

# COUNTY BOARD REFERRALS TO COMMITTEE - BOARD YEAR 2004-2005

SUB. 1 TO ORD. AMDT. 1, 04-05

## AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES, COUNTY BOARD RULE CHANGES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection 7.11(9) is amended to read as follows:

- (9) The standing committees of the Dane County Board shall be:
- (a) The zoning & land regulation committee, a majority of whose members shall be from districts wholly or partly subject to the Dane County Zoning Ordinance and which have at least 20% of their population residing in towns, based on the 2000 census data used to create supervisory districts in 2001;
  - (b) The executive committee, composed of the county board chairperson, one member from each of the standing committees and no more than three members of any one standing committee except that for purposes of this paragraph, the chairperson shall not be considered to be a member of that standing committee on which he or she sits and except that in no event shall more than 11 supervisors be appointed to this committee;
  - (c) The personnel & finance committee;
  - (d) The health & human needs committee;
  - (f) The public protection & judiciary committee;
  - (g) The public works & transportation committee; and
  - (h) The environment & natural resources committee.

ARTICLE 3. Section 7.12 is amended to read as follows:

7.12 ZONING & LAND REGULATION COMMITTEE. (intro.) The zoning & land regulation committee shall have the duty and responsibility to:

- (1) Act as the supervisory committee for the planning and development department, including survey, zoning, tax description and plat review functions.
- (2) Act as the policy oversight committee for register of deeds, the Dane County Board of Adjustment and the Dane County Regional Planning Commission (with respect to land use matters), and zoning and land use regulations activities for lakes management.
- (4) Fulfill the zoning and subdivision control powers and duties enumerated in chapters 10, 74, 75 and 76, D.C. Ords.
- (5) Advise the county board on all matters relating to zoning, land use and land regulation.
- (6) Report to the county board regarding all proposed cemetery maps and plats in accordance with sec. 157.07, Wis. Stats.

ARTICLE 4. Subsections (1), (1m) and (4) of section 7.13 are amended to read as follows:

7.13 THE EXECUTIVE COMMITTEE. (intro.) The executive committee shall have the duty and responsibility to:

- (1) Act as the supervisory committee for the county board office.
- (4) Focus on long range planning with respect to taxation, revenue projections, spending and borrowing.

ARTICLE 5. Subsections (1) and (2) of section 7.14 are amended to read as follows:

7.14 THE PERSONNEL & FINANCE COMMITTEE. (intro.) The personnel & finance committee shall have the duty and responsibility to:

(1) Act as the supervisory committee for the department of administration, and community development block grant programs in the department of planning and development; and as the budgetary oversight committee for the offices of the county clerk and county executive, including all administrative divisions in the county executive's office.

(2) Act as the policy oversight committee for the office of the county treasurer, the Dane County Library Board, the equal opportunity commission and the civil service commission.

(4) Act as the principal policy arm of the county board during the formulation of the county's annual budget. Consider and make recommendations to the county board on matters relating to county finances including the annual county budget, capital projects and borrowing relating to capital projects, resolutions for fund transfers, contracts and land acquisitions, and on all resolutions and requests for additional personnel, requests for reclassification requiring general fund transfers and for all new positions for all county departments and agencies.

ARTICLE 6. Subsection 7.15(1) is amended to read as follows:

7.15 THE HEALTH & HUMAN NEEDS COMMITTEE. (intro.) The health & human needs committee shall have the duty and responsibility to:

(1) Act as the supervisory committee for the Dane County Youth Commission, the area agency on aging board of directors, the veterans service office and the human services department.

ARTICLE 7. Section 7.17(3) is rescinded.

7.17 THE PUBLIC PROTECTION & JUDICIARY COMMITTEE. (intro.) The public protection and judiciary committee shall have the duty and responsibility to:

ARTICLE 8. Section 7.18 is amended to read as follows:

7.18 THE PUBLIC WORKS AND TRANSPORTATION COMMITTEE. (intro.) The public works & transportation committee shall have the duty and responsibility to:

(1) Act as the supervisory committee for the department of public works, highway and transportation, the Dane County Parking Ramp, the facilities management division, and the Alliant Energy Center of Dane County.

(2) Act as the policy oversight committee for the Dane County Regional Airport Commission, the solid waste and recycling commission, the Dane County Zoo Commission, the Dane County Regional Plan Commission (with respect to transportation matters) and all rail transit commissions to which the county is a party.

(3)(a) Act as the county highway committee under sec. 83.015, Stats., and as such, perform the powers and duties relating to county highways authorized by chapter 83, Wis. Stats., and other applicable statutes.

(b) Concern itself with all matters relating to parking and transportation policies and make recommendations thereon to the county board.

(c) Administer the county trunk highway access control regulations, chapter 79, D.C. Ords.

(d) In the name of the county, contract with municipalities for the construction and maintenance of streets in accordance with chapter 25, D.C. Ords.

(4) On its own or through an advisory committee established by the committee or county board, assure compliance with and exercise the authority set forth in Chapter 54, D.C. Ords., relating to the Alliant Energy Center of Dane County.

(5) Receive recommendations from the solid waste and recycling commission on all matters of policy relating to solid waste in Dane County.

(7) Advise the county board on all matters relating to building maintenance and the construction, improvement, repair or maintenance of county buildings and grounds, not specifically delegated to other committees or officials, and on all matters pertaining to solid waste; allocate all space for all units of county government in all county controlled facilities after consultation with affected communities.

(8) Oversee the services of architects or engineers for making surveys and estimates of proposed work, as directed by the county board.

(9) Oversee the preparation of specifications and letting of bids for public works projects subject to the authorization or ratification and approval of the county board.

(10) The committee shall address the space and real estate needs of the county, both short-term and long-term. On major projects the committee shall meet jointly with the oversight committee for the affected department. On lesser projects, the committee chairperson may appoint a subcommittee to meet with the appropriate oversight committee.

ARTICLE 9. Section 7.19 is repealed and recreated to read as follows:

7.19 THE ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES COMMITTEE. (intro.) The environment and natural resources committee shall have the duty and responsibility to:

(1) Act as the supervisory committee for extension, land conservation, and the lakes & watershed commission (for budget review purposes only);

(2) Act as the policy oversight committee for the Dane County Parks Commission, operational programs and budget for lakes management and aquatic weed control, and the Dane County Humane Society.

(3) Advise the county board on all matters relating to agriculture and the conservation of natural and environmental resources in Dane County, and confer and cooperate with any other agency interested in environmental quality and conservation.

(4)(a) Provide policy direction and guide implementation of county planning efforts and organizational structure, including the county executive's proposals on growth and development, the Dane County Land Use and Transportation Plan, and the respective roles of the regional planning commission, metropolitan planning organization and department of planning and development;

(b) Facilitate regular, ongoing communication, including holding listening sessions with Dane County's cities, villages, and towns on developments of regional impact;

(c) Review current county policies, plans and ordinances related to land use and development to determine whether revisions are necessary, and work with other county board committees to develop necessary changes;

(d) Recommend policy and planning initiatives to the board and the planning director;

(e) Monitor state land use planning efforts and make recommendations on land use and development issues to the executive committee regarding the county's legislative agenda.

(5) Cooperate with the Dane County Board of Health, the Dane County Regional Plan Commission, the Wisconsin Department of Commerce and the department of natural resources on all matters relating to water resources and pollution control, as appropriate.

(6) Assume the duties and responsibilities of the former Strategic Growth Management Committee, as defined by any county board resolutions or ordinance amendments previously adopted.

ARTICLE 10. Subsections (2), (3) and (4) of section 7.20 are amended to read as follows:

7.20 OTHER COMMITTEES OF THE COUNTY BOARD. (intro.) The following are constituted as continuing committees of the county board:

(2) City-County Liaison Committee. County members of this committee shall be four (4) in number: three supervisor members appointed by the county board chairperson; and the county executive. The county executive may appoint one of his or her executive assistants to serve as a designee on the committee with full voting rights. The committee shall concern itself with matters of mutual interest to the City of Madison and the County of Dane.

(4) Information Resource Management Committee. The committee shall be composed of at least six (6) but not more than nine (9) supervisor members appointed by the county board chairperson. In addition, the chairperson or his or her designee shall also serve as a member of the committee. One member each shall be selected from each of the standing committees, except executive; the public protection and judiciary committee representative shall be the member thereof who also serves on the public safety communications center board. The committee shall review and periodically make recommendations to the county board on information technology needs including, but not limited to, the following: development of a land information system for the county; identification of services of a regional nature which may have priority for data processing consolidation; identification of the steps the county and all Dane County municipalities and other governmental bodies should

take within the next five years to promote shared computer services; and consideration of the required data, systems design, software, hardware and cost allocation for shared services.

ARTICLE 11. Subsection 7.22(11) is amended to read as follows:

(11) In the event a scheduled meeting must be canceled, the chairperson shall provide timely notification to the county clerk and other committee members and to the public. In the event a committee meeting is cancelled on the day of the scheduled meeting, the chair shall arrange for conspicuous written notice to be posted at the entrance of the location where the meeting was to be held.

ARTICLE 12. Section 7.56(3) is amended to read as follows:

(3) Copies of all such contracts, signed by the other party, shall be in the county board chambers and in the possession of the county clerk at the time they are considered. Contracts shall not be modified after county board approval unless provided for by county board action.

ARTICLE 13. Subsection 7.61(1) is amended to read as follows:

7.61 COUNTY BOARD CALENDAR; ORDER OF BUSINESS. (1) The order of business for county board meetings shall be as follows:

- A. Roll Call
  - 1. Prayer/Inspirational message (limited to three minutes)
  - 2. Pledge of allegiance
- B. Special Matters and Announcements
  - 1. Memorial resolutions, proclamations and special presentations
  - 2. Appearances by the county executive
  - 3. Announcements (limited to two minutes)
- C. Approval of bills and accounts
  - 1. Claims recommended for approval
  - 2. Claims recommended for denial
- D. Approval of proceedings
- E. Consent Calendar (items which passed all committees, boards, commissions, etc., unanimously, for which there are no amendments, and for which no requests have been made not to place on the consent calendar)
- F. Motions from previous meetings
  - 1. Motions from previous meetings, including motions to reconsider, rescind, withdraw from committee or override a county executive veto
- G. Reports on zoning petitions
- H. Ordinances
- I. Award of contracts
- J. Resolutions
- K. Items Requiring a Two-Thirds Majority for Passage
- L. Special order of business. All special order items will be placed in this section, except that, in the exercise of his or her discretion, the chairperson may designate a time certain for such matters
- M. Such other business as the county board is authorized to conduct by law
- N. Adjournment

ARTICLE 13. Subsection 7.65 is amended to read as follows:

7.65 COUNTY BOARD MEETINGS; RECONSIDERATION AND RESCISSION.

(1) The motion to reconsider any action may be made only by a supervisor who voted with the prevailing side, and it must be seconded.

(2) A motion to reconsider shall be made on the day the action to be reconsidered took place and the clerk shall record the motion in the minutes.

(3) The motion to reconsider shall be acted upon on the day made, unless by suspension of the rules, consideration of the motion is postponed until the next meeting of the board.

(4) A member shall not be allowed to speak more than once on a motion for reconsideration, for not more than 5 minutes.

(7) A motion to rescind an action may be made by any member at any time but such motion requires the support of the majority of all supervisors elected, provided, however, that such rescission will not be inconsistent with actions that have been commenced because of the action to be rescinded and will not result in consequences inimical to the interests of the public or the county.

ARTICLE 14. Subsection 7.52(6) is created to read as follows:

(6) All ordinances and ordinance amendments shall be drafted by the Corporation Counsel or reviewed by Corporation Counsel prior to referral.

Adopted by Dane County Board on April 20, 2004.

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ORD. AMDT. 2, 04-05

AMENDING CHAPTER 6 OF THE DANE CODE OF ORDINANCES, FILLING TEMPORARY VACANCIES ON THE COUNTY BOARD RESULTING FROM AN ELECTION RECOUNT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 6.071 is created to read as follows:

**6.071 FILLING OF TEMPORARY VACANCIES RESULTING FROM ELECTION RECOUNT.** If a temporary vacancy occurs in the office of county supervisor as a result of expiration of the term of an incumbent and a successor has not been determined due to the pendency of a recount or an appeal from a recount determination, the temporary vacancy shall be filled by the candidate receiving the most votes as determined by the county canvass. The temporary appointee shall serve until a successor qualifies.

*[EXPLANATION: This amendment provides for temporary appointment to fill a vacancy on the county board resulting from a recount.]*

Submitted by Supervisor Graf, April 20, 2004 (p.5, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, EXECUTIVE, and PERSONNEL/FINANCE.

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ORD. AMDT.3, 04-05

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ELECTION OF COUNTY BOARD OFFICERS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.02 is amended to read as follows:

**7.02 OFFICERS. (1) (a)** At the first meeting after each regular election at which supervisors are elected for full terms, the biennial organizational meeting, the board shall elect a chairperson, two vice-chairpersons, and two sergeants-at-arms. These officers shall serve two-year terms or until their successors are elected and qualified.

**(b)** Notwithstanding the language of sub. (a), if a vacancy exists on the county board as a result of a recount or appeal of a recount determination at the time of the biennial organization meeting, the board shall elect temporary officers to serve until resolution of the recount proceedings. The board shall elect permanent officers to serve the remainder of the biennial term at the first meeting after resolution of the recount proceedings.

*[EXPLANATION: This amendment provides for the election of temporary officers at the organizational meeting if a vacancy exists as a result of a recount.]*

Submitted by Supervisors de Felice, Gross, Wheeler, Richmond, Matano, Hendrick, Opitz, Erickson, Olsen, and Kostelic, April 20, 2004 (p. 6, 04-05).

Referred to EXECUTIVE, PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY.

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AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGULATING ADULT ENTERTAINMENT ESTABLISHMENTS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(2n) is created to read as follows:

(2n) Adult entertainment establishment is any establishment which for monetary consideration is used for presentations or service distinguished or characterized by an emphasis on exposure to view of human genitals, pubic area, buttocks or anus; or a female's vulva or breasts below the top of the areola; or male genitals in a discernable turgid state, even if opaquely covered; or on acts of or acts which simulate erotic touching, sexual intercourse, masturbation, flagellation, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any sexual act prohibited by Wisconsin Statutes.

*[EXPLANATION: This amendment provides a definition of adult entertainment establishment.]*

ARTICLE 3. Section 10.14(1)(w) is created to read as follows:

(w) Adult entertainment establishments, subject to the standards set forth in s. 10.193(3)(a) and (c)-(f).

*[EXPLANATION: This amendment authorizes adult entertainment establishments as a permitted use in the C-2 Commercial District, subject to the conditions in s. 10.193.]*

ARTICLE 4. Section 10.193 is amended to read as follows:

**10.193 STANDARDS FOR SITING OF ADULT BOOK STORES AND ADULT ENTERTAINMENT ESTABLISHMENTS.** (1) The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds that adult book stores and adult entertainment establishments have an adverse secondary effect on the surrounding community and that regulations are necessary to minimize this secondary effect. The experience of other cities are summarized in the case of *Northend Cinema, Inc. v. Seattle*, 585 P. 2d 1153 (1978).

(2) This ordinance does not regulate the content of materials held for sale or rent in adult book stores.

(3) Adult book stores and adult entertainment establishments shall meet all of the following requirements:

(a) Location of any particular adult book store or adult entertainment establishment must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store or adult entertainment establishment;

(b) Exterior windows of adult bookstores shall not be covered or made opaque in any way;

(c) No material referenced in paragraphs (a), (b) or (c) of s. 10.01(2m) shall be placed in any exterior window, provided that material which is not so referenced may be placed in a window;

(d) The business may have only one (1) nonflashing business sign which sign may only indicate the name of the business and identify it as an adult book store or adult entertainment establishment and which shall be not larger than 4 feet by 4 feet;

(e) A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information; and

(f) There shall be no doors on any viewing booths and each booth must be lighted by a source emitting at least 10 candlepower at all times.

(4) Sub. (3)(e) shall not be construed to require a sign or to require any designation of the business as an adult book store, whether or not a sign is erected.

*[EXPLANATION: This amendment provides standards for adult entertainment establishments.]*

Submitted by Supervisors Gau, Hitzemann, Wiganowsky, Bruskewitz, Vogel, Willett, Brown, Martz, and Hanson, May 6, 2004 (p. 8, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, PUBLIC PROTECTION/JUDICIARY, and ZONING/LAND REGULATIONS.

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ORD. AMDT. 5, 04-05

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,  
TECHNICAL AMENDMENT REGARDING COMMITTEE NAME

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.11(9)(h) is amended to read as follows:

7.11 STANDING COMMITTEES. (9) The standing committees of the Dane County Board shall be:

(h) The environment, agriculture and natural resources committee.

ARTICLE 3. Section 7.19(intro.) is amended to read as follows:

7.19 THE ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES COMMITTEE. (intro.) The environment, agriculture & natural resources committee shall have the duty and responsibility to:

*[EXPLANATION: The amendments in Articles 2 & 3 correct technical defects in Sub. 1 to O.A. 1, 2004-2005.]*

Submitted by Supervisor Kesterson, May 6, 2004 (p. 8, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, PUBLIC PROTECTION/JUDICIARY and ZONING/LAND REGULATIONS.

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ORD. AMDT. 6, 04-05

AMENDING CHAPTER 68 OF THE DANE COUNTY CODE OF ORDINANCES,  
REQUIRING THE PAYMENT OF A LIVING WAGE TO CERTAIN AIRPORT WORKERS AND  
PROVIDING FOR PHASED EFFECTIVE DATES

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 68.16(2) of the Dane County Code of Ordinances is repealed in its entirety and recreated as follows:

(2) All employees of operators and tenants at the Airport having access to the Security Identification Display Area (SIDA) as defined by the Transportation Security Administration, except those employees entering the SIDA exclusively as a means of accessing the loading dock, shall be paid no less than the living wage established under section 25.01(1)(f) of this ordinance. Notwithstanding the provisions of section 68.34 herein, enforcement of the living wage requirement under this section shall be in the manner set forth in section 25.015(10) through (13) of this ordinance.

*[EXPLANATION: This amendment recreates the repealed ordinance without change, however, the following provision alters the manner in which the recreated ordinance becomes effective.]*



NON-CODE PROVISION. The living wage applicable to employees of operators and tenants at the Airport under section 68.16(2) as created by Article 2 above shall on the day after publication of this adopted amendment be eighty percent (80%) of Dane County's living wage through December 31, 2004, then ninety percent (90%) through December 31, 2005, then ninety-five percent (95%) through December 31, 2006. Effective January 1, 2007, it is established as the county's living wage as per section 25.015, D.C. Ords.

*[EXPLANATION: This non-code provision provides for phased effective dates of the living wage established by the amendment.]*

Submitted by Supervisors Rusk, Hendrick, Kostelic, Hulse, Opitz, and Bruskevitz, May 6, 2004 (p. 9, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

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RES. 1, 04-05

DESIGNATING DANE COUNTY PUBLIC SAFETY COMMUNICATIONS AS THE WIRELESS PSAP

WHEREAS the location of any person calling for assistance using a wireless phone is vital information, and

WHEREAS wireless phones will be capable of providing the information to properly equipped public safety answering points (PSAP's), and

WHEREAS the State of Wisconsin has adopted legislation providing for a single 9-1-1 PSAP in each county to receive the wireless 9-1-1 calls, and

WHEREAS Dane County Public Safety Communications will have such equipment and be fully capable of receiving wireless calls and determining the caller's location.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors designate Dane County Public Safety Communications as the Wireless 9-1-1 PSAP for Dane County in accordance with section 146.70(3m) of the Wisconsin Statutes.

BE IT FINALLY RESOLVED that Dane County Public Safety Communications is authorized to apply for and accept grants covering costs associated with providing wireless 9-1-1 service as may be permitted by Public Service Commission regulation.

Submitted by Supervisors Hanson, O'Loughlin, Wendt, and Rusk, May 6, 2004 (p. 9, 04-05). Fiscal and Policy Notes not required.

Referred to PUBLIC PROTECTION/JUDICIARY.

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AWARD OF AGREEMENT FOR PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES  
FOR THE DANE COUNTY JUVENILE DETENTION HOME-PHASE I FACILITY SPACE PLANNING ANALYSIS  
STUDY AND PHASE II FACILITY DESIGN AND CONSTRUCTION

By Sub. 2 to Res. 172 (1993-94) the Dane County Board declared "it is the policy of Dane County that the Juvenile Detention Center will be designed for 28 beds, with plans to expand to 50 beds and be located at a site in, or near, the present City-County Building, and like the Public Safety Building, will be designed as an urban facility."

Inadequacies in the current juvenile detention facility in the City-County Building have been identified since the late 1980s. The current configuration of the facility is approved for 18 beds. Ongoing concerns about the facility design related to programming, supervision, maintenance, and security have been exacerbated at times over the years due to overcrowding. Overcrowding peaked in 1999 and 2000.

After many years of study, planning, debate, and negotiations an agreement was reached for the construction of a new Courthouse. A key part of this agreement was a plan that a new Juvenile Detention Home be built in space vacated by the courts on the second floor of the City-County Building. It was agreed that planning for the Juvenile Detention Home was scheduled to begin when construction had begun on the Courthouse. Included in the Courthouse plan was \$4,092,000 (in 2000 dollars) for planning and construction of the Juvenile Detention Home.

Pursuant to Sub. 3 to Res. 16, (2003-04), a Project Team consisting of representatives from a number of County departments was created to develop an RFP for this project. The Dane County Department of Public Works, Highway & Transportation reports the receipt of Proposals for Professional Architectural & Engineering Services for the Dane County Juvenile Detention Home – Phase I Facility Space Planning Analysis Study and Phase II Facility Design and Construction, Bid No. 6881. Members of the Project Team were involved in reviewing the Proposals and making recommendations to Public Works Engineering staff for an architectural/engineering design firm.

Consistent with the recommendations of the Project Team, the Public Works Engineering staff has negotiated with Venture Architects to provide the services as outlined in the Agreement.

The Public Works Engineering staff finds the amount to be reasonable and recommends the proposal be accepted and the Agreement be awarded to Venture Architects.

There are sufficient funds in the 2004 Department of Administration-Facilities Management Division Capital Projects/Equipment budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Agreement be awarded to Venture Architects, and that the County Executive and the County Clerk be authorized and directed to sign the Agreement, and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Agreement, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Agreement amount, whichever is smaller.

Submitted by Supervisors O'Loughlin, Wiganowsky, Bruskewitz, Vogel, Hitzemann, Martz, Ripp, Hanson, Wendt, Kostelic, Fyrst, Hulsey, Olson, Vedder, and (unreadable signature), May 6, 2004 (p. 11, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and PUBLIC WORKS/TRANSPORTATION.

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RES. 3, 04-05

AUTHORIZING CREATION OF AN AIRPORT COUNSEL POSITION, AN ASSISTANT CORPORATION COUNSEL POSITION, AND RECLASSIFICATION AND ELIMINATION OF DEPUTY CORPORATION COUNSEL POSITION

For the past several years, the Dane County Regional Airport has been reimbursing Dane County with off-levy funds for legal services provided the Airport by the Office of the Corporation Counsel and, in particular, by the Deputy Corporation Counsel. One result of the 9-11 tragedies has been to increase the need for legal counsel in the already highly regulated air transportation sector. Moreover, as the Airport expands to keep pace with the record number of passengers using its services, its need for legal advice has similarly expanded.

At present, the Deputy Corporation Counsel spends well in excess of 90% of his time providing Airport related legal services. While this situation is beneficial to the Airport, it strains the resources of the Office of the Corporation Counsel in providing general legal services to the County and its officials.

It has become apparent that the County is in need of full time legal counsel to address Airport issues. The creation of an Airport Counsel position, funded with off-levy Airport revenues, will allow the Airport to obtain direct legal advice and mitigate the present need for certain consulting services and outside counsel. The reclassification of the Deputy Corporation Counsel position to reflect its present duties and functions will allow for appropriate funding of the entire position with off-levy Airport revenues. Such funding will, in turn, free up sufficient budgeted funds in the Office of the Corporation Counsel to allow for the hiring of an additional Assistant Corporation Counsel to provide general legal representation to the County.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does hereby (i) create the full time position of Airport Counsel to provide the County with legal representation regarding Airport matters, (ii) reclassify the existing position of Deputy Corporation Counsel into the newly created Airport Counsel position, and (iii) eliminate the position of Deputy Corporation Counsel. The incumbent Deputy Corporation Counsel shall be transferred into the position of Airport Counsel at the same salary he receives in his present position, with future salary increases to be the same as would be received had he remained in his present position, or as determined annually by the Airport Director in consultation with the Airport Commission. The Airport Director shall be the appointing authority with respect to the Airport Counsel position and shall, in consultation with the Airport Commission, be responsible for the general supervision of the position.

FURTHER, BE IT RESOLVED that there is created another Assistant Corporation Counsel position in the Office of the Corporation Counsel. Said position shall be filled as set forth in the Dane County Civil Service Ordinance.

Submitted by Supervisor O'Loughlin, May 6, 2004 (p. 11, 04-05). Fiscal and Policy Notes not required.  
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

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RES. 4, 04-05

AWARD OF AGREEMENT FOR COURTHOUSE INTERIOR SIGN & GRAPHICS DESIGNER

The Public Works & Transportation Department requested proposals for a Professional Sign and Graphics Designer for the interior of the Dane County Courthouse.

An Agreement has been negotiated with Kerestes-Martin Associates, Inc., 135 Technology Drive, Suite 401, Canonsburg, PA 15317 for a cost not to exceed \$39,000.00.

The Public Works staff finds the amount to be reasonable and recommends the Agreement be awarded to Kerestes-Martin Associates, Inc.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Agreement be awarded to Kerestes-Martin Associates, Inc., and that the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Department be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Matano, Willett, Opitz, Kostelic, Schoer, and de Felice, May 6, 2004 (p. 12, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and PUBLIC WORKS/TRANSPORTATION.

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RES. 5, 04-05

APPROVE CROP LEASES ON COUNTY PARK LAND

Dane County leases land for cropping that currently is not being used for prairie restoration or recreation. The leases are for limited periods and are renewed as needed.

1. Following is a lease to be renewed for one year commencing January 1, 2004.

**Pheasant Branch Conservancy** - Town of Springfield: 8 acres; \$121.00 per acre  
\$968.00 for 1 year  
Lessee: Dennis Acker

2. Following is a lease for land recently acquired by Dane County that will be cropped by the successful bidder for three years, commencing January 1, 2004.

**Blooming Grove Drumlin I** – City of Madison: 35 acres; \$146.00 per acre  
\$5,110.00 annually for three years  
Lessee: Jerry Leister

3. Following is a one-year lease, commencing January 1, 2004, for land recently acquired by Dane County that was being cropped by the lessee.



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RES. 7, 04-05

APPROVAL FOR ALLIANT ENERGY CENTER OF DANE COUNTY TO PROCEED  
WITH CAPITAL PROJECT IN ADVANCE OF BORROWING AND TRANSFER OF FUNDS

The 2004 Capital Budget for the Alliant Energy Center of Dane County contains funding for the overlay of the NE parking lot in front of the Coliseum in the amount of \$174,000. This work needs to be done as soon as possible due to the deterioration of the lot surface. This work can only be done during warm weather when the asphalt plants are open. This also coincides with the availability of the lot so that major events are not impacted.

