the 2010-12 Lease and Operating Agreements with the Agricultural and Industrial Society ("Society") allowing the County Attorney to make final edits to the agreements as amended before execution of the agreements carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Ewert, Brady, Sorce, Healy, Borman. Voting No: Goetz. Absent: Bausch. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is a majority of the members in attendance.

**2009 RESOLUTION 58 - ESTABLISHING PUBLIC PARTICIPATION PROCEDURES FOR AMENDMENTS TO THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR WASHINGTON COUNTY: 2035**

Moved by Mr. Sorce, seconded by Mr. Stern to adopt 2009 Resolution 58 - Establishing Public Participation Procedures for Amendments to the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, §66.1001(4)(a), Wis. Stats., requires that amendments to a comprehensive plan be carried out in accordance with an adopted public participation plan designed to foster public participation in the amendment process; and

WHEREAS, the Washington County Board of Supervisors in 2007 Resolution 86 and 2007 Ordinance 37 adopted the comprehensive plan embodied in SEWRPC Community Assistance Planning Report No. 287, A Multi-Jurisdictional Comprehensive Plan for Washington County: 2035; and

WHEREAS, the Washington County Board of Supervisors in 2004 Resolution 45 resolved to adopt the Public Participation Plan for development of the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035 which has been used as a guide for the development of a Public Participation Plan for Amendments to the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035;

WHEREAS, the Washington County Board of Supervisors encourages regular, meaningful public involvement in the comprehensive plan process and plan amendments are important to assure that the resulting plans are based on public input; and

WHEREAS, the Public Participation Plan for amendments to the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035 includes written procedures to foster public participation, ensure wide distribution of draft plan materials, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the board hereby adopts the written procedures set forth in the Public Participation Plan, dated December 2009, as its public participation plan for amendments to the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035 meeting the requirements of §66.1001(4)(a), Wis. Stats., which plan is attached hereto as Exhibit "A".

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**2009 RESOLUTION 59 - GRANT APPLICATION - FARMLAND PRESERVATION PLANNING**

Moved by Mr. Borman, seconded by Ms. Puerling to adopt 2009 Resolution 59 - Grant Application - Farmland Preservation Planning. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors or subsequent review and ratification; and

WHEREAS, pursuant to §91.10 and §91.14, Wis. Stats., Washington County shall adopt a farmland preservation plan in accordance with Chapter 91, Wis. Stats., by December, 31, 2011; and

WHEREAS, the Farmland Preservation Planning Grant Program set forth in §91.10(6), Wis. Stats., provides reimbursement for the County's costs of preparing a Farmland Preservation Plan with a maximum grant award of \$30,000; and

WHEREAS, an award of grant monies by the Wisconsin Department of Agriculture, Trade and Consumer Protection requires matching grant funds up to \$30,000 from the County which will be fully satisfied by the in-kind services of the County with no levy increase; and

WHEREAS, Washington County may contract with a consultant or the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to assist, in part, in the development of the Farmland Preservation Plan;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department, under the direction of the Planning, Conservation and Parks Committee, is authorized to apply for a Farmland Preservation Planning Grant described herein.

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require a one-to-one County match which will be fully satisfied by the in-kind services of the County with no levy increase and shall not require the hiring of additional County staff.

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Planning and Parks Department Administrator to execute any and all documents, including but not limited to the grant agreement, subject to the review and approval of the County Attorney.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary contracts in order to retain a consultant or SEWRPC to assist, in part, in the development of the Farmland Preservation Plan, subject to the review and approval of the County Attorney.

Introduced by members of the PLANNING, CONSERVATION and PARKS and FINANCE COMMITTEES

John W. Stern, Chairperson Planning, Conservation and Parks Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 60 - GRANT APPLICATION - AQUATIC INVASIVE SPECIES CONTROL**

Moved by Ms. Merten, seconded by Mr. Jung to adopt 2009 Resolution 60 - Grant Application - Aquatic Invasive Species Control. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors; and

WHEREAS, the Aquatic Invasive Species Control Grant Program set forth in NR 198 of the Wisconsin Administrative Code and §23.22(2)(c), Wis. Stats., establishes a cost-sharing grant to public and private entities for up to 75% of the cost of projects to control invasive species; and

WHEREAS, the lakes and rivers of Washington County are an important natural resource used by the public for recreation and enjoyment which should be afforded protection from infestation of aquatic invasive species; and

WHEREAS, the 2008 Planned Activities Update to the Washington County Land & Water Resources Plan (*1<sup>st</sup> Revision 2006-2010*) includes the need to preserve streams and wetlands, protect exceptional water resources, and provide information and education to the public regarding invasive species; and

WHEREAS, Washington County may apply for an Aquatic Invasive Species Control Grant not to exceed \$200,000 to assist local efforts to provide information and education on the types of existing and potential aquatic invasive species in the County, the threats posed to the County's aquatic resources and the techniques available for control of aquatic invasive species; and

WHEREAS, the Wisconsin Department of Natural Resources has grant funds available up to a maximum award of \$150,000 and 25% matching funds from the County (\$50,000), which will be fully satisfied with no levy increase and by the in-kind services of the County and the public inland lake protection and rehabilitation districts; and

WHEREAS, if grant funding is awarded, the vacant Project Technician position in the Planning and Parks Department will be filled making this position responsible for carrying out the duties outlined in the Aquatic Invasive Species Control Grant Agreement and the associated Wisconsin Statutes and Administrative Regulations; and

WHEREAS, the vacant Project Technician position will be fully grant funded and under filled at three quarter time, working 30-39 hours per week for approximately three (3) years and only continued while grant funding is available;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department is authorized to apply for, and if awarded, accept an Aquatic Invasive Species Control Grant described herein.

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Planning and Parks Department Administrator to execute any and all documents, including but not limited to the Grant Agreement, subject to the review and approval of the County Attorney.

BE IT FURTHER RESOLVED that, upon award of grant, the vacant Project Technician position in the Planning and Parks Department will be fully grant funded and under filled at three quarter time, working 30-39 hours per week for approximately three (3) years and only so long as grant funding is available.

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require a 25% County match which will be covered by the in-kind services of the County and public inland lake protection and rehabilitation districts.

Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
 John W. Stern, Chairperson Land Conservation Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 ORDINANCE 16 - STAFFING AND CLASSIFICATION AND COMPENSATION PLAN - PLANNING AND PARKS DEPARTMENT (7.02 AND 7.03)**

Moved by Mr. Miller, seconded by Mr. Ustruck to enact 2009 Ordinance 16 - Staffing and Classification and Compensation Plan - Planning and Parks Department (7.02 and 7.03). Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02 and 7.03 of the code; relating to: Staffing Plan and Classification and Compensation Plan - Planning and Parks Department.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

PLANNING AND PARKS DEPARTMENT - Land and Water Conservation Division		
Authorized Position	Pay Grade	Positions
Project Technician/Land Conservation <del>(10)(16)(9)</del> (AM 09-16)	E-2	1

(9) Authorized only while appropriate non-County funds meet the full cost of these positions.

(10) The level of funding of the cost of salary and benefits through the use of County funds is determined on an annual basis in agreement with the Board of Supervisors.

~~(16)(AM 09-16) (Reserved) One Technician position will be filled by transfer of a Land Use Inspector, and will continue to be paid at the E-3 pay grade, pursuant to County Board action April 20, 2004. At such time that this individual leaves the position, the position and pay reverts to the E-2 pay grade.~~

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon passage by the

Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**2009 RESOLUTION 61 - GRANT APPLICATION - ALCOHOL ENFORCEMENT**

Moved by Mr. Sorce, seconded by Mr. Bertram to adopt 2009 Resolution 61 - Grant Application - Alcohol Enforcement. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Bausch. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the enforcement of traffic laws remains a high priority of the general public; and

WHEREAS, the Wisconsin Department of Transportation (WI-DOT), Bureau of Transportation Safety (BOTS), has made an alcohol enforcement grant available to the Washington County Sheriff's Office in the amount of \$25,000 directed toward alcohol enforcement in Washington County, including the purchase of up to \$5,000 towards traffic enforcement equipment; and

WHEREAS, the local match requirement is met by conducting normal traffic enforcement;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Washington County Sheriff's Office is authorized to apply for the DOT-BOTS Alcohol Enforcement Grant in the amount of \$25,000 with a local match of \$5,000 for the period of October 1, 2009 through September 30, 2010 to provide additional alcohol and traffic enforcement in Washington County.

BE IT FURTHER RESOLVED that the Washington County Sheriff's Office is hereby authorized to accept the above noted grant funds with the understanding that there be no additional direct costs incurred by Washington County other than those match costs stated herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
Joseph C. Gonnering, Chairperson Public Safety Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 62 - GRANT APPLICATION - JUSTICE ASSISTANCE RECOVERY ACT FOR DRUG TASK FORCES**

Moved by Mr. Miller, seconded by Mr. Bertram to adopt 2009 Resolution 62 - Grant Application - Justice Assistance Recovery Act for Drug Task Forces. Motion carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Justman. Absent: Bausch. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, Washington County Code Section 4.27 requires that grant applications be approved by the County Board of Supervisors; and

WHEREAS, on February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, Wisconsin is receiving \$32.5 million in justice-related funding through ARRA, with \$3 million of these funds being awarded through grants by the State of Wisconsin-Office of Justice Assistance to existing Drug Task Forces over a three year period; and

WHEREAS, the Office of Justice Assistance stated goals of the grant are pharmaceutical diversion, implementation of statewide information sharing database and the creation of jobs; and

WHEREAS, there are no match requirements as part of the grant award; and

WHEREAS, the Washington County Sheriff's Office, in cooperation with local police departments, operates an existing Drug Task Force; and

WHEREAS, the Washington County Sheriff's Office has applied for and received tentative approval for a Drug Task Force grant; and

WHEREAS, the Washington County Drug Task Force has identified pharmaceutical abuse as a major problem in its 2005 through 2009 Threat Assessment reports; and

WHEREAS, to meet the requirements of the grant, the Washington County Sheriff's Department proposes to use the awarded funds to hire one Deputy for three years to focus on pharmaceutical diversion and to implement the statewide information sharing database;

WHEREAS, Section 65.90(5), Wis. Stats., requires County Board action to amend an existing budget to account for unanticipated funding.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Sheriff's Department, under the direction of the Public Safety Committee, is authorized to apply for and accept the ARRA Justice Assistance Grant funds in the approximate amount of \$285,354.04 to provide for the funding of one Deputy Sheriff/Pharmaceutical Investigator for three years (01/01/2010 to 11/30/2012) and implementation of the statewide information sharing database.

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby authorizes the Washington County Sheriff to execute any and all documents, including but not limited to the grant application in order to obtain grant funding described herein, subject to the review and approval of the County Attorney.

BE IT FURTHER RESOLVED that the 2010 County Budget is amended by the amount of grant funds received and expended in 2010 and the Finance Director is instructed to record same in the official books of the County for the year ending December 31, 2010.

Introduced by members of the PUBLIC SAFETY and FINANCE COMMITTEES  
Joseph C. Gonnering, Chairperson Public Safety Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 ORDINANCE 17 - STAFFING AND CLASSIFICATION AND COMPENSATION PLAN - SHERIFF'S DEPARTMENT (7.02 AND 7.03)**

Moved by Mr. Ustruck, seconded by Mr. Hensel to enact 2009 Ordinance 17 - Staffing and Classification and Compensation Plan - Sheriff's Department (7.02 and 7.03). Motion carried by roll call vote. Voting Aye: Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Justman. Absent: Bausch. Ayes-28; Noes-1; Absent-1. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02 and 7.03 of the code; relating to: Staffing Plan and Classification and Compensation Plan - Sheriff's Department.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

SHERIFF'S DEPARTMENT

Authorized Position	Pay Grade	Positions
Deputy Sheriff(7)(CR 09-17)	"G"	1

(7)(AM 09-17) ~~(Reserved)~~ This temporary position is authorized for the time period of January 1, 2010 through November 30, 2012 and only while stimulus grant funds meet the full cost of this position.

