

SECOND DAY'S SESSION

Port Washington, Wisconsin
December 7, 2011

The County Board reconvened at 9:00 A.M. pursuant to adjournment and was called to order by Chairperson Brooks.

The Clerk took the roll. All members were present except: Excused - Supervisors: Kaul and Cronce. Supervisory District 23 is vacant.

Board members stood and recited the Pledge of Allegiance.

Motion made by Supervisor Schlenvogt, seconded by Supervisor Walker, that the Journal of the First Day's Session of the Annual Meeting be approved as mailed. All members present voting aye, the motion was declared adopted.

Under communications, the clerk noted a letter of resignation was received from Andrew Petzold, District 23 Supervisor. Motion made by Supervisor Curtis, seconded by Supervisor Rothstein to accept the resignation, with regrets. A voice vote was taken. All members present voting aye, the motion was declared adopted.

Supervisor Leider distributed a communication regarding the Wisconsin & Southern Railroad to sell controlling ownership to Watco Companies, LLC.

Chairperson Brooks acknowledged Supervisor Schlenvogt for 5 years of service with the county and presented a proclamation to Treasurer Karen Makoutz acknowledging her accomplishments and recognizing that Karen was one of two County Treasurers in the State to receive Master County Treasurer certification.

There were no claims.

There was no public comment.

9:15AM Supervisor Callen in attendance.

The County Administrator presented his monthly report, which included information on the Employee Handbook and the upcoming 150 year anniversary of the Civil War Draft Riot that was held in Port Washington.

RESOLUTION NO. 11-43

TRANSFER OF FUNDS - 2011

RESOLVED, by the Ozaukee County Board of Supervisors, that funds be transferred as follows:

	ACCOUNT NUMBER	DEPARTMENT/ACCOUNT NAME	AMOUNT	AMOUNT
				T
TO:	109-1-03-62512-000	Facilities - Fairgrounds / Building Improvements	\$ 40,000	
FROM:	109-1-03-74200-401	Facilities - Fairgrounds / Transfer of Funds from 401 Fund Balance		\$ 40,000

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

PUBLIC WORKS COMMITTEE					FINANCE COMMITTEE				
	Yes	No	Abstain	Absent		Yes	No	Abstain	Absent
Kathlyn T. Geracie	X				Lee Schlenvogt	X			
John C. Groszklaus	X				Richard C. Nelson	X			
Daniel R. Buntrock	X				James H. Uselding	X			
Thomas E. Winker	X				Donald G. Dohrwardt	X			
Alan P. Kletti	X				Thomas H. Richart	X			
Vacant					Robert T. Walerstein	X			

Motion made by Supervisor Walker, seconded by Supervisor Nelson, that Resolution No. 11-43 be adopted. After debate the vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. With two-thirds of the members elect voting aye, the motion was declared adopted.

RESOLUTION NO. 11-44

INCREASE OF REVENUE - 2011

RESOLVED, by the Ozaukee County Board of Supervisors, that budgets be increased in the accounts as follows:

	ACCOUNT NUMBER	DEPARTMENT/ACCOUNT NAME	AMOUNT	AMOUNT
TO:	117-2-01-58180-000	Land and Water Management - Land Conservation - Land & Water Conservation / Landowner Reimbursement	\$ 7,770	
FROM:	117-2-01-42375-000	Land and Water Management - Land Conservation - Land & Water Conservation / State Conservation Aid		\$ 7,770

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

NATURAL RESOURCES COMMITTEE				
	Yes	No	Abstain	Absent
Patrick Marchese	X			
Jennifer K. Rothstein	X			
Joseph A. Dean	X			
Glenn F. Stumpf	X			
Timothy F. Kaul				X
Rose Hass Leider	X			
Carl Dobberfuhr, FSA Rep				X

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Stumpf, seconded by Supervisor Szatkowski, that Resolution No. 11-44 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. With two-thirds of the members elect voting aye, the motion was declared adopted.

RESOLUTION NO. 11-45

UNIFORM AGRICULTURAL TAX CLASSIFICATION ON LANDS ENROLLED
IN THE WETLANDS RESERVE PROGRAM

WHEREAS, the U.S.D.A. Natural Resources Conservation Service (NRCS) Wetlands Reserve Program is the nation's premiere wetland restoration program; and

WHEREAS, the Wetlands Reserve Program (WRP) is a voluntary program to restore and protect wetlands on private property; and

WHEREAS, the Wetlands Reserve Program offers landowners financial incentives to restore and protect wetlands that have been drained for agricultural production; and

WHEREAS, the Wetlands Reserve Program offers landowners three options: permanent easements, 30-year easements, and restoration cost-share agreements of a minimum 10-year duration; and

WHEREAS, the restoration of wetlands provides additional benefits for the entire county: improved water quality and groundwater recharge, provide flood protection, promote open space and rural aesthetics, provide wildlife habitat for migrating birds, fish and other wildlife, reduce soil erosion; and

WHEREAS, State tax law rewards some farmers and penalizes others for restoring wetlands and floodplains on their farms because property tax benefits for the conservation activities are tied to the program rather than the practice; and