Also, due to the increased prices of petroleum, that cost of the asphalt has slightly increased, causing a \$5,000 estimated increase in the cost of the project.

The debt service on this project is being paid by Center revenue. Should the County decide not to borrow any funds in 2004, the Center would be able to borrow the funds from the State trust fund. Either way, this project will not have any effect on the General Fund planning.

NOW, THEREFORE, BE IT RESOLVED that the following Center capital projects accounts be increased:

Borrowing Proceeds	\$5, 000
Overlay Lot	\$5, 000

BE IT FINALLY RESOLVED that the Alliant Energy Center of Dane County Overlay NE Parking Lot Project in the amount of \$179,000 be authorized to begin May 24, 2004, in advance of the actual borrowing of the \$179,000 for this project and that it is the intention of the County to reimburse itself the \$179,000 expenditure with proceeds from the 2004 Capital Projects Borrowing.

Submitted by Supervisors Ripp, Matano, Willett, Opitz, Kostelic, Schoer, and de Felice, May 6, 2004 (p. 14, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 8, 04-05

AUTHORIZING A LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND  
THE DANE COUNTY FAIR

The Dane County Fair Association, Inc., and the Alliant Energy Center have negotiated a five-year lease with two five-year options that require mutual agreement. The Dane County Fair and its successor organizations have been involved with conducting a fair since 1851 and have been at the Alliant Energy Center site for over 110 years. The Fair fosters the culmination of the activities of youth groups throughout Dane County, including Dane County schools, the Boy Scouts, Girl Scouts, Future Farmers of America, and 4H, to display and show the results of their work during the year, and the Fair attracts over 2,800 young exhibitors in addition to the tens of thousands that attend the Fair annually.

The lease provides that the Fair will make payments of \$53,000 to \$68,000 per year over the course of the lease. In addition, the Fair will make payments of up to 50% of revenues that exceed expenses for each year of the agreement. The Fair and the Alliant Energy Center believe that this agreement places both organizations in a partnership that will provide the opportunity for both organizations to succeed in future years.

Should County support for the Fair drop below \$130,000, this agreement may be renegotiated or terminated.

NOW, THEREFORE, BE IT RESOLVED that the lease agreement with the Dane County Fair Association, Inc., 2820 Walton Commons West, Suite 101, Madison, WI 53718 is hereby approved.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the lease agreement.

Submitted by Supervisors Ripp, Matano, Willett, Opitz, Kostelic, Schoer, and de Felice, May 6, 2004 (p. 15, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 9, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY  
AND ERICKSON PUBLISHING

Erickson Publishing has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Anew Women's Expo to be held November 18-20, 2005, November 17-19, 2006, and November 16-18, 2007.

The lease with Erickson Publishing includes rental and services in the amount of \$34,650.00 for 2005, \$35,690.00 for 2006 and \$36,760.00 for 2007.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Anew Women's Expo event and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Matano, Willett, Opitz, Kostelic, Schoer, and de Felice, May 6, 2004 (p. 15, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 10, 04-05

ACCEPTING STATE PASS-THROUGH FUNDS AND  
A MEMORANDUM OF UNDERSTANDING FOR TROY COMMUNITY GARDENS

Dane County Parks, in partnership with the Urban Open Space Foundation, has received a State Stewardship Grant of \$112,700 for restoration work at Troy Community Gardens. The project will restore four different ecological zones: woodland, tallgrass prairie, wetland prairie, woodland/prairie interface.

The Dane County Parks and Open Space Plan recognizes the need for urban green spaces and recommends that the Parks Commission may identify or set aside lands for permanent or temporary use as

community gardens through partnership projects. Additionally, through partnership with the County, the Urban Open Space Foundation will receive grant funds that they are not normally eligible for. The Urban Open Space Foundation will match the grant entirely with the use of their own funds and non-cash donations; County funds will not be utilized for the project.

Dane County Parks and the Urban Open Space Foundation, along with the Friends of Troy Gardens and the Madison Area Community Land Trust Corporation, will enter into a Memorandum of Understanding that outlines the responsibilities of each agency in the administration and completion of the project. Dane County Parks will act as the fiscal agent and will pass the grant award of \$112,700 through to the Urban Open Space Foundation. Additionally, to meet the requirements of the grant, Dane County will enter into a rent-free, 20-year sublease with the Friends of Troy Gardens.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from the State of Wisconsin totaling \$112,700 for ecological restoration work done at Troy Community Gardens by the Urban Open Space Foundation.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Dane County Board of Supervisors supports the Memorandum of Understanding and that the County Executive and County Clerk be authorized to sign on behalf of Dane County.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby allow for Dane County Parks to distribute the grant awards to the Urban Open Space Foundation per the guidelines of the Memorandum of Understanding.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Dane County agrees to enter into a rent-free, 20-year sublease on the property for mutual benefits per the guidelines of the Memorandum of Understanding, and that the County Executive and County Clerk be authorized to sign on behalf of Dane County.

NOW, THEREFORE, BE IT FINALLY RESOLVED that \$112,700 be set up as additional revenue in the 2004 Parks capital Stewardship Fund Revenue Account #312-696-7820-1601 and that the \$112,700 be credited to the 2004 Parks capital Conservation Fund Expenditure Account #312-696-7820-7273 and that these funds be carried forward until expended.

Submitted by Supervisors Wheeler, Rusk, Richmond, de Felice, Worzala, Kostelic, Bruskevitz, Brown, Vedder, Olsen, Eggert, Fyrst, Hendrick, Matano, Willett, Opitz, and Gross, May 6, 2004 (p. 16, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, PERSONNEL/FINANCE, and PARKS.

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RES. 11, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.



**AIRPORT COMMISSION**

Judy Sidran, 1922 Jefferson Street, Madison 53711 (256-4744-H), to be reappointed. This term will expire 6/30/07.

**B.U.I.L.D. ADVISORY COMMITTEE**

Todd McGrath, 805 South Dickinson Street, Madison 53703 (345-3976-H, 255-3976 x 224-W), due to the resignation of Hal Cohen. Mr. McGrath is President of McGrath Associates, a real estate development firm in Madison. Mr. McGrath has been involved in the Madison-area real estate market as a realtor, property analyst, and developer since 1977. He has been a leading promoter of owner-occupied housing in central Madison and Isthmus neighborhoods through his development activities and involvement in hundreds of transactions. Mr. McGrath is currently a member of the Madison Trust for Historic Preservation, Capitol Neighborhoods, Madison Development Corporation, and Downtown Madison, Inc. He is a past member of Madison’s Landmarks Commission, Central Area Planning Committee, and the Bassett Project Management Team. This term will expire 6/30/04.

**MONONA TERRACE CONVENTION & COMMUNITY CENTER BOARD**

Wayne Bigelow, 360 W. Washington Avenue, Madison 53703 (274-8472-H, 263-4846-W), to be reappointed. This term will expire 5/1/07.

Doris Hanson, 4101 Monona Drive, Madison 53716 (222-8347-H), to be reappointed. This term will expire 5/1/07.

Terry Kelly, 1007 Hillside Avenue, Madison 53705 (238-3734-H, 274-5789-W), to be reappointed. This term will expire 5/1/07.

**SOLID WASTE & RECYCLING ADVISORY COMMISSION**

Harold Krantz, 3419 CTH P, Mount Horeb 53572 (798-0384-H), to be reappointed. This term will expire 1/31/07.

Submitted by Supervisor Kesterson, May 6, 2004 (p. 17, 04-05).  
Referred to EXECUTIVE.

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RES. 12, 04-05

**DANE COUNTY URGES STATE TO PAY FOR REQUIRED PROGRAMS TO REDUCE PROPERTY TAX GROWTH, NOT PASS MORE CONSTITUTIONAL AMENDMENTS**

The Wisconsin State Assembly is considering Joint Resolution (AJR) 55 which would amend the Wisconsin Constitution to limit annual increases in spending for all levels of government to the change in the Consumer Price Index plus either population growth (state), new construction (counties, cities, villages, towns) or enrollment (schools) unless otherwise approved by referendum.

Dane County shares in the commitment to control spending and has traditionally limited property tax growth to inflation plus population growth. The only exception to this policy came in the 2004 budget, when we needed to address the crisis caused by the state cutting more than \$7 million funds.

The proposed constitutional amendment would undermine the authority of local elected officials to protect health and safety, and respond emergencies or unexpected circumstances. Colorado tried this approach but is currently debating suspending or repealing some of the provisions due to a significant budget shortfall, a growing

backlog in road projects, and dropping to near the bottom of the fifty states in graduation rates, immunization rates, higher education funding, health care coverage for children, and prenatal care.

The primary lesson learned from Colorado is that placing strict formulas in the Constitution does not allow governments to react to changing circumstances such as 9/11 terrorism response, downturns in the economy, or inherent flaws in the formula.

In Wisconsin, there are many state-mandated programs that are not fully funded, such as road repair and maintenance, probation and parole holds, law enforcement, the court system, human services, juvenile justice, and other programs totaling more than \$30 million a year in Dane County alone. Local governments are forced to raise property taxes to pay for these under-funded state programs.

The overwhelming majority of the voting public in Wisconsin (70%) supported an advisory referendum in 1990 stating that the Constitution should be amended to “require the state to fully fund any program service or benefit it requires local government to provide.”

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board hereby urges the Wisconsin State Legislature to allow time for meaningful dialogue and input from the taxpayers before moving forward with any proposed Constitutional Amendment.

BE IT FURTHER RESOLVED that Dane County urges the Wisconsin State Legislature to maintain the Wisconsin Constitution for items of a constitutional nature and make fiscal policy changes in the state budget, Wisconsin statutes or Department rules; and

BE IT FURTHER RESOLVED that any proposed changes to the Wisconsin Constitution which address government spending must also include language to “require the state to fully fund any program, service or benefit it requires local government to provide.”

FINALLY, BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Dane County legislative delegation, Governor Doyle, and the Wisconsin Counties Association.

Submitted by Supervisors Hulsey, O’Loughlin, Brown, Hanson, Eggert, Wheeler, Jensen, Vogel, Worzala, Olsen, Hendrick, Gross, Fyrst, Kesterson, Rusk, Richmond, Schoer, Bruskevitz, Vedder, Kostelic, Opitz, Gau, and de Felice, May 6, 2004 (p. 18, 04-05).  
Referred to EXECUTIVE.

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RES. 13, 04-05

COUNTY BOARD CHAIR APPOINTMENTS TO THE CHILDREN COME FIRST COMMISSION

The County Board Chair has appointed the following persons to the Children Come First Commission. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Supervisor Dorothy Wheeler, 1639 Haas St., Madison, 53704 (244-4711). This term will expire 4/18/06.  
Supervisor Mike Hanson, 7338 Blue Maple Trail, Madison, 53719 (206-5550). This term will expire 4/18/06.

Submitted by Supervisor Kesterson, May 6, 2004 (p. 18, 04-05). Fiscal and Policy Notes not required.  
Referred to EXECUTIVE.

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RES. 14, 04-05

AWARDING A CONTRACT FOR MENTAL HEALTH CSP SERVICES - DCDHS - ACS DIVISION

The 2004 Adopted Budget included the provision that Dane County Department of Human Services would issue a Request for Proposals (RFP) for the Gateway Community Support Program (CSP) for services to begin July 1, 2004. This program has been operated by the Mental Health Center of Dane County, Inc., and serves 141 people. \$645,620 was included in the 2004 Adopted Budget for this service for the period from July 1, 2004, to December 31, 2004. RFP #7067 was released in March, and proposals were submitted by the Mental Health Center of Dane County, Inc., and Milwaukee Mental Health Services, Inc. Both of these agencies operate multiple Community Support Programs. Professional, family, and consumer representatives were invited to be on the panel that reviewed the proposals. The Mental Health Center of Dane County, Inc., received the higher score and is the recommended provider.

NOW, THEREFORE, BE IT RESOLVED that the Department of Human Services establish a Purchase of Services Agreement in the amount of \$645,620 with the Mental Health Center of Dane County, Inc., for the provision of Community Support Program services for the period of July 1, 2004, through December 31, 2004.

BE IT FINALLY RESOLVED that the Dane County Department of Human Services be directed to ensure complete performance of the contract and has the option of one year contract renewals not to exceed four additional years.

Submitted by Supervisors Bruskevitz, Worzala, Wheeler, Gross, and Kesterson, May 6, 2004 (p. 19, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 15, 04-05

ADJUSTING DEPARTMENT OF HUMAN SERVICES AND CORPORATION COUNSEL  
REVENUE AND EXPENDITURE LINES TO REFLECT FEDERAL IV-E MONIES AWARDED  
FOR CHILD-WELFARE-RELATED LEGAL SERVICES – DCDHS-CYF DIV.

This resolution accepts \$106,666 in federal IV-E monies, as awarded to Dane County by the State of Wisconsin Department of Health and Human Services in the form of an Addendum to the 2003 State / County contract, for continued/expanded County child-welfare-related legal services in the Corporation Counsel Office.

Monies will continue to support a 0.5 FTE attorney and 0.75 FTE paralegal who perform these activities. Monies were first awarded in 2003. Positions were adjusted and/or created at that time. Existing County levy monies for other Corporation Counsel salaries and benefits serve as local match monies.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and that the revenue increase be credited to the General Fund:

<u>Revenue</u>		
<u>Account number</u>	<u>Account title</u>	<u>Amount</u>
260-510-4455-1466	Title IV-E Legal Svcs	\$106,666

BE IT FURTHER RESOLVED that the following expenses be transferred from the General Fund to the following Department of Human Services expenditure account:

Expenditure		
<u>Account number</u>	<u>Account title</u>	<u>Amount</u>
260-510-4455-2602	Title IV-E Legal Svcs	\$106,666

BE IT FINALLY RESOLVED that the following revenue account be increased in the Department of Corporation Counsel and that the revenue increase be credited to the General Fund:

Revenue		
<u>Account number</u>	<u>Account title</u>	<u>Amount</u>
111-168-1890-2989	Title IV-E Legal Svcs	\$106,666

Submitted by Supervisors Bruskewitz, Worzala, Wheeler, Gross, and Kesterson, May 6, 2004 (p. 20, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 16, 04-05

ACCEPTING REGIONAL TRAINING FUNDS - DCDHS – EA DIVISION

The State of Wisconsin Departments of Health and Family Services and Workforce Development have allocated additional Regional Training funding in the amount of \$33,460. These funds were awarded based on Dane County's written request for funds in an amount sufficient to cover all of the actual costs related to the provision of training services, including space costs. Dane County provides Income Maintenance and Wisconsin Works training for the south central region of the State. The current Dane County Department of Human Services - Economic Assistance Division budget already contains \$27,248 of the award. This resolution accepts the unbudgeted \$6,212. \$1,500 of the funding is earmarked for staff development for one of the trainers.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and that these revenues be credited to the County's General Fund:

<u>Account Number</u>	<u>Revenue Source</u>	<u>Amount</u>
260 510 5640 1355	Regional Training	\$6,212

BE IT FURTHER RESOLVED that the funds above be transferred from the General Fund to the following expenditure accounts:

<u>Account Number</u>	<u>Expense Account</u>	<u>Amount</u>
260 510 5640 0648	Training	\$ 1,500
260 510 5640 2233	Rental of Space	\$ 4,712

Submitted by Supervisors Bruskewitz, Worzala, Wheeler, Gross, and Kesterson, May 6, 2004 (p. 20, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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## COMMUNICATIONS

Claim from Barbara Ledbury regarding fine. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Circumstance of Claim from M. R. MacKinnon on behalf of Jason T. Gencheff against Jail. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Carol Christian against AEC – claims merchandise damaged. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from John Campbell Craddock against Airport – vehicle damaged in ramp. Referred to PUBLIC PROTECTION/JUDICIARY.

## ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATIONS.

Petition 8967 – Town of Westport – Todd & Melanie Carpenter

8968 – Town of Blue Mounds – Little Norway, Inc.

8969 – Town of Cottage Grove – Robert Witte

8970 – Town of Windsor – Frances Yelk

8971 – Town of Albion – Wileman Living Trust

8972 – Town of Vienna – Edward & Jane Kaltenberg

8973 – Town of Springfield – Stanley & Evelyn Wagner

8974 – Town of Springdale – Robert Sutter

8975 – Town of Springdale – Alan Kamps & Lila Schmidt

8976 – Town of Madison – Mid-Town Center, LLC

8977 – Town of Berry – Kenneth & Charleen Zander

8978 – Town of Verona – Jeffrey Crooks

8979 – Town of Cross Plains – Donna & Linus Schoepp

8980 – Town of Blue Mounds – Marv J. Theis

8981 – Town of Cottage Grove – Wilmer & Barbara Larson

8982 – Town of Windsor – Parkside LLC

8983 – Town of Springdale – Gary & Kathleen Lutz

8984 – Town of Cross Plains – Andy & Katherine Meinholz

8985 – Town of Cross Plains – Laura A. Wierzbicki

8986 – Town of Windsor – Richard & Sheryl Perrizo

8987 – Town of Dane – Randall S. Berry

8988 – Town of Verona – Charles & Gertrud Rego

8989 – Town of Rutland – Duane R. Schultz & Chantell Schultz

8990 – Town of Medina – Timothy, Todd & Fred Kluever

8991 – Town of Berry – Matthew & Laurie M. Theis Revocable Trust

8992 – Town of Westport – Waunakee Community School District

8993 – Town of Oregon – Joanne Huston

8994 – Town of Springfield – Kathleen & Leo Spahn

8998 – Town of Albion – Rudisill, LLC

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AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING THE SUPERVISORY MEMBER OF THE ZOO COMMISSION

The County Board of Supervisors for the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection 15.45(4) is amended to read as follows:

(4) *City and county elected official representation.* The mayor shall designate one of the city terms to be held by a city alderperson and the county executive shall designate one of the county terms to be held by a county board supervisor, ~~outside the City of Madison.~~ The term of a member whose appointment depends on his or her status as an alderperson or a supervisor shall terminate as of the end of the member's elective term unless he or she is re-elected.

*[EXPLANATION: This amendment removes the requirement that the county board member live outside the City of Madison.]*

Submitted by Supervisor Erickson, May 20, 2004 (p. 22, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and ZOO COMMISSION.

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RES. 17, 04-05

APPROVING UNDERGROUND TELECOMMUNICATIONS EASEMENT AT MORTON COUNTY FOREST

Black Earth Telephone Company, LLC d/b/a TDS Telecom, desires to install underground cable along the northwest side of Reeve Road in a part of the Morton County Forest in the Town of Black Earth. The easement is approximately 1,900 feet long by 12 feet wide and will be located under an existing overhead utility line. Black Earth Telephone is willing to pay the county \$500 for the easement. Parks staff and Mr. Morton, the donor of the land, have reviewed and approved the easement.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize conveyance of the above described easement to Black Earth Telephone Company, LLC, for a payment of \$500, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the easement document on behalf of the County of Dane.

Submitted by Supervisors Wendt, Ripp, and Martz, May 20, 2004 (p. 22, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 18, 04-05

AUTHORIZING EXECUTION OF A LEASE WITH SMARTE CARTE, INC., FOR THE OPERATION OF A BAGGAGE CART MANAGEMENT SYSTEM – DANE COUNTY REGIONAL AIRPORT

Smarte Carte, Inc., a sole source for provider-owned and managed self-service baggage cart dispensing systems, and the Dane County Regional Airport have negotiated a lease under which Smarte Carte will lease space in the Airport terminal and parking ramp for the installation and operation of self-service baggage cart systems. The lease is for a five-year term, renewable for an additional five years unless either party provides notice of non-renewal. Smarte Carte will maintain, operate, and manage the baggage cart dispensing systems and, consistent with its charges at other airports, the charge for cart usage will be \$3.00, with a \$.25 refund upon return of the cart. Smarte Carte will pay rent under the lease of 12.5% of the gross proceeds it earns at the Airport.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Dane County Regional Airport is hereby authorized to execute, on behalf of the County of Dane, a lease with Smarte Carte, Inc., for the installation and operation of self-service baggage cart dispensing systems in the Airport terminal and parking ramp under the forgoing terms and conditions.

Submitted by Supervisors O'Loughlin and Brown, May 20, 2004 (p. 23, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 19, 04-05

APPROVING ASSIGNMENT OF GROUND LEASE BY INTERNATIONAL LANE PROPERTIES GENERAL PARTNERSHIP TO AMERICAN LANE PROPERTY, LLC – DANE COUNTY REGIONAL AIRPORT

Dane County presently leases property located at 2424 American Lane, at the Dane County Regional Airport, to International Lane Properties General Partnership under Lease No. DCRA 78-11. The lease contains a provision allowing for assignment of the lease upon County approval, such approval not to be unreasonably withheld. The Partnership has requested County approval for the assignment of the lease to American Lane Property, LLC, and the Airport, through its counsel, has determined that the requested assignment is not unreasonable.

NOW, THEREFORE, BE IT RESOLVED that the assignment of Lease NO. DCRA 78-11 by International Lane Properties General Partnership to American Lane Property, LLC, is approved.

BE IT FURTHER RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the document setting forth the County's consent to said lease assignment.

Submitted by Supervisors O'Loughlin and Brown, May 20, 2004 (p. 23, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 20, 04-05

AUTHORIZING A COST SHARING AGREEMENT BY VILLAGE OF WAUNAKEE AND COUNTY OF DANE  
FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS  
AT THE INTERSECTION OF CTH Q AND WOODLAND DRIVE

WHEREAS, Village of Waunakee and County of Dane have determined that construction of traffic signals at CTH Q and Woodland Drive is needed, which will require contributions from both Village and County.

WHEREAS, Village of Waunakee and County of Dane wish to enter into an agreement to cost share the construction and the operation and maintenance of the signals at the intersection of CTH Q and Woodland Drive. Dane County's share for construction of signals is not to exceed \$60,000, and the County's share of the operation and maintenance is estimated to be approximately \$1,500 annually.

WHEREAS, Dane County Highway & Transportation Department and the Village of Waunakee have reviewed the proposed agreement for construction and the operation and maintenance of the traffic signals and are in agreement with its terms and conditions.

WHEREAS, the Dane County Highway and Transportation Department has sufficient funds to cover its share of the construction and the operation and maintenance costs within its County Trunk Highway Maintenance and Construction programs.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this agreement on behalf of Dane County, with the Village of Waunakee.

Submitted by Supervisors Ripp, Bruskewitz, Willett, Opitz, Kostelic, Matano, Schoer, Jensen, and Kesterson, May 20, 2004 (p. 24, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 21 , 04-05

LOCATING WTC/9-11 MEMORIAL ON ALLIANT ENERGY CENTER GROUNDS

A Wisconsin-based non-profit organization, WTC 9/11 PEN-T Memorials, Inc., has begun a nation-wide project to erect memorials to victims of the terrorist attacks made on September 11, 2001. Their intention is to erect identical memorials in each state capital city, and also in Washington, D.C.

The planned memorial consists of 30-foot tall, 24-inch square twin stainless steel columns, erected on a 15-foot wide pentagon shape by 4-foot high, tapered granite engraved base. In the base will be mounted a viewable 36-inch long piece of "ground zero" debris. The names of Wisconsin residents who were victims of the attacks will be engraved on the granite faces.

The organization approached the City of Madison Plan Commission with a request to locate the Wisconsin memorial in a City of Madison park. However, the Plan Commission denied the request, saying the planned memorial was not consistent with city guidelines.

The organization has now approached Dane County with a request to consider locating the memorial on county property. The Alliant Energy Center is a multi-purpose facility currently located on 164 acres in the Town of Madison, just south of downtown Madison and the state capitol. It is located at the gateway to downtown



Madison and more than one million people visit the grounds every year, so the monument would have great visibility. Furthermore, when the merger with the city and town of Madison occurs, this property will be within the city limits, so the WTC 9/11 Memorials organization can accomplish their goal of locating in Wisconsin's capital city.

There will be no costs to the county for erecting this memorial. The entire costs of the memorial have already been donated. Plans, specifications, and drawings are complete, and the contractors are ready to begin construction. It is anticipated that a major national ceremony would be conducted at the dedication of the memorial.

Because of its strategic location, the Alliant Energy Center would be an excellent site for this memorial. By agreeing to locate the memorial there, Dane County would be providing the entire state with a means of recognizing the victims of the 9/11 events for generations to come.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby indicates its support for the request by WTC 9/11 PEN-T Memorials, Inc., to locate a WTC 9/11 memorial on county lands and designates the Alliant Energy Center of Dane County as the site that should receive first consideration; and

BE IT FURTHER RESOLVED that the County Board directs the Public Works and Transportation Committee, Alliant Energy Center staff, and Department of Public Works and Transportation staff to begin discussions with the organization and other appropriate parties to arrange for this memorial to be located at the AEC; and

BE IT FINALLY RESOLVED that an agreement be developed, to be approved by the County Board and County Executive prior to the erection of the memorial, to clarify the rights and responsibilities of Dane County and WTC 9/11 PEN-T Memorials, Inc., with respect to the location of the memorial on Dane County property.

Submitted by Supervisors O'Loughlin, Kesterson, Willett, Wendt, Martz, and Gau, May 20, 2004 (p. 25, 04-05).

Referred to PUBLIC WORKS/TRANSPORTATION and ALLIANT ENERGY CENTER COMMISSION.

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RES. 22, 04-05

AWARDING PURCHASE OF SERVICE CONTRACT FOR  
LEGALLY CERTIFIED SIGN LANGUAGE INTERPRETER SERVICES

The Department of Administration solicited proposals from providers for sign language interpreting services and based on a review of proposals, contracts will be awarded to Professional Interpreting Enterprise, (PIE) LLC. PIE will be the primary agency to provide legally certified sign language interpreting services for Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an agreement from January 1, 2004, to December 31, 2006, with Professional Interpreting Enterprise (PIE), LLC, in an amount not to exceed \$10,000 annually. The contract may be renewed at the County's option for two subsequent one-year periods to commence on January 1, 2007, and January 1, 2008. These funds are budgeted in the Department of Administration, Sheriff's Office, and Clerk of Courts.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the contractual agreements.