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES, PUBLIC SAFETY AND FINANCE COMMITTEES  
Roy C. Justman, Chairperson Administrative Services Committee

Joseph C. Gonnering, Chairperson Public Safety Committee  
Ralph R. Hensel, Chairperson Finance Committee

**ADJOURNMENT**

Moved by Mr. Heidtke, seconded by Mr. Core to adjourn the meeting at 11:58 a.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN            )  
  )  
COUNTY OF WASHINGTON        )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on January 12, 2010. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 13th day of January 2010.

Brenda J. Jaszewski, County Clerk



**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
FEBRUARY 9, 2010  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Present: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Excused: Hensel, Russell, Brady.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. Ustruck to approve the January 12, 2010, meeting minutes as presented. Motion carried.

**PETITION NO. 4 - AMEND WASHINGTON COUNTY  
SHORELAND/WETLAND/FLOODPLAIN ZONING MAPS  
REPORT NO. 34 - PLANNING, CONSERVATION AND PARKS COMMITTEE: AMEND  
WASHINGTON COUNTY SHORELAND/WETLAND/ FLOODPLAIN ZONING MAPS  
2009 ORDINANCE 18 - SHORELAND/WETLAND/FLOODPLAIN ZONING MAPS - (23.02,  
23.03 AND 23.16)**

County Clerk Jaszewski read Petition No. 4 - Amend Washington County Shoreland/Wetland/Floodplain Zoning Maps. Supervisor Stern presented Report No. 34 - Planning, Conservation and Parks Committee: Amend Washington County Shoreland/Wetland/Floodplain Zoning Maps. Moved by Mr. Miller, seconded by Ms. Puerling to enact 2009 Ordinance 18 - Shoreland/Wetland/ Floodplain Zoning Maps - (23.02, 23.03 and 23.16). Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend the Shoreland/Wetland/Floodplain Zoning Maps established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the code; relating to: Shoreland/Wetland/Floodplain Zoning Maps.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended to a Non-Shoreland Zoning District (Remove navigability designation of two private ponds within the Shoreland Zoning District of Gilbert Lake), the property located in part of the Southwest Quarter, Section 17, Town of West Bend, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 2. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended to a Non-Shoreland Zoning District (Removal of navigability for a portion of a stream within the Shoreland Zoning District of Silver Lake), the property located in part of the Northwest Quarter, Section 34, Town of West Bend, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 3. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland Zoning District to a Non-Shoreland Zoning District, the property located in part of the Northwest Quarter, Section 1, Town of Erin, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 4. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland Zoning District to a Non-Shoreland Zoning District, the property located in part of the Southwest Quarter, Section 33, Town of Polk, more

particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 5. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by removing the property from the Non-Navigable Agricultural Area Zoning District, the property located in part of the Southwest Quarter, Section 8, Town of Jackson, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 6. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Floodway Zoning District to a Revised Floodway Zoning District, the property located in part of the Southwest Quarter, Section 19, Town of Jackson, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 7. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Floodplain Zoning District to a Revised Floodplain Zoning District, the property located in part of the Southwest Quarter, Section 19, Town of Jackson, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 8. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Floodplain Zoning District to a Revised Floodplain Zoning District, the property located in part of the Southwest Quarter, Section 9, Town of Farmington, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 9. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by changing from a Shoreland/Wetland Zoning District to a Revised Shoreland/Wetland Zoning District, the property located in part of the Northeast Quarter, Section 36, Town of Trenton, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 10. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by including the property in the Shoreland/Wetland Zoning District, the property located in part of the Southwest Quarter, Section 21, Town of Trenton, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 11. The Shoreland/Wetland/Floodplain Zoning Maps, Washington County, Wisconsin, established and maintained pursuant to Sections 23.02, 23.03 and 23.16 of the Washington County Code are amended by removing the property from the Non-Navigable Agricultural Area Zoning District, the property located in part of the Southwest Quarter, Section 7, Town of Farmington, more particularly described on the exhibit which is on file with and can be inspected at the Washington County Planning and Parks Department and at the County Board meeting.

SECTION 12. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION ANNUAL UPDATE**

Southeastern Wisconsin Regional Planning Commission Executive Director Kenneth Yunker presented the annual update. Moved by Mr. Ustruck, seconded by Mr. Stoffel to accept the report. Motion carried.

**ANNUAL REPORT NO. 32 - COUNTY ATTORNEY**

County Attorney Kim Nass presented the County Attorney annual report. Moved by Mr. Bausch, seconded by Mr. Gundrum to accept Annual Report No. 32. Motion carried.

**FINANCIAL APPROVAL REPORT NO. 33**

Moved by Mr. Borman, seconded by Mr. Ustruck to approve Financial Approval Report No. 33 in the amount of \$5,613,838.47. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Abstain: Adam. Ayes-26; Noes-0; Absent-3; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 35 - REGISTER OF DEEDS ANNUAL REPORT**

Register of Deeds Sharon Martin presented the Register of Deeds annual report. Moved by Ms. Merten, seconded by Mr. Laubenheimer to accept Annual Report No. 35. Motion carried.

**ANNUAL REPORT NO. 36 - PLANNING, CONSERVATION AND PARKS DEPARTMENT**

Planning and Parks Department Administrator Paul Mueller presented the Planning and Parks Department annual report. Moved by Mr. Miller, seconded by Mr. Stern to accept Annual Report No. 36. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for the Education & Culture Committee, Human Services Board, Samaritan Committee, Administrative Services Committee, Radio Communications Systems Committee, Transportation Committee, and Southeastern Wisconsin Professional Baseball Park District.

**2009 RESOLUTION 63 - COMMENDATION OF MARY M. DALEY**

Moved by Mr. Heidtke, seconded by Mr. Sorce to adopt 2009 Resolution 63 - Commendation of Mary M. Daley. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Mary M. Daley has contributed fourteen years of loyal service to the citizens of Washington County; and

WHEREAS, Mary M. Daley has chosen to retire from her present position of Accounting Assistant in the County Treasurer's Office;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Mary M. Daley for her fourteen years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Mary M. Daley as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 64 - CITIZEN PARTICIPATION PLAN FOR CDBG BUSINESS LOANS AND GRANTS**

Moved by Mr. Miller, seconded by Mr. Borman to adopt 2009 Resolution 64 - Citizen Participation Plan for CDBG Business Loans and Grants. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County is applying for a Community Development Block Grant; and

WHEREAS, the State of Wisconsin, Department of Commerce, and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant funds to have in place a Citizen Participation Plan ("Plan"); and

WHEREAS, the Plan shall encourage citizen participation and input (especially by persons of low and moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings and provide for a complaint

procedure; and

WHEREAS, Washington County has a Plan on file as a result of previously obtained CDBG funding; and

WHEREAS, Washington County has prepared a Citizen Participation Plan as attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that it adopts the Citizen Participation Plan as presented and set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennies, Chairperson

**2009 RESOLUTION 65 - COMMUNITY DEVELOPMENT BLOCK GRANT - ECONOMIC DEVELOPMENT - TRAINING GRANT FOR POUCH CONVERTING TECHNOLOGIES, INC.**

Moved by Mr. Stoffel, seconded by Mr. Ustruck to adopt 2009 Resolution 65 - Community Development Block Grant - Economic Development - Training Grant For Pouch Converting Technologies, Inc. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant programs or applications for funds receive approval by the County Board of Supervisors; and

WHEREAS, federal monies are available under the Community Development Block Grant ("CDBG") program administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, pursuant to 2006 Resolution 40, Washington County transferred certain functions to the Washington County Economic Development Corporation ("EDWC") regarding the County's Revolving Loan Fund Program and, as a result, EDWC was assigned the responsibility of administering, operating, marketing and promoting the Revolving Loan Fund Programs; and

WHEREAS, EDWC has received a request for funding for training from Pouch Converting Technologies, Inc. of Hubertus, Wisconsin; and

WHEREAS, the Executive Committee, at the request of EDWC, has recommended that a request be submitted to the State of Wisconsin for additional Community Development Block Grant funds for eligible training costs provided that no County funds are required; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Board does approve and authorize seeking additional Community Development Block Grant funds for the purposes referred to herein.

BE IT FURTHER RESOLVED that the Board authorizes the preparation and filing of an application necessary for the additional funding and directs the EDWC to comply with any and all requirements and regulations of the CDBG Program for this funding.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to sign all necessary documents on behalf of the County and to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution and for the purposes of satisfying the request for funding, subject to the review and approval of same by the County Attorney's Office.

Introduced by members of the EXECUTIVE and FINANCE COMMITTEES  
Herbert J. Tennies, Chairperson Executive Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 66 - OPPOSITION TO 2009 ASSEMBLY BILL 634 - PROTECTIVE STATUS FOR CORRECTION OFFICERS UNDER THE WISCONSIN RETIREMENT SYSTEM**

Moved by Mr. Core, seconded by Mr. Goetz to adopt 2009 Resolution 66 - Opposition to 2009 Assembly Bill 634 - Protective Status for Correction Officers under the Wisconsin Retirement System. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, under current Wisconsin law, participants in the Wisconsin Retirement System (WRS) whose primary job duties involve law enforcement or fire fighting requiring a high degree of physical conditioning and frequent exposure by virtue of those positions to risky situations, are provided protective services status which means that under WRS, an earlier retirement age is assigned and a higher percentage multiplier is used to calculate retirement benefits; and

WHEREAS, 2009 Assembly Bill 634 proposes to extend such benefits to not only county and state correctional officers but to all employees of county jails, county juvenile detention facilities, state employees who are employed at state correctional facilities, juvenile correctional facilities, Mendota and Winnebago Mental Health Institutes, Wisconsin Resource Center and other similar facilities; and

WHEREAS, if 2009 AB 634 is adopted and protective status is granted, Washington County will face increased personnel costs; and

WHEREAS, an estimate, based on the current proposal which includes all county employees in the jail and juvenile detention, would mean that the multiplier alone would increase from 12% to 18.5% of the wage level for approximately 65 county employees at an earlier retirement age;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board does hereby oppose 2009 AB 634.

BE IT FURTHER RESOLVED that the County Clerk is instructed to send a copy of this resolution to all senators and representatives serving Washington County.

BE IT FURTHER RESOLVED that the County Clerk is instructed to send a copy of this resolution to all counties in the State of Wisconsin with the request that they send a similar resolution to the senators and representatives serving their counties.

Introduced by members of the FINANCE COMMITTEE  
Richard L. Bertram, Vice-Chairperson

**2009 RESOLUTION 67 - OPPOSITION TO INCLUDE WASHINGTON COUNTY IN THE REGIONAL TRANSIT AUTHORITY FOR SOUTHEASTERN WISCONSIN**

Moved by Mr. McCune, seconded by Mr. Heidtke to adopt 2009 Resolution 67 - Opposition to Include Washington County in the Regional Transit Authority for Southeastern Wisconsin. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, the Governor and Legislators from Milwaukee, Kenosha and Racine counties have proposed legislation that creates a Southeastern Regional Transit Authority (SERTA) to improve bus and rail service in Milwaukee, Kenosha and Racine counties; and

WHEREAS, the proposal, LRB-3451/8, authorizes the creation of a new type of Regional Transit Authority known as an Interim Regional Transit Authority (IRTA), which is a public body corporate and politic, which IRTA may be established by a municipality or county in the counties of Kenosha, Milwaukee, Ozaukee, Washington, Racine, and Waukesha; and

WHEREAS, the SERTA must assume responsibility for providing transit service and transit planning within the jurisdiction covered by the IRTA, when defined revenue thresholds are met; and

WHEREAS, an IRTA may generate revenue by imposing a local motor vehicle registration fee, levying a room tax of up to 8 percent, imposing a sales and use tax, or charging a membership fee to the participating political subdivisions of the IRTA; and

WHEREAS, Washington County has limited public transit services which do not include a broad scope municipal bus system nor planned routes for commuter rail; and

WHEREAS, Washington County has no potential for major property tax relief as is anticipated in the legislation for the current counties with extensive public transit systems; and

WHEREAS, Washington County supports the governance of our local transit services by the County's elected Board of Supervisors;  
NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that it opposes including Washington County in this SERTA legislation.