WHEREAS, wetlands restored through the federal Conservation Reserve Program (CRP), the Conservation Reserve Enhancement Program (CREP) and several other Farm Bill programs maintain agricultural tax classification; and

WHEREAS, lands restored through the Wetlands Reserve Program, also a federal Farm Bill program are inconsistently classified as undeveloped land for property tax assessment purposes; and

WHEREAS, in more than 850 Wisconsin communities, undeveloped classification of lands enrolled in the Wetlands Reserve Program leads to property tax increases ranging from \$5 to \$175 per acre (2008 data); and

WHEREAS, these penalties discourage landowners to enroll in the Wetlands Reserve Program and discourage the installation of much-needed conservation practices designed to reduce soil erosion, flood hazards and polluted runoff;

NOW, THEREFORE, BE IT RESOLVED, that Ozaukee County Board does support uniform agricultural tax classification on lands enrolled in the Wetlands Reserve Program.

BE IT FURTHER RESOLVED, that the Ozaukee County Board of Supervisors urges the Wisconsin Legislature to modify state statute to uniformly classify lands enrolled in the Wetland Reserve Program as agricultural

FURTHER RESOLVED, by the Ozaukee County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Governor of the State of Wisconsin, Ozaukee County's Legislative Representatives, the Wisconsin Counties Association, and Wisconsin Land & Water Conservation Association urging adoption of similar resolution.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

NATURAL RESOURCES COMMITTEE				
	Yes	No	Abstain	Absent
Patrick Marchese	X			
Jennifer K. Rothstein	X			
Joseph A. Dean	X			
Glenn F. Stumpf	X			
Timothy F. Kaul				X
Rose Hass Leider	X			
Carl Dobberfuhl, FSA Rep				X

Motion made by Supervisor Szatkowski, seconded by Supervisor Callen, that Resolution No. 11-45 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-46

APPROVAL OF THE FIRST ADDITION TO WAUBEKA UNION CEMETERY PLAT IN ACCORDANCE WITH WISCONSIN STATE STATUTES CHAPTER 157

WHEREAS, the Waubeka Union Cemetery Association has requested final plat approval for the First Addition to Waubeka Union Cemetery plat in accordance with Wis. Stats. 157.07(3); and

WHEREAS, the final cemetery plat affects the following described real estate – being a cemetery subdivision of that part of the Northeast ¼ of the Southeast ¼ of Section 33, Township 12 North, Range 21 East, Town of Fredonia, Ozaukee County, Wisconsin, parcel key number 04-033-13-002.00 with said parcel containing 1.046 acres, more or less; and

WHEREAS, the Town of Fredonia is not a first class city; therefore, in accordance with Wis. Stats. 157.07, the Ozaukee County Board of Supervisors is required to approve the final cemetery plat by resolution; and

WHEREAS, the final cemetery plat is consistent with the *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035* and the Town of Fredonia Comprehensive Plan, planned land use map, and zoning.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors; hereby, approves the plat known as the FIRST ADDITION TO WAUBEKA UNION CEMETERY, a cemetery subdivision in Ozaukee County, Wisconsin which has been filed for approval as required by Chapter 157 of the Wisconsin State Statutes.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

NATURAL RESOURCES COMMITTEE				
	Yes	No	Abstain	Absent
Patrick Marchese	X			
Jennifer K. Rothstein	X			
Joseph A. Dean	X			
Glenn F. Stumpf	X			
Timothy F. Kaul				X
Rose Hass Leider	X			

Motion made by Supervisor Kletti, seconded by Supervisor Dohrwardt, that Resolution No. 11-46 be adopted. The vote was taken as follows: Ayes - 28, Nays – 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-47

DECLARATION OF THE SECOND SATURDAY IN MAY AS INTERNATIONAL
MIGRATORY BIRD DAY AND AUTHORIZATION FOR OZAUKEE COUNTY TO APPLY
TO RETAIN ITS "BIRD CITY WISCONSIN" RECOGNITION STATUS

WHEREAS, Ozaukee County, Wisconsin has a long history of supporting actions that support migratory birds and bird habitat through the protection, preservation and management of parks, natural areas, trail corridors and open space; effective community forestry management including the management of invasive species; limiting or removing hazards to birds; the sale of bird houses and creation of bluebird trails; the development of educational information on migratory birds and their habitat; and recognition and celebration of International Migratory Bird Day; and

WHEREAS, Ozaukee County received "Bird City Wisconsin" status in 2011, the first County in Wisconsin, based on its effort to protect birds and their habitat, and is now one of twenty-nine current "Bird City Wisconsin" communities in the State of Wisconsin including three other communities in Ozaukee County; and

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that enhance our community and quality of life; and

WHEREAS, our citizens recognize and welcome migratory songbirds as symbolic harbingers of spring and enjoy all the opportunities they have to engage in great, recreational endeavors such as bird-watching and nature photography; and

WHEREAS, these migrant bird species also play an important economic role in our community, controlling insect pests and generating revenue related to bird watching activities and tourism; and

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS, public awareness is a crucial component of migratory bird conservation and citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, on April 2, 2008 the Ozaukee County Board of Supervisors adopted *A Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035* (Resolution 07-72) and enacted ordinance 07-8 as Chapter 13 in the County Code of Ordinances and this plan identifies a number of programs to preserve and protect natural habitat; and