Submitted by Supervisors Brown, Graf, Fyrst, Vogel, Hulsey, and O'Loughlin, May 20, 2004 (p. 26, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 23, 04-05

ACCEPTING ADDITIONAL STATE INCENTIVE GRANT REVENUE – DCDHS-CYF DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

This resolution accepts 2003 carryover of unspent funds from the State of Wisconsin Incentive Grant (SIG) in the amount of \$115,309 to be used in CY2004 in the Children, Youth and Families Division. The SIG Grant is a three-year alcohol, tobacco and other drug prevention grant for youth ages 12 – 17 to redesign the prevention services system. The total funding awarded to Dane County for years 2003 – 2005 is \$662,385. The State of Wisconsin received a federal grant of \$3.5 million through the Center for Substance Abuse Prevention and has awarded funding for 17 SIG programs statewide.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4665 0838	State Incentive Grant – SIG	\$115,309
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4665 6145	TBD – SIG	\$115,309

Submitted by Supervisors Bruskewitz, DeSmidt, Wheeler, Gross, Worzala, and Kesterson, May 20, 2004 (p. 26, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 24, 04-05

ACCEPTING AN AWARD RELATED TO THE WISCONSIN SUPPLEMENTAL STATE PLANNING GRANT PROJECT - PUBLIC HEALTH DIVISION

The Wisconsin Division of Health Care Financing has offered Dane County a grant award in the amount of \$50,000 to support the county's participation in the Wisconsin Supplemental State Planning Project for the period from June 1, 2004, through May 31, 2005. This project is designed to study options to better serve the portions of the state's population who have either inadequate or no health insurance coverage. Specifically, Dane County will conduct an assessment and develop a plan for a program to expand access to prescription pharmaceuticals. Dane County will work with the Dane County Health Council, incorporating the services of the Madison Community Health Center, a Section 330 grantee, a Federally Qualified Health Center and member of the Health Council, for these purposes. Dane County will subcontract with the Madison Community Health Center to enter

into an agreement with a national consultant for the assessment and development of this plan. The national consultants will have expertise in case management programs with covered entities.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept an award from Wisconsin Division of Health Care Financing in the amount of \$50,000 for the period from June 1, 2004, through May 31, 2005; and to sign a grant agreement for this purpose.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> New	<u>Line Name:</u> Pharm Pilot	<u>Line Amount:</u> \$50,000

EXPENSE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> New	<u>Line Name:</u> Pharm Pilot	<u>Line Amount:</u> \$50,000

BE IT FINALLY RESOLVED that any portion of this funding that remains unexpended as of the end of 2004 shall carry forward into 2005, and re-awarded to the Madison Community Health Center in a new contract in 2005.

Submitted by Supervisors Bruskwitz, DeSmidt, Gross, Wheeler, Worzala, and Kesterson, May 20, 2004 (p. 27, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 25, 04-05

ACCEPTING DONATIONS FOR A BREASTFEEDING SYMPOSIUM - PUBLIC HEALTH DIVISION

The Division of Public Health will conduct a symposium for health care providers on best practices related to supporting women in their decision to breastfeed their infants. The symposium was held at the Alliant Energy Center on May 14, 2004. Thus far, six private corporations have donated a total of \$2,450.00 to underwrite the costs of conducting the symposium. It is anticipated that up to three additional small contributions may be received from other private sector sponsors. It is proposed that these funds be expended principally on lunch and refreshments for symposium participants. To the extent that funds remain available after addressing these expenses, they will be used to partially underwrite costs related to the development, printing, and mailing of the symposium brochure, AV equipment rental fees to Alliance Energy Center, and paying speaker fees.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept private-sector donations totaling up to \$2,550.00 for the purpose of conducting a breastfeeding symposium for Dane County health care providers.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> 3880	<u>Line Name:</u> Breastfeeding	<u>Line Amount:</u> \$2,550

EXPENSE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> New	<u>Line Name:</u> Breastfeeding	<u>Line Amount:</u> \$2,550

BE IT FINALLY RESOLVED that the Division of Public Health be authorized to purchase meals and refreshments with these funds up to \$2,425.00.

Submitted by Supervisors Bruskewitz, DeSmidt, Gross, Wheeler, Worzala, and Kesterson, May 20, 2004 (p. 28, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 26, 04-05

ACCEPTING A GRANT FOR ALLIED DRIVE HOME VISITATION INITIATIVE AND CONTRACT AWARD

This resolution accepts a grant from the Madison Community Foundation in the amount of \$50,000 to provide early childhood home visitation services for first time parents and families with newborns who may have other children between the ages of 0-4. An RFP # 7532 was issued to implement these services. A review panel evaluated the proposals. Based on panel recommendations and Department of Human Services review, the contract for the provision of these services has been awarded to \_\_\_\_\_.

The goals of providing early childhood services for Allied community families include: 1.) screening children for developmental delays and making appropriate referrals; 2.) providing families with pertinent parenting skills and education to improve their interaction with their child(ren); 3.) linking families with appropriate health services 4.) addressing AODA, mental health and other concerns that affect parenting strategies; 5.) assisting with childcare and basic human needs.

NOW THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approve accepting a grant from the Madison Community Foundation and that the following revenue account be increased and credited to the General Fund

Revenue		
<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260-510-4455-NEW	Allied Early Childhood Initiative	\$50,000

BE IT FURTHER RESOLVED that the following expenses be transferred from the General Fund to the following Department of Human Services expense line

Expenditure		
<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260-510-4455-NEW	Allied Early Childhood Initiative	\$50,000

BE IT FURTHER RESOLVED that the Dane County Department of Human Services approve the award of contract to \_\_\_\_\_ for the period of June 15, 2004, through December 31, 2004, with renewals not to exceed four additional years.

BE IT FINALLY RESOLVED that any unused revenue and expenses be carried forward to 2005.

Submitted by Supervisor Fyrst, May 20, 2004 (p. 29, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 27, 04-05

REQUESTING DNR ASSISTANCE IN DEVELOPMENT OF  
A REGIONAL TRAIL SYSTEM NORTH OF LAKE MENDOTA

Multi-use trails are valued assets in Dane County. Aside from providing opportunities for recreation and exercise, they can provide bicyclists and other users with safer alternatives to commuting along busy roads. In many cases, trails provide an important connection between neighborhoods, especially for children traveling to school. Trails also serve as a linkage between natural areas to provide wildlife corridors and water quality protection, and they afford opportunities for users to appreciate the diversity of these areas. The Capital City Trail is an excellent example of a heavily used, regional trail that serves these various purposes. There are also several other similar trails in Dane County, but none are located around the north side of Lake Mendota.

For at least the last decade, numerous county residents have advocated for development of a regional trail connecting the Black Earth Creek watershed with Governor Nelson State Park and points to the north and east. The 2000 Dane County Bicycle Transportation Plan includes several references to such a trail, specifically recommending that it follow a route along Pheasant Branch Creek through the City of Middleton. The 1999 Northern Lake Mendota Regional Plan, which was undertaken in partnership with Dane County, the City of Middleton and the Town of Westport, also envisions development of a trail system that provides access to and around the Pheasant Branch Conservancy and along the creek corridor. The plan's recommendations are incorporated by reference into the 2001-2005 Dane County Parks and Open Space Plan, which built on the comprehensive vision of a North Lake Mendota Trail System as identified in earlier plans.

In the last two years, the City of Middleton and Wisconsin Department of Transportation have begun developing components of the Pheasant Branch Trail system, including the installation of bridges so that trail users can easily and safely cross roads and streams. One of the motivations prompting the City to act has been the need to provide residents living east of the Conservancy with a safer connection to the rest of the community than County Trunk Highway M (Century Avenue) provides. Another key impetus has been to respond to the death of a Middleton resident who was apparently jogging around the Conservancy when he was hit by a car while on the shoulder of Pheasant Branch Road in an area where the trail has not yet been constructed.

The completion of the trail system around the Pheasant Branch Conservancy has been and remains a high priority for both the city and county. Both entities have budgeted funds in 2004 for construction of the trails within their respective jurisdictions. However, over the past year, the Wisconsin Department of Natural Resources (DNR) has raised issues that appear to have resulted in significant delay and unnecessary expense for both the city and county. Questions have been raised about whether the agency is addressing routine matters associated with the construction of Conservancy trails in a manner that is consistent with how it has reviewed plans for trails in similar settings elsewhere in the county or around the state.

For example, the DNR is apparently requiring an extensive section of boardwalk in a location where a trail segment is located within the right-of-way of a road that will be widened in the near future and where other mitigation measures are already being pursued. Aside from inconveniencing trail users, requiring the use of a boardwalk makes trail construction significantly more expensive and perhaps even less likely, particularly in 2004 because neither the City nor County expected that there would be a need to budget additional funds. A boardwalk also is not as conducive for particular trail users, such as in-line skaters.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby reiterates the County's commitment to implement its adopted plans calling for the construction of a multi-use trail connecting the Black Earth Creek watershed with Governor Nelson State Park via the Pheasant Branch Conservancy and Creek corridor.

BE IT FURTHER RESOLVED that the County Board requests timely reassurance from the Secretary of the Wisconsin Department of Natural Resources that the agency is addressing permitting issues involved in the construction of this trail in an objective manner and in a way that is consistent with the process used by the DNR in reviewing plans for the Capital City Trail and other trails built through similar natural environments.

BE IT FURTHER RESOLVED that Dane County will continue to work cooperatively with the DNR to address issues related to trail development in a manner that adheres to regulations and standards that are applied uniformly throughout the state.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to P. Scott Hassett, Secretary of the Department of Natural Resources; State Senator Jon Erpenbach; State Representatives Sony Pope-Roberts and Dave Travis; and the clerks of the City of Middleton, Town of Springfield, and Town of Westport.

Submitted by Supervisors Opitz, Matano, Bruskewitz, Vogel, O'Loughlin, Brown, Fyrst, Eggert, Hulsey, Schoer, Vedder, Worzala, McDonell, Kostelic, Olsen, Erickson, Ripp, Rusk, Hanson, and Kesterson, May 20, 2004 (p. 30, 04-05).

Referred to EXECUTIVE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, PUBLIC WORKS/TRANSPORTATION, and PARKS.

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### COMMUNICATIONS

Claim from Robert A. Lange against Airport – claims personal injury from slipping on ice. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Ruth Mahlkuch against Parks – claims mower damaged her vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Case #04CV1358, DSG Evergreen F. L. P. vs. Dane Co., Kathleen Falk, Peter Conrad, & Board of Supervisors. Referred to PUBLIC PROTECTION/JUDICIARY.

Waupaca County Res. 1 (2004-2005) re: supporting Substitute Amendment to 2003 AB616-indigency. Referred to PUBLIC PROTECTION/JUDICIARY.

Jackson Co Res. 40-5-04 - Taxpayers Bill of Rights. Referred to PUBLIC PROTECTION/JUDICIARY.

Sheboygan Co. resolution opposing Taxpayer's Bill of Rights (TABOR). Referred to PUBLIC PROTECTION/JUDICIARY.

Polk County Res. 39-04-Resolution Calling for the Governor to Require that the Wis. Department of Commerce Revise the Milk Volume Production (MVP) Program to Protect Water Quality. Referred to EXECUTIVE.

Florence Co. Res. 2004- , Taxpayers Bill of Rights. Referred to EXECUTIVE.

Dunn Co. Res. 63 re: Taxpayers Bill of Rights. Referred to EXECUTIVE.

Waupaca Co. Res. 8 (2004-2005), Taxpayers Bill of Rights. Referred to EXECUTIVE.

RES. 28, 04-05

CHANGE ORDER #1 FOR DEMOLITION OF OLD ADMINISTRATION BUILDING AT BPHCC

Res. 103, 2003-04, awarded a contract to Champion Environmental Services for the Demolition of the Old Administration Building at the Badger Prairie Health Care Center, Bid #6777. The amount of the award was \$82,800.

The following changes are being made to the original contract:

C. O. #1 – Removal and disposal of asbestos containing  
Windows (this work is outside the scope of the demolition  
Contract.....ADD: \$40,550.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to Champion Environmental Services for the Demolition of Old Administration Building be authorized and approved; and

BE IT FURTHER RESOLVED that the Public Works Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisor Opitz, May 25, 2004 (p. 31, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 29, 04-05

APPROVING LICENSE AGREEMENT WITH US CELLULAR FOR ANTENNAS ON THE WATER TOWER AT  
BADGER PRAIRIE HEALTH CARE CENTER

United States Cellular Company, LLC, desires to place personal communications antennas on the water tower in the park north of the Badger Prairie Health Care Center. An engineering and loading study that US Cellular conducted indicates that the Verona location meets its needs for providing coverage to an area of southwest Madison not previously well served by US Cellular. US Cellular is willing to pay \$1,300 per month (escalated by 3.5% annually) for a ten-year least to place an antenna array on the water tower.

The placement of the antennas on the building is also consistent with the ordinance regarding the siting of telecommunications towers in Dane County. The license provides for the termination of this license and the removal of the US Cellular equipment in the event the county decides to remove the water tower.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the county real estate officer to finalize the negotiations of a license agreement with United States Cellular Company, LLC, for the placement of an array of communications antennas on Dane County's water tower at Badger Prairie Health Care Center, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the above-described license agreement on behalf of the County of Dane.

Submitted by Supervisors O'Loughlin, Vogel, Blaska, Hitzemann, Pertzborn, Willett, Hendrick, Erickson, Olsen, Eggert, Kostelic, Fyrst, Martz, and Ripp, June 3, 2004 (p. 32, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 30, 04-05

AUTHORIZING EXECUTION OF LEASE AMENDMENT-DCRA

Renaissance Real Estate Holdings, LLC owns an office building located adjacent to the Airport on approximately 1.5 acres of land it rents from Dane County under Lease No. DCRA 88-21, expiring in 2063. Dane County and Renaissance Real Estate Holdings, LLC have negotiated an amendment to the existing lease that adds an abutting parcel of 32,776 square feet, approximately .75 acre, to the leased premises to be used for additional parking to accommodate the users of the office building on the leased premises. Under the terms of the lease amendment rent for the additional land is set at \$1,748.90 per month, with annual adjustments tied to the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of the County of Dane the Second Amendment to Lease No. DCRA 88-21 adding, under the foregoing terms, an approximately .75 acre parcel to the premises leased by Renaissance Real Estate Holdings, LLC.

Submitted by Supervisors de Felice, Gau, O'Loughlin, and Rusk, June 3, 2004 (p. 32, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES 31, 04-05

AWARD OF CONTRACT FOR ADDITION OF 480 VOLT BUSWAY TO THE ALLIANT ENERGY CENTER EXHIBITION HALL

The Dane County Department of Public Works, Highway & Transportation reports the receipt of bids for the Addition of 480-Volt Busway to the Alliant Energy Center Exhibition Hall, Bid No. 7458. This project will entail adding a busway with 480-volt electrical capacity to the length of the Exhibition Hall (Halls A, B, C and D), paralleling the Hall's catwalk. The busway will provide higher voltage electrical service to equipment, show vendors, and displays that use the Exhibition Hall.

A complete tabulation is on file at the Dane County Public Works, Highway & Transportation Department. The low bidder is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

The Public Works Staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to \_\_\_\_\_.

There are sufficient funds in the Alliant Energy Center budget for this project.



NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to \_\_\_\_\_ and that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer, June 3, 2004 (p. 33, 04-05).  
 Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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 RES. 32, 04-05

AUTHORIZING CAPITAL EXPENDITURES IN ADVANCE OF BORROWING

Dane County Ordinance Sec. 29.52 (11) states that “Capital projects to be financed with borrowed funds may not proceed in advance of borrowing except with prior approval of the County Board and County Executive”. Dane County is planning on completing its 2004 Capital Projects Borrowing later this year.

The Highway and Transportation Department in 2004 has Capital Budget construction projects scheduled for borrowing, and due to the limited road construction season, it desires to start prior to the 2004 borrowing issue being completed. The affected projects are:

Object Account	Project Budget	Borrowed Portion	Acct. Type	Account Description
8340-9061	\$129,415	\$ 50,000	CB	CTH MM (Wolfe St to N Vill Limits)
8340-9075	293,583	230,000	CB	CTH M (C/Middleton to STH 113)
8340-9097	1,201,936	585,000	CB	CTH N (CTH BB to STH 19)
8340-9098	552,031	247,000	CB	CTH PB (STH 92 to STH 69)
8340-9099	10,000	10,000	CB	CTH PB (Sugar River Bridge)
8340-9100	60,000	60,000	CB	CTH N (Aaker Bridge)
8340-9101	60,000	60,000	CB	CTH Q (Q & Woodland Signal)
8340-9102	10,000	10,000	CB	CTH S (Shea Bridge)
8340-9103	40,000	40,000	CB	CTH T (Thompson Roundabout)
8340-9104	354,000	<u>270,000</u>	CB	CTH BW (Fayette to Bridge)
		<u>\$1,562,000</u>		

NOW, THEREFORE, BE IT RESOLVED that these Highway & Transportation capital projects be authorized in advance of the 2004 borrowing, and that it is the intention of the County to reimburse itself the \$1,562,000 portion of the expenditures with proceeds from that borrowing.

Submitted by Supervisor Kesterson, Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, June 3, 2004 (p. 34, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 33, 04-05

ACCEPTING OLDER AMERICANS ACT AND MENTAL HEALTH REVENUES -- DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

1. Dane County has been notified that it will receive an additional \$15,400 in Older Americans Act C-2, Home Delivered Meal revenue. The funds are allocated to Home Health United Xtra Care's Meals on Wheels program. Dane County budgeted fewer meals at Meals on Wheels in 2004 than were budgeted in 2003, as data in 2003 indicated a decline in utilization. That decline did not continue. These funds will provide 2,745 home delivered meals.
2. The State of Wisconsin has issued a State and County Contract Addendum in the amount of \$74,210 for the MH/AODA Managed Care Demonstration Project. Per the contract addendum, the funding is to be used for, among other activities, testing a new mental health functional screen, participating in a state-level consumer outcomes monitoring process, identification and reporting of client-level expenditure data elements, and providing overall project management and consumer involvement in planning and implementation of managed care activities within the county.
3. Dane County is earning additional Medicaid Community Support Program (CSP) revenue through a state funded CSP Waiting List initiative and through ongoing delivery of CSP services. It is projected that at least \$93,043 will be earned above currently budgeted revenue. Twenty consumers are being served through the CSP Waiting List initiative. The funds are allocated to three CSP programs operated by the Mental Health Center of Dane County.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Acct Number</b>	<b>Account Title</b>	<b>Amount</b>
4755 1534	Older Americans Act C-2	\$15,400
5265 1007	MH Managed Care	\$74,210
5265 1381	MH MA Community Support Program	\$93,043
	Total	\$182,653

<b>Expenditure Acct Number</b>	<b>Account Title</b>	<b>Amount</b>
4830 6353	Home Health United Meals on Wheels	\$15,400
5340 6561	Managed Care Consumer	\$74,210
5340 6562	MHC Blacksmith House & Wait List	\$44,290
5340 6563	MHC Cornerstone & Wait List	\$43,395
5340 6545	MHC Gateway & Wait List	\$2,679

5340 5912

CSP RFP for Gateway & Wait List  
Total

\$2,679  
\$182,653

BE IT FURTHER RESOLVED that the professional services contracts listed below be amended as follows:

<u>Vendor</u>	<u>Amendment</u>
Mental Health Center of Dane County, Inc.	\$93,043

Submitted by Supervisor Gross, June 3, 2004 (p. 35, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 34, 04-05

ACCEPTANCE OF FUNDS FOR DANE COUNTY WORKSHOP FOR LOCAL RESOURCE GROUPS

The Wisconsin Department of Natural Resources has approved a \$3,000 grant for a Dane County Workshop for Local Resource Groups. The fall 2004 Water Resources Workshop will invite local watershed organizations and friends groups to foster a greater knowledge about Dane County lakes, streams, and watershed resources including their status, activities to protect them, and ways for citizens to get involved in their protection. The workshop will aim to share successful actions and strategies among more than two dozen watershed and local resource protection groups in Dane County while networking on a countywide basis.

THEREFORE, BE IT RESOLVED that the grant be accepted, and

BE IT FURTHER RESOLVED that \$3,000 be set up as a Land Conservation Workshop for Local Resource Groups Revenue account and credited to the General Fund, and

BE IT FINALLY RESOLVED that \$3,000 be transferred from the General Fund to the Land Conservation Workshop for Local Resource Groups Expenditure account.

Submitted by Supervisors Jensen, Martz, and Erickson, June 3, 2004 (p. 35, 04-05).  
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED. LAND CONSERVATION recommended adoption on 6/2/04.

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RES. 35, 04-05

ACCEPTING FUNDS IN CONNECTION WITH THE COUNTY FARM SAFETY GRANT

The University of Wisconsin Center for Agricultural Safety and Health has awarded a 2004 County Farm Safety Grant to the Dane County University Extension Office in the amount of \$500, in order to present the *Farm Machinery Extraction Demonstration*. This demonstration will be taught by Dane County Extension agents and is offered to first responder emergency services teams who may be called upon to render assistance and treatment to trapped and/or injured operators of farm machinery.

NOW, THEREFORE, BE IT RESOLVED that Dane County accept the \$500 grant funds from the UW Center for Agricultural Safety and Health, and that \$500 be set up as Extension Farm Safety Revenue account and credited to the General Fund.

BE IT FURTHER RESOLVED, that \$500 be transferred from the General Fund to a newly set up Extension Farm Safety Operating Expense Account.

Submitted by Supervisors Brown, Jensen, Vogel, and Martz, June 3, 2004 (p. 36, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. EXTENSION COMMITTEE recommended adoption on 5/21/04.

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RES. 36, 04-05

ACCEPTANCE OF FUNDS FOR THE STATE OF THE WATERS PUBLICATION

The Wisconsin Department of Natural Resources has approved a \$3,000 grant for the State of the Waters Publication. The Dane County Land Conservation Department will utilize the existing grant dollars to offset costs associated with publishing the 2004 "State of Dane County Waters" report. This report will summarize all existing resource information relating to Dane County waters. The report will be provided to partnering resource agencies, watershed organizations, and to the general public.

THEREFORE, BE IT RESOLVED that the grant be accepted, and

BE IT FURTHER RESOLVED that \$3,000 be set up as a Land Conservation State of the Waters Publication Revenue account and credited to the General Fund, and

BE IT FINALLY RESOLVED that \$3,000 be transferred from the General Fund to the Land Conservation State of the Water Publication Expenditure account.

Submitted by Supervisors Jensen, Martz, and Erickson, June 3, 2004 (p. 36, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED. LAND CONSERVATION recommended adoption on 6/2/04.

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RES. 37, 04-05

ADOPTING THE DANE COUNTY FLOOD MITIGATION PLAN

The occurrence and impact of flooding are issues of increasing concern to Dane County residents. Dane County received Presidential disaster declarations for widespread flooding twice in the last decade: 1993 and 2000. Significant damages were also recorded in 1996. Cumulative losses for these three years exceed \$42 million, including private, public, and agricultural damages. Smaller scale, localized flooding occurs on an annual basis. The potential exists for future damages to the county's farmland, crops, homes, shorelines, and roads.

To address these issues, the County's Flood Mitigation Planning Team (overseen by the Dane County Lakes and Watershed Commission, working with the Department of Emergency Management) has prepared a Flood Mitigation Plan. The Plan outlines the risks associated with flooding, describes existing conditions in Dane County, describes existing flood management programs and presents an outline of feasible, cost effective steps the County can take to reduce future flood damages.

The Flood Mitigation Plan has been widely circulated for review by residents, local elected officials, and administrators throughout the County and has been supported by those reviewers. The Plan has also received conditional approval from Wisconsin Emergency Management and the Federal Emergency Management Agency (FEMA).

Adoption of the Flood Mitigation Plan by the County Board and formal approval by FEMA will enable the County to apply for federal and state funds to implement mitigation projects and programs identified in the plan.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves and adopts the Dane County Flood Mitigation Plan as a guide and reference for reducing the impact of flooding in Dane County.

Submitted by Supervisors Hulse, Graf, Olsen, Eggert, Gross, de Felice, DeSmidt, Wheeler, Richmond, Erickson, Matano, Willett, Pertzborn, Brown, Fyrst, Vedder, Worzala, McDonell, Rusk, and Kesterson, June 3, 2004 (p. 37, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, LAND CONSERVATION, and LAKES & WATERSHED.

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RES. 38, 04-05

ACCEPTANCE OF FUNDS FOR LAKE WINGRA SHORELINE HABITAT RESTORATION

The Wisconsin Department of Natural Resources has approved a \$69,000 grant for Lake Wingra Shoreline Habitat Restoration. The Dane County Land Conservation Department will implement a Lake Wingra Shoreline Habitat Restoration project in order to restore native species and natural habitats to reduce the impact of stormwater runoff on Lake Wingra's water quality. The project will result in the creation of a natural vegetative buffer along 500 feet of the lake's shoreline, removal of purple loosestrife and buckthorn, and the possible installation of carp removal enclosures.

THEREFORE, BE IT RESOLVED that the grant be accepted, and

BE IT FURTHER RESOLVED that \$69,000 be set up as a Land Conservation Lake Wingra Revenue account and credited to the General Fund, and

BE IT FINALLY RESOLVED that \$69,000 be transferred from the General Fund to the following Land Conservation accounts.

Limited Term Employees:	\$23,000
Lake Wingra Expenditure Acct:	\$46,000

Submitted by Supervisors Martz, Jensen, and Erickson, June 3, 2004 (p. 37, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED. LAND CONSERVATION recommended adoption on 6/2/04.

RES. 39, 04-05

AUTHORIZING THE PURCHASE OF LAND IN THE DOOR CREEK WETLANDS – VOGTS ESTATE

Dane County recently negotiated the purchase of a fee interest in a 40-acre parcel of vacant land located in Section 12 in the Town of Dunn owned by the Vogts Estate. The land is entirely within the project boundary of the Door Creek Wetlands Resource Area and completes a contiguous area of County and State owned lands of approximately 330 acres that span Door Creek. The property is in close proximity to Fish Camp County Park to the southwest and in an area of prime waterfowl and fish habitat. This purchase is supported by the Dane County Park and Open Space Plan and the Door Creek Wetlands Resource Protection Plan. Funds are currently available in the Conservation Fund. Dane County Parks has already applied for state cost-sharing funds to offset acquisition costs.

The Vogts Estate property is currently zoned A-1 Exclusive Agriculture. The purchase price of \$80,000, or \$2,000 per acre, reflects the value established through negotiations that is \$8,000 under the appraised fair market value, plus associated transaction costs. The purchase contract calls for a closing to occur by July 15, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the 40-acre Vogts Estate property for \$80,000, per the terms identified above and according to Wisc. Stats. Chapter 27.05(3), and that the land be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the Purchase of the property by Dane County.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer is authorized to administer the closing and the transfer of the above mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transaction.

Submitted by Supervisors Ripp and Kostelic, June 3, 2004 (p. 38, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.  
Park Commission recommended adoption on 5/26/04.

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RES. 40, 04-05

ACCEPTING FUNDS FROM THE WISCONSIN DEPARTMENT OF COMMERCE  
REVOLVING LOAN FUND PROGRAM

Dane County administers a Revolving Loan Fund (RLF #37), originally capitalized with a Community Development Block Grant (CDBG-ED grant) of \$120,000 from the State of Wisconsin in 1991 (Department of Development, now Department of Commerce). The grant was accepted by Dane County by Resolution 78, 1991-92: Accepting Wisconsin Development Fund Grant Monies and Awarding Contracts (Leisure Concepts), passed on August 15, 1991. Pursuant to this resolution, Dane County entered into a contract with the State of Wisconsin on August 27, 1991 (Contract #91-18E) to make an initial loan to Leisure Concepts and to administer a revolving loan fund, with payments from Leisure Concepts, to promote economic development and job creation.

Dane County assumed direct administration of RLF#37 in 2002, when the fund was transferred from the Dane County Development Company to Dane County. Since that time, Dane County has made three loans totaling \$81,000.