BE IT FURTHER RESOLVED that the Board insistently requests that the Legislature removes all references to Washington County in any SERTA legislation.

BE IT FURTHER RESOLVED that the County Clerk is instructed to send a copy of this resolution to all Southeastern Counties in the State of Wisconsin, all Senators and Representatives serving Washington County, the Southeastern Wisconsin Regional Planning Commission and the Wisconsin Counties Association.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 RESOLUTION 68 - GRANT APPLICATION - FIVE STAR RESTORATION MATCHING GRANTS PROGRAM**

Moved by Mr. Miller, seconded by Mr. Bertram to adopt 2009 Resolution 68 - Grant Application - Five Star Restoration Matching Grants Program. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant applications be approved by the County Board of Supervisors; and

WHEREAS, the National Association of Counties, the National Fish and Wildlife Foundation, the Wildlife Habitat Council, in cooperation with the U.S. Environmental Protection Agency, Southern Company, and Pacific Gas and electric Company, are soliciting grant applications for the Five Star Restoration Program; and

WHEREAS, the Five Star Restoration Program seeks to develop community capacity to sustain local natural resources for future generations by providing modest financial assistance to diverse local partnerships for wetland, riparian, lakes, and coastal habitat restoration; and

WHEREAS, the wetlands, rivers, and lakes of Washington County are an important natural resource used by the public for recreation and enjoyment which should be afforded protection from infestation of aquatic invasive species such as Eurasian water milfoil (*Myriophyllum spicatum*); and

WHEREAS, the 2008 Planned Activities Update to the Washington County Land and Water Resources Plan (1<sup>st</sup> Revision 2006-2010) includes the need to preserve streams and wetlands, protect exceptional water resources, and provide information and education to the public regarding invasive species; and

WHEREAS, Washington County is eligible to apply for a Five Star Restoration Matching Grant not to exceed \$55,000 in total project costs to assist local efforts to control Eurasian water milfoil through on-the-ground management, environmental education, and community partnerships; and

WHEREAS, the Five Star Restoration Program has grant funds of \$25,000 available, and along with a minimum of 120% matching funds from the County (\$30,000), which will be fully satisfied with no levy increase and by the in-kind services of the County along with our state and local project partners;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department is authorized to apply for, and if awarded, accept a Five Star Restoration Matching Grant described herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require a 120% County match, which will be covered by the in-kind services of the County and the state and local project partners.

Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
John W. Stern, Chairperson Land Conservation  
Richard L. Bertram, Vice-Chairperson Finance Committee

**2009 RESOLUTION 69 - TRANSFER WITHIN THE GENERAL FUND FROM UNDESIGNATED TO DESIGNATED - PROPERTY INSURANCE DEDUCTIBLES**

Moved by Mr. Sorce, seconded by Ms. Puerling to adopt 2009 Resolution 69 - Transfer within the General Fund from Undesignated to Designated - Property Insurance Deductibles. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Ustruck, Stern, Schulz, Bausch, Brandt, Bertram, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, Meyers, Ewert, Healy, Borman. Voting No: Puerling, Stoffel, Berchem, Gonnering, McCune, Goetz, Sorce. Absent: Hensel, Russell, Brady. Ayes-20; Noes-7; Absent-3. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the County's property insurance deductibles are an aggregate of approximately \$150,000 for 2010; and

WHEREAS, the annual budget provides funds for the current year's deductibles, but does not provide the entire fund balance required by the insurance carrier; and

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that \$150,000 be transferred from within the General Fund undesignated to a designated account for Insurance Deductibles.

BE IT FURTHER RESOLVED that the funds in this designated account may only be used when the deductibles exceed the current year budget.

BE IT FURTHER RESOLVED that the designated account may be replenished through the annual budget process, as needed, through the County Clerk's budget.

Introduced by members of the ADMINISTRATIVE SERVICES and FINANCE COMMITTEES  
Roy C. Justman, Chairperson Administrative Services Committee  
Richard L. Bertram, Vice-Chairperson Finance Committee

**2009 RESOLUTION 70 - RELOCATION ORDER - COUNTY TRUNK HIGHWAY H**

Moved by Mr. Bausch, seconded by Mr. Goetz to adopt 2009 Resolution 70 - Relocation Order - County Trunk Highway H. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Puerling, Ustruck, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Goetz, Ewert, Sorce, Healy, Borman. Voting No: Stern, Meyers. Absent: Hensel, Russell, Brady. Ayes-25; Noes-2; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Subsection 32.05(1), Wis. Stats., authorizes a County Board to issue a relocation order permitting the improvement of public highways and other transportation facilities; and

WHEREAS, the Washington County Highway Committee has reviewed the County Trunk Highway H project as presented by the Highway Commissioner and recommends adoption of a relocation order to permit modification to County Trunk Highway H as authorized by §83.08, Wis. Stats., to the extent necessary to make substantial improvements to the highway including pavement widening, shoulder widening, associated grading and improved vertical alignment;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Resolution shall constitute a relocation order in accordance with §32.05(1), Wis. Stats., for the purpose of the within desired highway improvement project, and shall further constitute a determination of necessity for that project in accordance with §32.07(2), Wis. Stats.;

BE IT FURTHER RESOLVED that the Board hereby determines that it is necessary and for a public purpose to modify County Trunk Highway H so that it may be improved and that said modification will be built within the areas marked "Begin Relocation Order – End Relocation Order", as set forth in the scale drawing of the proposed modification plan, which is attached to this Resolution as Exhibit "A";

BE IT FURTHER RESOLVED that the lands and interests to be affected by this highway project are specifically depicted and described in Exhibit "B" attached hereto and incorporated herein by

reference;

BE IT FURTHER RESOLVED that both fee simple interests and easement interests, as appropriate, shall be acquired in the areas described in Exhibits "A" and "B".

BE IT FURTHER RESOLVED that a copy of this relocation order along with all supporting documentation shall, within twenty days after its passage, be filed with the County Clerk;

Introduced by members of the TRANSPORTATION COMMITTEE  
Daniel R. Goetz, Chairperson

**2009 RESOLUTION 71 - 2010 WASHINGTON COUNTY CORRECTIONS AND COMMUNICATIONS OFFICERS ASSOCIATION EMPLOYEES LABOR AGREEMENT**

Moved by Mr. Stern, seconded by Mr. Gonnering to adopt 2009 Resolution 71 - 2010 Washington County Corrections and Communications Officers Association Employees Labor Agreement. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: None. Absent: Hensel, Russell, Brady. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code provides for County Board approval as a prerequisite to a voluntary binding agreement between Washington County and any employee labor group; and

WHEREAS, a tentative labor agreement has been reached between the Washington County Corrections and Communications Officers Association representing certain employees in the Washington County Sheriff's Department and the Washington County Negotiating Committee for the period of January 1, 2010 to December 31, 2010, a copy of the proposed agreement being on file and available for review in the County Human Resources Department; and

WHEREAS, said tentative agreement has been ratified by the members of the employee bargaining unit and has also been ratified by the Administrative Services Committee of the Washington County Board; and

WHEREAS, the following issues summarize the major changes from the previous labor agreement:

1. A one (1) year agreement that will be in effect from January 1, 2010 through December 31, 2010.
2. Wages - Maintain the salary plan in the contract at 2009 pay levels, thus providing for no salary increases as of January 1, 2010.
3. Health Insurance -- Amend the language as follows:
  - (A) Adjust caps on 1/1/10 as necessary to continue the same employee contributions for single and family that were paid in 2009 to cover the monthly cost of the health insurance premium.
  - (B) Readjust caps on 12/31/10 to revert back to the current contribution levels which provides for a 15% employee contribution and 85% employer contribution.
4. Uniform Allowance -- Increase annual allowance to \$440/year effective 1/1/10.
5. Recognition And Bargaining Unit - Revise language to allow for an additional unpaid member on the collective bargaining committee.
6. Holidays -- Revise language to provide more flexibility in procedure for scheduling vacation and holiday time.
7. Sick Leave -- Amend language to allow up to three (3) days of sick leave to be used each calendar year for the illness of a minor child. This would be drawn from an employee's accrued sick leave, if available; it does not provide an increase in the number of sick days earned.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said labor agreement between Washington County and Washington County Corrections and Communications Officers Association is hereby ratified, the original being on file in the County Human Resources Department.



Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
 Roy C. Justman, Chairperson

**2009 ORDINANCE 19 - STAFFING PLAN, CLASSIFICATION AND COMPENSATION PLAN - CLERK OF CIRCUIT COURT AND PROBATE AND JUVENILE COURT OFFICE; AND EMPLOYEE BENEFIT PROGRAM - OVERTIME - (7.02, 7.03 AND 7.05)**

Moved by Mr. Miller, seconded by Mr. Core to adopt 2009 Ordinance 19 - Staffing Plan, Classification and Compensation Plan - Clerk of Circuit Court and Probate and Juvenile Court Office; and Employee Benefit Program - Overtime - (7.02, 7.03 And 7.05). Motion carried by roll call vote. Voting Aye: Justman, Tennies, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, McCune, Meyers, Goetz, Ewert, Sorce, Healy, Borman. Voting No: Puerling. Absent: Hensel, Russell, Brady. Ayes-26; Noes-1; Absent-3. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Sections 7.02, 7.03 and 7.05 of the code; relating to: Staffing Plan and Classification and Compensation Plan - Clerk of Circuit Court and Probate and Juvenile Court Office; and Employee Benefit Program - Overtime.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

**PROBATE AND JUVENILE COURT OFFICE**

**CLERK OF CIRCUIT COURT - Probate and Juvenile Court Division(CR 09-19)**

Authorized Position	Pay Grade	Positions
<del>Accounting Assistant</del>	<del>H-6</del>	<del>1 (P.T.)</del>
<del>Court Assistant</del>	<del>H-5</del>	<del>1</del>
<del>Deputy Register in Probate/Deputy Probate Registrar/ Deputy Clerk of Juvenile Court (AM 09-19)</del>	<del>H-7 E-2</del>	<del>1</del>
<del>Clerk of Juvenile Court Assistant (AM 09-19)</del>	<del>H-6 E-1</del>	<del>1</del>
<del>Register in Probate/Probate Registrar and Clerk of Juvenile Court</del>	<del>E-5</del>	<del>1</del>
Senior Court Assistant(AM 09-19)	H-6	+ 2

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. Section 7.05(12) of the code is amended to read:  
 7.05 EMPLOYEE BENEFIT PROGRAM (12)(AM 09-19) Overtime. (c) Personnel in the following exempt job classifications: Accounting Supervisor, Administrative Assistant to the Administrative Coordinator/Deputy Emergency Management Coordinator, Admissions Coordinator, Adult Protective Services Social Worker, Alcohol & Other Drug Abuse Case Manager, Assistant to County Treasurer, Assistant to the Highway Commissioner, Buyer, Case Manager In-Home/Outpatient, Central Reproduction Supervisor, Chief Assistant Medical Examiner, Chief Deputy County Clerk/Office Supervisor, Child Support Specialist, Child Support Supervisor, Clerk of Courts Administration and Accounting Supervisor, Clerk of Juvenile Court, CLTS Case Manager, Deputy Director (Fair Park), Deputy Register of Deeds, Developmental Disabilities Case Manager, Disability Benefits Specialist, Economic Development Coordinator, Economic Support Manager, Economic Support Supervisor, Elderly Benefits Specialist, Emergency Management Coordinator, Employee Benefits Manager, Environmental Health Specialist, Health Educator, Human Resources Analyst, Human Services Accounting Manager, Human Services Office Manager, Information and Assistance Specialist, Inspector in Charge, Intake Coordinator, Juvenile Detention Administrator, Landscape Architect, Landscape Designer, Mental Health Case Manager, Mental Health Specialist, Mental Health Technician, Occupational Therapist, Office Manager Clerk of Circuit Court, Office Manager Planning and Parks, Office Supervisor, Payroll Supervisor, Planner, Program Support Supervisor, Project Technician/Highway, Project Technician/Land Conservation, Public Health Data Specialist, Radio Systems Administrator, Register in Probate, Registered Health Information Technician, Senior Technician, Social Worker (Samaritan Health Center), Victim/Witness Coordinator and WIC Program Supervisor shall earn overtime credit in the following manner:

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon passage by the

Board of Supervisors and publication as provided by law.