WHEREAS, an inventory of Important Bird Areas in Ozaukee County was developed and specific recommendations for the preservation of this wildlife habitat was included as part of the *Multi-jurisdictional Comprehensive Plan for Ozaukee County* and the *Park and Open Space Plan for Ozaukee County*; and

WHEREAS, The Ozaukee County Board of Supervisors, acting on the recommendation of the Ozaukee County Natural Resources Committee, adopted Resolution 11-14 on June 1, 2011 and this resolution adopted the *Park and Open Space Plan for Ozaukee County*, which includes a comprehensive analysis and recommendations for the Open Space Preservation Element from the *Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin* for Ozaukee County, and the Outdoor Recreation Element; whereby, the plan re-

commends the protection of environmental corridors and natural areas, protection and restoration of fish and wildlife habitat, the provision of outdoor recreation opportunities and public access; and

WHEREAS, the Ozaukee County Board of Supervisors is concerned about the current trend of declining populations of migratory birds and the decrease in their natural habitat through the infringement upon natural areas and environmental corridors in Ozaukee County based on the results of the *Ozaukee County Strategic Plan, Park and Open Space Plan for Ozaukee County* and the *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035*; and

WHEREAS, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in Ozaukee County and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean and the southern United States; and

WHEREAS, thousands of people will observe IMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

WHEREAS, Ozaukee County celebrated and recognized IMBD on Saturday, May 7, 2011 at the Forest Beach Migratory Preserve with numerous other partners including the Ozaukee Washington Land Trust, the United States Fish and Wildlife Service, Riveredge Bird Club, and Wisconsin Department of Natural Resources and provided public information about migratory bird conservation through the distribution of the Ozaukee Trailside Birding Guide and a call to action for protecting birds.

NOW, THEREFORE, BE IT RESOLVED, that Ozaukee County declares the second Saturday in May as International Migratory Bird Day having recognized and celebrated this day on May 7, 2011 and having plans to celebrate again in 2012 and that Ozaukee County supports efforts to protect and conserve migratory birds and their habitats in our county; and

FURTHER RESOLVED, Ozaukee County, through the Planning and Parks Department, authorizes the Director of Planning and Parks to submit an application and application fee to Bird City Wisconsin and implement the criteria established by Bird City Wisconsin, so that Ozaukee County can retain a “Bird City” designation that will further enhance the County’s reputation for leadership in protecting its natural environment including bird habitats as well as recognize the interest of many of its citizens in bird conservation.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

NATURAL RESOURCES COMMITTEE				
	Yes	No	Abstain	Absent
Patrick Marchese	X			
Jennifer K. Rothstein	X			
Joseph A. Dean				X
Glenn F. Stumpf	X			
Timothy F. Kaul				X
Rose Hass Leider	X			

Motion made by Supervisor Nelson, seconded by Supervisor Meyer, that Resolution No. 11-47 be adopted. Chairperson Brooks recognized Planning & Parks Director Struck to answer questions. After debate the vote was taken as follows: Ayes – 27 (Winker, Leider, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Meyer, Kletti, Richart, Grosklaus, Curtis, Buntrock, Stumpf, Walker, Geracie, Wirth, Uselding, Callen, Marchese, Hertz, Bock, Walerstein, Szatkowski, Slater,

Rothstein), Nays – 1 (Dohrwardt), Absent – 2 (Kaul, Cronce). The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-48

OZAUKEE COUNTY ENDORSEMENT
OF THE AMENDMENT TO THE ADOPTED NATURAL AREAS
AND CRITICAL SPECIES HABITAT PROTECTION AND MANAGEMENT PLAN FOR
SOUTHEASTERN WISCONSIN

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), which was duly created by the Governor of the State of Wisconsin in accordance with Section 66.0309(2) of the *Wisconsin Statutes* on the 8th day of August 1960, upon petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha, has the function and duty of making and adopting a master plan for the physical development of the Region; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission, pursuant to its function and duty as a regional planning agency, has prepared and adopted at its meeting held on the 1st day of December 2010, an amendment to the regional natural areas and critical species habitat protection and management plan set forth in a report entitled, SEWRPC Planning Report No. 42, *Amendment to the Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin*, published in December 2010; and

WHEREAS, the Commission has transmitted certified copies of its resolution adopting the regional natural areas and critical species habitat protection and management plan for Southeastern Wisconsin, together with the aforementioned SEWRPC Planning Report No. 42, to the local units of government concerned and to the appropriate State and Federal agencies; and

WHEREAS, the Ozaukee County Board of Supervisors has supported, participated in the financing of, and generally concurred in the regional planning programs undertaken by the Southeastern Wisconsin Regional Planning Commission, and believes that the regional natural areas and critical species habitat protection and management plan prepared by the Commission is a sound and valuable guide to natural areas and critical species habitat protection and management of not only the Region but also the county, and that the adoption of such plan by the Ozaukee County Board of Supervisors will assure a common understanding by the units and agencies of government concerned and enable these units and agencies of government to program the necessary plan implementation work; and