The Department of Commerce (Commerce) Revolving Loan Fund (RLF) program has provided grants to other local Dane County communities for the purpose of promoting economic development and job creation through RLFs. Some of these communities have not made use of the RLF grants. Commerce, in cooperation with local communities, has offered to make these funds available to Dane County to be added to RLF#37. The potential funds to be transferred to Dane County RLF#37 could range from approximately \$300,000 to more than \$500,000.

Dane County also administers CDBG funds from the U.S. Department of Housing and Urban Development (HUD) as an entitlement community on an annual basis. As an entitlement community, Dane County administers a Commercial Revitalization Loan Fund (CRLF) to provide loans for downtown revitalization and infill commercial development that creates jobs for low to moderate-income residents. The CRLF has made four loans totaling approximately \$500,000. Approximately \$1 million has been allocated to the CRLF to date. An additional \$1 million is anticipated to be added to the fund by 2008.

Both RLF#37 and the CRLF are administered by a part-time County staff person. Additional staffing capacity to effectively administer the loan programs will probably be required. The staffing issue will be discussed as part of the 2005 budget process.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors approves the acceptance of additional Revolving Loan Fund monies from the Wisconsin Department of Commerce to be added to the Commerce RLF#37.

BE IT FURTHER RESOLVED that Dane County Planning and Development is directed to identify additional staffing capacity required to effectively administer the funds.

BE IT FINALLY RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute documents in behalf of Dane County necessary to effectuate the receipt of such funds.

Submitted by Supervisors Jensen, Willett, Matano, Hulsey, Richmond, Wheeler, and Pertzborn, June 3, 2004 (p. 39, 04-05).

Referred to PERSONNEL/FINANCE.

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RES. 41, 04-05

AUTHORIZING A RETIREMENT INCENTIVE FOR COUNTY EMPLOYEES

The 2004 Budget imposed a moratorium on hiring in order to maximize savings from position vacancies. The savings associated with the hiring moratorium was budgeted at \$1.8 million. To assist in meeting the moratorium savings target and the traditional salary savings amounts that are budgeted for each department, additional vacancies could be generated through a retirement incentive.

The County Executive's budget requirements also mandate that departments cut some general purpose revenue from their base budgets in 2005. To position County departments to respond to these requirements, it is desirable that departments have the option of reducing the number of employees through attrition where possible.

The County offered a retirement incentive as part of the 2003 budget. That incentive offered employees a 25% increase in the number of sick leave hours they had accumulated if they separated from County service no

later than July 31, 2003. Accumulated sick leave can be applied toward health insurance costs during retirement or can be taken as an annual cash payment. This program was successful in creating 57 vacancies.

In an effort to create additional vacancies through attrition, the County Executive has initiated negotiations on another incentive program. Since the intent of this program is to create vacancies in a timely fashion, the negotiations resulted in a modest increase in the sick leave balance enhancement to 30% for employees who separate from County service no later than August 7, 2004. The County has completed negotiations with a majority of its bargaining units on memoranda of understanding to extend this benefit to their members.

NOW, THEREFORE, BE IT RESOLVED, that the County Executive is authorized to offer a retirement incentive to non-represented employees and to enter in such agreement to make the benefit available to the county's represented employees that will provide a 30% increase in an employee's sick leave hours. To qualify for this incentive, employees must separate from county service by August 7, 2004.

Submitted by Supervisors O'Loughlin, Vogel, Olsen, Eggert, and Martz, June 3, 2004 (p. 40, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 42, 04-05

WISCONSIN EMERGENCY MANAGEMENT DOMESTIC PREPAREDNESS TRAINING GRANT PROGRAM

The purpose of this resolution is to adjust revenue and expenditures from FY 2004.

Dane County Emergency Management, through the Domestic Preparedness Program, has completed a training needs assessment. The assessment identified the need to train over 5,000 first responders in several specialized areas.

The Department of Emergency Management requested and was awarded funds in support of the county's domestic preparedness training program in the following areas:

Incident Command System for Law Enforcement-Basic - \$965  
Advanced Air Monitoring-Weapons of Mass Destruction - \$2,200  
Emergency Decontamination Operations - \$2,700  
Critical Incident Management-Initial Response - \$3,500  
Law Enforcement Protective Measures TTT - \$2,580

NOW, THEREFORE, BE IT RESOLVED that \$11,945 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account, #111-396-3615-1802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$11,945 be transferred from the General Fund to the following Emergency Management, Emergency Planning accounts, (account numbers to be issued by the Controller's Division upon passage of this resolution:

Incident Command System for Law Enforcement, 2004, \$965  
Advanced Air Monitoring, WMD, 2004, \$2,200  
Emergency Decontamination Operations, 2004, \$2,700  
Critical Incident Management Initial Response, 2004, \$3,500  
Law Enforcement Protective Measures TTT, 2004, \$2,580



BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisor Olsen, June 3, 2004 (p. 41, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 43, 04-05

WEAPONS OF MASS DESTRUCTION (WMD) EXERCISE FUNDING GRANT AWARD

The purpose of this resolution is to adjust revenue and expenditures from FY 2004.

The County of Dane was awarded \$56,810 in Weapons of Mass Destruction (WMD) exercise funds for WMD exercise purposes. The funds will be used to meet federal and state WMD exercise requirements.

The Department of Emergency Management requested and was awarded funds in support of the county's WMD exercise program in the following areas:

Regional Airport/Mass Fatality TTEX Trans/Bio 2004-\$8,000.00  
Decontamination Exercise 6/19/04-\$3,310.00  
Regional Airport/Mass Fatality TTEX 2004-\$2,000.00  
Regional Airport/Mass Fatality TTEX Regis/Credential 2004-\$2,000.00  
Regional Airport/Mass Fatality FSE 2005-\$21,000.00  
Mass Immunization FSE 2004-\$6,500.00  
Mass Casualty TTEX Forward Movement 2004-\$2,000.00  
Mass Casualty TTEX TTTD 2004-\$2,000.00  
Biohazard/Pharmaceutical TTEX 2004-\$4,000.00  
Biohazard/Pharmaceutical FUNEX 2005-\$6,000.00

NOW, THEREFORE, BE IT RESOLVED that \$56,810 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account, #111-396-3615-1802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$56,810 be transferred from the General Fund to the following Emergency Management, Emergency Planning accounts, (account numbers to be issued by the Controller's Division upon passage of this resolution):

Regional Airport/Mass Fatality TTEX Trans/Bio 2004-\$8,000.00  
Decontamination Exercise 6/19/04-\$3,310.00  
Regional Airport/Mass Fatality TTEX 2004-\$2,000.00  
Regional Airport/Mass Fatality TTEX Regis/Credential 2004-\$2,000.00  
Regional Airport/Mass Fatality FSE 2005-\$21,000.00  
Mass Immunization FSE 2004-\$6,500.00  
Mass Casualty TTEX Forward Movement 2004-\$2,000.00  
Mass Casualty TTEX TTTD 2004-\$2,000.00  
Biohazard/Pharmaceutical TTEX 2004-\$4,000.00  
Biohazard/Pharmaceutical FUNEX 2005-\$6,000.00

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisors Olsen, Rusk, Martz, Hanson and Eggert, June 3, 2004 (p. 42, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 44, 04-05

MEMORANDUM OF UNDERSTANDING (MOU) FOR ADVANCED LIFE SUPPORT (ALS) PILOT PROJECT

The Town of Madison Fire Department, the City of Middleton EMS, the City of Madison Fire Department, and Fitch-Rona EMS all provide Advanced Life Support (paramedic-level) Emergency Medical Service within Dane County.

Dane County and the ALS providers identified above will conduct a pilot study to evaluate the impact of sending the closest available ALS ambulance within Dane County on a tiered response as determined by Priority Medical Dispatch or when required by Basic Life Support Ambulances.

The pilot project will commence on the day following the date the MOU has been fully executed by all parties and shall expire on December 31, 2004, unless extended by mutual agreement of the parties.

As part of the pilot project, a Pilot Steering Committee was created and charged with implementing and monitoring the study. A Data Collection Committee will also be established to review and analyze data on a biweekly basis and report their findings to the Pilot Steering Committee. Preliminary findings will be published October 1, 2004, with a final report and recommendations to be provided on March 1, 2005.

The County will contribute the sum of \$50,000 as a one-time start up fund to support the pilot project. All participating ALS providers will be eligible to receive a set fee of \$150 per ALS patient contact for the duration of the pilot until funds are exhausted.

NOW, THEREFORE, BE IT RESOLVED that the Advance Life Support Pilot Project is adopted as identified in the MOU, and

BE IT FURTHER RESOLVED that the sum of \$50,000 as already contained in the Emergency Management Reimbursement to Local Units line item, account #111-396-3765-2205 be allocated to this project and disbursed as indicated in the MOU, and

BE IT FINALLY RESOLVED that the Dane County Executive is hereby authorized to execute the MOU for ALS Pilot Project on behalf of the County of Dane.

Submitted by Supervisors Olsen, Rusk, Martz, Hanson, Salov, and Eggert, June 3, 2004 (p. 42, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and EMS COMMISSION.

RES. 45, 04-05

AUTHORIZING ACCEPTANCE OF ADDITIONAL CHILD AND FAMILY SUPPORT GRANT FUNDS  
FROM THE CAPITAL TIMES KIDS FUND

The Capital Times Kids Fund is making funds available to organizations to encourage and strengthen positive characteristics of children and families through constructive learning and recreational activities as well as support families by bringing services and activities to local neighborhoods and communities.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept an additional \$1,000 from the Capital Times Kids Fund for the Child and Family Support Grant.

BE IT FURTHER RESOLVED that \$1,000 be set up as additional revenue in the Sheriff's Office, Field Services, Community Oriented Policing (COP) Revenue Account (3390-0580) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$1,000 be transferred from the General Fund to the Sheriff's Office, Field Services, Community Oriented Policing (COP) Expense Account (3390-0628).

BE IT FINALLY RESOLVED that all funds not expended in fiscal year 2004 be carried forward until expended.

Submitted by Supervisors Olsen, Rusk, Martz, Hanson, and Eggert, June 3, 2004 (p. 43, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 46, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Airport Commission**

Supervisor Duane Gau, 3039 Castleton Crossing, Sun Prairie 53590 (825-7111-H), as a supervisor representing a district outside the City of Madison. This term will expire 4/18/06.

Supervisor Paul Rusk, 1501 Pleasure Dr., Madison 53704 (249-9667-H, 232-3405-W), as the county board supervisor representing District 2, 3, 6, 12, 17, 18 or 21. This term will expire 4/18/06.

Supervisor Dennis O'Loughlin, 3934 Partridge Rd., DeForest 53532 (846-1851-H, 276-7820-W), as a supervisor representing a district outside the City of Madison. This term will expire 4/18/06.

Supervisor Dave de Felice, 6302 Dominion Dr., Madison 53718 (222-0319-H), as a supervisor representing a district within the City of Madison. This term will expire 4/18/06.

Supervisor Scott McDonell, 111 W. Gilman Street, #6, Madison 53703 (259-9506-H), as a supervisor representing a district within the City of Madison. This term will expire 4/18/06.

**Alliant Energy Center Commission**

Supervisor Don Eggert, 60 Waunona Woods Ct., Madison 53713 (222-3323-H), as the supervisor representing District 23. This term will expire 4/18/06.

Supervisor Dennis O'Loughlin, 3934 Partridge Rd., DeForest 53532 (846-1851-H, 276-7820-W), as the Executive Committee chair or designee. This term will expire 4/18/06.

**Area Agency on Aging Board**

Supervisor Richard Brown, 1122 S. Whitney Way, Madison 53711 (274-1814-H, 577-2192-W). This term will expire 4/18/06.

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704 (244-4711-H), as the Supervisor representing H&HN. This term will expire 4/18/06.

Supervisor Duane Gau, 3039 Castleton Crossing, Sun Prairie 53590 (825-7111-H). This term will expire 4/18/06.

Supervisor Donna Vogel, 808 Garfield St., Stoughton 53589 (873-8863-H). This term will expire 4/18/06.

**Agriculture Advisory Council**

Supervisor Gerald Jensen, 869 Glenway Rd., Oregon 53575 (835-7389-H). This term will expire 4/18/06.

**Board of Health\***

Supervisor Eileen Bruskwitz, 5734 Reynolds Ave., Waunakee 53597 (249-9188-H), as the supervisor representing H&HN who resides outside the City of Madison. This term will expire 4/18/06.

Supervisor Jeff Kostelic, 1701 Michigan Ave., Sun Prairie 53590 (825-2156-H), as a supervisor residing outside the City of Madison. This term will expire 4/18/06.

\*Note that under pending resolutions, a new Joint Oversight Public Health Board may be created within 2-3 months.

**Community Action Commission Board of Directors**

Supervisor Gerald Jensen, 869 Glenway Rd., Oregon 53575 (835-7389-H), to serve in a seat designated for a rural county board supervisor. This term will expire 4/18/06.

**Cultural Affairs Commission**

Supervisor Eileen Bruskwitz, 5734 Reynolds Ave., Waunakee 53597 (249-9188-H). This term will expire 4/18/06.

Supervisor Mark Opitz, 6753 Black Cherry La, Middleton 53562 (836-7890-H). This term will expire 4/18/06.

Supervisor David Worzala, 1714 Van Hise Ave., Madison 53526 (236-0440-H). This term will expire 4/18/06.

**Commission on Sensitive Crimes**

Supervisor Mike Hanson, 7338 Blue Maple Tr., Madison 53719 (848-8131-H), as the supervisor representing PP&J. This term will expire 4/18/06.

Supervisor Elaine DeSmidt, 4709 Milwaukee St., Madison 53714 (246-2700-H), as the supervisor representing H&HN. This term will expire 4/18/06.

**CDBG Commission**

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704 (244-4711-H), due to the resignation of Supervisor Bruskewitz. This term will expire 4/1/05.

**Equal Opportunity Commission**

Supervisor Don Eggert and Supervisor Richard Brown will each continue to serve in terms that will expire 1/1/07.

**Emergency Medical Services Commission**

Supervisor Dave de Felice, 6302 Dominion Dr., Madison 53718 (222-0319-H). This term will expire 4/18/06.

Supervisor Jack Martz, 5766 Wilshire Dr., Fitchburg 53711 (274-7437-H). This term will expire 4/18/06.

Supervisor Bob Salov, 2103 Pleasant Dr., Cambridge 53523 (423-4358-H, 513-4046-W). This term will expire 4/18/06.

**Environmental Council**

Supervisor Paul Rusk, 1501 Pleasure Dr., Madison 53704 (249-9667-H, 232-3405-W). This term will expire 4/18/06.

Supervisor David Worzala, 1714 Van Hise Ave., Madison 53706 (236-0440-H). This term will expire 4/18/06.

**Greater Madison Convention & Visitors Bureau Board**

Supervisor Scott McDonell, 111 W. Gilman Street, #6, Madison 53703 (259-9506-H). This term will expire 4/18/06.

**Housing Authority Board, Dane County**

Supervisor Richard Brown, 1122 S. Whitney Way, Madison 53711 (274-1814-H, 577-2192-W), will move to the supervisor seat and continue to serve in a term that will expire 4/15/08.

**Human Services Board**

Supervisor David Worzala, 1714 Van Hise Ave., Madison 53706 (236-0440-H), as a supervisor representing H&HN. This term will expire 4/18/06.

Supervisor Mike Hanson, 7338 Blue Maple Tr., Madison 53719 (848-8131H), as a supervisor representing PP&J. This term will expire 4/18/06.

Supervisor Kyle Richmond, 929 O'Sheridan St., Madison 53715 (251-3171-H). This term will expire 4/18/06.

Supervisor Elaine DeSmidt, 4709 Milwaukee St., Madison 53714 (246-2700-H), as a supervisor representing H&HN. This term will expire 4/18/06.

**Lakes & Watershed Commission**

Supervisor Gerald Jensen, 869 Glenway Rd., Oregon 53575 (835-7389-H), as a supervisor representing a district outside the City of Madison. This term will expire 4/17/07.

Supervisor Bill Graf, 119 Copps Ave., Madison 53716 (224-2534-H), as a supervisor representing a district outside the City of Madison. This term will expire 4/17/07.

Supervisor Don Eggert, 60 Waunona Woods Ct., Madison 53713 (222-3323-H), as a supervisor representing a district within the City of Madison. This term will expire 4/17/07.

Supervisor Brett Hulse, 110 Merrill Crest, Madison 53705 (238-6070-H, 257-4994-H), will continue to serve in a term that expires 4/18/06.

#### **Library Board**

Supervisor Mark Opitz, 6753 Black Cherry La, Middleton 53562 (836-7890-H). This term will expire 4/18/06.

Supervisor Bob Salov, 2103 Pleasant Dr., Cambridge 53523 (423-4358-H, 513-4046-W). This term will expire 4/18/06.

#### **Long Term Support Committee**

Supervisor Kyle Richmond, 929 O'Sheridan St., Madison 53715 (251-3171-H), as the supervisor representing the HSB. This term will expire 4/18/06.

Supervisor Don Eggert, 60 Waunona Woods Ct., Madison 53713 (222-3323-H). This term will expire 4/18/06.

#### **Local Emergency Planning Committee**

Supervisor Jeff Kostelic, 1701 Michigan Ave., Sun Prairie 53590 (825-2156-H). This term will expire 4/18/06.

#### **Monona Terrace Convention & Community Center Board**

Supervisor Scott McDonell, 111 W. Gilman Street, #6, Madison 53703 (259-9506-H), will continue to serve in a term that expires 5/1/06.

#### **Parks Commission**

Supervisor Jeff Kostelic, 1701 Michigan Ave., Sun Prairie 53590 (825-2156-H). This term will expire 7/1/07.

Supervisor Dave Ripp, 7220 CTH 19, Waunakee 53597 (849-7643-H&W). This term will expire 7/1/06.

#### **Public Safety Center Board**

Supervisor Jack Martz, 5766 Wilshire Dr., Fitchburg 53711 (274-7437-H), as the PP&J supervisor residing outside the City of Madison. This term will expire 4/18/06.

#### **Solid Waste & Recycling Advisory Commission**

Supervisor Mike Willett, 7715 Midtown Rd., Verona 53593 (845-8503-H), as a supervisor representing the Public Works & Transportation Committee. This term will expire 4/18/06.

Supervisor Dave Ripp, 7220 CTH 19, Waunakee 53597 (849-7643-H&W), as a supervisor representing the Parks Commission. This term will expire 4/18/06.

Supervisor Al Matano, 3745 Ross St., Madison 53705 (238-3045H, 267-6848W), as a supervisor representing the Public Works & Transportation Committee. This term will expire 4/18/06.

Supervisor Jeff Kostelic, 1701 Michigan Ave., Sun Prairie 53590 (825-2156-H), as the Board of Health representative. This term will expire 4/18/06.

#### **Specialized Transportation Commission**

Supervisor Vern Wendt, 5559 CTH F, Mazomanie 53560 (767-3455-H), as a supervisor representing western Dane County. This term will expire 4/18/06.

#### **South Central Library System Board**

Supervisor Elaine DeSmidt, 4709 Milwaukee Street, Madison 53714 (246-2700-H). This term will expire 12/31/04.

Supervisor Chuck Erickson, 1541 Jefferson St., Madison 53711 (251-3622-H, 298-1167-W), as a supervisor representing the City of Madison. This term will expire 4/18/06.

Supervisor Echnaton Vedder, 625 N. Frances St., Madison 53703 (280-8683-H), as a supervisor representing the City of Madison. This term will expire 4/18/06.

Supervisor Dennis O'Loughlin, 3934 Partridge Rd., DeForest 53532 (846-1851H, 276-7820W), as a supervisor representing eastern Dane County. This term will expire 4/18/06.

**Transport 2020**

Supervisor Scott McDonell and Supervisor Chuck Erickson will each continue to serve in terms that will expire 6/1/06.

**Tree Board**

Supervisor Paul Rusk, 1501 Pleasure Dr., Madison 53704 (249-9667-H, 232-3405-W), to be reappointed. This term will expire 4/16/06.

**W-2 Community Steering Committee**

Supervisor Ruth Ann Schoer, 7498 Old Sauk Rd., Madison 53717 (836-1312-H). This term will expire 5/1/07.

**Youth Commission**

Supervisor Robert Fyrst, 4214 Warwick Way, Madison 53711 (274-9775-H). This term will expire 4/18/06.

Submitted by Supervisor Kesterson, June 3, 2004 (p. 47, 04-05).  
Referred to EXECUTIVE.

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RES. 47, 04-05

**COUNTY EXECUTIVE APPOINTMENTS**

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Area Agency on Aging**

Caryl Farrell, 913 Foxfield Road, Oregon 53575 (835-7088-H), to be reappointed. This term will expire 4/17/07.

Paul Kusuda, 200 Tompkins Drive, Madison 53716 (222-2780-W), to be reappointed. This term will expire 4/17/07.

James T. Wrich, 3674 Mathias Court, Verona 53593 (821-0931-H), to be reappointed. This term will expire 4/17/07.

**Board of Adjustment**

J. Patrick Downing, Route 1, 256 Tyvand Road, Blanchardville 53516 (527-2472-H), due to the resignation of John Sayles. Mr. Downing has been the Town Chair of the Town of Perry since 1989 and is self-employed as a piano tuner. This term will expire 6/30/07.

Louise Klopp, 4283 Hwy. P, Cross Plains 53528 (798-4249-H), to be reappointed. This term will expire 6/30/07.

**B.U.I.L.D. Advisory Committee**

Todd McGrath, 805 South Dickinson Street, Madison 53703 (345-3976-H, 255-3976 x 224-W), to be reappointed. This term will expire 6/30/07.

**Children Come First Commission**

Lynn Green, 6709 Old Sauk Road, Madison 53705 (833-2041H, 242-6469W), to be reappointed. This term will expire 6/30/07.

Mike Dyer, 918 Shasta Dr., Madison 53704 (244-1250H, 246-6185W), to be reappointed. This term will expire 6/30/07.

Mary Gulbrandsen, 1506 Wood Lane, Madison 53705 (233-7674H, 266-6227W), to be reappointed. This term will expire 6/30/07.

**Civil Service Commission**

Caitlin E. Skinner, 2214 St. Paul Avenue, Madison 53704 (658-6825-H&W), to be reappointed. This term will expire 6/30/07.

**Commission on Sensitive Crimes**

Scott Martin, 205 Acewood Blvd., Madison 53714 (243-0264-H, 224-3665-W), to fill the seat of a representative of the Human Services Department, due to the retirement of Melanie McIntosh. Mr. Martin is the lead Social Worker for elder abuse in the HSD/Area Agency on Aging. This term will expire 6/30/07.

**Cultural Affairs Commission**

Barbara Harris Clayton, 5717 Tolman Terrace, Madison 53711 (274-2187), to be reappointed. This term will expire 6/30/06.

Eileen Potts-Dawson, 4213 Bagley Parkway, Madison 53705 (238-0138-H, 267-4262X118-W), to be reappointed. This term will expire 6/30/06.

**EMS Commission**

Mary Polenske, 1809 Chadsworth Drive, Sun Prairie 53590 (837-8450-H, 825-1135-W), to be reappointed. This term will expire 4/18/06.

**Ethics Board**

Amy Tutwiler, 5606 Sandhill Drive, Middleton 53562 (826-0102-H, 246-8500-W), to be reappointed. This term will expire 4/18/06.

Patricia D. Senter, 6630 Jacobs Way, Madison 53711 (274-8483-H, 821-4201-W), to be reappointed. This term will expire 4/18/06.

**Housing Authority Board, Dane County**

Denise Matyka, 454 Sydney Street, Madison 53703 (255-9252-H, 246-3737-W), to be reappointed. This term will expire 4/21/09.

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W). Ms. Wilcox served on the Housing Authority Board in a supervisor seat since 1998 and will move to a citizen seat. Ms. Wilcox is a former County Board Supervisor, having represented District 2 for twelve years. This term will expire 4/17/05.



### **Human Services Board**

Jon H. Hochkammer, 691 Grace Street, Verona 53593 (845-5833-H, 663-7150-W), to be appointed as the Area Agency on Aging Board representative. This term will expire 4/17/07.

Nell Mally, 145 S. Franklin St., Madison 53703 (280-9130-H), due to the resignation of Romilia Schlueter. Ms. Mally has served on the Area Agency on Aging Board of directors for seven years, and currently chairs the Task Force on Aging. She has worked as the director of a senior center and an adult day care program for eighteen years. She has a M.S. degree in Adult and Continuing Education and has taught gerontology courses for the Human Service Degree program at M.A.T.C. She has served on the HSB as the AAA Board rep. This term will expire 4/17/07.

John A. Schlueter, Jr., 6806 Donna Drive, Middleton 53562 (469-3076-H), due to the resignation of Sue Plasterer. Mr. Schlueter has an M.S. degree in Social Work and a criminal justice certificate. He has experience in the social work-related and criminal justice-related areas. He is employed as a Claims Representative by the Social Security Administration. This term will expire 4/17/07.

### **Parks Commission**

Kay Bongers, 5499 Reeve Road, Mazomanie 53528 (767-3576-H, 767-3447-W), to be reappointed. This term will expire 7/1/08.

### **Public Safety Communications Center Board**

Steven Wunsch, 5777 Williamsburg Way, Madison 53719 (278-0060-H, 828-5015-H), to be reappointed. This term will expire 5/1/06.

Timothy Hillebrand, 2144 Hillebrand Drive, Cross Plains 53528 (798-3456-H), to be reappointed. This term will expire 5/1/06.

### **Public Safety Communications Operating Practices Advisory Committee**

Chief John Gould, c/o Village of Cottage Grove Police Department, 4030 CTH N, Cottage Grove 53527 (839-4652-W), to be reappointed. This term will expire 5/1/06.

Kathy Krusiec, 5901 Country Walk, McFarland 53558 (838-6201-H, 267-1591-W), to be reappointed. This term will expire 5/1/06.

Stan Olson, 640 South First Street, Mount Horeb 53572 (437-5377-H, 437-6884-W), to be reappointed. This term will expire 5/1/06.

Randall L. Pickering, 5838 Persimmon Drive, Fitchburg 53711-5004 (273-2700-H, 252-2611-W), to be reappointed. This term will expire 5/1/06.

Steven Wunsch, 5777 Williamsburg Way, Madison 53719 (278-0060-H, 828-5015-H), to be reappointed. This term will expire 5/1/06.

Gary Ziegler, 53 W. Church St., Belleville 53508 (424-3471-H, 251-2341-W), to be reappointed. This term will expire 5/1/06.

### **Specialized Transportation Commission**

Ruth Diehl, 1878 Paddock Place, Oregon 53575 (835-7814-H, 266-7576-W), to be reappointed. This term will expire 4/18/06.

Jon H. Hochkammer, 691 Grace Street, Verona 53593 (845-5833-H, 663-7150-W), to be reappointed as the Area Agency on Aging Board representative. This term will expire 4/18/06.

Greg Morrison, 7034 W. Old Sauk Road, Middleton 53562 (836-3594-H, 223-0610-W), to be reappointed. This term will expire 4/18/06.