Introduced by members of the PUBLIC SAFETY, ADMINISTRATIVE SERVICES, and FINANCE COMMITTEES

Joseph C. Gonnering, Chairperson Public Safety Committee

Roy C. Justman, Chairperson Administrative Services Committee

Richard L. Bertram, Vice-Chairperson Finance Committee

**ADJOURNMENT**

Moved by Mr. Meyers, seconded by Mr. Heidtke to adjourn the meeting at 11:32 a.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on February 9, 2010. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 10th day of February 2010.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
MARCH 16, 2010  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Puerling, Brandt, Merten.

Chairperson Tennes called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. McCune to approve the February 9, 2010, meeting minutes as presented. Motion carried.

**2009 RESOLUTION 72 - COLLEEN D. SARNOWSKI**

Moved by Mr. Borman, seconded by Mr. Heidtke to adopt 2009 Resolution 72 - Commendation of Colleen D. Sarnowski. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Colleen D. Sarnowski has contributed more than eleven years of loyal service to the citizens of Washington County; and

WHEREAS, Colleen D. Sarnowski has chosen to retire from her present position of Licensed Practical Nurse at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Colleen D. Sarnowski for her eleven years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Colleen D. Sarnowski as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**2009 RESOLUTION 73 - COMMENDATION OF SHARON A. WINTER**

Moved by Mr. Ewert, seconded by Mr. Ustruck to adopt 2009 Resolution 73 - Commendation of Sharon A. Winter. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Sharon A. Winter has contributed more than twenty-three years of loyal service to the citizens of Washington County; and

WHEREAS, Sharon A. Winter has chosen to retire from her present position of Assistant Director in the Health Department;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Sharon A. Winter for her twenty-three years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Sharon A. Winter as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS. Justman, Tennes, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman

**WOW WORKFORCE DEVELOPMENT BOARD INC. UPDATE**

Waukesha-Ozaukee-Washington (WOW) Workforce Development Operations Manager Staci Eggert-Dziedzic, Labor Economist Betsy Falk and Program Coordinator Sara Cavin presented the annual update. Moved by Mr. Ustruck, seconded by Mr. Sorce to accept the report. Motion carried.

**FINANCIAL APPROVAL REPORT NO. 37**

Moved by Mr. Borman, seconded by Mr. Healy to approve Financial Approval Report No. 37 in the amount of \$5,920,287.94. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling, Brandt, Merten. Abstain: Adam. Ayes-26; Noes-0; Absent-3; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 38 - HIGHWAY DEPARTMENT ANNUAL REPORT**

Highway Commissioner Jon Edgren presented the Highway Department annual report. Moved by Mr. Miller, seconded by Mr. Hensel to accept Annual Report No. 38. Motion carried.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Human Services Board, Transportation Committee, Wisconsin Counties Association Board, Board of Health, Aging and Disability Resource Center Board, Administrative Services Committee, Planning, Conservation and Parks Committee, Radio Communications Systems Committee, Finance Committee, Southeastern Wisconsin Professional Baseball District Board, Samaritan Committee, and NACo Legislative Conference-County Board Chairperson.

The meeting recessed at 10:48 a.m. and reconvened at 10:55 a.m.

**2009 RESOLUTION 74 - RESOLUTION ESTABLISHING PUBLIC PARTICIPATION AND PUBLIC HEARING PROCEDURES FOR DEVELOPMENT OF FARMLAND PRESERVATION PLAN**

Moved by Mr. Miller, seconded by Mr. Gonnering to adopt 2009 Resolution 74 - Resolution Establishing Public Participation and Public Hearing Procedures for Development of Farmland Preservation Plan. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling, Brandt, Merten. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, pursuant to §§91.10 and 91.14, Wis. Stats., Washington County shall adopt a farmland preservation plan in accordance with Chapter 91, Wis. Stats., by December 31, 2011; and

WHEREAS, pursuant to §91.10(3), Wis. Stats., adoption of the farmland preservation plan shall follow the procedures in accordance with §66.1001(4), Wis. Stats., for the adoption of a comprehensive plan; and

WHEREAS, Section 66.1001(4)(a), Wis. Stats., requires that a comprehensive plan be carried out in accordance with an adopted public participation plan designed to foster public participation in the amendment process; and

WHEREAS, the Washington County Board of Supervisors recognizes the importance of regular, meaningful public involvement in a plan process and plan amendments to assure that the resulting plans are based on public input; and

WHEREAS, the Public Participation Plan for the development and amendments to the Farmland Preservation Plan for Washington County includes written procedures to foster public participation, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments; and

WHEREAS, the Procedures for Adopting Comprehensive Plans set forth in §66.1001(4)(d), Wis. Stats., requires the political subdivision to hold at least one public hearing at which the proposed ordinance or resolution is discussed; and

WHEREAS, the political subdivision referred to in §66.1001(4)(d), Wis. Stats., is the Washington County Board of Supervisors; and

WHEREAS, the Washington County Board of Supervisors in 2007 Resolution 42 delegated the responsibility of conducting a public hearing for the Comprehensive Plan consistent with all the

requirements contained in §66.1001, Wis. Stats., regarding said public hearing to the Washington County Planning, Conservation and Parks Committee;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the board hereby adopts the written procedures set forth in the Public Participation Plan, dated February 24, 2010, as its public participation plan for the development and amendments to the Farmland Preservation Plan for Washington County meeting the requirements of §66.1001(4)(a), Wis. Stats.

BE IT FURTHER RESOLVED that the Board hereby delegates the responsibility of conducting public hearings for the development and amendments to the Farmland Preservation Plan consistent with all the requirements contained in §66.1001, Wis. Stats., regarding said public hearings to the Washington county Planning, Conservation and Parks Committee.

BE IT FURTHER RESOLVED that the public hearing for the adoption of the Farmland Preservation Plan also serves as the required public hearing to amend the *Multi-jurisdictional Comprehensive Plan for Washington County: 2035* to adopt the Farmland Preservation Plan as a component of the Comprehensive Plan.

Introduced by members of the PLANNING, CONSERVATION and PARKS COMMITTEE  
John W. Stern, Chairperson

**2009 RESOLUTION 75 - COUNTY AIDED BRIDGE REPAIR - TOWN OF HARTFORD**

Moved by Mr. Goetz, seconded by Mr. Berchem to adopt 2009 Resolution 75 - County Aided Bridge Repair - Town of Hartford. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling, Brandt, Merten. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County has a county aid bridge and culvert program under Section 12.06 of the Washington County Code of Ordinances; and

WHEREAS, the Town of Hartford has petitioned the Washington County Board of Supervisors requesting aid for the replacement of an existing culvert on North Main Street approximately 0.36 miles south of County Trunk Highway K in the Town of Hartford; and

WHEREAS, the aforementioned culvert is in poor condition and in need of replacement; and

WHEREAS, the existing culvert met the standards and specifications for design and construction set by Wisconsin Department of Transportation; and

WHEREAS, the Washington County Transportation Committee has reviewed the petition of the Town of Hartford, the request for aid and the proposed culvert replacement and recommends approval of same; and

WHEREAS, the town and county expect to equally share in the cost of this replacement with an estimated total repair cost of \$13,000.00; and

WHEREAS, the county's share of this culvert replacement will be covered utilizing funds available in the county bridge aid account;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that said petition is hereby granted and that provision for the county costs associated with this project has been made in the 2010 county budget of the Highway Department.

BE IT FURTHER RESOLVED that upon the filing of written notice with the County Clerk by the Town of Hartford and the County Transportation Committee that the work has been completed and accepted by the Town Board and the County Transportation Committee, the county's share of the project costs shall be disbursed to the town.

Introduced by members of the TRANSPORTATION COMMITTEE  
Daniel R. Goetz, Chairperson

**2009 RESOLUTION 76 - 2009 NON-LAPSING ACCOUNTS**

Moved by Mr. Stoffel, seconded by Mr. Bausch to adopt 2009 Resolution 76 - 2009 Non-Lapsing Accounts. Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

Voting No: None. Absent: Puerling, Brandt, Merten. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, appropriations of specific accounts in 2009 and prior years were not paid out before January 1, 2010, for various reasons, including, but not limited to, work not being completed in connection with a project or program related to a particular appropriation; and

WHEREAS, funds have not been budgeted in the 2010 Budget for the purposes for which these past appropriations were made; and

WHEREAS, the Finance Committee having considered each account, recommended the non-lapsing of the specific accounts totaling \$1,232,801.98 referred to in Exhibit "A," attached;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that effective December 31, 2009, the accounts and the approximate balances contained therein be carried forward to the 2010 Budget Year as non-lapsing accounts as listed in Exhibit "A."

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**2009 RESOLUTION 77 - 2009 TRANSFER FROM THE GENERAL FUND**

Moved by Ms. Russell, seconded by Mr. Bertram to adopt 2009 Resolution 77 - 2009 Transfer from the General Fund. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling, Brandt, Merten. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, necessary expenditures have overdrawn certain accounts of the 2009 Budget and there are sufficient funds in the General Fund Account No. 1400001.296002 to provide for the resulting deficits;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that an amount of \$21,231.90 is hereby transferred from the General Fund Account No. 1400001.296002 to be distributed as follows:

Account No.	Account	Amount
1800001.421070	Clerk of Courts-Guardian ad Litem	\$21,231.90

Introduced by members of the FINANCE COMMITTEE  
Ralph R. Hensel, Chairperson

**2009 RESOLUTION 78 - ADVANCE FROM THE GENERAL FUND - 2010 COUNTY FAIR - CHANGE FUND**

Moved by Mr. Heidtke, seconded by Mr. Healy to adopt 2009 Resolution 78 - Advance from the General Fund - 2010 County Fair - Change Fund. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Stern, Schulz, Stoffel, Bausch, Bertram, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, Ewert, Brady, Sorce, Healy, Borman. Voting No: Ustruck, Berchem, McCune, Meyers, Goetz. Absent: Puerling, Brandt, Merten. Ayes-22; Noes-5; Absent-3. Vote requirement for passage is 2/3 of the members elect.

WHEREAS, the County Board of Supervisors authorized and implemented a new Washington County Fair Park (Fair Park) through the purchase and development of land, preparation of plans and commitment of funds; and

WHEREAS, Fair Park was established to be the home of the annual County Fair and to serve as a year round, multi-purpose site for community activities; and

WHEREAS, an agricultural and industrial society as Washington County Agricultural and Industrial Society ("Society") was formed as a private, not for profit organization to operate Fair Park; and

WHEREAS, as authorized by the County Board on January 12, 2010, a Lease and Operating Agreement between Washington County and the Society were executed which provides the Society a basis for this request; and

WHEREAS, the Operating Agreement identified the possibility of seeking County assistance with short-term cash flow needs for the 2010 County Fair; and

WHEREAS, the Finance Director and County Treasurer have met with the Agricultural and Industrial Society's financial personnel (Treasurer and Accounting Manager) to discuss the specific cash flow needs during the six day County Fair (July 20 – 25, 2010) including the need to have available an adequate amount of money to make change in the various ticket booths and beverage tents ("change fund") for each day of the Fair; and

WHEREAS, the Society has reviewed and considered the cash flow needs of previous County Fairs and based on this review, has determined that approximately \$260,000 is needed to meet the day-to-day operational needs ("change fund") during the 2010 event; and

WHEREAS, the Society's financial personnel have worked cooperatively with the County's Finance Director and Treasurer to establish a procedure to address the day-to-day cash flow during the week of the 2010 County Fair;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Board extends a line of credit of up to \$260,000 from the County's General Fund as needed during the six days of the 2010 County Fair beginning July 20, 2010 for day-to-day change fund needed for daily operations and for specific daily expenses during the Fair.