WHEREAS, the Ozaukee County Board of Supervisors adopted the *Natural Areas and Critical Species Habitat Protection and Management Plan for the Southeastern Wisconsin Region* on June 3, 1998 (Resolution 98-10); and

WHEREAS, the Ozaukee County Board of Supervisors adopted the *Park and Open Space Plan for Ozaukee County: 2035* on June 1, 2011 (Resolution 11-14), which incorporates the Ozaukee County portion of the *Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin and subsequent Amendment*.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 66.0309(12) of the *Wisconsin Statutes*, the Ozaukee County Board of Supervisors hereby endorses the regional natural areas and critical species habitat protection and management plan for Southeastern Wisconsin previously adopted by the Commission as set forth in SEWRPC Planning Report No. 42 as a guide for regional and community development.

BE IT FURTHER HEREBY RESOLVED that the County Clerk forward a copy of this resolution to the Southeastern Wisconsin Regional Planning Commission and to the Secretary of the Wisconsin Department of Natural Resources.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

NATURAL RESOURCES COMMITTEE				
	Yes	No	Abstain	Absent
Patrick Marchese	X			
Jennifer K. Rothstein	X			
Joseph A. Dean				X
Glenn F. Stumpf	X			
Timothy F. Kaul				X
Rose Hass Leider		X		

Motion made by Supervisor Walker, seconded by Supervisor Stumpf, that Resolution No. 11-48 be adopted. The vote was taken as follows: Ayes – 24 (Winker, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Meyer, Kletti, Richart, Grosklaus, Buntrock, Stumpf, Walker, Geracie, Wirth, Callen, Marchese, Hertz, Bock, Walerstein, Szatkowski, Slater, Rothstein), Nays – 4 (Leider, Dohrwardt, Curtis, Uselding), Absent – 2 (Kaul, Cronce). The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-49

ADOPTING PUBLIC PARTICIPATION PROCEDURES FOR AMENDING THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR OZAUKEE COUNTY

WHEREAS, pursuant to Section 66.1001 of the *Wisconsin Statutes*, all units of government which enact or amend zoning, subdivision, or official mapping ordinances must adopt a comprehensive plan; and

WHEREAS, Ozaukee County adopted a comprehensive plan under the authority of and procedures established by Section 66.1001 of the *Wisconsin Statutes* on April 2, 2008; and

WHEREAS, Section 66.1001(4)(a) of the *Wisconsin Statutes* requires that the County Board of Supervisors adopt written procedures designed to foster public participation during the preparation or amendment of a comprehensive plan; and

WHEREAS, the Ozaukee County Board of Supervisors adopted written public participation procedures for the development of the *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035* by Resolution 04-58 on December 1, 2004; and

WHEREAS, the revised public participation procedures for amending the *Multi-jurisdictional Comprehensive Plan for Ozaukee County* provides the Comprehensive Planning Board, at its option, to approve additional public participation procedures or a separately-documented public participation plan to provide for public informational meetings, the formation of advisory committees, the conduct of public opinion surveys, and/or other procedures to obtain public input on a proposed plan amendment; and

WHEREAS, the Ozaukee County Board of Supervisors believes that regular, meaningful public involvement in the comprehensive planning process is important to assure that the comprehensive plan reflects input from the public; and

WHEREAS, a public participation plan has been developed that includes written procedures designed to foster public participation in the comprehensive plan amendment process.

NOW, THEREFORE, BE IT RESOLVED that the Ozaukee County Board of Supervisors hereby adopts the Public Participation Plan for Amending the *Multi-jurisdictional Comprehensive Plan for Ozaukee County* to fulfill the requirements of Section 66.1001(4)(a) of the *Wisconsin Statutes*.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

COMPREHENSIVE PLANNING BOARD				
	Yes	No	Abstain	Absent
Thomas H. Richart				X
Timothy F. Kaul	X			
Alan P. Kletti	X			
Cynthia G. Bock	X			
Robert T. Walerstein	X			
Glenn F. Stumpf (alt.)	X			

Motion made by Supervisor Callen, seconded by Supervisor Kletti, that Resolution No. 11-49 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

REVISED

RESOLUTION NO. 11-50

AMENDING THE POLICY AND PROCEDURE MANUAL
SHIFT DIFFERENTIAL FOR LASATA NURSING STAFF

RESOLVED, by the Ozaukee County Board of Supervisors that Section 4.03 (12) of the Ozaukee County Policy & Procedure Manual be amended to read:

4.03. TERMS AND CONDITIONS OF EMPLOYMENT

(12) Additional Compensation

- (e) Lasata Registered Nurses and Licensed Practical Nurses shall receive \$1 per hour extra for all hours worked on a weekend, and ~~\$1~~\$2-per hour extra for all hours worked on the PM or night shift.
- (f) Registered Nurses acting as shift supervisor, in the absence of the Nursing Supervisor, be paid a supervisory differential of ~~\$1.00~~ \$3.00 an hour

Effective date January 1, 2012.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			

Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Nelson, seconded by Supervisor Szatkowski, that Resolution No. 11-50 as revised, be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent – 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-51