Steve Verriden, 1817 Spohn Avenue, Madison 53704 (249-4308-H, 242-8484x228-W), to be reappointed. This term will expire 4/18/06.

**Youth Commission**

Barbara Arnold, 1242 Meadowlark Drive, Madison 53716 (222-2740-H, 246-6788-W), to be reappointed. This term will expire 4/18/06.

Jeanne M. Behrend, 850 Schuster Road, Sun Prairie 53590 (837-9700-H), to be reappointed. This term will expire 4/18/06.

Sophia A. Estante, 414 Chamberlain Avenue, Madison 53726-2309 (242-1942-H), to be reappointed. This term will expire 4/18/06.

Julia Steege, 508 West Dean Avenue, Monona 53716 (222-5778-H), to be reappointed. This term will expire 4/18/06.

Submitted by Supervisor Kesterson, June 3, 2004 (p. 50, 04-05).  
Referred to EXECUTIVE.

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RES. 48, 04-05

INCREASE OF INCIDENT BASED REPORTING (IBR) POSITION  
FROM HALF-TIME TO THREE-QUARTER TIME

The Dane county Sheriff's Office currently has a Clerk Typist I-II (.5) position responsible for compiling and submitting our IBR data to the State of Wisconsin. This data must be submitted according to federal requirements and guidelines.

From January 2003 through September 2003, the average number of days between IBR data submission to the State of Wisconsin was 28 days. Since October 2003, the average number of days between submissions has increased to 44 days. The goal of the Dane County Sheriff's Office is to keep the average number of days between submission to approximately 30 or less days in order to prevent an ever-increasing backlog of IBR data. The State of Wisconsin requires that all data entered into the local agency's database must be submitted to the Office of Justice Assistance on a monthly basis.

The increasing backlog is due mainly to the increase in the number of calls received, 37,561 in 2002 to 44,201 in 2003, and the fact that during the 2004 budget process a Clerk Typist III position was eliminated. The Clerk Typist I-II (.5) position had to take on additional responsibilities that had a direct impact on the IBR reporting process but were no longer going to be performed due to the elimination of the Clerk Typist III position.

NOW, THEREFORE, BE IT RESOLVED that Clerk Typist I-II (.5), Position #2429, Support Services Division, be increased from a half-time (.5) position to a three-quarter time position (.75) effective June 27, 2004.

BE IT FURTHER RESOLVED that \$4,759.08 be transferred from the General Fund to the following Sheriff's Office, Support Services Division accounts:

Salaries & Wages	\$4,011.10
Retirement	441.13
FICA	<u>306.85</u>
	\$4,759.08

Submitted by Supervisors O'Loughlin, Wiganowsky, Bruskewitz, Vogel, Hitzemann, Willett, Martz, Gau, and Hanson, June 4, 2004 (p. 51, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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COMMUNICATIONS

Notice of Claim and Claim – re: Ch. 80, Dane County Ordinances. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Prentice Hall against AEC – claims product was discarded by Center staff. Referred to PUBLIC PROTECTION/JUDICIARY.

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RES. 49, 04-05

AWARDING PURCHASE OF SERVICE CONTRACT FOR STANDARD (NON-LEGAL)  
NATIONALLY CERTIFIED SIGN LANGUAGE INTERPRETER SERVICES

The Americans with Disabilities Act (ADA) requires local governments to provide for effective communication with participants in all programs and services. Therefore, the Department of Administration solicited proposals from providers for sign language interpreting services and, based on a review of proposals, a contract will be awarded to Communication Service for the Deaf, Inc. dba CSD of Wisconsin. CSD will be the primary agency to provide standard (non-legal), nationally certified sign language interpreting services for Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an agreement from January 1, 2004, to December 31, 2006, with Communication Service for the Deaf, Inc., (CSD) in an amount not to exceed \$22,500 annually. The contract may be renewed at the County's option for two subsequent one-year periods to commence on January 1, 2007, and January 1, 2008. These funds are budgeted in the Department of Administration, Sheriff's Office, and Clerk of Courts.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the contractual agreements.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Wheeler, Richmond, and Fyrst, June 17, 2004 (p. 52, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 50, 04-05

AWARD OF CONTRACT FOR WASHED STONE & GRAVEL  
FOR PHASE 7 CONSTRUCTION AT LANDFILL SITE #2

The Department of Public Works, Highway & Transportation reports the receipt of bids for the purchase and delivery of Washed Stone and Gravel for Phase 7 Construction at the Dane County Sanitary Landfill Site #2, 7102 U. S. Highway 12 & 18, Madison, Wisconsin, BID NO. 7539.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation.

The low bidder is:

R. G. Huston Co., Inc.

2561 Coffeytown Road

Cottage Grove, WI 5352

Contract Amount: \$108,290.00

The Public Works Staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to R. G. Huston Co., Inc.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to R. G. Huston Co., Inc., in the amount of \$108,290 for the Washed Stone and Gravel at Landfill Site #2; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, and Opitz, June 17, 2004 (p. 53, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 51, 04-05

CHANGE ORDER #22 TO MIRON CONSTRUCTION FOR DANE COUNTY COURTHOUSE

Sub. 1 to Res. #278, 2002-03, awarded a contract to Miron Construction for the Dane County Courthouse project, Bid #6104. The amount of the award was \$30,573,200.00.

The following changes are being made to the original contract:

C.O. #22—Relocate and provide wiring for fire alarm devices  
due to Code requirements: ADD: \$14,345.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #22 to Miron Construction for the Dane County Courthouse project be approved and authorized; and

BE IT FURTHER RESOLVED that the Public Works Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, and Opitz, June 17, 2004 (p. 53, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 52, 04-05

AUTHORIZATION TO ENTER INTO AGREEMENT WITH MG&E  
FOR PURCHASE OF ELECTRIC ENERGY GENERATED AT LANDFILL SITE #2

Dane County Sanitary Landfill Site No. 2 has installed a 3<sup>rd</sup> 800kW Gen Set and intends to install and operate a fourth 1.6 Mw Gen Set in parallel with Madison Gas & Electric Company's (MG&E) electrical system. MG&E will accept delivery of and purchase electric energy generated in accordance with this Agreement #7579.

Anticipated revenue for the third Gen Set is \$250,000.00 per year and anticipated revenue for the fourth Gen Set is \$500,000.00 per year.

NOW, THEREFORE, BE IT RESOLVED that the Agreement be awarded to MG&E and that the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FURTHER RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, and Opitz, June 17, 2004 (p. 54, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 53, 04-05

AUTHORIZING EXECUTION OF LEASE AMENDMENT

Renaissance Real Estate Holdings, LLC, owns an office building located adjacent to the Airport on approximately 1.5 acres of land it rents from Dane County under Lease No. DCRA 88-21, expiring in 2063. Dane County and Renaissance Real Estate Holdings, LLC, have negotiated an amendment to the existing lease that adds an abutting parcel of 32,776 square feet, approximately .75 acre, to the leased premises to be used for additional parking to accommodate the users of the office building on the leased premises. Under the terms of the lease amendment, rent **including** the additional land is set at \$1,748.90 per month, with annual adjustments tied to the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of the County of Dane the Second Amendment to Lease No. DCRA 88-21 adding, under the foregoing terms, an approximately .75 acre parcel to the premises leased by Renaissance Real Estate Holdings, LLC.

Submitted by Supervisors O'Loughlin and Gau, June 17, 2004 (p. 54, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 54, 04-05

NAMING THE LOWER LEVEL OF LUSSIER FAMILY HERITAGE CENTER THE "KEN LePINE HALL"

Ken LePine's career with Dane County Parks spanned 23 years from 1981 through 2004, the last 14 years as its Parks Director. Under the exceptional leadership of Ken LePine and the Park Commission, many new and innovative programs were initiated. One major project achieved during Ken's tenure was the development of the Lussier Family Heritage Center. This facility was designed to provide an environment that supports and encourages the discovery of the history, culture, and natural resources of the Dane County Region, the Nine Springs E-Way, and Lake Farm County Park through recreation, interactive programs, special events, and interpretation. The Center is a key feature of the Capital Springs Recreations Area and the Nine Springs E-Way Corridor connecting local and regional land and water resources.

The goal in creating the new \$1.5 million Center was to raise private funds from a wide range of donors to leverage non-County grant dollars. The concept for the Center was developed, building designs drafted, and a capital campaign launched in 1994. The completion of the Heritage Center was both a personal and professional

goal of Ken LePine, who was a tireless advocate for the project. After five years of fundraising, major donor John H. "Jack" Lussier stepped forward with the keystone gift. Groundbreaking took place on August 21, 2000, and the Center was completed and opened for public use in August 2001.

At Ken LePine's retirement event in 2003, Mr. Lussier gave an additional donation of \$100,000 in Ken LePine's name and expressed his desire that these funds be used to complete the lower level of the Lussier Family Heritage Center.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Park Commission, Dane County Board of Supervisors, and the Dane County Executive recognize the significant contribution that Ken LePine has made to Dane County Parks and in the creation of the Lussier Family Heritage Center.

BE IT FURTHER RESOLVED that the lower level of the Lussier Family Heritage Center be named the "Ken LePine Hall."

BE IT FINALLY RESOLVED that the naming of the lower level of the Lussier Family Heritage Center follows Dane County Policy on Recognition's, Dedications, Memorials and Donations for the Dane County Park System per County Board Res. 312, 1991-1992(6).

Submitted by Supervisors Ripp, Kostelic, and Kesterson, June 17, 2004 (p. 55, 04-05).  
Referred to PUBLIC WORKS/TRANSPORTATION and PARKS.

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RES. 55, 04-05

AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION TO PROVIDE DANE COUNTY WITH FUNDS TO ASSIST IN PROVIDING LAW ENFORCEMENT PRESENCE AT THE DANE COUNTY REGIONAL AIRPORT FOR AN ADDITIONAL TWO SHIFTS PER DAY AND CREATING FOUR FTE DEPUTY SHERIFF POSITIONS TO FILL SUCH SHIFTS ON A SEVEN DAY A WEEK BASIS

The Transportation Security Administration (TSA) has earmarked funds to help offset the cost of additional law enforcement presence at the Dane County Regional Airport. The funding would be provided pursuant to a Memorandum of Understanding between Dane County and the TSA providing for federal reimbursement for salary and benefit costs of filling a deputy position at the airport for sixteen hours per day for seven days per week. To provide the staffing necessary for the additional airport security, the Sheriff's Office will need to create four new full time Deputy Sheriff positions. Ongoing budgetary authority to maintain the four additional full time equivalent positions is expressly contingent upon continued federal reimbursement under the Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to enter into a Memorandum of Understanding with the TSA pursuant to which the County will be reimbursed by the TSA for providing an additional two shifts, seven days a week, of law enforcement services at the Dane County Regional Airport;

BE IT FURTHER RESOLVED, expressly contingent on the continuation of the foregoing Memorandum of Understanding, that the Dane County Sheriff's Office is authorized to add and maintain four additional FTE deputy sheriff I-II positions;

BE IT FURTHER RESOLVED that revenue in the amount of \$57,000 be established in the Airport Fund as TSA Security Revenue for 2004 and that expenditures for Airport Security in the Airport Fund be increased by \$67,000 for 2004; and

BE IT FINALLY RESOLVED that \$67,000 be set up as additional Sheriff, Field Services, Airport Security Revenue and be credited to the General Fund and that \$67,000 be transferred from the General Fund to Sheriff, Field Services, Personal Services.

Submitted by Supervisors Rusk and O'Loughlin, June 17, 2004 (p. 56, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 56, 04-05

AUTHORIZING TIME OFF DESIGNATION BY COUNTY EMPLOYEES TO ASSIST LINDA JOHNSON

Linda Johnson, (employee number 1740), has been employed for Dane County since 1980. She is currently employed by Dane County Department of Human Services as an Economic Support Specialist. Ms. Johnson has a serious medical condition and will need further treatment.

NOW, THEREFORE, BE IT RESOLVED that, on a special one-time basis, Dane County employees be allowed to designate portions of their accumulated holiday, vacation, sick leave, and compensatory time to be used to provide paid time off for Linda Johnson; and

BE IT FINALLY RESOLVED that Linda Johnson (employee number 1740) shall be entitled to use such donated leave in place of normally scheduled work days between the last day for which she is paid based on previously accumulated leave time and the date on which she has used a maximum of 240 hours (the number of hours equivalent to six weeks approved in similar resolutions). Donations will be accepted up to a maximum of 240 hours to cover hours referenced above. The donated time will be used in the order in which the donations are received, and any donated time that Ms. Johnson is unable to use will be returned to the donors.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Wheeler, Richmond, and Fyrst, June 17, 2004 (p. 56, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 57, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**B.U.I.L.D. Advisory Committee**

Susan King, 6217 North Highland, Madison 53705 (231-2523H, 258-8444W), to be reappointed. This term will expire 6/30/07.

Kevin Pomeroy, 309 South Fourth Street, Stoughton 53589, to be reappointed. This term will expire 6/30/07



### **Reclassification Appeals Board**

Thomas Krauskopf, 657 Hilltop Drive, Madison 53711 (271-3060-H), to be reappointed. This term will expire 6/30/07.

### **South Central Rail Transit Commission**

Judy Olson, 518 Clemons Ave., Madison 53703 (245-0557); to be reappointed. This term will expire 4/17/07.

### **Specialized Transportation Commission**

John A. McNamara, 430 Cantwell Court, #A, Madison 53703 (256-8453-H, 242-2039 x 361-W), due to the resignation of Barry Heller. Mr. McNamara is Director of Marketing & Consumer Service for Union Cab of Madison Cooperative, Inc. During his sixteen years of employment with Union Cab, he has worked as a cab driver, school coordinator, dispatcher, bus dispatcher, and has served on Union Cab's Board of Directors. He has a B.A. degree in English Literature and History from the University of Wisconsin-Madison. He also serves on Downtown Madison, Inc.'s, transportation committee. This term will expire 4/18/06.

### **Task Force on Traffic Safety**

Kate Nolan, 5700 Tecumseh Avenue, Monona 53716 (261-6801-W), to be appointed as a representative from the local chapter of the Mothers Against Drunk Driving. Ms. Nolan is Vice President of the local chapter.

Cheryl Wittke, P.O. Box 6652, Madison 53716 (256-6713-W), to be appointed as a representative from the Safe Community Coalition. Ms. Wittke is Executive Director of the Safe Community Coalition.

Ernie Stetenfeld, c/o AAA-Wisconsin, 8401 Excelsior Drive, Madison 53717 (828-2530-W), to be appointed as a representative from the American Automobile Club. Mr. Stetenfeld is Vice President of Corporate Relations for AAA-Wisconsin.

Rick Fetherston, c/o American Family Insurance Company, 6000 American Parkway, Madison 53718 (242-4100 x 31200), to be appointed as a representative of a local insurance company. Mr. Fetherston is Vice President of Public Relations for American Family Insurance Company.

Ken Haynes, Dane County Executive Office, 210 Martin Luther King, Jr. Boulevard, Room 421, City-County Building, Madison 53703 (266-3197-W), to be appointed as the County Executive's Designee. Mr. Haynes is an Executive Assistant to the County Executive.

Jerry Smith, Wisconsin Department of Transportation, 4802 Sheboygan Avenue, Room 951, Madison 53702 (266-0420-W), to be appointed as a representative of the Wisconsin Department of Transportation. Mr. Smith is Section Chief, Field Services in the WDOT Bureau of Transportation Safety.

### **Tree Board**

Dr. R. Bruce Allison, 1312 Culmen St., Madison 53713 (257-4383-H, 257-4126-W), to be reappointed. This term will expire 4/18/06.

### **W-2 Steering Committee**

Jim Blakeslee, 10731 Bay Shore Lane, Milton 53563 (868-9085-H, 849-9999-W), to be reappointed. This term will expire 5/1/07.

Vince O'Hern, 2930 Lakeland Avenue, Madison 53704 (244-7308-H, 251-5627-W), to be reappointed. This term will expire 5/1/07.

Yolanda Springfield-Woodard, 5943 Schumann Circle, Madison 53711 (277-9611-H, 277-1950-W), to be reappointed. This term will expire 5/1/07.

Submitted by Supervisors Kesterson, June 17, 2004 (p. 58, 04-05).  
Referred to EXECUTIVE.

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RES. 58, 04-05

AWARD OF GRANTS UNDER THE DANE COUNTY  
CONSERVATION FUND GRANT PROGRAM – SPRING 2004

The Dane County Board adopted guidelines for the Dane County Conservation Fund Grant Program as Res. 53, 2000-2001. The Conservation Fund Grant Program recognizes the significant role and benefit of non-profit groups and local government units in leveraging additional dollars in meeting the goals of the Park and Open Space Plan.

After a thorough review of the 2004 spring grant applications, the Conservation Fund Grant Advisory Committee has made the following grant recommendations:

<u>Applicant</u>	<u>Project Location</u>	<u># Acres</u>	<u>Project Costs</u>	<u>Grant</u>
Sun Prairie Area School District	Patrick Marsh	21	\$563,970	\$80,884
Natural Heritage Land Trust	Black Earth Creek Watershed	215	\$575,585	\$34,761

These grant awards are based on estimated project costs and the amount of funding available in the spring grant cycle. Applicants are entitled to reapply for remaining funds that they may be eligible for in the fall grant cycle.

NOW, THEREFORE, BE IT RESOLVED that each of the above-mentioned grant awards are approved by the Dane County Board and the Dane County Executive. The County will pay up to the grant amount with reimbursement based on actual project expenses in accordance with the cost share formula in the County Conservation fund Grant Guidelines and Year 2004 application materials.

BE IT FURTHER RESOLVED that these grant awards total \$115,645 and funds are currently available in the Dane County Conservation Fund.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include deed restrictions or the transfer of land or land rights which will vest in Dane County.

BE IT FINALLY RESOLVED that the Conservation Fund Specialist is authorized to approve closing and reimbursement documentation for grant projects and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through these grant awards.

Submitted by Supervisors Kostelic and Ripp, June 17, 2004 (p. 58, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.  
Park Commission recommended adoption on 6/9/04.

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RES. 59, 04-05

CREATING A PROCESS TO RESTRUCTURE WATER QUALITY  
AND INTERGOVERNMENTAL PLANNING IN DANE COUNTY

The Dane County Regional Planning Commission (RPC) is scheduled to dissolve October 1, 2004, pursuant to state law. Prior to the beginning of the dissolution process, the Dane County RPC provided a variety of planning services that were coordinated within one agency, including transportation, water quality, and farmland preservation planning. The transportation planning has since been transferred to the Madison Metropolitan Planning Organization. The farmland preservation planning has been transferred to the Dane County Planning and Development Department.

Historically, local funding for the RPC has been provided by a county tax levy, which was collected by the county on behalf of the RPC. That levy amount is \$800,000 in 2004 but has been higher in the past. The maximum levy rate, which is authorized in statutes for regional planning commissions, has never been separately identified on property tax bills.

On November 6, 2003, the Dane County Board of Supervisors adopted Sub. 3 to Res. 119, 03-04, Authorizing R. P. C. Merger And Requesting State Funding For Water Quality Activities. The resolution provided that if, by May 1, 2004, no successor water quality planning agency was created for Dane County, the County Executive and the County Clerk, with County Board approval, were authorized to execute an agreement to combine all RPC staff with DPD staff effective May 1, 2004, including the provision that the RPC retain one full-time employee until October 1, 2004. In addition, the resolution requested that the state Department of Natural Resources provide funding for the water quality planning activities carried out by the RPC and further provided that, in the event the Department of Natural Resources cannot or will not provide funding for the employees being assumed from the RPC by the County, the Executive is requested to present a resolution to the Board responding to that contingency. However, as of June 15, 2004, no agreement to merge staff has been presented to the Board, nor has a resolution been presented regarding DNR funding of water quality planning.

Since passage of that resolution, there have been discussions among representatives of the county, City of Madison, Dane County towns, villages, and small cities and other stakeholders about how best to continue the water quality planning duties carried out by RPC under the authority of the Clean Water Act. No members of the County Board were included in these meetings. Initial discussions resulted in a proposal to create a Dane County Council of Governments, which would require state enabling legislation. However, a number of concerns were raised with the proposed legislation, including: the lack of input from and involvement of the county board in the process and on the council; the method to be used to select town, village and city representatives; and the criteria to be used to consider urban service area extensions. Although negotiations continued, it is very unlikely that the legislature will convene again prior to October 1, 2004, to consider any legislation related to the Council of Governments.

Previous county board resolutions have expressed support for a multi-county planning organization which would include Dane County and our neighbor counties, however, no progress and little effort has been made to date to implement such an organization. The Department of Natural Resources has indicated it is making contingency plans to carry out water quality planning for Dane County, as it does for other counties, if no water quality agency is put into place by October 1.

There is a need to create a body with the legislative authority to comprehensively address the outstanding issues related to the organization of multi-county intergovernmental planning, water quality planning, and urban

service area expansion in Dane County, merger of RPC staff with the Dane County Department of Planning and Development, and providing the legislature with drafting instructions for legislation to effectuate these changes.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby creates an Intergovernmental Planning Structure Task Force, to be composed of eleven members as follows: the County Executive or her designee; the Mayor of the City of Madison or his designee; the Chair of the Dane County Board of Supervisors or his designee; a representative of the Department of Natural Resources; a representative of the Dane County Cities and Villages Association nominated by that association; a representative of the Dane County Towns Association nominated by the that association; two County Board supervisors, to be appointed by the County Board chair, one of whom lives in the City of Madison and one of whom lives in an area subject to the Dane County Zoning Ordinance; a citizen with an interest in environmental issues, to be appointed by the County Board Chair; a realtor, to be appointed by the County Board Chair; a developer, to be appointed by the County Board Chair; and

BE IT FURTHER RESOLVED that the Task Force shall provide recommendations to the County Board which address the following issues: creation of a successor water quality planning agency to assume the duties currently carried out by the Dane County Regional Planning Commission; creation of a multi-county planning organization including Dane County and other neighbor counties; merger of current staff of the Regional Planning Commission staff with the Dane County Department of Planning and Development; drafting instructions for any necessary legislation to implement its recommendations on these issues; and

BE IT FURTHER RESOLVED that administrative support for the Task Force shall be provided by the Office of the County Board, with technical support from the Department of Planning and Development, the Corporation Counsel's Office, and other County departments as needed; and

BE IT FINALLY RESOLVED that the Task Force report its recommendations to the County Board no later than September 1, 2004.

Submitted by Supervisors Bruskwitz, Martz, Gau, Kesterson, Vogel, Opitz, Salov, Jensen, Wendt, and de Felice, June 17, 2004 (p. 60, 04-05).

Referred to EXECUTIVE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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RES. 60, 04-05

AUTHORIZATION OF SUN PRAIRIE LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has occupied office space in the City of Sun Prairie School District former Administration building at 509 Commercial Avenue in Sun Prairie, Wisconsin. This space includes four office areas, including two private offices and two adjoining large office areas, for a total of 846 sq. ft. It also has a front entrance and access to restrooms and limited kitchen facilities. The School District is requesting \$297.17 per month rent for the space allocated to the Joining Forces for Families Program, which includes utilities, other light maintenance such as snow removal, excluding telephone. This is an increase from last year's rent and light maintenance costs of \$93.12. Rent was \$224.19 and maintenance costs were \$59.22.

The negotiated rental rate for the designated JFF space is presently below market rate for this space, which is 846 square feet. The space will be utilized by a Dane County Community social worker and other JFF partners.

The 2004-05 rate would be \$230.54 per month plus \$60.63 for utilities and other light maintenance (except telephone) for a total of \$291.17 per month or \$3,494.04 for the rental year. The current lease will run from September 1, 2004, to August 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the City of Sun Prairie School District for 2004; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskevitz, June 17, 2004 (p. 61, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

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RES. 61, 04-05

ADJUSTING REVENUE AND EXPENDITURE LINES AND AMENDING A PROFESSIONAL SERVICE CONTRACT. MENTAL HEALTH CENTER OF DANE COUNTY, POSITIVE BEHAVIOR SUPPORT TEAMS - DCDHS – CYF DIVISION

This resolution accepts Medicaid Pass Through revenue in the amount of \$55,000.00 to cover staff costs within the Youth Crisis Unit of the Mental Health Center of Dane County for school-based services (Positive Behavior Support Teams).

NOW, THEREFORE, BE IT RESOLVED that the professional service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
The Mental Health Center of Dane County, Inc,	\$55,000.00

BE IT FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4440 1439	Mental Health Center	\$55,000
	SED Crisis	
	Total Revenue:	\$55,000
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4365 New	Mental Health Center –	\$55,000
	SED Crisis	
	Total Expenditure:	\$55,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskewitz, June 17, 2004 (p. 62, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 62, 04-05

ADJUSTING REVENUE AND EXPENDITURE LINES AND AMENDING A PROFESSIONAL SERVICE CONTRACT, MENTAL HEALTH CENTER OF DANE COUNTY – FAMILY BASED SERVICES - DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution accepts Medicaid pass through revenue in the amount of \$25,000 to cover costs associated with the provision of crisis stabilization services within the Child, Adolescent and Families Unit at the Mental Health Center of Dane County. Specifically this revenue will pay for .4 FTE within the Child, Adolescent and Families unit as well as one hour per week of psychiatric services. This contract amount covers January 2004- December 2004.

NOW, THEREFORE, BE IT RESOLVED that the professional service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
Mental Health Center of Dane County, Inc,	\$25,000

BE IT FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4440 1439	Mental Health Center – SED Crisis	\$25,000
	Total Revenue:	\$25,000
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4365 5903	Mental Health Center – FBS	\$25,000
	Total Expenditure:	\$25,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskewitz, June 17, 2004 (p. 62, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 63, 04-05

ADJUSTING REVENUE AND EXPENDITURE LINES AND AMENDING A PROFESSIONAL SERVICE CONTRACT, MENTAL HEALTH CENTER OF DANE COUNTY – YOUTH CRISIS - DCDHS - CYF DIVISION

This resolution accepts Medicaid pass through revenue in the amount of \$85,000 to cover costs associated for Crisis Stabilization supervision and oversight conducted by the Mental Health Center of Dane County's Youth Crisis Unit. Specifically, this revenue will pay for 1.5 FTE and psychiatric services within the Youth Crisis Unit. These staff provide supervision of crisis stabilization services and system oversight for the Department of Human Services, Children Youth and Families Division. This contract amount covers January 2004-December 2004.