BE IT FURTHER RESOLVED that during the week of the Fair, the County's working bank account will receive the daily deposits from the Fair.

BE IT FURTHER RESOLVED that any and all of the \$260,000 advanced per the authorization in this resolution and as further described in a written loan agreement between Washington County and AIS, which shall be executed prior to the release of said funds, be returned to the County in full and upon the conclusion of a complete reconciliation but no later than the close of business on July 28, 2010.

BE IT FURTHER RESOLVED that the Finance Director is instructed to implement the necessary procedures and safeguards to ensure that any and all funds deposited into the County's working bank and advanced per the authorization in this resolution be properly managed.

BE IT FURTHER RESOLVED that the balance of the Fair proceeds be held by the County (Fair proceeds less the change fund advanced by and returned to the County) be distributed to the Society upon the written request(s) made to the County's Finance Director by the Society's Treasurer.

Introduced by members of the EDUCATION and CULTURE and FINANCE COMMITTEES  
Raymond W. Heidtke, Vice-Chairperson Education and Culture Committee  
Ralph R. Hensel, Chairperson Finance Committee

**2009 RESOLUTION 79 - ADVANCE FROM GENERAL FUND - SUPPORT FOR WASHINGTON COUNTY FAIR - PRE-FAIR EXPENSES**

Moved by Mr. Jung, seconded by Mr. Adam to adopt 2009 Resolution 79 - Advance from the General Fund - Support for Washington County Fair - Pre-Fair Expenses. Moved by Ms. Brady, seconded by Mr. Meyers to amend 2009 Resolution 79 on Page 1, Lines 38 & 39: ~~with the~~ repayment of this loan ~~expected~~ from Society ~~revenues~~ shall be no later than August 31, 2010. Motion to amend 2009 Resolution 79 Advance from the General Fund - Support for Washington County Fair - Pre-Fair Expenses carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Brady, Sorce, Healy, Borman. Voting No: Ewert. Absent: Puerling, Brandt, Merten. Ayes-26; Noes-1; Absent-3. Vote requirement for passage is a majority of the members in attendance.

Moved by Mr. Meyers, seconded by Mr. Berchem to refer 2009 Resolution 79 back to the Finance Committee. Motion to refer 2009 Resolution 79 - Advance from the General Fund - Support for Washington County Fair - Pre-Fair Expenses back to the Finance Committee carried by roll call vote. Voting Aye: Justman, Tennes, Ustruck, Stern, Stoffel, Bertram, Berchem, Gonnering, Gundrum, McCune, Meyers, Goetz, Ewert, Sorce. Voting No: Hensel, Miller, Adam, Schulz, Bausch, Heidtke, Laubenheimer, Core, Russell, Jung, Brady, Healy Borman. Absent: Puerling, Brandt, Merten. Ayes-14; Noes-13 Absent-3. Vote requirement for passage is a majority of the members in attendance.

**2009 ORDINANCE 20 - PROCEDURAL RULES OF THE COUNTY BOARD - (2.06)**

Moved by Mr. Stoffel, seconded by Mr. Ustruck to enact 2009 Ordinance 20 - Procedural Rules of the County Board - (2.06). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy,

Borman. Voting No: None. Absent: Puerling, Brandt, Merten. Ayes-27; Noes-0; Absent-3. Vote requirement for passage is 2/3 of the members elect.

AN ORDINANCE to amend Section 2.06 relating to: Procedural Rules of the County Board.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 2.06 of the code is amended to read:

2.06 PROCEDURAL RULES OF THE COUNTY BOARD. (17)(AM 09-20) Election Procedure. (a) The following procedure shall be used for the election of officers of the Board, the Executive Committee and all other members of the Transportation Committee and other elections conducted by the County Board, except the Transportation Committee. Under this procedure only one office shall be filled on one series of ballots.

~~(a)~~ 1. Nominations shall be by written ballot. All ballots, except those for the nomination and election of County Board Officers, shall be signed by the voting member. The 3 nominees receiving the highest number of votes on such nominating ballots shall be declared nominated and no other names shall be considered or recognized in such election as a candidate. In the event of a tie, nominees tied shall be declared nominated. If one nominee receives a majority of all votes cast in the nominating ballot, he or she shall be declared elected.

~~(b)~~ 2. If no nominee receives a majority of the votes cast in the nominating ballot, an election ballot shall be taken. If one of the 3 nominees receives a majority of the election ballots cast, he or she shall be declared elected.

~~(c)~~ 3. In the event that no nominee receives a majority of the votes cast, a second election ballot shall be taken of the 2 candidates who receive the highest total number of votes cast in the first election ballot, and the candidate receiving the majority of the votes cast shall be declared elected. In case of a tie on the second election ballot, lots shall be drawn ~~by the 2 candidates.~~

(b) Election of Transportation Committee. The following election procedure shall be used for the election of the five members of the Transportation Committee.

1. Names of candidates for all five (5) seats on the Transportation Committee shall be placed in nomination by verbal declaration from the floor or written expression of interest directed to the County Clerk. All nominations are subject to the consent of the nominee.

2. The Chairperson shall close nominations after inquiring three times whether there are any other candidates. Upon closing nominations, no other nominees will be accepted.

3. The Clerk shall announce the names of the nominees.

4. The five seats on the Transportation Committee shall be filled one seat at a time as follows:

a. Election ballot cast. An election ballot shall be taken for each seat. Supervisors shall vote for one nominee and sign the ballot. The nominee receiving the most votes cast shall be declared elected for the seat. In the event of a tie, lots shall be drawn to determine the winner.

b. Repeat the election ballot process until all five (5) seats are filled.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the EXECUTIVE COMMITTEE  
Herbert J. Tennes, Chairperson

**2009 ORDINANCE 21 - EDUCATION AND CULTURE COMMITTEE - (2.20)**

Moved by Ms. Russell, seconded by Mr. Gonnering to enact 2009 Ordinance 21 - Education and Culture Committee - (2.20). Moved by Mr. Meyers, seconded by Mr. Ustruck to amend 2009 Ordinance 21 on Page 1, Line 27 by adding: c) Appointees under subdiv. (a) shall not also be members of the Board of Directors of the Agricultural and Industrial Society and appointees under subdiv. (b) shall not also be members of the Board of Directors of the Historical Society. Motion to



amend 2009 Ordinance 21 - Education and Culture Committee - (2.20) carried by roll call vote. Voting Aye: Justman, Hensel, Adam, Ustruck, Stern, Stoffel, Bertram, Berchem, Gonnering, Gundrum, Laubenheimer, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy. Voting No: Tennes, Miller, Schulz, Bausch, Heidtke, Core, Russell, Borman. Absent: Puerling, Brandt, Merten. Ayes-19; Noes-8; Absent-3. Vote requirement for passage is a majority of the members in attendance.

2009 Ordinance 21 - Education and Culture Committee - (2.20) as amended carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Heidtke. Absent: Puerling, Brandt, Merten. Ayes-26; Noes-1; Absent-3. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Section 2.20 of the code; relating to: Education and Culture Committee.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 2.20(4) of the code is amended to read:  
 2.20 EDUCATION AND CULTURE COMMITTEE. (4)(AM 09-21) The Committee shall provide liaison for the Agricultural and Industrial Society, the Historical Society and the Convention and Visitors Bureau.

(a) The Chairperson of the County Board shall, in accordance with sec. 2.05(4) of this Code, appoint ~~two~~ one members of the Education and Culture Committee and one other Supervisor to serve on the Agricultural and Industrial Society Board of Directors.

(b) The Chairperson of the County Board shall, in accordance with sec. 2.05(4) of this Code, appoint ~~two~~ one members of the Education and Culture Committee and one other Supervisor to serve on the Historical Society Board of Directors.

c) Appointees under subdiv. (a) shall not also be members of the Board of Directors of the Agricultural and Industrial Society and appointees under subdiv. (b) shall not also be members of the Board of Directors of the Historical Society.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the EXECUTIVE COMMITTEE  
 Herbert J. Tennes, Chairperson

**2009 ORDINANCE 22 - STAFFING AND CLASSIFICATION AND COMPENSATION PLAN - HEALTH DEPARTMENT - (7.02 AND 7.03)**

Moved by Ms. Brady, seconded by Mr. Sorce to enact 2009 Ordinance 22 - Staffing and Classification and Compensation Plan - Health Department - (7.02 and 7.03). Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Bertram, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Berchem. Absent: Puerling, Brandt, Merten. Ayes-26; Noes-1; Absent-3. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Sections 7.02 and 7.03 of the code; relating to: Staffing Plan and Classification and Compensation Plan – Health Department.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.  
 HEALTH DEPARTMENT

Authorized Position	Pay Grade	Positions
Assistant Director- <del>Health Department</del> /Deputy Health Officer (AM 09-22)	E-5	1

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the BOARD of HEALTH and ADMINISTRATIVE SERVICES COMMITTEE

Charlene S. Brady, Chairperson Board of Health

Roy C. Justman, Chairperson Administrative Services Committee

**2009 ORDINANCE 23 - PARKING LOT REGULATIONS - (4.40)**

Moved by Mr. Core, seconded by Mr. Healy to enact 2009 Ordinance 23 - Parking Lot Regulations - (4.40). Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Ustruck, Schulz, Stoffel, Bausch, Bertram, Berchem, Gonnering, Gundrum, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: Stern, Meyers. Absent: Puerling, Brandt, Merten. Ayes-25; Noes-2; Absent-3. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to create Section 4.40 relating to: Parking Lot Regulations.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 4.40 of the code is created to read:  
4.40(CR 09-23) PARKING LOT REGULATIONS. (1)(CR 09-23) Definitions. For the purpose of this section, the following definitions shall be used:

(a) "County Campus Parking Lots." All lands owned by Washington County and designated as parking lots adjacent to county buildings located in the City of West Bend including Washington County Government Center, Washington County Justice Center, Washington County Public Agency Center, Washington County Vehicle Maintenance and Storage Facility, Samaritan Health Center, Fields of Washington County, Youth Treatment Center, Annex II, the Senior Center and Sheriff's Department.

(b) "Operator." Any person who shall operate a vehicle as the owner thereof, or as the agent, employee, or permittee of the owner or is in the actual physical control of a vehicle.

(c) "Parking Lots." Paved areas with signs and/or painted lines designating locations for parking vehicles of employees or persons engaged in official business at the County.

(d) "Parking Space." Any paved area which is duly designated for the parking of a single vehicle by lines painted or otherwise marked on the paved surface of a parking lot.

(e) "Person." Any individual, firm, partnership, association or corporation.

(f) "Vehicle." Any device in, upon or by which any person or property is or may be transported upon a highway, except a device operated on rails or tracks.

(2)(CR 09-23) Parking. All vehicles shall be parked, attended or unattended, in accordance with the designations placed on signs in the Parking Lots and within the designated lines in the Parking Lots and in such a manner so as to not cause a hazard or be an obstruction to vehicular or other traffic.

(3)(CR 09-23) Hours. No vehicle shall be parked, attended or unattended, in the County Parking Lots between Midnight and 6:00 a.m., other than employees of the County or persons engaged in official business at the County.

(4)(CR 09-23) Obstruction of Traffic. No person or vehicle shall obstruct the entryways, exits or traffic in County Campus Parking Lots in a manner so as to prevent, interfere with or obstruct the free flow and passage of other persons or vehicles within County Campus Parking Lots.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE

Roy C. Justman, Chairperson

**ADJOURNMENT**

Moved by Mr. Meyers, seconded by Mr. Sorce to adjourn the meeting at 12:01 p.m., subject to the call of the Chair. Motion carried.

Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN                    )  
  )  
COUNTY OF WASHINGTON            )

I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on March 16, 2010. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 17th day of March 2010.

Brenda J. Jaszewski, County Clerk

**WASHINGTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS  
APRIL 20, 2010  
COURTHOUSE - ROOM 1019  
WEST BEND, WI**

Present: Justman, Tennies, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung (arrived @ 9:55 a.m.), Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Excused: Puerling.