GOVERNMENT EMPLOYEE HANDBOOK FOR EMPLOYEES PREVIOUSLY COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT

WHEREAS, as a result of the state budget repair bill and expiration of existing collective bargaining agreements on December 31, 2011, beginning January 1, 2012 only public safety employees as defined by law will have the right to negotiate on anything but base wages; and

WHEREAS, employee policies and procedures are currently contained in collective bargaining agreements, the County Code of Ordinances and the Policy and Procedure Manual and these documents are inconsistent; and,

WHEREAS, to the extent possible the Government Employee Handbook combines all of the human resources policies in one document for use by all county employees previously covered under a collective bargaining agreement, OPEIU, Local No. 35 Administrative and Highway Employees and Labor Association of Wisconsin, Ozaukee County Lasata Care Center Employees Local 905; and,

WHEREAS, the process used in developing the Government Employee Handbook has included, direct input from the Finance Committee, a management employee work group composed of the county administrator, human resources director, finance director and other non-represented staff; and,

NOW THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that the Government Employee Handbook is approved; and

FURTHER RESOLVED that the Finance Committee is authorized to recommend all future changes to the Employee Handbook for consideration by the County Board.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Nelson, seconded by Supervisor Szatkowski, that Resolution No. 11-51 be adopted. Chairperson Brooks recognized Human Resources Director Dzwinel to answer questions.

Motion made by Supervisor Meyer, seconded by Supervisor Walker to postpone action on the resolution until next month.

Supervisor Dean suggested that verbiage be included in the handbook under dental and medical insurance to say “*employees electing to receive the medical/dental benefit must...*” Mr. Dzwinkel indicated that verbiage should be added to clarify.

After debate the vote was then taken on the motion to postpone as follows: Ayes – 5 (Winker, Leider, Meyer, Walker, Hertz), Nays – 22 (Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Richart, Grosklaus, Curtis, Buntrock, Stumpf, Geracie, Wirth, Uselding, Callen, Marchese, Bock, Walerstein, Szatkowski, Slater, Rothstein), Abstain – 1 (Kletti), Absent – 2 (Kaul, Cronce). The majority of the members present not voting aye, the motion was declared lost.

Motion made by Supervisor Richart, seconded by Supervisor Stumpf, that Resolution No. 11-51 be amended on page 20 of the handbook under Vacation Leave to change “*Employees may not use vacation leave during the first ~~twelve~~ six months of employment.....*”. After debate the vote was taken as follows: Ayes – 12 (Meyer, Kletti, Richart, Curtis, Buntrock, Stumpf, Walker, Callen, Marchese, Hertz, Bock, Rothstein), Nays – 16 (Winker, Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Grosklaus, Geracie, Wirth, Uselding, Walerstein, Szatkowski, Slater,), Absent – 2 (Kaul, Cronce). The majority of the members present not voting aye, the motion was declared lost.

The vote was then taken on Resolution No. 11-51 as presented, as follows: Ayes -27 (Winker, Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Kletti, Richart, Grosklaus, Curtis, Buntrock, Stumpf, Walker, Geracie, Wirth, Uselding, Callen, Marchese, Hertz, Bock, Walerstein, Szatkowski, Slater, Rothstein), Nays - 0, Abstain – 1 (Meyer), Absent – 2 (Kaul, Cronce). The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-52

AMENDING THE POLICY AND PROCEDURE MANUAL LIFE INSURANCE AND LONG TERM DISABILITY INSURANCE

RESOLVED, by the Ozaukee County Board of Supervisors that Section 4.03 (33) and 4.03 (34) of the Ozaukee County Policy and Procedure Manual be created to read;

4.04. TERMS AND CONDITIONS OF EMPLOYMENT

(13) Life Insurance

- (a) Ozaukee County will provide group life insurance to all permanent full-time officials, non-union employees and members of the Law Enforcement Union who receive their entire salary from the County of Ozaukee.
- (b) The amount of coverage shall be based on the annual straight time salary or wage, rounded-off to the next higher \$1,000.00, with a maximum amount of \$125,000.00.
- (c) Employees will be eligible for this benefit upon completion of 6 full months of employment. Employees will be responsible for any personal income tax liability incurred with this County funded benefit

(14) Long Term Disability Insurance

- (a) Ozaukee County will provide group long-term disability insurance for all permanent full-time officials, non-union employees and members of the Law Enforcement Union.
- (b) Officials and employees shall be eligible for this benefit upon completion of 6 full months of employment.
- (c) The monthly benefit will be 60% of the monthly salary.
- (d) There shall be a period of elimination of 90 consecutive days for sickness and accidents.
- (e) Benefits payable as a result of sickness may be continued for 5 years. If an employee is totally or partially disabled after attainment of age 69, the benefit period will be one year.
- (f) Employees will be responsible for any personal income tax liability incurred with the County funded portion of this benefit.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Nelson, seconded by Supervisor Callen, that Resolution No. 11-52 be adopted. The vote was taken as follows: Ayes – 27 (Winker, Leider, Dohrwardt, Niehaus, Brooks, Schlenvogt, Becker, Nelson, Dean, Meyer, Kletti, Richart, Grosklaus, Curtis, Buntrock, Stumpf, Walker, Geracie, Uselding, Callen, Marchese, Hertz, Bock, Walerstein, Szatkowski, Slater, Rothstein), Nays – 1 (Wirth), Absent – 2 (Kaul, Cronce). The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-53