NOW, THEREFORE, BE IT RESOLVED that the professional service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
The Mental Health Center of Dane County, Inc,	\$85,000

BE IT FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4440 1439	Mental Health Center – SED Crisis	\$85,000
	Total Revenue:	\$85,000

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4365 5908	Mental Health Center – SED Crisis	\$85,000
	Total Expenditure:	\$85,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskewitz, June 17, 2004 (p. 63, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 64, 04-05

ADJUSTING REVENUE LINES , INDEPENDENT LIVING–EDUCATION AND TRAINING –  
DCDHS – CYF DIVISION

This resolution accepts monies from the State of Wisconsin for purposes of providing post-secondary education, training, and related activities for youth who are leaving or have recently left Dane County foster care. These monies are designed to help youth make the transition to self-sufficiency and receive the education, training and services necessary to obtain employment.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4455 TBD	Independent Living	
	Education and Training	\$33,604
	Total Revenue:	\$33,604

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4455 TBD	Independent Living	
	Education and Training	\$33,604
	Total Expenditure:	\$33,604

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskwitz, June 17, 2004 (p. 64, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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COMMUNICATIONS

- Claim from Clara Leatherberry – claims injury when she fell in CCB. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Claim from Specialty Associates, Inc., and Tri-North Builders – claims nonpayment for services for Airport. Referred to PUBLIC PROTECTION/JUDICIARY.
- Communication from Nellie J. Babler on behalf of her son’s claim (Bradley Babler). Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Mike Emmenegger against Parks – claims mower threw rock into car. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from William O. Smith against Highways(?) – claims mower in front of Highway garage threw a rock into his car. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Claim from Anthony Berry against Jail – claims eyes damaged by contact lens solution. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Jessica K. Dunn against AEC – claims injury from slipping on cellophane bag on floor. Referred to PUBLIC PROTECTION/JUDICIARY.
- Letter of Noncompliance from WisDNR re: landfill. Referred to PUBLIC PROTECTION/JUDICIARY.
  
- Jefferson Co. Res. No. 2004-24, Participating in Ozone Action Day. Referred to EXECUTIVE.

ZONING PETITIONS

- Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATIONS.
- Petition 8995 – Town of Christiana – David R. Melton
- 8996 – Town of Dane – David A. & Julie A. Dresen
- 8997 – Town of Cross Plains – Stith Gower
- 8999 – Town of Sun Prairie – Blair D. Moldenhauer and Margo Goodwin-Moldenhauer
- 9000 – Town of Vienna – Koltes Brothers
- 9001 – Town of Pleasant Springs – Steven F. Weynand
- 9002 – Town of Cross Plains – Arthur Jeschke
- 9003 – Town of Montrose – Glenn & Elaine Morrnick
- 9004 – Town of Burke – Vera & Thirl Reynolds
- 9005 – Town of Windsor – Tuscany Investment Properties, LLC
- 9006 – Town of Vienna – Midthun Brothers et al



9007 – Town of Burke – Larry D. Jacobson LLC  
9008 – Town of Montrose – Floyd Viney  
9009 – Town of Westport – Robert L. & Janef G. Walter  
9010 – Town of Roxbury – Henry Straw et al  
9011 – Town of Pleasant Springs – Duane Swalheim  
9012 – Town of Dunkirk – Lee Waag  
9013 – Town of Rutland – Brian Larson  
9014 – Town of Dunkirk – Lee Waag  
9015 – Town of Rutland – Julie Mahnke  
9016 – Town of Albion – Tom & Julie Bolden  
9017 – Town of Roxbury – Marvin P. & Harriet Breunig  
9018 – Town of Blue Mounds – Richard Losenegger  
9019 – Town of Burke – James O. Briggson

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AMENDING CHAPTER 72 OF THE DANE COUNTY CODE OF ORDINANCES, PROHIBITING THE INTRODUCTION OF ZEBRA MUSSELS TO WATERS OF DANE COUNTY

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 72.11 is renumbered as section 72.98, and section 72.12 is renumbered as section 72.99.  
[EXPLANATION: This amendment places the severability clause and penalty provisions at the end of Chapter 72 leaving previous sections for substantive provisions.]

ARTICLE 3. A new section 72.11 is created to read as follows:

**72.11 ZEBRA MUSSELS. (1) PURPOSE.** Zebra mussels have been found in Wisconsin waters, including Lake Monona. They are an invasive species, as defined by s. 23.22(1)(c), that displaces native species and disrupts ecosystems. They hamper boating, swimming, fishing and other water-based recreation, and take an economic toll. This ordinance is intended to prevent the spread of zebra mussels in Lake Monona and prevent their introduction to other Dane County waters.

(2) No person shall place or use any watercraft, watercraft or boating equipment, or trailer in any waters of Dane County, if the person has reason to believe that the watercraft, equipment or trailer has zebra mussels attached.

(3) No person shall intentionally introduce zebra mussels into the waters of Dane County by any means.

(4) (a) The Dane County Sheriff's Office shall provide a notice that contains the provisions of this section and shall make copies available to owners required to post the notice under par. (b).

(b) Each owner of a site that provides public access to a navigable water for watercraft shall post and maintain the notice described in par. (a).

[EXPLANATION: This amendment prohibits the placement of boats, equipment or trailers that have zebra mussels attached to them into the waters of Dane County and the intentional introduction of zebra mussels by any means.]

ARTICLE 4. Section 72.99(2) (formerly section 72.12) is amended to read as follows:

(2) (a) Any person violating sec. 72.09 or sec. 72.11(2) shall forfeit not more than \$50 for the first offense and shall forfeit not more than \$100 upon conviction of the same offense a second 2<sup>nd</sup> or subsequent time within one year.

(b) Any person violating sec. 72.11(3) shall forfeit not more than \$500 for the first offense and shall forfeit not more than \$1,000 upon conviction of the same offense a second or subsequent time.

[EXPLANATION: This amendment creates a forfeiture for violation of sec. 72.11.]

Submitted by Supervisors Olsen, Eggert, Hulse, McDonnell, Jensen, Worzala, Vedder, Fyrst, Brown, Vogel, Bruskewitz, Pertzborn, Willett, Matano, Richmond, Wheeler, and Schoer, July 8, 2004 (p. 66, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED.

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AMENDING CHAPTER 12 OF THE DANE COUNTY CODE OF ORDINANCES, INCREASING ZONING FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsections (1), (2), (3) and (5) of s. 12.03 are amended to read as follows:

12.03 ZONING PERMIT FEES FOR NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS. (1) For construction of new single family, duplex and mobile home residences, the fee shall be \$30 plus \$0.075 for each square foot of floor area, including basements and attached garages. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(2) For additions to or alterations of existing single family, duplex and mobile home residences, and for buildings accessory to single family, duplex and mobile home residences, the fee shall be \$30.00 plus \$0.075 for each square foot of added floor area including basements and attached garages. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(3) For construction of commercial structures and multi-family residences, including additions, alterations and accessory buildings, the fee shall be \$200.00 plus \$2.00 for each \$1,000 of construction costs or fraction thereof. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(5) The fee for all new construction, alterations and additions to existing buildings and buildings used for agricultural purposes where a permit is required because of locational requirements of the board of adjustment shall be \$80.00, except as otherwise provided above. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

ARTICLE 3. Subsections (1), (2), (3), (4), (8), (10), (11) and (14) of s. 12.05 are amended to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES. (1) The fee for a zoning permit to place fill, grade or excavate in a flood plain area shall be \$100.00. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(2) The fee for a petition to amend the zoning ordinance shall be \$200.00. Late Filing Fee: Where work has begun before a permit has been obtained, or where a change in the use of the property has occurred which requires a change in zoning district, or where necessary approvals have not been obtained prior to commencing a change in use, the fee shall be doubled.

(a) The zoning administrator shall collect an additional fee of \$12 when the petition, if granted, will result in a change to the zoning map.

(b) The zoning administrator shall collect an additional fee of \$100 for a density study when the petition includes a request to rezone from the A-1 Exclusive Agriculture zoning district.

(3)(a) Except as provided in subsection (b) herein the fee for an application for a conditional use permit shall be \$250.00. Late Filing Fee: Where work has begun before a permit has been obtained, or where appropriate approvals have not been obtained prior to commencing a change in use which requires a conditional use permit, the fee shall be doubled.

(b) The fee for an application for a conditional use permit for the construction, placement or modification of a communication tower under section 10.194 of this code of ordinances shall be \$1,500.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(c) In addition to the fees set forth in paragraphs (a) and (b), there is imposed a digital mapping maintenance fee of \$12.

(4) The fee for an application for a variance shall be \$200.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(8) The fee for a petition to amend the zoning ordinance and for a conditional use permit filed jointly for the same parcel of land shall be \$400.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(10) The fee for an application for a special exception permit shall be \$200.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(11) The fee for an administrative review of a farm plan in conjunction with an application for a zoning permit to construct a residence in the A-1 Agriculture District (Exclusive) shall be \$165.00, in addition to the fee for a zoning permit if one is issued. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(14) The fee for a preliminary density study shall be ~~\$45.00~~\$100.00. A preliminary density study is a study conducted by the department to determine the number of splits remaining for a particular parcel or to analyze other components of a town plan, performed where the person requesting the study does not have a zoning petition pending.

*[EXPLANATION: The amendments made by Articles 2 and 3 increase fees consistent with the approved 2004 budget.]*

Submitted by Supervisor McDonell, July 8, 2004 (p. 68, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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ORD. AMDT. 10, 04-05

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
ESTABLISHING A JAIL INMATE PROCESSING FEE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.59 is created to read as follows:

**62.59 FEE FOR JAIL PRISONER PROCESSING. (1) PURPOSE.** Administration and operation of the Dane County Jail is a taxpayer expense. The cost of processing or "booking" a prisoner is approximately \$25.00. There are approximately 17,000 bookings per year into the jail at an expense of \$425,000 to Dane County taxpayers. The Dane County Board of Supervisors finds that where practicable, this cost should be paid by prisoners who necessitate this expense.

**(2)** The Sheriff shall collect a fee of \$25.00 per confinement of each person processed into the Dane County Jail. If a person is later acquitted of criminal charges or is not formally charged, the fee shall be reimbursed.

**(3)** If the Sheriff maintains an institutional account for an inmate's use for payment for items from canteen, vending or similar services, the Sheriff may make deductions from the account until the amount authorized under sub. (1) is paid in full. If the fee remains unpaid, the county is authorized to use any legal process to collect the unpaid fees.

**(4)** The fee established in sub. (2) shall not be assessed to a prisoner who is determined to be indigent. Before seeking reimbursement under this section, the Sheriff shall provide a form to be used to determine the financial status of prisoners, which shall comply with the requirements of s. 302.372(2)(b), Wis. Stats.

*[EXPLANATION: This amendment creates a fee to cover the cost of processing a prisoner sentenced to the jail.]*

ARTICLE 3. Non-Code Provision. The effective date of this amendment shall be January 1, 2005, provided that prior to that date two (2) new positions (an account clerk III and clerk/typist II) are created within the Sheriff's Department to administer the processing fee.

*[EXPLANATION: A delayed effective date for this ordinance is necessary to provide for additional staff for the jail to administer this provision.]*

Submitted by Supervisors Wiganowsky, Hanson, Blaska, Vogel, and Brown, July 8, 2004 (p. 69, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 65, 04-05

DANE COUNTY PRIVACY POLICY CONCERNING ACCESS TO COUNTY SERVICES

WHEREAS, it is the policy of Dane County to promote the utilization of its services by all of its residents who are entitled to and in need of them; and

WHEREAS, individuals should know that they may seek and obtain the assistance of county agencies regardless of personal or private attributes, without negative consequences to their personal lives; and

WHEREAS, the obtaining of pertinent information, which is essential to the performance of a wide variety of governmental functions, may in some cases be difficult or impossible if some expectation of confidentiality is not preserved, and preserving confidentiality in turn requires that governments regulate the use of such information by their employees; and

WHEREAS, in furtherance of this policy, confidential information in the possession of county agencies relating to immigration status or other personal or private attributes should be disclosed only as provided herein;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby approves the following privacy policy regarding individuals seeking access to county services:

Section 1. As used herein, "confidential information" means any information obtained and maintained by a county department or agency relating to an individual's sexual orientation, status as a victim of domestic violence, status as a victim of sexual assault, status as a crime witness, receipt of public assistance, or immigration status, and shall include all information contained in any individual's income tax records.

Section 2. No county officer or employee shall disclose confidential information, unless

- (a) such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or legal guardian; or
- (b) such disclosure is required by law; or
- (c) such disclosure is to another county officer or employee and is necessary to fulfill the purpose or achieve the mission of any county department or agency; or
- (d) in the case of confidential information other than information relating to immigration status, such disclosure is necessary to fulfill the purpose or achieve the mission of any county department or agency; or
- (e) in the case of information relating to immigration status, (i) the individual to whom such information pertains is suspected by such officer or employee or such officer's or employee's agency of engaging in criminal activity other than mere status as an undocumented alien or (ii) the dissemination of such information is necessary to apprehend a person suspected of engaging in criminal activity, other than mere status as an undocumented alien or (iii) such disclosure is necessary in furtherance of an investigation of potential terrorist activity.

County departments and agencies shall promulgate such rules as may be appropriate to detail circumstances in which confidential information may or may not be disclosed pursuant to this policy. Any county officer or employee with a question relating to the disclosure of confidential information under this section shall consult with the Corporation Counsel.

Section 3. Information regarding immigration status.

- (a) A county officer or employee, other than law enforcement officers, shall not inquire about a person's immigration status unless:
  - (1) Such person's immigration status is necessary for determination of program, service or benefit eligibility or the provision of county services; or
  - (2) Such officer or employee is required by law to inquire about such person's immigration status.
- (b) Law Enforcement Officers.
  - (1) For purposes of this subsection, "criminal activity" means unlawful activity other than status as an undocumented alien.
  - (2) Law enforcement officers shall not inquire about a person's immigration status unless investigating criminal activity other than mere status as an undocumented alien.
  - (3) Law enforcement officers shall continue to cooperate with federal authorities in investigating and apprehending aliens suspected of criminal activity.
  - (4) Law enforcement officers and other employees shall not inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking assistance.

Submitted by Supervisors McDonell and Hendrick, July 8, 2004 (p. 70, 04-05).  
Referred to EXECUTIVE, HEALTH/HUMAN NEEDS, AND PUBLIC PROTECTION/JUDICIARY.

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RES. 66, 04-05

AUTHORIZING ACCEPTANCE OF NATIONAL CRIMINAL HISTORY IMPROVEMENT PLAN  
GRANT AWARD, NO. NC-00SW-0025

The State of Wisconsin, Office of Justice Assistance, has set aside funds for criminal history improvements. Dane County has been awarded \$34,096 in grant funds. Dane County is required to make a 10 percent match of \$3,789, making the total grant worth \$37,885. The total Grant Revenue to be realized by Dane County is \$34,096 for capitol outlay and operating expenses. The expiration of the grant is September 30, 2004.

The criminal history improvement grant will provide funding for purchase of a livescan fingerprint machine, capable of taking palm prints; a printer for printing fingerprint cards; and two years of maintenance.

The 10 percent match from Dane County will be taken from the Sheriff's Office Support Services Division, Hardware Maintenance budget line, 111-372-3255-1132. Dane County currently has an agreement with a state-approved vendor for maintenance on the existing livescan fingerprint machine. In 2004, we paid \$5,169 (a 5% increase over 2003) for maintenance. With the new system, annual maintenance contract costs is reduced to \$3,200 per year. The grant includes maintenance on the new system for the first two years. The net cost savings is over \$6,500 for two years, and will not lead to a budget increase this year.

In addition, the new system will reduce staff time required for booking, recording, and transferring electronic fingerprint records directly to the State Department of Justice. The enhanced ability to capture and transfer palm prints electronically will provide efficiencies over the current paper and ink system. All computer-related costs are addressed in the grant and no further budget increases will occur as a result.

NOW, THEREFORE, BE IT RESOLVED that \$34,096 be set up as additional revenue in the Sheriff's Office Security Services Revenue Account: Criminal History Grant, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$30,895 be transferred from the General Fund to the Sheriff's Office, Security Services capitol outlay account: Livescan.

BE IT FURTHER RESOLVED that \$3,201 be transferred from the General Fund to the Sheriff's Office, Support Services Division, Hardware Maintenance account, 111-372-3255-1132.

BE IT FINALLY RESOLVED that the \$3,201 in Hardware Maintenance account be carried forward to 2005 to pay for the second year of the maintenance agreement.

Submitted by Supervisor Olsen, Vedder, Rusk, and Hanson, July 8, 2004 (p. 71, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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Res. 67, 04-05

ADOPTING ZLR POLICIES TO NOTIFY INTERESTED PARTIES OF C. U. P.s

One of the limited duties specifically delegated by the County Board to the Zoning and Land Regulation Committee (ZLR) is to hold hearings on and decide conditional use permits (CUPs), such as quarries.

On June 8, 2004, the ZLR adopted a motion attempting to repeal all previous zoning policies:

*pursuant to the statutory authority of the county zoning agency, as stipulated in 59.69(2)(bm), all zoning policies previously adopted by the county zoning agency or used by the zoning administrator without such adoption be hereby rescinded as of June 8, 2004, and that the zoning administrator is henceforth to use no policy not formally adopted by the county zoning agency*

The ZLR does not have the authority to rescind zoning administrator interpretations; these can only be appealed to the Board of Adjustment. At most, the ZLR has the power to adopt policies for the zoning committee itself, which are subject to amendment by the county board.

Two of the rescinded policies provide for notification of interested parties about ZLR proceedings on CUPs, such as quarries. Section 10.255(2)(g) of the Dane County Ordinances provides that "Notice to parties of interest shall be according to policies established by the committee."

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board adopts the following policies for the Zoning and Land Regulation Committee :

- 1) "Parties of Interest" shall include the Town Board in which the proposed conditional use is located and all surrounding property owners within 300 feet of the proposed conditional use.
- 2) "The Department" shall mean the department of planning and development.
- 3) The Department shall send a courtesy copy of a Notice of Public Hearing to all parties of interest at least one week prior to the date of the Public Hearing.
- 4) The Department shall have the responsibility of contacting all parties of interest when the chair of the zoning committee schedules a site visit.

BE IT FURTHER resolved that the Zoning and Land Regulation Committee shall not repeal these policies without County Board approval.

Submitted by Supervisors Hendrick, Richmond, Opitz, Matano, Kostelic, Vedder, Pertzborn, Erickson, Worzala, Fyrst, and Wheeler, July 8, 2004 (p. 72, 04-05).

Referred to ZONING/LAND REGULATION.

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RES. 68, 04-05

URGING LEGISLATIVE ACTION REGARDING COUNTY AUTHORITY  
FOR PUBLIC IMPROVEMENT REQUIREMENTS

A recent Court of Appeals decision in the *Rogers Development, Inc. vs. Rock County Planning* case has stated that counties cannot put public improvement requirements on subdivision plats. One reason counties have placed conditions on plats, such as the 1,000-foot maximum length for cul-de-sac streets, is to insure adequate access for emergency vehicles.

One approach to overturn the *Rogers* decision is to seek a change in the Wisconsin State Statutes, which currently specify that, as a condition of subdivision approval, the governing body of the town or municipality within which the subdivision lies may require that the subdivider make public improvements or provide security to ensure that he or she will make those improvements within a reasonable time. This section of the statutes could be amended to allow counties to require public improvements.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports legislation to amend Section 236.13(2)(a), Wis. Stats, to specify that counties, like towns and municipalities, have the authority to require public improvements as part of subdivision plats, so the statute would read:

(2)(a) As a further condition of approval, the governing body of the town, municipality or county within which the subdivision lies may require that the subdivider make and install any public improvements reasonably necessary or that the subdivider execute a surety bond or provide other security to ensure that he or she will make those improvements within a reasonable time.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor James Doyle, members of the Dane County Legislative delegation, and to the Wisconsin Counties Association.

Submitted by Supervisors Hendrick, Vedder, Matano, Brown, Erickson, Olsen, Richmond, and Wheeler, July 8, 2004 (p.72, 04-05).

Referred to EXECUTIVE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.



RES. 69, 04-05

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING AMENDMENTS TO  
THE TOWN OF SUN PRAIRIE LAND USE PLAN

On September 29, 2003, the Town Board of the Town of Sun Prairie adopted the *Town of Sun Prairie Comprehensive Plan 2003-2023*. The town received a Wisconsin Smart Growth planning grant and developed the plan with the assistance of a planning consultant. Previous to the adoption of this plan, the Town amended its 1982 Land Use Plan, (County Board Resolution #201, 1997-1998), to designate a ten-acre area as planned for single-family residential development. The County approved the previous amendment as part of the Farmland Preservation Plan on December 18, 1997.

Dane County has adopted a farmland preservation plan under the authority of Chapter 91 of the Wisconsin Statutes. The *Dane County Farmland Preservation Plan* includes town land use plans as central components. Therefore, amendments to town land use plans must be adopted by the County Board of Supervisors to also be considered amendments to the *Farmland Preservation Plan*.

The Town plan was comprehensively rewritten to meet the requirements of section 66.1001(3) of the Wisconsin State Statutes (Comprehensive Planning). The Land Use Element of the plan describes land use policies that aim to “Preserve and protect farmland for present and future generations; preserve and protect natural resources and the environment; limit growth within the town; maintain and protect the town’s rural character”; and to “Maintain a balance between the best interest of the community and the property rights of the individual.” To accomplish these goals, the most significant policy is to limit residential development to 1.2% per year. In addition, in effort to accomplish effective farmland preservation, the town will use the Land Evaluation Site Assessment (LESA) process for evaluating development proposals.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors adopts the town approved amendment to the *Town of Sun Prairie Comprehensive Plan 2003-2023* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisors Gau and Wiganowsky, July 8, 2004 (p. 73, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES & ZONING/LAND REGULATION.

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RES. 70, 04-05

RECONSTITUTION OF DANE COUNTY’S COMPREHENSIVE PLANNING PROCESS

Dane County is blessed with vibrant communities, beautiful and productive lands, and a rich watershed . It is also one of the fastest growing counties in Wisconsin. As the human population grows – and more housing, roads, and infrastructure are created to serve that population – it is important that Dane County plan properly in order to protect for future generations its great physical, cultural, and economic gifts.

The Comprehensive Planning process begun by Dane County in 2002 is an extremely important tool in instituting such protection for the County’s residents and resources. However, the administration of that process was left unfortunately ambiguous and consequently now is threatened by time-consuming gridlock and arbitrary direction. It is imperative that the Comprehensive Plan process, soon to provide a blueprint for Dane County’s future, be carried out in a timely, inclusive, objective manner that serves *all* County residents.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby officially designates its Environment, Agriculture & Natural Resources Committee as a county agency responsible for planning, as stipulated in Chapter 7 of County ordinance and provided for in Wisconsin statute 59.69(6); and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors hereby establishes its Environment, Agriculture & Natural Resources Committee as the standing committee of the County Board charged with oversight of the Comprehensive Planning process, including appointment, formation, and administration of supervisory committees, subcommittees, and work groups; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors hereby directs that the Chair of the Environment, Agriculture & Natural Resources Committee shall make appointments to supervisory committees, subcommittees, and work groups in consultation with the County Board Chair and First Vice Chair, or their (2) designees from the Zoning & Land Regulation Committee and Public Works & Transportation Committee; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors hereby dissolves the Comprehensive Planning Steering Committee previously formed during the 2002-2004 session by joint-motion of two defunct committees of the Board; and

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors hereby requests that the County Board Chair, First Vice Chair (or their fore-mentioned two designees) and Chair of the Environment, Agriculture & Natural Resources Committee act promptly to fully constitute all Comprehensive Planning supervisory committees, subcommittees, and work groups so that process may proceed.

Submitted by Supervisors McDonell and Pertzborn, July 8, 2004 (p. 74, 04-05).  
Referred to EXECUTIVE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 71, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Elections Commission**

Robert Booth Fowler, 5713 Tolman Terrace, Madison 53711 (288-5496-H), to be reappointed. This term will expire 6/30/07.

**Ethics Board**

Adam Plotkin, 202 North Pinckney Street, #301, Madison 53703 (310-9186-H, 266-2500-W), to fill a citizen seat. Mr. Plotkin is a Legislative Assistant for Senator Spencer Coggs. Prior to that, he was the office manager for the Assembly Sergeant at Arms. He volunteers/participates in fund raisers for breast cancer research and treatment. He has a B.S. degree in Political Science from the University of Wisconsin-Madison. This term will expire 4/18/06.

**Housing Authority Board, Dane County**

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704 (244-4711-H), as an ex-officio member representing the H&HN Committee. This term will expire 4/18/06.

**Local Emergency Planning Committee**

Ronald Bresell, 13 Stanton Circle, Madison 53719-3106 (274-8449-H, 262-9178-W), to be reappointed. This term will expire 4/18/06.

James Chritton, 5831 Tree Line Drive, Madison 53711 (274-8536-H, 285-3176), to be reappointed. This term will expire 4/18/06.

John Hausbeck, 118 Lansing Street, Madison 53704 (249-9410-H, 266-4825-W), to be reappointed. This term will expire 4/18/06.

Gary Johnson, 14 Torrey Pines Ct., Madison 53717 (242-6511-W), to be reappointed. This term will expire 4/18/06.

Kathy Krusiec, 5901 Country Walk, McFarland 53558 (838-6201-H, 267-1591-W), to be reappointed. This term will expire 4/18/06.

Joshua Wescott, 405 Fifth Street, Waunakee 53597 (850-6195-H, 274-2995-W), to be reappointed. This term will expire 4/18/06.

Eric Uram, 4317 Wakefield, Madison 53711 (233-4120-H, 251-6287-W), to be reappointed. This term will expire 4/18/06.

**Tree Board**

Alexander J. Bolstad-Szele, 6505 Oakwood Place, Middleton 53562 (833-1989-H, 221-4711 x 22859-W), due to the resignation of Eric Scott. Mr. Bolstad-Szele has a B.S. in Natural Resources with majors in Forestry, Entomology, and Biological Aspects of Conservation from the University of Wisconsin-Madison. He has served an internship with the USDA Forest Service, receiving training in wild land fire fighting. He has served as a lab assistant in an entomology research lab, specializing in bark beetles and gypsy moth. He is an active member of the Nature Conservancy, Bat Conservation International, the Yahara Fishing Club, and the Wisconsin Trappers Association. He is a volunteer with Blue Mound State Park as a naturalist and has worked on restoration work with the Nature Conservancy and the Ice Age Trail Association. He is an information technology technician with expertise in computer systems, development, and networking. This term will expire 4/17/07.

**Youth Commission**

Supervisor Bob Salov, 2103 Pleasant Dr., Cambridge 53523 (423-4358-H, 513-4046-W), representing the H&HN Committee. This term will expire 4/18/06.

Submitted by Supervisor McDonell, July 8, 2004 (p. 75, 04-05).  
Referred to EXECUTIVE.

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RES. 72, 04-05

AUTHORIZING AGREEMENT REGARDING WATER SUPPLY AT MT. HOREB HIGHWAY GARAGE

For several years the water from wells located at the Dane County Highway Garage at 9920 CTH ID in Mt. Horeb has been unusable due to ground water contamination. A study conducted by the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) found that the water at the Highway Garage exceeds the Wisconsin Department of Natural Resources' NR 140 safe drinking water standards for atrazine, alachlor, cyanazine, and metolachlor. Bottled water is currently used at the Highway Garage.

It is believed that the source of the ground water contamination is the Premier Coop, located across the road from the Highway Garage. DATCP has suggested that the best solution is to connect the affected properties, including the Highway Garage, to the Village of Mt. Horeb water supply. Although the property is not within the municipal boundaries of the Village of Mt. Horeb, the Village has consented to an extension of their water system. Premier Coop has not admitted liability, but the Coop has offered to connect the Highway Garage to the water supply of the Village of Mt. Horeb and abandon any wells on the property. As a condition of such agreement, the County would waive any property damage claims arising out of the alleged release of hazardous materials.