Chairperson Tennies called the meeting of the Washington County Board of Supervisors to order at 9:00 a.m. A moment of silent prayer and Pledge of Allegiance were observed followed by a reading of the Affidavit of Posting of the meeting.

**MINUTES**

Moved by Mr. Sorce, seconded by Mr. McCune to approve the March 16, 2010, meeting minutes as presented. Motion carried.

**APPOINTMENTS**

Aging & Disability Resource Center Board (ADRC)

Moved by Ms. Brady, seconded by Mr. Ewert to approve the appointment of Lori Luetschwager to the ADRC Board, for a three-year term, effective April 20, 2010, to April 16, 2013. Motion carried.

Board of Health

Moved by Mr. McCune, seconded by Ms. Brady to approve the appointment of Doreen Buntrock to the Board of Health, for a three-year term, effective April 20, 2010, to April 16, 2013. Motion carried.

Ethics Board

Moved by Mr. Ewert, seconded by Mr. Sorce to approve the appointment of John Zorbini to the Ethics Board, for a three-year term, effective April 20, 2010, to April 16, 2013. Motion carried.

Human Services Board

Moved by Mr. Bertram, seconded by Mr. Gundrum to approve the appointment of Greg Young to the Human Services Board, for a three-year term, effective April 20, 2010, to April 16, 2013. Motion carried.

**CORRESPONDENCE**

Clerk Jaszewski read correspondence from Governor Jim Doyle, and the State of Wisconsin Department of Veterans Affairs.

**2009 RESOLUTION 80 - RECOGNITION OF WASHINGTON COUNTY VOLUNTEERS DURING NATIONAL VOLUNTEER WEEK**

Moved by Ms. Brady, seconded by Ms. Russell to adopt 2009 Resolution 80 - Recognition of Washington County Volunteers During National Volunteer Week. Motion carried with a rising vote of thanks by the Board.

WHEREAS, April 18<sup>th</sup> through 24<sup>th</sup> is National Volunteer Week; and

WHEREAS, significant contributions were made by volunteers and voluntary partnerships among Washington County agencies, municipalities and organizations during 2009 to provide for the health, safety and welfare of those living in Washington County and traveling through the County; and

WHEREAS, those individuals and the organizations they represent made an important difference in the lives of all citizens by contributing time, energy and talents to assist Washington County and its citizens in meeting the public's evolving needs;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend all partners and volunteers for their community teamwork and support over the last year.

BE IT FURTHER RESOLVED that this Board extends a special thanks to those volunteers who participated and contributed during the H1N1 Influenza pandemic including, but not limited to, those who consider community service and protection as part of their role, such as law enforcement, emergency medical services providers, emergency management, volunteer service organizations, schools, churches, the media, health care facilities and all county government departments.

Introduced by members of the BOARD of HEALTH  
Charlene S. Brady, Chairperson

**2009 RESOLUTION 81 - SHARON L. POCIAN**

Moved by Mr. Heidtke, seconded by Mr. Healy to adopt 2009 Resolution 81 - Commendation of Sharon L. Pocian. Clerk Jaszewski read the commendation. Motion carried with a rising vote of thanks by the Board.

WHEREAS, Sharon L. Pocian has contributed more than thirty-five years of loyal service to the citizens of Washington County; and

WHEREAS, Sharon L. Pocian has chosen to retire from her present position of Certified Nursing Assistant at the Samaritan Health Center;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors pause in its deliberations to pay tribute and to commend Sharon L. Pocian for her thirty-five years of meritorious service;

BE IT FURTHER RESOLVED that on behalf of all citizens of Washington County this body does herewith extend to her heartfelt thanks for her many accomplishments and successes;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Sharon L. Pocian as a token of appreciation on the part of this Board.

Introduced by members of the WASHINGTON COUNTY BOARD OF SUPERVISORS Justman, Tennies, Hensel, Miller, Adam, Puerling, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, Jung, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman.

**FINANCIAL APPROVAL REPORT NO. 39**

Moved by Mr. Stoffel, seconded by Mr. Ustruck to approve Financial Approval Report No. 39 in the amount of \$10,650,072.30. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling, Jung. Abstain: Adam. Ayes-27; Noes-0; Absent-2; Abstain-1. Vote requirement for passage is a majority of the members in attendance.

**ANNUAL REPORT NO. 40 - DISTRICT ATTORNEY ANNUAL REPORT**

District Attorney Todd Martens presented the District Attorney's office annual report. Moved by Mr. Bausch, seconded by Ms. Merten to accept Annual Report No. 40. Motion carried.

**ANNUAL REPORT NO. 41 - MEDICAL EXAMINER ANNUAL REPORT**

Medical Examiner Kelly McAndrews presented the Medical Examiner's office annual report. Moved by Mr. Schulz, seconded by Mr. Laubenheimer to accept Annual Report No. 41. Motion carried.

Supervisor Jung arrived at 9:55 a.m.

**ANNUAL REPORT NO. 42 - SHERIFF'S DEPARTMENT ANNUAL REPORT**

Sheriff Dale Schmidt presented the Sheriff's Department annual report, including a citizen complaint from Chris Mier. Moved by Mr. McCune, seconded by Mr. Healy to accept Annual Report No. 42. Motion carried.

The meeting recessed at 11:20 a.m. and reconvened at 11:27 a.m.

**COMMITTEE CHAIRPERSON REPORTS**

Committee Chairperson Reports were presented for Board of Health, Aging & Disability Resource Center Board, Human Services Board, Administrative Services Committee, Finance Committee, Transportation Committee, County Library Services Board, Samaritan Committee, and Education & Culture Committee.

**2009 RESOLUTION 82 - GRANT APPLICATION - SHORELAND ZONING ORDINANCE DEVELOPMENT AND EDUCATION MATERIALS**

Moved by Mr. Stern, seconded by Mr. Borman to adopt 2009 Resolution 82 - Grant Application - Shoreland Zoning Ordinance Development and Education Materials. Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

WHEREAS, Washington County Code Section 4.27 requires that certain county grant applications be approved by the County Board of Supervisors; and

WHEREAS, pursuant to §§281.31 and 59.692, Wis. Stats., Washington County shall adopt a Shoreland Zoning Ordinance in accordance with §59.692 Wis. Stats., by February 1, 2012; and

WHEREAS, Washington County currently has a Shoreland Zoning Ordinance at Chapter 23 of the Washington County Code; however, updates due to changes in the law may be necessary; and

WHEREAS, the Cost Share Grant Program set forth in NR191, Wisconsin Administrative Code, provides reimbursement for the County's costs of preparing an updated Shoreland Zoning Ordinance and education materials with a maximum grant award of \$50,000; and

WHEREAS, an award of grant monies by the Wisconsin Department of Natural Resources requires 25% of the total cost of the project from the County which will be fully satisfied by the in-kind services of the County with no levy increase; and

WHEREAS, Washington County may contract with a consultant or the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to assist, in part, in the development of an updated Shoreland Zoning Ordinance and education materials;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that the Planning and Parks Department, under the direction of the Planning, Conservation and Parks Committee, is authorized to apply for a Shoreland Zoning Ordinance and Education Materials Compliance Grant described herein.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary application or other documents in order to obtain grant funding described herein, subject to review and approval of the County Attorney's Office.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk are authorized to execute the necessary contracts in order to retain a consultant or SEWRPC to assist, in part, in the development of the Shoreland Zoning Ordinance and education materials, subject to the review and approval of the County Attorney.

BE IT FURTHER RESOLVED that acceptance of the grant referred to herein, if awarded, shall require the County to pay 25% of the total cost of the project which will be fully satisfied by the in-kind services of the County with no levy increase and shall not require the hiring of additional County staff.

Introduced by members of the LAND CONSERVATION and FINANCE COMMITTEES  
 John W. Stern, Chairperson Land Conservation Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 ORDINANCE 24 - STAFFING AND CLASSIFICATION AND COMPENSATION PLAN - HEALTH DEPARTMENT - (7.02 AND 7.03)**

Moved by Ms. Brady, seconded by Mr. Justman to enact 2009 Ordinance 24 - Staffing and Classification and Compensation Plan - Health Department - (7.02 and 7.03). Motion carried by roll call vote. Voting Aye: Justman, Tennies, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is 2/3 of members elect.

AN ORDINANCE to amend Sections 7.02 and 7.03 of the code; relating to: Staffing Plan and Classification and Compensation Plan – Health Department.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. Section 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.  
 HEALTH DEPARTMENT

Authorized Position	Pay Grade	Positions
WIC Dietetic Technician(9)	H-5	1 (3/4 time)

WIC Dietetic Technician(9)	H-5	1 (P.T. Limited)
WIC Dietetic Technician(9)	H-5	1 (P.T.)
WIC Dietetic Technician Pool(9)	H-5	As Needed
WIC Health Screener(9)(AM 09-24)	H-2	1 (P.T.)
WIC Health Screener Pool(9)	H-2	As Needed
WIC Peer Counselor Pool(9)	H-3	As Needed
WIC Program Assistant(9)(AM 09-24)	H-3	1
WIC Program Assistant(9)	H-3	1 (3/4 time)
WIC Program Supervisor(9)(AM 09-24)	E-4	1
WIC Program Supervisor Pool(9)	E-4	As Needed
WIC Registered Dietitian(9)(CR 09-24)	E-2	1 (3/4 time)
WIC Dietitian Pool(9)(CR 09-24)	E-2	1 (As Needed)

(9) Authorized only while appropriate non-County funds meet the full cost of these positions.

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

Introduced by members of the BOARD of HEALTH, ADMINISTRATIVE SERVICES and FINANCE COMMITTEES

Charlene S. Brady, Chairperson Board of Health  
 Roy C. Justman, Chairperson Administrative Services Committee  
 Ralph R. Hensel, Chairperson Finance Committee

**2009 ORDINANCE 25 - STAFFING AND CLASSIFICATION AND COMPENSATION PLAN -ADMINISTRATION DEPARTMENT - MAINTENANCE, COUNTY BOARD OF SUPERVISORS - ECONOMIC DEVELOPMENT AND WASHINGTON COUNTY FAIR PARK; CLASSIFICATION AND COMPENSATION PLAN; AND EMPLOYEE BENEFIT PROGRAM - HOLIDAYS AND OVERTIME - (7.02, 7.03 AND 7.05)**

Moved by Mr. Core, seconded by Mr. Ustruck to enact 2009 Ordinance 25 - Staffing and Classification and Compensation Plan - Administration Department - Maintenance, County Board of Supervisors - Economic Development and Washington County Fair Park; Classification and Compensation Plan; and Employee Benefit Program - Holidays and Overtime - (7.02, 7.03 and 7.05).

Motion carried by roll call vote. Voting Aye: Justman, Tennes, Hensel, Miller, Adam, Ustruck, Stern, Schulz, Stoffel, Bausch, Brandt, Bertram, Berchem, Gonnering, Gundrum, Merten, Heidtke, Laubenheimer, Core, Jung, Russell, McCune, Meyers, Goetz, Ewert, Brady, Sorce, Healy, Borman. Voting No: None. Absent: Puerling. Ayes-29; Noes-0; Absent-1. Vote requirement for passage is a majority of the members in attendance.

AN ORDINANCE to amend Sections 7.02, 7.03, and 7.05 of the code; relating to: Staffing Plan – Administration Department-Maintenance, County Board of Supervisors-Economic Development and Washington County Fair Park; Classification and Compensation Plan; and Employee Benefit Program – Holidays and Overtime.

The people of the County of Washington, represented in the Board of Supervisors, do ordain as follows:

SECTION 1. 7.02 of the code is amended to read:  
 7.02 WASHINGTON COUNTY DEPARTMENTAL STAFFING PLAN.