INTEROPERABLE COMMUNICATIONS SYSTEM CONSOLIDATION STUDY

WHEREAS, through a joint effort between the WI Office of Justice Assistance (OJA) and the Urban Area Security Initiative (UASI) Homeland Security Interoperable Communications Committee funds are available to assist local communities in analyzing options to implement a multi-county shared interoperability public safety communications system; and

WHEREAS, Ozaukee County Radio Services has preliminarily reviewed different system options including the expansion of the Wisconsin Interoperable System for Communications (WISCOM) governed by a body of local and state officials called the State System Management Group (SSMG), involving a shared statewide system that first responders will use to provide voice communications during a major disaster or large-scale incident; and

WHEREAS, this study is intended to evaluate the costs and benefits of implementing WISCOM for counties that are potentially interested in replacing existing communications with a solution that provides cost savings and interoperability, potential additional grant funding for interoperable equipment purchases and opportunities to participate with OJA staff, UASI program leadership, SSMG personnel, and the State’s engineering consultant; and

WHEREAS, the study will define different network plans based on available and accessible sites with budget figures provided for site equipment, data backhaul, licensing, software and other infrastructure, an analysis of cost sharing for operations and maintenance and describe the pros/cons of each partner county utilizing WISCOM for daily operations.

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that the Technology Resources Department/Radio Services Department is authorized to submit a declaration of interest along with a copy of this adopted resolution to OJA for inclusion in the Interoperable Communications System Consolidation Study.

BE IT FURTHER RESOLVED that the Director of Technology Resources in consultation with the Finance Committee and Radio System User Group will provide a list of participants including at least one elected official and other local representatives willing to serve on a local WISCOM Integration Workgroup and a Point of Contact leading the WISCOM implementation process.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Dohrwardt, seconded by Supervisor Szatkowski, that Resolution No. 11-53 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-54

FUND BALANCE POLICY IN ACCORDANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54

WHEREAS, in February 2009, the Governmental Accounting Standards Board (GASB) issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions to be effective January 1, 2012; and

WHEREAS, the objective of this Statement is to improve the usefulness, including the understandability, of governmental fund balance information; and

WHEREAS, this Statement provides more clearly defined classifications to make the nature and extent of the constraints placed on a government's fund balance more transparent; and

WHEREAS, this Statement establishes accounting and financial reporting standards for all governments that report governmental funds: establishes criteria for categorizing fund balances into specifically defined classifications and clarifies definitions for governmental fund types; and

WHEREAS, Ozaukee County adheres to accounting for assets, liabilities, revenues, expenditures, and uses of funds according to generally accepted accounting principles (GAAP) as promulgated, adopted, and endorsed for government agencies by the Governmental Accounting Standards Board (GASB); and

WHEREAS, Ozaukee County wishes to continue abiding by the accounting standards as set forth by GAAP and the GASB.

NOW, THEREFORE, BE IT RESOLVED by the Ozaukee County Board of Supervisors, that it here by implements the following Fund Balance Reporting and Governmental Fund Type Definitions prescribed by GASB No. 54, and any amendments that may be made by GASB; and

BE IT FURTHER RESOLVED, that it implements the following policies in conjunction with GASB No. 54.

Definitions and Policies

Fund Balance is the difference between assets and liabilities in governmental funds (i.e. general fund, special revenue funds, capital project funds, debt service funds and permanent funds).

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The following classifications pursuant to GASB No. 54 will be used:

The categories (Classifications) shall be as follows:

Non-Spendable Fund Balance (Overview):

Non-spendable Fund Balance – amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. The “not in spendable form” criterion includes items that are not expected to be converted to cash, for example, inventories and prepaid amounts. It also includes the long-term amount of loans and notes receivable, as well as property acquired for resale. However, if the use of the proceeds from the collection of those receivables or from the sale of those properties is restricted, committed, or assigned, then they should be included in the appropriate fund balance classification (restricted, committed, or assigned), rather than non-spendable fund balance. The corpus (or principal) of a permanent fund is an example of an amount that is legally or contractually required to be maintained intact.

Policy – At the end of each fiscal year, Ozaukee County will report the portion of the fund balance that is not in spendable form as Non-Spendable Fund Balance on the financial statements.

Fund	Purpose	Specific Revenue Sources
General Fund		
Reserved for Delinquent Property Taxes	General	Tax levy
Foreclosed Property	General	Various
Reserved for Prepaid Items	General	Various
Reserved for Inventory	General	Various

Spendable Fund Balance Classifications (Overview):

Restricted Fund Balance – except as noted in previous GASB Statements and amended by others, Net Assets Restricted by Enabling Legislation, should be reported as Restricted Fund Balance. Fund balance should be reported as restricted when constraints placed on the use of resources are either: (a) Externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) Imposed by laws through constitutional provisions or enabling legislation.