NOW, THEREFORE, BE IT RESOLVED that the Consent to Entry On Land and Release Agreement Between Dane County and Premier Coop is approved;

BE IT FURTHER RESOLVED that the County Clerk and County Executive are authorized to execute said Agreement.

Submitted by Supervisor Hitzemann and Ripp, July 8, 2004 (p. 76, 04-05).  
Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.

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RES. 73, 04-05

AUTHORIZING ADJUSTMENT IN ANNUAL VACATION FOR NEWLY HIRED DIRECTOR OF FINANCE AND ADMINISTRATION – DANE COUNTY REGIONAL AIRPORT

The new Director of Finance and Administration at the Dane County Regional Airport is slated to begin work on July 12, 2004. The successful applicant was hired after a nationwide job search and will be coming to Dane County from a management position at the Des Moines International Airport. While at Des Moines International Airport, the applicant's work experience entitled her to six weeks of vacation annually.

Under the Dane County managerial/professional vacation schedule, prior non-County work experience is not taken into consideration in establishing vacation allowances, even if that prior experience was an important consideration in the hiring process. Application of the managerial/professional vacation schedule to the Airport's new Director of Finance and Administration will mean that she will lose three weeks of vacation annually. It is reasonable to conclude that it will become more difficult to attract quality applicants to fill Dane County job openings if employment with the County will result in the forfeiture of substantial amounts of the vacation time attained in previous employment. Granting the newly appointed Director of Finance and Administration five weeks of vacation annually is commensurate with the longevity credits usually associated with her initial placement on the applicable County salary schedule.

NOW, THEREFORE, BE IT RESOLVED that the new Director of Finance and Administration at the Dane County Regional Airport is, as of the effective date of this resolution, granted five weeks of vacation annually. Under the managerial/professional vacation schedule, she will be entitled to additional vacation after five years on the job.

Submitted by Supervisors Rusk and Gau, July 8, 2004 (p. 77, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and AIRPORT.

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RES. 74, 04-05

AUTHORIZING RENTAL LEASES BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND CHAMBERS & OWEN, INC.

Chambers & Owen, Inc., has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Customer Trade Show to be held March 23-24, 2005, March 22-23, 2006, and March 21-22, 2007. This agreement extends a long-term relationship with the client.

The lease with Chambers & Owen, Inc. includes rent in the amount of \$11,980 for 2005, \$12,340 for 2006, and \$12,700 for 2007.

In addition to the rental fees listed above, all approved parking charges not included will be assessed and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisor Ripp, Kostelic, Matano, Schoer, and de Felice, July 8, 2004 (p. 77, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 75, 04-05

AUTHORIZING RENTAL LEASES BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND UNITED METHODIST CHURCH WISCONSIN CONFERENCE

United Methodist Church Wisconsin Conference has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Wisconsin Youth Conference/Senior High Convocation event to be held November 11-13, 2005, November 10-12, 2006, and November 9-11, 2007. This agreement extends an existing relationship with the client.

The lease with United Methodist Church Wisconsin Conference includes rent in the amount of \$18,000 for 2005, \$18,600 for 2006, and \$19,200 for 2007.

In addition to the rental fees listed above, all approved parking charges not included will be assessed and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisor Ripp, Kostelic, Matano, Schoer, de Felice, and Opitz, July 8, 2004 (p. 78, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 76, 04-05

AWARD OF SECURITY SERVICE CONTRACT FOR HENRY VILAS ZOO

Henry Vilas Zoo regularly purchases security services. Competitive bids for security services have been solicited by the Purchasing Division, seven security firms responded, the lowest cost bid was submitted by JBM Patrol and Protection Security Police, Madison, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that a contract to provide security services for Henry Vilas Zoo be awarded to JBM Patrol and Protection Security Police, Madison, Wisconsin, for a term of one year with an option for four one-year renewals.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to execute the contract.

Submitted by Supervisor Erickson, July 8, 2004 (p. 78, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ZOO.

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RES. 77, 04-05

AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF VERONA  
FOR EXTENSION OF MUNICIPAL WATER SERVICE AND TRANSFER OF LAND

Water for the Badger Prairie Health Care Center (BPHCC) is currently supplied by a well located on the BPHCC. It has been determined that a new water source is necessary and that connection to the City of Verona municipal water service is the best alternative.

The City of Verona desires to build a new public library. The best location for the new library is on land owned by Dane County, which is currently part of Badger Prairie County Park.

An Agreement has been reached between Dane County and the City of Verona for transfer of 4.3 acres of land on the west side of Badger Prairie County Park to the City of Verona in exchange for extension of city water service to BPHCC and reduced payments for water service for a period of five (5) years.

NOW, THEREFORE, BE IT RESOLVED that the intergovernmental Agreement for Transfer of Land and Extension of Municipal Water Service between Dane County and the City of Verona is approved.

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are authorized to execute said Agreement.

Submitted by Supervisors Willett, Matano, Pertzborn, Bruskewitz, Vogel, Hitzemann, Gau, and Opitz, July 8, 2004 (p. 78, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, & PUBLIC WORKS/TRANSPORTATION.

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RES. 78, 04-05

ACCEPTING MENTAL HEALTH MEDICAID CRISIS INTERVENTION REVENUE-- DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004. In 2002, the Wisconsin Medicaid program began to cover community based Crisis Intervention/Crisis Stabilization services for individuals who are at high risk for psychiatric hospitalization. This MA benefit will pay for community based residential care, crisis aides and other supportive services in lieu of hospitalization. DCDHS and its Purchase of Service partners utilize this MA benefit whenever possible. It is projected that an additional \$219,629 in MA Crisis Intervention/Crisis Stabilization revenue will be earned in 2004. These funds are proposed to be used as follows: (a) \$16,192 for a 0.5 FTE for seven months in the Mental Health Center of Dane County's Emergency Services Unit to take on the additional administrative workload and program oversight associated with increased MA Crisis Intervention activities; (b) \$148,989 to cover increased crisis aide services and increased crisis home and adult family home placements; and (c) \$54,448 for Recovery House staffing, as that residential resource serves more people needing high levels of care and supervision.

NOW, THEREFORE, BE IT RESOLVED, that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Acct No.</b>	<b>Account Title</b>	<b>Amount</b>
5265 1439	MH MA Crisis Intervention	\$219,629
	Total	\$219,629
<b>Expenditure Acct No.</b>	<b>Account Title</b>	<b>Amount</b>
5400 6373	Mental Health Center Emergency Services	\$16,192
5370 5880	MH Crisis Home Program/STC	\$148,989
5370 5889	MH Inpatient Diversion (Recovery House)	\$54,448
	Total	\$219,629

BE IT FURTHER RESOLVED, that the professional services contract listed below be amended as follows:

<u>Vendor</u>	<u>Amendment</u>
Mental Health Center of Dane County, Inc.	\$16, 192

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 8, 2004 (p. 79, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 79, 04-05

AWARDING 2004 PURCHASE OF PROFESSIONAL SERVICE CONTRACTS -  
DEPARTMENT OF HUMAN SERVICES

The purpose of this resolution is to award a purchase of service contract with the following professional service provider for 2004: UW Hospitals and Clinics

The contracts with UW Hospitals provide both inpatient care to persons with mental illness and comprehensive alcohol/drug abuse screening, assessment, intervention and referral services to Dane County youth 18 years old and under.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2004, through December 31, 2004.

<u>Adult Community Services Division:</u>	<u>Contract Amount</u>
UW Hospitals and Clinics	\$ 191,400

<u>Children, Youth, and Families Division:</u>	<u>Contract Amount</u>
UW Hospitals and Clinics	\$333,100

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 8, 2004 (p. 80, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 80, 04-05

ACCEPTING INCREASED FUNDING FOR THE REGIONAL RADON INFORMATION CENTER –  
PUBLIC HEALTH DIVISION

The Wisconsin Department of Health and Family Services has offered the Dane County Division of Public Health a grant increase of \$6,000, for a total award in the amount of \$18,000 for the operation of a Regional Radon Information Center. The grant award is for the period from June 1, 2004, through May 31, 2005.

The existing grant funds are used to underwrite a portion of the cost of the existing Environmental Health Specialist position in the Environmental Health Section. The increase is targeted to cover the cost of a purchase order to Habitat for Humanity for the purpose of incorporating radon abatement technology in new residences constructed for low-income families.

NOW THEREFORE BE IT RESOLVED that the Dane County Executive be authorized to sign a grant agreement for this purpose, and

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:



REVENUE ACCOUNT:

<u>Program:</u>	Env. Health	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6105
<u>Line Number:</u>	2275	<u>Line Name:</u>	DOH Radon Proj	<u>Line Amount:</u>	+\$6,000

EXPENSE ACCOUNT:

<u>Program:</u>	Env. Health	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6105
<u>Line Number:</u>	New	<u>Line Name:</u>	Radon Services	<u>Line Amount:</u>	+\$6,000

BE IT FURTHER RESOLVED that any funds left unexpended at the end of 2004 shall be carried forward to the 2005 budget.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 8, 2004 (p. 81, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 81, 04-05

AUTHORIZING TRAVEL OUTSIDE THE CONTIGUOUS UNITED STATES - PUBLIC HEALTH DIVISION

James P. Clark is the Director of the Environmental Health Section in the Division of Public Health of the Human Services Department. He is also the President-elect of the Wisconsin Environmental Health Association (WEHA). Because of this latter role, WEHA offered to pay one-half of Jim's expenses to attend the annual meeting of the National Environmental Health Association annual conference, which was held in Anchorage, Alaska, from May 9 to 12, 2004.

Jim submitted a request for authorization to attend this conference on March 22. It was determined that grant funds allocated to the division's Bio-Terrorism Contingency line were available in sufficient amount to cover the balance of the training and travel costs and that, because of the focus of the conference, it would be appropriate to charge these expenses to that grant. Accordingly, on that same date, the Division Administrator recommended approval and forwarded the request to the Department Director who concurred on March 29 and forwarded it to the County Executive's Office for approval.

We learned very close to the travel date that the request had been signed off by the County Executive. However, two days before the travel was to occur, we were advised by the Controller's Office that those expenses could not be paid without authorization by the County Board as Alaska is not considered part of the "continental United States" under chapter 20.09(4).

NOW, THEREFORE, BE IT RESOLVED that the Dane County Controller be authorized to issue a check reimbursing James P. Clark for 50% of travel and training expenses related to the annual conference of the National Environmental Health Association, not to exceed \$713.00, with this cost to be covered entirely by grant funds.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 8, 2004 (p. 81, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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ACCEPTING AN AWARD FOR SERVICES RELATED TO EMERGENCY PREPAREDNESS PLANNING FOR THE MATERNAL AND CHILD HEALTH POPULATION IN DANE COUNTY - PUBLIC HEALTH DIVISION

The Area Health Education Center of Wisconsin (AHEC) has offered Dane County a grant for the purpose of conducting planning for emergency preparedness specifically for the maternal and child health population in Dane County. Most of the grant will be in the form of in-kind services of a student intern who will be placed in the Division of Public Health, and work under the supervision of a Public Health Nursing Supervisor. In addition, AHEC will provide a cash grant in the amount of \$554.00 to cover the costs of purchasing office supplies for the use of the student (\$54.00), and for conducting focus groups (\$500.00).

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept an award from the Area Health Education Center of Wisconsin in the amount of \$554.00 for the period from June 1, 2004 though August 31, 2004; and to sign a grant agreement for this purpose.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	New	<u>Line Name:</u>	AHEC Grant	<u>Line Amount:</u>	\$554.00

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Object:</u>	Printing Stationery and Office Supplies	<u>Amount:</u>			\$554.00

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 8, 2004 (p. 82, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

ACCEPTING OLDER AMERICANS ACT REVENUES - DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

The Area Agency of Dane County has been notified that it will receive an additional \$114,666 in Older Americans Act revenue. This includes revenues earmarked for elder abuse, nutrition (Title C-1), caregiver services (Title III E), supportive services (Title III B), health promotion (Title III D) and administration. The funds will be allocated as follows: \$1,201 for elder abuse services; \$3,000 to Colonial Club for medication monitoring services for African American, Hispanic and Hmong elders; \$51,929 for respite care, support groups and other services for caregivers; \$4,056 to offset the Area Agency on Aging's printing and supply costs; \$300 to cover mileage costs for the AAA's Farmers' Market voucher initiative; \$1,000 to RSVP, Inc. for its Dane Advocacy Network Education program; and \$53,180 allocated to the nutrition equipment line, which will be used to offset levy and cover any unanticipated nutrition expenses.

NOW, THEREFORE, BE IT RESOLVED, that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Acct No.</b>	<b>Account Title</b>	<b>Amount</b>
4755 1577	Older Americans Act AAA Admin	\$4,056
4755 1432	Older Americans Act Elder Abuse	\$1,201
4755 1544	Older Americans Act Title III B	\$17,672
4755 1530	Older Americans Act Title C-1	\$53,480
4755 1552	Older Americans Act Title III E	\$36,183
4755 1536	Older Americans Act Title III D	\$2,074
	Total	\$114,666

<b>Expenditure Acct No.</b>	<b>Account Title</b>	<b>Amount</b>
4800 6121	AAA Elder Abuse Services	\$1,201
4770 6170	Colonial Club Seniors Meds Program	\$3,000
4785 6109	Nat'l Family Caregiver Support Program	\$51,929
4830 0979	AAA Nutrition Equipment	\$53,180
4830 6333	Mary Browning - Dietitian	\$300
4755 2043	AAA Printing, Stationery & Office Supplies	\$4,056
4770 6173	RSVP - DANE	\$1,000
	Total	\$114,666

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, July 7, 2004 (p. 83, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 84, 04-05

**ACCEPTING WISCONSIN EMPLOYMENT TRANSPORTATION ASSISTANCE PROGRAM (WETAP) FUNDS**  
**DCDHS – EA DIVISION**

The State of Wisconsin Departments of Transportation and Workforce Development have awarded additional WETAP funding in the amount of \$31,973. These are state and federal pass-through funds designated for the City of Madison Area Metropolitan Planning Organization. The funds are designated for use in purchasing software and licensing for the implementation of a ride-options service for commuters provided via the Internet. The purpose is to make commute options, information and assistance more accessible to the general population.

NOW, THEREFORE BE IT RESOLVED that the following revenue account be increased and that these revenues be credited to the County's General Fund:

<u>Account Number</u>	<u>Revenue Source</u>	<u>Amount</u>
260 510 5865 1357	WETAP Transportation	\$31,973

BE IT FURTHER RESOLVED that the funds above be transferred from the General Fund to the following expenditure accounts:

<u>Account Number</u>	<u>Expense Account</u>	<u>Amount</u>
260 510 5865 NEW	Madison WETAP	\$31,973

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskevitz, July 8, 2004 (p. 84, 04-05).  
Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/  
TRANSPORTATION.

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COMMUNICATIONS

Claim from Christine Carlson against Highways – claims rock from county truck broke windshield. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Robert W. Baron against Highways – claims roadwork damaged his car. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from John Sablich against ? – claims a “mover” damaged his side mirror. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Hearing: David J. Gehl et al vs. Peter Conrad et al. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Todd and Judy Kinnaird against Highways – claims road work damaged their vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Vilas County Res. 2004-63, Taxpayers Bill of Rights. Referred to EXECUTIVE.

Vilas County Res. 2004-70, Highway Funding. Referred to EXECUTIVE.

Langlade County Res. 78-2004, Urge Legislature to Allow Time for Input from Taxpayers Before Moving Forward with a Constitutional Amendment Called the Taxpayers Bill of Rights. Referred to EXECUTIVE.

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AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
CREATING AN ADULT ENTERTAINMENT OVERLAY DISTRICT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(2n) is created to read as follows:

(2n) Adult entertainment establishment is any establishment which for monetary consideration is used for presentations or service distinguished or characterized by an emphasis on exposure to view of human genitals, pubic area, buttocks or anus; or a female's vulva or breasts below the top of the areola; or male genitals in a discernable turgid state, even if opaquely covered; or on acts of or acts which simulate erotic touching, sexual intercourse, masturbation, flagellation, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any sexual act prohibited by Wisconsin Statutes.

*[EXPLANATION: This amendment provides a definition of adult entertainment establishment.]*

ARTICLE 3. Section 10.151 is created to read as follows:

10.151 AED ADULT ENTERTAINMENT OVERLAY DISTRICT. (1) Statement of Purpose. The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds as follows:

(1) that adult entertainment establishments may have an adverse secondary effect on the surrounding community because the sexual nature of the business may, regardless of the intentions of the proprietors, attract persons seeking prostitution or unlawful drugs, or who are inclined to be disorderly or disruptive.

(2) adult entertainment establishments are an intense commercial use which create a large volume of foot and automobile traffic in the vicinity of the establishment, which may require police and other municipal services which may not be readily available in towns, and which may conflict with the preservation of farmland by encouraging scattered commercial development.

(3) adult entertainment establishments have their peak activity times at hours and days which are incompatible with residential uses, and have a larger customer volume than other entertainment establishments which may be located in rural areas.

(4) Because of the potential for negative impacts on property values, the peace and good order of the community and the welfare of individuals affected by adult entertainment establishments, it is necessary to minimize the secondary effects of adult entertainment and assure that such establishments are not located in places which pose unacceptable conflicts with existing or planned land uses.

(5) It is the intent of this section to protect the health, safety and morals of the citizens of Dane County and to further preserve the quality of family life and to preserve the urban and rural characteristics of its neighborhoods. The intent of the Adult Entertainment Overlay District is to regulate the location of such establishments.

(6) Nothing in this section shall be construed to permit the regulation of any activities conducted in adult entertainment establishments which are entitled to protection under the First Amendment of the United States Constitution.

(7) This overlay district shall apply only to lands zoned M-1 Industrial District.

(8) An adult entertainment establishment shall not be a permitted use within the overlay district. All such uses shall be conditional uses which may be authorized only if approved pursuant to the provisions of s. 10.255(2). Prior to the granting of any conditional use permit, however, the Dane County zoning agency shall receive and review any comments or proposed conditions communicated by the town in which the facility is proposed to be located. The following procedural requirements which are supplemental to those of s. 10.255(2), shall apply to adult entertainment establishments:

(a) Any application for a conditional use permit shall be reviewed by the zoning department within five (5) business days of its filing to determine if the application is complete. If the zoning administrator determines the application is not complete, the administrator shall inform the applicant, in writing, of the missing items required within the five (5) day initial review period. Notification shall be deemed to have been given by placing the notice in the mail with sufficient postage addressed to the address provided on the application. If the zoning administrator does not inform the applicant of any deficiencies within the five (5) day initial review period, the application shall be deemed complete.

(b) A complete application shall be mailed to the Clerk of the town in which the proposed establishment would be located and referred to the Dane County Zoning agency within two (2) business days of the determination that the application is complete.

(c) The Dane County zoning agency shall hold the required public hearing at the first available scheduled meeting at which public hearings are held, and shall take action on the application not later than 45 days after the public hearing. The agency may extend the deadline for taking action only if requested by the applicant or if the agency finds it is necessary to delay action in order to obtain information that could not, in the exercise of diligence, have been obtained within the 45-day period.

(9) Standards for siting of adult entertainment establishments. Adult entertainment establishments shall meet all of the following requirements:

(a) Only one such overlay shall be located within a specific M-1 Industrial District.

(b) Location of any particular adult entertainment establishment must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store or adult entertainment establishment;

(c) There shall be no display windows on the premises;

(d) The business may have only one (1) non-flashing business sign which sign may only indicate the name of the business and identify it as an adult entertainment establishment and which shall be not larger than 4 feet by 4 feet;

(e) A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information;

(f) The owner and operator of an adult entertainment establishment shall agree to comply with all Federal, State and Local laws and ordinances, including those regulating obscenity and alcoholic beverages, and shall further insure that minors are not allowed on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.

(g) There shall be no areas in the adult entertainment establishment in which entertainment is provided which are not fully visible from the main area of the establishment. No entertainment may occur in areas of the establishment which are set off by doors, curtains, screens, barriers, café or saloon doors or other obstructions.

(10) The provisions of this ordinance shall be severable. The County Board finds that it would have enacted all the provisions of this ordinance on the basis of any one of the findings in section (1).

*[EXPLANATION: This amendment creates an adult entertainment overlay district and establishes standards for adult entertainment establishments as conditional uses.]*

Submitted by Supervisors Gau, Willett, de Felice, Schoer, Jensen, Vogel, Wiganowsky, Bruskewitz, and Brown, July 22, 2004 (p. 86, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY and ZONING/LAND REGULATIONS.

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AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
IMPOSING A COUNTY VEHICLE REGISTRATION FEE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.20 of the Dane County Code of Ordinances is created to read as follows:

**62.20 VEHICLE REGISTRATION FEE.** (1) Pursuant to section 341.35, Wis. Stats., 2001-2002, and acts amendatory thereto, an annual vehicle registration fee of \$20.00 is imposed on all motor vehicles registered in the State of Wisconsin which are customarily kept in Dane County, unless exempted by section 341.35(2), Wis. Stats.

(2) The fees established by this section shall be paid to the Wisconsin Department of Transportation pursuant to section 341.35(5), Wisconsin Statutes.

(3) Revenue generated by the fee established by this section shall be used only for transportation related purposes.

*[EXPLANATION: This amendment creates a county vehicle registration fee to be collected by the Wisconsin Department of Transportation.]*

ARTICLE 3. Non-code Provision. The effective date of this ordinance amendment shall be January 1, 2005.

*[EXPLANATION: This amendment makes the vehicle registration fee effective on all motor vehicles purchased or registrations renewed after January 1, 2005. WISDOT regulations require notification of imposition of this fee at least 60 days before it becomes effective.]*

Submitted by Supervisors Richmond, Vedder, Matano, Hendrick, Erickson, and Gross, July 22, 2004 (p. 87, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 87, 04-05

AUTHORIZING A CONTRACT BETWEEN DANE COUNTY AND INMATE CALLING SOLUTIONS, LLC,  
FOR DANE COUNTY JAIL INMATE TELEPHONE SERVICES

WHEREAS, Dane County and its Sheriff are responsible for the keeping of the Dane County Jail and caring for the inmates therein, including the provision of access to telephone services; and

WHEREAS, the existing contract for jail inmate telephone services expires on October 31, 2004; and

WHEREAS, Dane County engaged in a competitive bidding process for a vendor to provide jail telephone services to inmates in the Dane County Jail, to begin on November 1, 2004; and

WHEREAS, Inmate Calling Solutions, LLC, d.b.a. ICSolutions of San Jose, CA, was the successful bidder in the aforementioned competitive bid process;

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to ICSolutions of San Jose, CA, for jail telephone services commencing on November 1, 2004, and continuing for \_\_\_\_\_ years with extensions for an additional \_\_\_\_\_ years.

NOW, BE IT FINALLY RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute the necessary documents for the contract.

Submitted by Supervisor Olsen, July 22, 2004 (p. 88, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 88, 04-05

ACCEPTING AND EXPENDING STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEMS  
(WiSACWIS) ONGOING PROJECT REVENUES - DEPARTMENT OF HUMAN SERVICES

The State of Wisconsin, Department of Health and Family Services is providing funding for the WiSACWIS Project through the Omnibus Budget Reconciliation Act of 1993 (OBRA 93). This Act provides enhanced Federal Financial Participation (FFP) for the planning, design, development, and installation of statewide automated child welfare information systems to carry out States' programs under titles IV-B and IV-E of the Social Security Act. The reimbursement rate is 50% effective October 1, 1997.

Based on the WiSACWIS budget submitted by the County, the Department will pass through to the County the 50% federal share of the costs claimed. These costs can include county staff salary, fringe, travel, supplies, and equipment for any agency in the County that supports the WiSACWIS system. Dane County may use these additional funds for the following purposes and under the following service conditions:

- 1) To reimburse the State Department of Health and Family Services for county yearly operations and maintenance costs for WiSACWIS per the schedule developed by the State beginning the first year of County implementation.
- 2) County funding commitments are subject to formal action of the county board during the County's budget process.
- 3) To claim county employee staff and/or contract consulting service costs as determined necessary by the county for county ongoing WiSACWIS activities. This is based upon the county WiSACWIS budget submitted to the Department.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and that these revenues be credited to the County's General Fund:

Revenue Account Number	Revenue Source	Amount
260-510-4140-1512	WiSACWIS Project	\$52,313

BE IT FURTHER RESOLVED that \$52,313 be transferred from the General Fund to the following expenditure accounts in the Department of Human Services:

Expenditure Account Number	Expense Account	<u>Amount</u>
260-510-4140-1173	Contract Programs	\$ 52,313
	Total	\$ 52,313



BE IT FINALLY RESOLVED that unspent revenue and funds from 2004 be carried forward for expenditure in 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskewitz, and Kesterson, July 22, 2004 (p. 89, 04-05).

Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 89, 04-05

RETAINING DESIGNATION AS A TUBERCULOSIS DISPENSARY - PUBLIC HEALTH DIVISION

The Wisconsin Division of Public Health and the Dane County Division of Public Health originally negotiated an agreement in 2001 to create a Public Health Dispensary under the meaning of that term in Chapter 252.10 of the Wisconsin Statutes. Under this agreement, the Dane County Division of Public Health was designated to be the dispensary for all Dane County, including the City of Madison. The Madison Public Health Department was also engaged in these negotiations and agreed to this arrangement. Under the terms of the Statutes, a Public Health Dispensary is a mechanism to secure payment for certain clinical services related to screening, diagnosis, treatment and follow-up of TB for those without health insurance or other means to pay for these services. The creation of a Dispensary in Dane County helped to reduce barriers to identifying and following cases of TB in our community, thus protecting the health of all. All payments come from the state and are passed on to providers, including the Madison Public Health Department and private sector health care providers.

This arrangement has worked well for our community for the past three years. It is now time to execute a new agreement in order to maintain the Public Health Dispensary, and to continue to bring these resources into our community. Current budgeted amounts for both revenue (line 436-510-6120-3866) and expenses (line 436-510-6120-2564) remain sufficient.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to sign a Memorandum of Understanding for Tuberculosis Clinical Services with the Wisconsin Division of Public Health.

BE IT FURTHER RESOLVED that revenue received for the purposes described herein shall be carried forward to be used to pay outstanding claims from providers until fully expended and fully realized.

BE IT FURTHER RESOLVED that existing Participation Agreements with providers be authorized for continuation.