Authorized Position	Pay Grade	Positions
ADMINISTRATION DEPARTMENT - Maintenance		
Custodian(AM 09-25)	H-2	<del>1</del> 10
<del>COUNTY BOARD OF SUPERVISORS - Economic Development</del>		
<del>Economic Development Coordinator</del>	<del>E-5</del>	<del>1</del>
<del>WASHINGTON COUNTY FAIR PARK</del>		
<del>Deputy Director(Fair Park)</del>	<del>E-1</del>	<del>1</del>
<del>Fair Park Assistant</del>	<del>E-2</del>	<del>1</del>

Fair Park Director \_\_\_\_\_ \*

\*Positions not County funded informational only

SECTION 2. The list of pay grades established in Section 7.03(1)(a) shall be adjusted to incorporate the changes proposed in this ordinance.

SECTION 3. 7.05 (2) and (12) of the code are amended to read:  
7.05 EMPLOYEE BENEFIT PROGRAM. (2)(AM 09-25) Holidays. (c) The following provisions shall govern eligibility for holiday pay:

\* \* \*

8. Accrued holiday time including the "floating holiday", cannot be taken off in increments of less than one hour duration. ~~Samaritan Health Center and Human Services Access & Outreach personnel covered by this chapter cannot take off accumulated holiday time in increments of less than 4 hours duration.~~

(12)(AM 09-25) Overtime. (c) Personnel in the following exempt job classifications: Accounting Supervisor, Administrative Assistant to the Administrative Coordinator/Deputy Emergency Management Coordinator, Admissions Coordinator, Adult Protective Services Social Worker, Alcohol & Other Drug Abuse Case Manager, Assistant to County Treasurer, Assistant to the Highway Commissioner, Buyer, Case Manager In-Home/Outpatient, Central Reproduction Supervisor, Chief Assistant Medical Examiner, Chief Deputy County Clerk/Office Supervisor, Child Support Specialist, Child Support Supervisor, Clerk of Courts Administration and Accounting Supervisor, Clerk of Juvenile Court, CLTS Case Manager, ~~Deputy Director (Fair Park), Deputy Register of Deeds, Developmental Disabilities Case Manager, Disability Benefits Specialist, Economic Development Coordinator,~~ Economic Support Manager, Economic Support Supervisor, Elderly Benefits Specialist, Emergency Management Coordinator, Employee Benefits Manager, Environmental Health Specialist I, Environmental Health Specialist II, Environmental Health Supervisor, Health Educator, Human Resources Analyst, Human Services Accounting Manager, Human Services Office Manager, Information and Assistance Specialist, Inspector in Charge, Intake Coordinator, Juvenile Detention Administrator, Landscape Architect, Landscape Designer, Mental Health Case Manager, Mental Health Specialist, Mental Health Technician, Occupational Therapist, Office Manager Clerk of Circuit Court, Office Manager Planning and Parks, Office Supervisor, Payroll Supervisor, Planner, Program Support Supervisor, Project Technician/Highway, Project Technician/Land Conservation, Public Health Data Specialist, Radio Systems Administrator, Register in Probate, Registered Health Information Technician, Senior Technician, Social Worker (Samaritan Health Center), ~~Transit Manager,~~ Victim/Witness Coordinator and ~~WIC Dietitian Pool,~~ WIC Program Supervisor, ~~WIC Program Supervisor Pool and WIC Registered Dietitian~~ shall earn overtime credit in the following manner:

(d) Employees in the following classifications: Assistant Director/~~Deputy Health Officer Health Department,~~ Assistant Director of Nursing (Samaritan Health Center), Corrections Lieutenant, Deputy Sheriff Detective Lieutenant, Deputy Sheriff Lieutenant, Inservice Training Director, Jail Health Coordinator, Jail Nurse, Medicare Coordinator/Registered Nurse, Nursing Supervisor (Samaritan Health Center), Nursing Unit Manager (Samaritan Health Center), Public Health Nurse, Registered Nurse and Senior Applications Manager shall earn overtime credit in the following manner:

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon passage by the Board of Supervisors and publication as provided by law.

SECTION 5. SUMMARY. An ordinance amendment to add new positions to the overtime section of the staffing plan and to delete obsolete references.

Introduced by members of the ADMINISTRATIVE SERVICES COMMITTEE  
Roy C. Justman, Chairperson

**ADJOURNMENT**

Moved by Mr. Bertram, seconded by Mr. Heidtke to adjourn sine die at 11:41 a.m. Motion carried.  
Brenda J. Jaszewski, County Clerk

**CERTIFICATE OF CLERK**

STATE OF WISCONSIN            )  
  )  
COUNTY OF WASHINGTON      )



I, Brenda J. Jaszewski, County Clerk for the County of Washington, do hereby certify that the foregoing is a true, correct and complete record of the transactions of the Washington County Board of Supervisors' meeting held on April 20, 2010. Reports are filed in the County Clerk's Office.

Dated at the Courthouse, City of West Bend, Washington County, Wisconsin, this 23rd day of April 2010.

Brenda J. Jaszewski, County Clerk

**BOARD OF SUPERVISORS  
LOG OF ACTIVITIES  
2009-2010 SESSION**

**Meeting Dates**

April 21, 2009.....	1
May 12, 2009.....	11
June 9, 2009.....	19
July 14, 2009.....	25
August 11, 2009.....	28
September 8, 2009.....	31
October 27, 2009.....	40
November 5, 2009.....	65
December 8, 2009.....	67
January 12, 2010.....	84
February 9, 2010.....	91
March 16, 2010.....	101
April 20, 2010 Final Session.....	110

**Appointments**

Board of Health: Charlene Brady, Melvin Ewert, Patricia Hrobsky, three-year term 4/21/09-4/17/12.....	1
Ethics Board: William Alderson, Robert Retko, three-year term, 4/21/09-4/17/12.....	1
Human Services Board: Leslie Borman, Rick Gundrum, Sara Follett, three-year term, 4/21/09-4/17/12.....	1
Local Emergency Planning Committee: Duane Cline, indefinite term.....	1
Ethics Board: James Spella, replacing Robert Retko, unexpired three-year term, 7/14/09-4/17/12.....	24
County Library Services Board: Paul Rice, replacing Amy Bingen, unexpired three-year term, 8/11/09-4/30/11.....	28
County Library Services Board: Paul Ustruck, 3-year term effective 12/1/09-4/30/12.....	40
Civil Service Commission: Richard Lindbeck, 5-year term effective 1/1/10-12/31/14.....	40
Landmark Commission: Barbara Wenzlaff, Irene Blau, Bev Schroeder, 3-year term effective 1/1/10-12/31/12.....	40
Mid-Wisconsin Federated Library Systems Board: Ruth Schmitt, 3-year term effective 1/1/10-12/31/12.....	40
Veteran Services Commission: Roger Cross, 3-year term effective 1/1/10-12/31/12.....	40
Aging & Disability Resource Center Board: Lori Luetschwager, three-year term, effective 4/20/10-4/16/13.....	110
Board of Health: Doreen Buntrock, three-year term, effective 4/20/10-4/16/13.....	110
Ethics Board: John Zorbini, three-year term, effective 4/20/10-4/16/13.....	110
Human Services Board: Greg Young, three-year term, effective 4/20/10-4/16/13.....	110

**Appearances**

Tori Duncan, West Bend American Legion Post 36 re: Invite to the May 25, 2009 West Bend Memorial Day Parade.....	1
Award Winning Hartford Energizers Dance Team.....	11
Landmark Commission Certifications: Messer/Mayer Mill, Village of Richfield.....	19
Wend von Below & Ron Locast, Potter Lawson, Inc. re: Public Agency Center & Senior Center Space Planning Report and Master Plan Report.....	24
David Maccoux, Schenck Business Solutions re: 2008 Audit Report.....	29
Landmark Commission Certification: Cedar Lake Yacht Club, Town of West Bend.....	31
Paul Roback, UWEX re: Fair Park Study Report.....	31
Dean David Nixon, University of Wisconsin-Washington County re: Annual Update.....	40
President Gayle Hytrek, Moraine Park Technical College re: Annual Update.....	40
4-H Speaker and Key Award Presentation.....	67
Economic Development Washington County Annual Report.....	69
Washington County Fair Park Annual Report.....	69
Executive Director Ken Yunker, Southeastern Wisconsin Regional Planning Commission re: Annual Update.....	92
WOW Workforce Development Board Inc. Update.....	102

**Petitions**

No. 1 Black Maple LLC, NE-1/4, Section 22, Town of Wayne..... 24  
No. 2 Alan & Cindy Schmitz, NW-1/4 & SW-1/4, Section 12, Town of Addison..... 28  
No. 3 Karen Semianczuk, SE-1/4, Section 7, Town of Jackson..... 31  
No. 4 Amend Washington County Shoreland/Wetland/Floodplain Zoning Maps..... 91

**Correspondence**

Alpha Sigma Chapter Cooperative Extension Educators Awards..... 1  
Governor Jim Doyle, Dept. of Veterans Services ..... 11  
Governor Jim Doyle ..... 19  
Governor Jim Doyle ..... 29  
Governor Jim Doyle ..... 40  
Economic Development Washington County ..... 48  
Southeastern Wisconsin Regional Planning Commission, Governor Jim Doyle, Wisconsin County  
Mutual Insurance Corporation, State of Wisconsin Department of Transportation, and State  
of Wisconsin Department of Military Affairs-Wisconsin Emergency Management..... 84  
Governor Jim Doyle, State of WI Department of Veterans Affairs ..... 110

**Reports**

1 Financial Approval Report ..... 2  
2 District Attorney Annual Report..... 2  
3 Medical Examiner Annual Report ..... 2  
4 Sheriff's Department Annual Report ..... 2  
5 Financial Approval Report..... 11  
6 Aging & Disability Center Annual Report ..... 11  
7 Health Department Annual Report ..... 11  
8 Human Services Department Annual Report ..... 11  
9 Financial Approval Report..... 19  
10 Veterans Services Annual Report ..... 19  
11 Samaritan Annual Report..... 19  
12 Financial Approval Report..... 25  
13 Planning, Conservation & Parks Committee: Black Maple LLC, NE-1/4, Section 22,  
Town of Wayne..... 24  
14 Financial Approval Report..... 29  
15 2010 Budget Introduction ..... 25  
16 Planning, Conservation & Parks Committee: Alan & Cindy Schmitz, NW & SW 1/4,  
Section 12, Town of Addison ..... 29  
17 Historical Society Annual Report ..... 29  
18 County Treasurer Annual Report..... 30  
19 Finance Annual Report ..... 30  
20 County Clerk Annual Report ..... 30  
21 Financial Approval Report..... 33  
22 Planning, Conservation & Parks Committee: Karen Semianczuk, Sec. 7, Town of  
Jackson ..... 31  
23 County Library Annual Report ..... 31  
24 Human Resources Annual Report..... 34  
25 2010-2015 Capital Improvement Program Report ..... 34  
26 Financial Approval Report..... 40  
27 Financial Approval Report..... 40  
28 Financial Approval Report..... 69  
29 UW Extension Annual Report ..... 70  
30 Financial Approval Report..... 84  
31 Administration Annual Report..... 84  
32 County Attorney Annual Report..... 93  
33 Financial Approval Report..... 93  
34 Planning, Conservation & Parks Committee: Amend Washington County  
Shoreland/Wetland/Floodplain Zoning Maps ..... 91  
35 Register of Deeds Annual Report ..... 93  
36 Planning and Parks Department Annual Report..... 93  
37 Financial Approval Report..... 102

38	Highway Department Annual Report .....	102
39	Financial Approval Report.....	111
40	District Attorney Annual Report.....	111
41	Medical Examiner Annual Report.....	111
42	Sheriff's Department Annual Report .....	111