Policy – At the end of each fiscal year, Ozaukee County will report “Restricted” fund balances for amounts that have applicable legal restrictions per provisions of GASB No. 54. Normally, fund

balances in debt service funds and capital project funds with remaining long-term debt proceeds will be reported as “restricted”.

Fund	Purpose	Specific Revenue Sources
General Fund		
Fairgrounds	Curler Building Maint. Fund	Curlers’ Commitment to Future Maintenance
Veterans Memorial	Maintain Veterans Graves	Donations
Special Revenue Funds (SRF) Committed		
Aging/ADRC	Client Care	State Grants
Public Health	Client Care	State Grants
County Roads & Bridges	Road Maintenance	State Grants/Tax Levy
Land Information	Land Records Modernization (LRM)	Public charges for service
Revolving Loans	Economic Development	State Pass Through funds
Jail Assessment	Jail equipment / maintenance	Fines, Forfeits, Penalties
Jail Commissary	Commissary Supplies	Inmate Charges
Transit	Bus/Taxi operations	Federal Grants/Tax Levy
Senior Conference	Aging Conferences	State Grants
CJCC	Criminal Justice Collaborative Council	Levy/Donations
Debt Service Funds	Various Projects	Tax levy / Bond proceeds
Capital Project Funds (CPF)		
Recreation Trail	Interurban Trail Bridge	Bond proceeds / Donations/State Grants
Parks	Various Projects	Bond proceeds / Grants/Donations/Levy
NOAA Water Projects	Various Projects	Grants
Fairgrounds	Curlers Multipurpose Building	Matching Funds
Buildings/ Structures	Major improvements	Bond proceeds / Donations/Levy/Grants
Tech Projects	Major Technology Projects	Bond proceeds / Levy/Grants

Committed Fund Balance – Amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government’s highest level of decision making authority. Those committed amounts cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action (for example, legislation, resolution, ordinance) it employed to previously commit those amounts. In contrast to fund balance that is restricted by enabling legislation, amounts in the committed fund balance classification may be re-deployed for other purposes with appropriate due process.

Policy – Prior to the end of each fiscal year, Ozaukee County will determine the specific purposes of “committed” fund balance. Any new specific purposes will be set forth in a County Board resolution with the final amount being determined at or after year end. Specific purposes for committed fund balance approved in prior year resolutions will be carried forward until changed by a current year resolution. In most instances, general fund non-lapsing accounts or other previously designated amounts will be reported as committed fund balance.

Fund balances in special revenue funds, unless restricted by an outside party, are considered to be committed to the specific purpose set forth by each special revenue fund. In addition, capital project fund balances that do not include debt proceeds will normally be reported as committed. Since committed fund balances are approved by action of the County Board, the County Board is required to formally establish all special revenue and other funds with committed balances at year end. In addition, special revenue funds are required to report the purpose and specific revenue source that establishes each fund.

Fund	Purpose	Specific Revenue Sources
All Funds		
All	Adopted Budget Operating and Capital expenditures	All Revenue or Transfers from Whatever Source Derived
All	Amended Budget	Grants/Donations/Bonds Proceeds/Fees/Use of Reserves
All	Year End Carryovers	Levy/Grants/Fund Balance
General Fund Committed		
Fairgrounds	Curler Building Maint. Fund	Levy/Fees & Charges
Special Revenue Funds (SRF) Committed		
Human Services SRF	Human Service Programs	Tax levy / Intergovernmental grants & aid / Public charges
Highway Department SRF	County Highway Maint./Constr.	Tax levy / Intergovernmental grants & aid
Aging Services SRF	Aging Programs	Tax levy / Intergovernmental grants & aid / Public charges
Park Acquisition & Dev. CPF	Park Acquisition & Development	Tax levy / Sale of Property / Other

Assigned Fund Balance – Amounts that are constrained by the government’s intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance. The assigned fund balance is the portion of the spendable fund balance that reflects funds intended to be used by the government for specific purposes within that fund.

Policy – The County Board has Authorized the Finance Committee with oversight approval of the Executive Committee the authority to assign fund balance.

Unassigned Fund Balance – Unassigned fund balance is the residual classification for the general fund. This classification represents spendable fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Although there is no set spending plan for the undesignated portion, there is a need to maintain a certain funding level. Undesignated fund balance is commonly used for emergency expenditures not previously considered. In addition, the resources classified as undesignated can be used to cover expenditures for revenues not yet received. This amount is also used as a source of working capital for the County.

Flow of Funds Policy – Ozaukee County will use the following order of fund balance spend-down: 1-Restricted, 2-Committed, 3-Assigned, and 4-Unassigned. This order will be used for purposes of reporting fund balance.

Minimum Fund Balance Policy Section

Minimum Fund Balance Policy – In order to maintain sufficient cash reserves for working capital and emergency expenditures and to protect the County’s Aaa bond rating, Ozaukee County adopts the following minimum general fund balance policy: Ozaukee County will maintain a minimum unassigned general fund balance of 10% of the previous years’ general fund gross expenditure budget and at least 12% combined unassigned funds of the General Fund and Special Revenue Funds of the prior year’s combined expenditures. Amounts that are in excess of this minimum shall be subject to the Finance Committee’s discretion to be used toward the next year’s budget or maintained in reserve.