**2009 Resolutions**

1	Commendation of Tom J. McLaughlin .....	2
2	Commendation of Gail I. Thomas .....	1
3	Authorization to Become a Member of the Southeastern Wisconsin Invasive Species Cooperative.....	2
4	Grant Application - 2010 Joint DATCP/DNR Nonpoint Source.....	3
5	Grant of Easement - WE Energies - Charter Communications - AT & T Wisconsin - Glacier Hills.....	4
6	Reauthorization of Self-Insurance for Worker's Compensation Liabilities .....	5
7	Grant Application - Alcohol Enforcement .....	6
8	Grant Application - Speed Enforcement .....	6
9	2008-2009 Washington County Sheriff's Department Protective Services Command Staff Association.....	7
10	Advance from General Fund-Support for Washington County Fair.....	8
11	Commendation of Allen and Audrey Yahr .....	14
12	Grant Application - Digital Recording Equipment .....	14
13	Grant Application - 2009 Justice Assistance Stimulus Funding American Recovery and Reinvestment Act.....	15
14	Opposition to the Governor's Proposed Changes to Wisconsin Prevailing Wage Law .....	16
15	Opposition to the Governor's Proposed Changes to Insurance Law and 2009 Senate Bill 20.....	16
16	Commendation of Louann C. Kocher .....	19
17	Grant Application - FFY 2009 Energy Efficiency and Conservation Block Grant (EECBG) Program.....	20
18	Authorization to Expand County's Environmental Health Program to Serve as Agent of the Department of Health Services for Local Food Safety and Recreational Licensing Services .....	20
19	Advance from the General Fund - 2009 County Fair - Change Fund.....	22
20	Grant Application - Gypsy Moth Suppression Program .....	25
21	Grant Application - Aquatic Invasive Species Control Grant.....	26
22	Commendation of Kay M. Liesse.....	29
23	Commendation of Mary E. VanBeek .....	28
24	Support for the United Way.....	30
25	Tax Deed Sale to Jim and Jean Stoffel.....	34
26	Commendation of Kay F. Morlen .....	35
27	Resolution Authorizing Acceptance of American Recovery and Reinvestment Act (ARRA) Funds - 2009 Budget Adjustment.....	35
28	Grant Application - 2009-2010 Multi-Agency Land & Water Education Grant (MALWEG) Nutrient Management Farmer Education Program .....	36
29	Fair Park Concept Plan .....	32
30	Commendation of Patricia E. Kloske .....	41
31	Grant Application - Authorization to Accept Public Health Emergency Response Allocation.....	41
32	Grant Application - 2010 Clean Sweep Program.....	42
33	Designation of the Washington County Hazardous Materials Team.....	43
34	Grant Application - Homeland Security - Mutual Aid Radio Replacement .....	44
35	Grant Application - Treatment Alternatives and Diversion (TAD) Program.....	44
36	Grant of Easement - AT & T - County Trunk Highways P and PV .....	45
37	Grant of Easement - Charter Communications - County Trunk Highway P and PV .....	46
38	Grant of Easement - WE Energies - County Trunk Highways P and PV .....	46
39	Grant of Easement - AT & T - Schmidt Road and State Highway 33.....	47
40	Resolution Designating Washington County a Recovery Zone for Purposes of the American Recovery and Reinvestment Act of 2009.....	48

41	Authorizing Economic Development of Washington County ("EDWC") to Coordinate a Recovery Zone Facility Bond Program Under the American Recovery and Reinvestment Act of 2009 .....	49
42	2010 Washington County Deputy Sheriff's Association - Employees Labor Agreement .....	49
43	Voluntary Return of County Supervisor Pay to the County .....	50
44	Regarding the Purchase of Fair Park Buildings and Other Fixed Assets .....	61
45	Authorizing a Lease and Operating Agreement with the Agricultural and Industrial Society .....	62
46	2010 Budget Appropriation .....	65
47	Commendation of Gail Doughty .....	67
48	Commendation of Eileen M. German .....	67
49	Commendation of Gloria J. Kamrath .....	68
50	Commendation of Teri A. Kressin .....	68
51	Commendation of Alice M. Miller .....	69
52	Commendation of Mary L. Miller .....	69
53	Commendation of Susan S. Ponath .....	70
54	Commendation of Louise L. Severson .....	70
55	Voiding Stale Checks .....	71
56	2010 Washington County Sheriff's Department Protective Services Command Staff Association Labor Agreement .....	71
57	2010 Washington County Professional Social Workers Association Employees Labor Agreement .....	72
58	Establishing Public Participation Procedures for Amendments to the Multi-Jurisdictional Comprehensive Plan for Washington County: 2035 .....	85
59	Grant Application - Farmland Preservation Planning .....	85
60	Grant Application - Aquatic Invasive Species Control .....	86
61	Grant Application - Alcohol Enforcement .....	88
62	Grant Application - Justice Assistance Recovery Act for Drug Task Forces .....	88
63	Commendation of Mary M. Daley .....	93
64	Citizen Participation Plan for CDBG Business Loans and Grants .....	93
65	Community Development Block Grant - Economic Development - Training Grant for Pouch Converting Technologies, Inc. ....	94
66	Opposition to 2009 Assembly Bill 634 - Protective Status for Correction Officers Under the Wisconsin Retirement System .....	95
67	Opposition to Include Washington County in the Regional Transit Authority for Southeastern Wisconsin .....	95
68	Grant Application - Five Star Restoration Matching Grants Program .....	96
69	Transfer Within the General Fund from Undesignated to Designated - Property Insurance Deductibles .....	97
70	Relocation Order - County Trunk Highway H .....	97
71	2010 Washington County Corrections and Communications Officers Association Employees Labor Agreement .....	98
72	Commendation of Colleen D. Sarnowski .....	101
73	Commendation of Sharon A. Winter .....	101
74	Resolution Establishing Public Participation an Public Hearing Procedures for Development of Farmland Preservation Plan .....	102
75	County Aided Bridge Repair - Town of Hartford .....	103
76	2009 Non-Lapsing Accounts .....	103
77	2009 Transfer from the General Fund .....	104
78	Advance from General Fund - 2010 County Fair - Change Fund .....	104
79	Advance from General Fun - Support for Washington County Fair - Pre-Fair Expenses (3/16/10 - Referred back to Finance Committee) .....	105
80	Recognition of Washington County Volunteers During National Volunteer Week ....	110
81	Commendation of Sharon L. Pocian .....	111
82	Grant Application - Shoreland Zoning Ordinance Development and Education Materials .....	111

**2009 Ordinances**

1 Staffing Plan and Classification and Compensation Plan - Comprehensive Community Services Agency; Department of Social Services and Human Services Department; and Employee Benefit Program - Overtime (7.02, 7.03 and 7.05) ..... 11

2 Open Meetings - (2.08).....18

3 Shoreland/Wetland/Floodplain Zoning Maps - Town of Wayne - (23.02, 23.03 & 23.16) .....24

4 Shoreland, Wetland, Floodplain Zoning Maps - Town of Addison - (23.02, 23.03, & 23.16) .....29

5 Shoreland/Wetland/Floodplain Zoning Maps - Town of Wayne - (23.02, 23.03 & 23.16) .....31

6 Duties & Powers of the Commission and Appointments to Classified Service - (5.03 & 5.05) .....37

7 Employee Benefit Program - Group Health Insurance - (7.05) .....39

8 County Administration (Supervisor Pay Reduction) - (4.20) - Defeated .....51

9 Health Code - (Chapter 8).....51

10 Marriage License Fees - (4.48).....72

11 Maintenance and Board for County Jail Prisoners; and Sheriff's Department - Fees for Services Provided - (5.10 and 5.18).....73

12 Speed Zones on County Trunk Highways - (13.04).....73

13 Comprehensive Plan; Health Department; Control of Access to County Trunk Highways; County Right-of-Way Width Map; Duties of the Land Conservation Committee; Erosion Control Plan Requirements; Duties of Planning, Conservation and Parks Committee; Introduction; General Provision; Procedure; Preliminary Plat; Final Plat; General Requirements and Design Standards; Variance and Modifications; and Fees - (1.13, 6.04, 12.05, 12.07, 15.03, 17.08, 21.03, 24.01, 24.02, 24.03, 24.04, 24.05, 24.06, 24.07, 24.08 and 24.10) ..... 74

14 2010 Additional Positions - Health Department and Veterans Service Office; Classification and Compensation Plan; and Employee Benefit Program- Overtime - (7.02, 7.03 and 7.05)..... 80

15 Staffing Plan - Human Services Department; Classification and Compensation Plan; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05)..... 82

16 Staffing and Classification and Compensation Plan - Planning and Parks Department (7.02 and 7.03)..... 87

17 Staffing and Classification and Compensation Plan - Sheriff's Department (7.02 and 7.03)..... 89

18 Shoreland/Wetland/Floodplain Zoning Maps - (23.02, 23.03 and 23.16) ..... 91

19 Staffing Plan, Classification and Compensation Plan - Clerk of Circuit Court and Probate and Juvenile Court Office; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05) ..... 99

20 Procedural Rules of the County Board - (2.06)..... 106

21 Education and Culture Committee - (2.20) ..... 107

22 Staffing and Classification and Compensation Plan - Health Department -107 (7.02 and 7.03)..... 107

23 Parking Lot Regulations - (4.40)..... 108

24 Staffing and Classification and Compensation Plan - Health Department (7.02 and 7.03)..... 112

25 Staffing Plan, Classification and Compensation Plan - Administration Department - Maintenance, County Board of Supervisors-Economic Development and Washington County Fair Park; Classification and Compensation Plan; and Employee Benefit Program - Overtime - (7.02, 7.03 and 7.05) ..... 113

**Motions**

Amend 2009 Resolution 3 - Authorization To Become A Member Of The Southeastern Wisconsin Invasive Species Cooperative .....2

Amend 2009 Resolution 10 - Advance From General Fund-Support For Washington County Fair .....8

Amend 2009 Resolution 18 - Authorization to Expand County's Environmental Health Program to Serve as Agent of the Department of Health Services for Local Food Safety and Recreational Licensing Services .....20

Amend 2009 Resolution 19 - Advance from the General Fund - 2009 County Fair - Change Fund.....	22
Amend 2009 Resolution 29 - Fair Concept Plan .....	32
Authorize Chair to Use Discretion Voting on the 2009 Resolutions at the WCA Convention .....	34
Continue the 2009 Pay Plan for Non-Represented County Employees for 2010.....	34
Amend 2009 Ordinance 8 - County Administration - (Supervisor Pay Reduction) - (4.20) .....	51
Closed Session.....	61
Open Session .....	61
Refer Oversight of Fair Park to Executive Committee.....	62
Amend 2009 Resolution 44 - Resolution regarding the Purchase of Fair Park Buildings and Other Fixed Assets .....	61
Amend 2009 Resolution 45 - Resolution Authorizing a Lease and Operating Agreement with the Agricultural & Industrial Society .....	62
Restore \$65,000 of the county funding for the Washington County and add to the 2010 County Budget .....	65
Call for the questions and close the debate on the motion to restore \$65,000 of the county funding for the Washington County and add to the 2010 county budget.....	65
Reduce the 2010 county budget a total amount of \$65,000 to be applied to all departments except the Historical Society .....	65
Call for the question and close the debate on the motion reduce the 2010 county budget a total amount of \$65,000 to be applied to all departments except the Historical Society.....	65
Amend 2009 Ordinance 13 .....	75
Amend the Operating Agreement Exhibit "C" 2009-10 Fair Park Performance Expectations and Measures Item 2: add (D) cost plus analysis and market based for event pricing .....	84
Amend the Lease Agreement on Page 2, Number 9 and Operating Agreement on Page 2, Number 9: add For 2011 and 2012, the "Society" may seek the services of the County or others for snow removal and lawn care .....	84
Authorize the 2010-12 Lease and Operating Agreements with the Agricultural and Industrial Society ("Society") allowing the County Attorney to make final edits to the agreements as amended before execution of the agreements.....	85
Amend 2009 Resolution 79 - Advance from General fund - Support for Washington County Fair - Pre-Fair Expenses .....	105, 109
Amend 2009 Ordinance 21 - Education and Culture Committee - (2.20).....	107
 <b><u>Other Business</u></b>	
Open House at the new Replacement Storage Building at Washington County Golf Course.....	23
Tour of remodeled Samaritan Health Center .....	27
Public Hearing .....	65
Progress Report on Fair Park Purchases .....	71