Governmental Fund Type Definitions – Governmental fund types include the general fund, special revenue funds, capital projects funds, debt service funds, and permanent funds.

General Fund – The general fund should be used to account for and report all financial resources not accounted for and reported in another fund.

Special Revenue Funds – Special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The specific revenue sources terms establish that one or more specific restricted or committed revenues should be the foundation for a special revenue fund. Special revenue funds should not be used to account for resources held in trust for individuals, private organizations, or other governments.

Capital Projects Funds – Capital projects funds are used to account for unusual and extraordinary capital outlays. Financial resources that are restricted, committed, or assigned. Capital projects funds exclude those types of capital-related outflows financed by proprietary funds, assets that will be held in trust for individuals, private organizations, or other governments, or expendable operating assets.

Debt Service Funds – Debt service funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest. Financial resources that are being accumulated for principal and interest maturing in future years also should be reported in debt service funds.

Effective Date and Transition – These definitions and policy statements become effective after adoption and publication by the Ozaukee County Board of Supervisors for reporting purposes for the year ending December 31, 2011.

Dated at Port Washington, Wisconsin this 7th day of December 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Szatkowski, seconded by Supervisor Dean, that Resolution No. 11-54 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-55

WCA & NACO MEMBERSHIP DUES

RESOLVED, by the Ozaukee County Board of Supervisors per Sec. 59.52(22) Wis. Stats., that the County Clerk be authorized to submit payment to the Wisconsin Counties Association (WCA) in the amount of \$11,312 and the National Association of Counties (NACO) in the amount of \$1692.00, for the 2012 annual membership dues of Ozaukee County.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Nelson, seconded by Supervisor Szatkowski, that Resolution No. 11-55 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

RESOLUTION NO. 11-56

CANCELLATION OF OUTSTANDING ORDERS

WHEREAS, the following orders, issued by the County of Ozaukee, remain outstanding after the 2 year deadline prescribed in Section 59.64 (4)(e) of the Wisconsin Statutes:

COUNTY ORDER NO.	DATE ISSUED	AMOUNT	ISSUED TO	PURPOSE
416077	11/20/09	35.00	Robert Wedemeyer	2008 HS Services
417185	12/30/09	36.80	Ronald Chase	Mileage/Witness

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Treasurer be instructed to cancel and stop payment on the foregoing orders and return the applicable amounts to the County Treasury; and

FURTHER RESOLVED, that the person in whose favor the order was drawn, may upon application to the Chairperson of the Board and County Clerk, made within 6 years from the date of the order, have a new order issued for the amount of the original, without interest.

Dated at Port Washington, Wisconsin, this 7th day of December 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			

Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Leider, seconded by Supervisor Nelson, that Resolution No. 11-56 be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

REVISED

RESOLUTION NO. 11-57

AUTHORIZATION OF SALE OF TAX DEED PROPERTY

WHEREAS, the Ozaukee County Treasurer initiated in rem foreclosure proceedings for property located at 1502 Elm Lane, Town of Grafton in an attempt to recover the delinquent taxes and Ozaukee County was eventually granted ownership via Circuit Court on September 6, 2011 to recover the value of the delinquent taxes; and

WHEREAS, the Finance Committee has overseen the management of the delinquent tax parcel and determined that the County Treasurer should auction the property and all of its contents to the highest bidder in an “as is” condition; and

WHEREAS, the Treasurer posted public notice for auction, sought professional auctioneer support for building contents, and the Finance Committee reviewed the property bid results obtained from interested parties to purchase the property.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors, authorize the sale of the property “as is” to the highest bidder; Catherine and Brock Heinz, 1757 Pine Ct., Grafton, WI for the amount of \$40,200.

Dated at Port Washington, Wisconsin, this 7th day of December, 2011.

FINANCE COMMITTEE				
	Yes	No	Abstain	Absent
Lee Schlenvogt	X			
Richard C. Nelson	X			
James H. Uselding	X			
Donald G. Dohrwardt	X			
Thomas H. Richart	X			
Robert T. Walerstein	X			

Motion made by Supervisor Walker, seconded by Supervisor Geracie, that Resolution No. 11-57 as revised, be adopted. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

The County Administrator reappointed Victor Putzbach as a member of the Veterans Service Commission. Motion made by Supervisor Schlenvogt, seconded by Supervisor Wirth to approve the reappointment. A voice vote was taken. All members present voting aye, the motion was declared adopted.

Motion made by Supervisor Kletti, seconded by Supervisor Wirth, to accept the Apportionment of Taxes for 2011. The vote was taken as follows: Ayes - 28, Nays - 0, Absent - 2. The majority of the members present voting aye, the motion was declared adopted.

Under committee reports, Supervisor Szatkowski noted the First Friday Forum in January will be on the concealed carry issue.

Chairperson Brooks announced that the mid December meeting is cancelled.

Motion made by Supervisor Wirth, seconded by Supervisor Dean, to adjourn, subject to call by the Chairperson, or until Wednesday, January 4, 2012 at 9:00 A.M. All members present voting aye, the motion was declared adopted.

Meeting declared adjourned at 10:40AM.