BE IT FINALLY RESOLVED that the Dane County Executive be authorized to sign new Participation Agreements with additional qualified providers that wish to offer tuberculosis clinical services according to the terms of those agreements, should any come forward.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Kesterson, July 22, 2004 (p. 89, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

ACCEPTING AN AWARD FOR OPERATION OF A FIRST BREATH PROJECT - PUBLIC HEALTH DIVISION

The Wisconsin Women's Health Foundation has made an award in the amount of \$1,000 to Dane County in support of the operation of a First Breath Mini-Project for the period from January 1, 2004, through December 31, 2004. This project will underwrite the cost of developing a training manual template and technical assistance for other sites that wish to establish programs involving peer mentors who will work with new mothers to reduce smoking and increase breastfeeding. This mini-grant will be coordinated with other grant-supported activities but will require no new county levy.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept a mini-grant award from the Wisconsin Women's Health Foundation in the amount of \$1,000 for use during the period from January 1, 2004, though December 31, 2004.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> 3864	<u>Line Name:</u> First Breath	<u>Line Amount:</u> \$1,000

EXPENSE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> 6120
<u>Line Number:</u> 1315	<u>Line Name:</u> First Breath	<u>Line Amount:</u> \$1,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskevitz, and Kesterson, July 22, 2004 (p. 90, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

AMENDING A PROFESSIONAL SERVICES CONTRACT FOR THE DEVELOPMENT OF A MENTAL HEALTH MODULE - DEPARTMENT OF HUMAN SERVICES

This resolution amends a professional services contract with Stratagem, Inc., for the continued development of the Mental Health Module.

The scope of the project is to provide for the real-time collection, tracking, and reporting of information on DCDHS funded consumers with a mental illness, the services they receive, the outcomes and benefits of those services, and associated costs while meeting the demands for internal and external reporting. The Mental Health Module includes the development of three components: converting the Common Front End of the DCDHS Information System to a web-enabled application, development of a managed care component to include the State Encounter Data File Reporting, and to provide web-based POS Provider Data Reporting and State Mental Health Module Reporting for fee-for-service and contracted services.



RES. 93, 04-05

INCREASING THE IMPREST FUND FOR THE DANE COUNTY PARKING RAMP

The Dane County Parking Ramp provides a change machine for parkers to obtain necessary change for meters 24 hours per day, seven days a week. The imprest fund was established for \$800 in 1993 to provide the funds to stock the change machine. The fund was increased to \$1,200 in 1994 and to \$2,000 in 1998.

The imprest is used to convert paper currency to coin. This activity has increased to the point that there may be no coin left by the time the bank makes the weekly coin delivery. To meet this demand for change, we need to increase the imprest fund from \$2,000 to \$4,000.

NOW, THEREFORE, BE IT RESOLVED that the imprest fund be increased from \$2,000 to \$4,000.

BE IT FINALLY RESOLVED that the Dane County Controller is hereby authorized to issue a \$2,000 check to the Imprest Fund account.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, July 22, 2004 (p. 92, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 94, 04-05

ACCEPTANCE OF FUNDS FOR FLY DANE 2005 DIGITAL ORTHOPHOTOGRAPHY PROJECT

Dane County acquires digital orthophotography (aerial photography) on a periodic basis to maintain a current snapshot of the ever-changing landscape. In 2000, the county facilitated the formation of the Fly Dane Partnership to allow local agencies to cost-share on the acquisition of digital orthophotography products. In 2005, Dane County and the Fly Dane Partnership will acquire digital orthophotography as part of the eleven county Southwest Wisconsin Digital Orthophotography Consortium.

The U. S. Geological Survey is willing to contribute up to \$30,000 in funding towards the Fly Dane 2005 project. In return, Dane County aerial imagery and terrain data will be made available for viewing in the USGS National Map and for use by the U. S. Department of Homeland Security and the National Imagery and Mapping Agency for homeland security activities. Use of Dane County information by these agencies will provide broad benefit to the local community as well as to the nation.

NOW, THEREFORE, BE IT RESOLVED that the Cooperative Agreement with the U. S. Geological Survey is approved;

BE IT STILL FURTHER RESOLVED that \$30,000 be set up in the Land Information, Fly Dane Partner account and credited to the Fly Dane Reserve Fund.

BE IT FINALLY RESOLVED that the County Clerk and County Executive are authorized to sign the approved cooperative agreement.

Submitted by Supervisors Olsen, Eggert, and Opitz, July 22, 2004 (p. 92, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 95, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**C.D.B.G. Committee**

Linda Pollack, 890 Truman Street, Oregon 53575 (835-5573-H), to be reappointed. This term will expire 4/1/07.

Barbara Hennings, 6260 Sommer Valley Circle, DeForest 53532 (825-8420-W), to be reappointed. This term will expire 4/1/07.

Ron Johnson, 4517 Pawnee Pass, Fitchburg 53711 (274-6745-H), to be reappointed. This term will expire 4/1/07.

Debra Neubauer, 404 Southbound Dr., Deforest, 53532 (846-2598-H), to be reappointed. This term will expire 4/1/07.

**Equal Opportunity Commission**

Fabiola Hamdan, 13 Swanton Road, Madison 53714 (240-0048-H), 246-2967-W), to fill the seat of a county employee, due to the resignation of JoAnn Kessler. Ms. Hamdan is a Community Social Worker with the Department Of Human Services/Joining Forces for Families. She has a B.S. and a Master's degree in Social Work from the University of Wisconsin-Madison. She is a strong advocate for the Latino community in Madison, having served five years as Secretary on Centro Hispano's Board of Directors, and two terms on the Board of the Community Action Coalition of South Central Wisconsin. She is a board member of the Fair Housing Center of Greater Madison, Wisconsin Women's Business Initiative Corporation, and Interfaith Coalition for Workers Justice. Ms. Hamdan received the Distinguished Service Award 2003 from the National Association of Social Workers. This term will expire 1/1/06.

**Local Emergency Planning Committee**

Lieutenant Johnnie Diamante, 806 Englehart Dr., Madison 53713 (263-1464-W), to serve in the seat of a law enforcement representative due to the resignation of Captain Brian Bridges. Lieutenant Diamante is employed by the University of Wisconsin-Madison Police Department. This term will expire 4/18/06.

Chief Marcia Holtz, 1820 Van Hise Ave., Madison 53726 (233-4838-H, 266-4256-W), to be appointed as the fire services representative, replacing Assistant Chief Carl Saxe. Ms. Holtz is a Chief in the Madison Fire Department. This term will expire 4/18/06.

**Madison Metropolitan Sewerage District**

Paul Berthouex, 6018 South Hill Drive, Madison 53705 (238-0489-H, 262-7258-W), to be reappointed. This term will expire 6/30/09.

**Parks Commission**

Tom Thorson, 5874 Persimmon Drive, Fitchburg 53711 (276-9446-H), due to the resignation of Kay Bongers. Mr. Thorson is on a sabbatical leave until his 2005 retirement from the State of Wisconsin's Department of Natural Resources, where he worked for over twenty-five years. He served as the DNR's Deputy Chief Conservation

Warden, Deputy Division Administrator-Enforcement, Madison Area Conservation Warden Supervisor, and Environmental Warden. He has a B.A. degree in History/Sociology from the University of Wisconsin-Madison and a M.A. degree in Public Administration from the University of Wisconsin-Parkside. He has volunteered time with the Lacey Heights Neighborhood Association, the League of Conservation Voters, and the Fitchburg-Verona Youth Athletic Association. This term will expire 7/1/08.

Submitted by Supervisor Kesterson, July 22, 2004 (p. 94, 04-05).  
Referred to EXECUTIVE.

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RES. 96, 04-05

### URGING A MORE PROGRESSIVE STATE VEHICLE REGISTRATION FEE

The State of Wisconsin currently has a flat \$55 annual automobile registration fee. A flat fee for vehicle registration means that the owner of a new, expensive, and/or heavy car pays the same annual registration as someone with an older, less valuable, and/or lighter vehicle. The flat fee is more regressive than a registration fee based on weight, age, or value of the vehicle because all car owners pay the same fee regardless of their ability to pay or worth of their vehicle.

Other states consider one or more criteria of weight, age, and value of a vehicle in calculating the registration fee.

- In Minnesota, passenger vehicles registration fees are based on value and age of the vehicles, with the fee for vehicles 11 years or older a flat fee of \$35. The tax is equal to \$10 plus an additional amount equal to 1.25 percent of the vehicle's manufacturer's suggested retail price, or base value. The vehicle is depreciated over time as follows: 100 percent of base value in the first and second years; 90 percent for the third and fourth years; 75 percent for the fifth and sixth years; 60 percent for the seventh year; 40 percent for the eighth year; 30 percent for the ninth year; and 10 percent for the tenth year. For the eleventh year and each year thereafter, the additional tax is equal to a flat sum of \$25, for a total fee of \$35.
- In Michigan, the registration fee is assessed based on the value of the vehicle.
- In Texas, the registration fee is based on either model year or weight. For example, cars built in 1998 or before have a registration fee of \$40.80, while cars built in 2002 or after have a fee of \$58.00. The fee structure in Texas also provides a calculated fee for all vehicles 6,001 pounds and over.

Chapter 341.35, Wis. Stats., provides the option for implementation of a local vehicle registration fee. The statute states,

"The governing body of a municipality or county may enact an ordinance imposing an annual flat municipal or county registration fee on all motor vehicles registered in this state which are customarily kept in the municipality or county. A registration fee imposed under this section shall be in addition to state registration fees."

Some believe that an additional flat fee on the local level, combined with the state's flat vehicle registration fee, would be onerous, particularly for those with limited means. Therefore, a more progressive fee structure, based on age, value, or weight of passenger vehicles, would have two benefits. First, it would allow the state to

collect a larger fee from those who are better able to pay: people with newer or more valuable vehicles. Second, it would allow local governments to impose a progressive vehicle registration fee to raise revenues for local services.

As federal and state contributions to local governments continue to be cut, Wisconsin's municipalities are faced with serious losses of local services. A progressive vehicle registration fee would give those municipalities a new tool – a real alternative to the property tax – to fund one area of growing concern: local transportation costs. Therefore, a change in Wisconsin's vehicle registration fee structure is a needed change, a more equitable, progressive alternative for support of crucial local projects and services.

In addition to modifying the state vehicle registration fee structure, the provision that allows municipalities to impose a vehicle registration fee also should be changed to allow adoption of progressive fees at the local level.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors urges the Wisconsin State Legislature to pass legislation to revise the current passenger vehicle registration fee to a more progressive fee structure based on age, value, and/or weight of the vehicle.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the Wisconsin State Legislature to revise Chapter 341.35, Wis. Stats., to allow municipal and county governments to impose an annual vehicle registration fee based on age, value, and/or weight of the vehicle rather than simply a flat fee.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Doyle and members of the Dane County legislative delegation.

Submitted by Supervisors Richmond, Olsen, McDonell, Worzala, Vedder, Gross, Wheeler, Matano, Hulse, Opitz, Erickson, Pertzborn, and Kesterson, July 22, 2004 (p. 95, 04-05).  
Referred to EXECUTIVE.

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### COMMUNICATIONS

Claim from Susan Broden against Hwys – claims roadside mower threw rocks against car. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Kimberly S. Schauder against Hwys – claims roadside mower threw debris against car. Referred to PUBLIC PROTECTION/JUDICIARY.

Dunn Co. Res. 82 re Computer TakeBack Campaign Platform. Referred to EXECUTIVE.

Washington Co. Res. 2004-29, Support for Assembly Sub. Amendment to 2003 Assembly Bill 616. Referred to EXECUTIVE.

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### ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING/LAND REGULATION.

Petition 9020 – Town of Deerfield – Roger Dalby & James Graffin

9021 – Town of Pleasant Springs – Claire De Christina & Curtis Reif

9022 – Town of Cottage Grove – Helen Galarowicz

9023 – Town of Vienna – Geraldine R. Schwoegler & Kenneth J. & Sonya Kessenich

9024 – Town of Cross Plains – Robert Brunner & Jeffrey & Debra Harms  
9025 – Town of Montrose – John Everson et. al.  
9026 – Town of Berry – Donald W. & Joanne M. Becker  
9027 – Town of Mazomanie – Philip Schradler  
9028 – Town of Perry – Robert L., Tanya R., & Nicholas J. Thompson  
9029 – Town of Windsor – Windsor Properties II LLC  
9030 – Town of Albion – Linda & Bruce C. Schultz  
9031 – Town of Berry – John E. Brooks  
9032 – Town of Pleasant Springs – Rose Investments LLC  
9033 – Town of Cottage Grove – Joseph Rauch  
9034 – Town of Deerfield – Zoos Land Company/Walt Olson  
9035 – Town of Blooming Grove – Kerry Dunn & Victoria Eherenmann-Dunn  
9036 – Town of Sun Prairie – Dawn & Paul Bartell  
9037 – Town of Blooming Grove – James Fish  
9038 – Town of Burke – Cherokee Park, Inc.  
9039 – Town of York – Gary Barman & Judith Johnson-Barman  
9040 – Town of Sun Prairie – Town of Sun Prairie  
9041 – Town of Oregon – Wisconsin Exchange Property II LLC  
9042 – Town of Springfield – Donald Kalscheur  
9043 – Town of Blue Mounds – David & Joen Meylor  
9044 – Town of Black Earth – Andrew & Michelle Harris & David & Patricia Sutcliffe  
9045 – Town of Berry – Harold & Sue Weber  
9046 – Town of Springfield – Laura Acker & Daniel & Sharon Roth  
9047 – Town of Roxbury – Edward T. & Kathleen L. Breunig  
9048 – Town of Verona – Marc & Linda Lindquist  
9049 – Town of Vermont – Gaylord Mickelson Revocable Trust  
9050 – Town of Roxbury – James & Patricia Ziegler  
9051 – Town of Cross Plains – Daniel P. & Richard J. Ripp  
9052 – Town of Mazomanie – James & Susan Strang  
9053 – Town of Bristol – Jerry, Lynn & Rosemary Knutson  
9054 – Town of Burke – Vera Reynolds  
9055 – Town of Roxbury – Robert Wright & William Muir  
9057 – Town of Roxbury – Bruce & Grace Frydden  
9058 – Town of Perry – Gary & Jean Baumgartner  
9059 – Town of Perry – John E. & Bobbie S. Willborn  
9060 – Town of Dunn – Donald & Diane Strassman  
9061 – Town of Montrose – Calvin & Grace Hageman  
9062 – Town of Sun Prairie – Ben Averill et al  
9063 – Town of Westport – Debra & Michael Kuehn  
9064 – Town of Perry – Keller Trust  
9065 – Town of Albion – Sharon Fugate  
9066 – Town of Albion – Joan Reppen-Stevens Trust  
9067 – Town of Roxbury – Allen & Nancy Raffetto

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AMENDING CHAPTER 14 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING MANURE MANAGEMENT AND STORAGE FACILITIES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subchapter I of Chapter 14 is amended to read as follows:

**SUBCHAPTER I  
MANURE STORAGE**

14.001 SUBCHAPTER 1. Subchapter I of this chapter consists of sections 14.01 through 14.3922, inclusive.

14.01 TITLE. Subchapter I shall be known as, referred to, and may be cited as the Dane County Manure Management Storage Ordinance and is hereinafter referred to as this subchapter. ~~4.~~

14.02 AUTHORITY. This subchapter ~~is~~ adopted under authority granted by sections ~~59.70~~ 33.455 and 92.16, Wis. Stats., and section ATCP 50.56, Wis. Admin. Code.

14.03 FINDINGS AND DECLARATION OF POLICY. (1) The Dane County Board of Supervisors finds that storage of manure in ~~earthen storage~~ facilities not meeting technical design and construction standards or livestock operations having any overflow of manure storage facilities or any unconfined manure piles in a water quality management area may cause pollution of the surface and ground waters of Dane County, and may result in actual or potential harm to the health of county residents and transients; to livestock, aquatic life and other animals and plants; and to the property tax base of Dane County.

(2) The Dane County Board of Supervisors also finds that improper land application, ~~of stored manure,~~ may cause pollution of the ground and surface water of Dane County.

(3) The Dane County Board of Supervisors further finds that the technical standards developed and maintained by the USDA-NRCS U.S.D.A. Soil Conservation Service and adopted by the Dane County Land Conservation Committee provide effective, practical and environmentally safe methods of storing and utilizing animal waste. The Board further finds that where operations have ceased, the manure storage facility shall be closed according to NRCS standards.

14.04 PURPOSE. The purpose of this subchapter ~~is~~ to regulate the design, ~~and construction,~~ maintenance and proper closure of earthen manure storage facilities; provide for adequate disposal of manure; prevent water pollution and thereby protect the health of Dane County residents and transients; prevent the spread of disease; and promote the prosperity and general welfare of the citizens of Dane County. It is also intended to provide for the administration and enforcement of this subchapter ~~†~~ and to provide penalties for its violation.

14.05 APPLICABILITY. This subchapter ~~†~~ applies to the entire geographical area of Dane County.

14.06 DEFINITIONS. As used in this subchapter ~~†~~, the following words and phrases have the meanings indicated:

(1) Abandoned or idle manure storage facility means a manure storage facility not used or maintained for the storage of manure for 24 consecutive months.

(2)(4) Animal manure means livestock excreta and other materials such as bedding, water, soil, hair, feathers, waste water, contaminated runoff and other debris normally included in manure animal waste handling operations.

- (3) *Animal unit* means each one thousand (1,000) pounds of live weight of animals.
- (4)(2) *Applicant* means any person who applies for a permit under this subchapter I.
- (3) ~~*Earthen manure storage facility* means a facility constructed of earth dikes, or pits and ponds used for temporary storage of animal waste.~~
- (5) *Committee* means the Dane County Land Conservation Committee.
- (6) *Department* means the Dane County Land Conservation Department.
- (7) *Direct runoff* means a discharge of a significant amount of pollutants to waters of the state resulting from any of the following practices:
- a. *Runoff from a manure storage facility.*
  - b. *Runoff from an animal lot that can be predicted to reach surface waters of the state through a defined or channelized flow path or human made conveyance.*
  - c. *Discharge of leachate from a manure pile.*
  - d. *Seepage from a manure storage facility.*
  - e. *Construction of a manure facility in permeable soils over fractured bedrock without a liner designed in accordance with s. NR 154.04(3), Wis. Admin. Code.*
- (8) *Livestock operation* means any livestock facility having more than 5 animal units.
- (9) *Manure storage facility* is an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural wastes.
- (10)(4) *Permit* means the signed, written statement issued by the zoning administrator under this subchapter I authorizing the applicant to construct, install, reconstruct, enlarge, or substantially alter an ~~an earthen~~ manure storage facility, and to use or dispose of ~~waste~~ manure from the facility.
- (11)(5) *Permittee* means any person to whom a permit is issued under this subchapter I.
- (12)(6) *Person* means any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, county, or state agency within Wisconsin, the federal government, or any combination thereof.
- (13) *Stacking* is the practice of unconfined storage of manure that is at least 175 cubic feet in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility, livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.
- (14) *Sod or self-sustaining cover* means maintenance of sufficient vegetation types and densities such that the physical integrity of the stream bank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen leaves and woody debris.
- (15) *Standard 313* means the USDA-NRCS Conservation Practice Standard 313-Waste Storage Facility, June 2001.
- (16) *Standard 360* means the USDA-NRCS Conservation Standard 360-Closure of Waste Impoundments, December 2002.
- (17) *Standard 590* means the USDA-NRCS Conservation Practice Standard 590-Nutrient Management, January 1999.
- (18) *Standard 634* means the USDA-NRCS Conservation Practice Standard 634-Manure Storage, January 2001.
- (19) *Water quality management area* includes all of the following:
- (a) *Areas within 1,000 feet of the ordinary high water mark of a lake, pond, wetlands, or flowage.*
  - (b) *Areas within 300 feet of the ordinary high water mark of a river or stream.*
  - (c) *A site that is susceptible to groundwater contamination or that has the potential to be a direct conduit for groundwater contamination.*
  - (d) *Areas of direct runoff of manure to surface waters.*
- (20)(7) ~~*Technical Guide* means the USDA-NRCS United States Department of Agriculture (U.S.D.A.) Soil Conservation Service Technical Guide as adopted by the Dane County Land Conservation Committee.~~
- (21) *USDA-NRCS* means the United States Department of Agriculture-Natural Resources Conservation Service.

~~(22)(8)~~ *Water pollution* means contaminating or rendering unclean or impure the ground water or surface waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.

~~14.11 GENERAL REQUIREMENT.~~ Any person who designs and constructs an earthen manure storage facility or who employs another person to do the same, on land subject to his subchapter I, shall be subject to the provisions of this subchapter I.

~~14.12 COMPLIANCE WITH PERMIT REQUIREMENTS.~~ A person is in compliance with this subchapter I if he or she follows the procedures of this subchapter I, receives a permit from the zoning administrator before beginning activities subject to regulation under this section, and complies with the requirements of the permit.

~~14.1307 STANDARDS FOR EARTHEN MANURE STORAGE FACILITIES.~~ The standards for design, and construction, modification and closure of earthen manure storage facilities shall meet the minimum criteria are those in standard 425 of the Technical Guide. established by Standard 313, Standard 360 and Standard 634.

~~14.1408 STANDARDS FOR ANIMAL WASTE MANURE MANAGEMENT AND UTILIZATION.~~ The standards for management and utilization of manure facilities ~~and utilization of manure~~ are those in ~~Standard 590633~~ of the Technical Guide.

~~14.2109 PERMIT REQUIRED.~~ No person may undertake an activity subject to this subchapter I without obtaining a permit from the zoning administrator prior to beginning one of the following activities:~~the proposed activity.~~

(1) The design and construction of a manure storage facility.

(2) The closure of a manure storage facility.

(3) Substantially altering an existing facility involving the relocation of an existing structure or facility or significant changes to the size, depth or configuration of a structure or facility including:

a. Replacement of a liner in a manure storage facility.

b. A greater than 20% increase in the volumetric capacity or area of a structure.

c. A change in a structure or facility related to a change in livestock management related to livestock species change.

~~14.2210 EXCEPTION TO PERMIT REQUIREMENT.~~ Emergency repairs to an earthen manure storage facility, such as repairing a broken pipe or equipment, repairing leaking dikes, or the removal of stoppages, may be performed without a permit. If repairs will significantly alter the original design and construction of the storage facility, a report shall be made to the zoning administrator for determination as to whether a permit will be required for any additional alteration or repair to the facility. The zoning administrator shall consult with the department ~~land conservation committee staff~~ prior to rendering a determination.

~~14.2311 FEE.~~ The fee for a permit for a manure storage facility shall be \$500. ~~There shall be no fee for a permit under this subchapter I.~~

~~14.2412 EARTHEN MANURE STORAGE FACILITY PLAN REQUIRED.~~ Each application for a permit under this section shall at a minimum include:~~an earthen manure storage facility plan.~~ The plan shall specify:

~~(1) The number and kinds of animals for which storage is provided.~~

~~(2) A sketch of the facility and its location in relation to buildings within 250 feet and homes within 500 feet of the proposed facility. The sketch shall be drawn to scale, with a scale no smaller than 1 inch 100 feet.~~

~~(3) The structural details, including dimensions, cross sections, and concrete thickness.~~

~~(4) The location of any wells within 300 feet of the facility.~~

~~(5) The soil test pit locations and soil descriptions to a depth of at least three feet below the planned bottom of the facility.~~

~~(6) The elevation of groundwater or bedrock if encountered in the soil profile and the date of any such determinations.~~

~~(7) Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater. If a navigable body of water lies within 500 feet of the facility, the location and distance to the body of water shall be shown. If no such body of water lies within 500 feet of the proposed facility, a statement to that effect shall be placed on the face of the application.~~

~~(8) The scale of the drawing and the north arrow.~~

~~(9) A time schedule for construction of the facility.~~

~~(10) A description of the method used in transferring animal waste into and from the facility.~~

~~(11) Plans for utilization of manure, including the amount of land available for application of manure, identification of the areas where manure will be used, soil types and any limitations on manure application due to soil limitations, type and proximity of bedrock or water table, slope of land, and proximity to surface water.~~

(1) A management assessment that addresses the storage components, available resources, waste manure disposal schemes and waste characterization consistent with Standard 313 and Standard 634;

(2) A site assessment that describes the physical characteristics that will influence the placement, construction, maintenance and environmental integrity of the proposed site consistent with Standard 313;

(3) Facility design, construction plan preparation and operation and maintenance plan consistent with Standard 313, prepared by a professional engineer registered with the Wisconsin examining board of architects, professional engineers, designers and land surveyors under ch. 443, Stats., or by an agricultural engineer practitioner certified under s. ATCP 50.46, Wis. Admin. Code; and

(4) A nutrient management plan that conforms to Standard 590. The plan shall be developed by individuals with qualifications described in s. ATCP 50.04(3), Wis. Admin. Code. The plan shall be updated and implemented on an annual basis. The permittee shall retain all updated plans and appropriate implementation records for the four previous years and shall produce these records at the request of the authorized designee under s. 14.18. Nutrient management planning obligations do not cease upon completion of construction of the facility. The nutrient management plan shall:

a. Include all land on which the landowner mechanically applies manure;

b. Rely on soil nutrient tests conducted at a laboratory certified under s. ATCP 50.50, Wis. Admin. Code;

c. Comply with Standard 590; and

d. Follow recommendations for nutrient management applications in the University of Wisconsin Extension *Soil Test Recommendations for Field, Vegetable, and Fruit Crops*, UWEX Publication A-2809 (1998), unless it is established that the circumstance of the particular land require nutrients in excess of the recommended application.

14.13 FACILITY CLOSURE PLAN REQUIRED. (1) Closure of a manure storage facility shall occur when a facility ceases operations, or manure has not been added or removed from the facility for a period of 24 consecutive months. Manure storage facilities shall be closed in a manner that will prevent contamination of groundwater and surface waters.

(2) To close a facility, a site-specific design and inspection plan will be developed. A closure plan will be consistent with Standard 360.

(3) A facility closure plan shall be approved by the Zoning Administrator prior to implementation.

(4) There shall be no fee for a facility closure permit.

14.14 STANDARDS FOR LIVESTOCK OPERATIONS OR STACKING. Any person who operates a livestock operation or engages in stacking shall comply with the following standards:

(1) No overflow of manure storage facilities;

(2) No unconfined manure piles in water quality management areas;

(3) No direct runoff from a feedlot or stored manure into the waters of the state;

(4) No unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover; and

(5) Manure storage facilities in existence as of the effective date of this ordinance shall be upgraded, replaced or abandoned in accordance with this subchapter. Pursuant to s. 281.16(3), Stats., a facility or practice in existence prior to the effective date of this ordinance shall not be required to comply with this subchapter unless cost sharing is available.

14.215 REVIEW OF APPLICATION. The zoning administrator shall receive and review all permit applications. The zoning administrator shall determine if the proposed facility meets required standards set forth in sections ~~14.2412 – 14.14~~ of this subchapter †. In making this determination, the zoning administrator shall consult with the ~~department land conservation committee staff~~. Within 30 working days after receiving the completed application, the zoning administrator shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the zoning administrator shall so notify the permit applicant. The zoning administrator has 10 working days from the receipt of the additional information in which to approve or disapprove the application. If the zoning administrator fails to approve or disapprove the permit application in writing within 40 days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

14.216 PERMIT CONDITIONS. (1) All permits issued under this subchapter † shall be issued subject to the following conditions and requirements:

- (a) ~~Earthen m~~Manure storage facility designs and constructions shall be carried out in accordance with the ~~earthen~~ manure storage facility plan and applicable standards specified in section 14.2412 of this subchapter †.
- (b) The permittee shall give two (2) working days notice to the zoning administrator before starting any construction activity authorized by the permit.
- (c) Approval in writing must be obtained from the zoning administrator prior to any modifications to the approved manure storage facility plan.
- (d) Prior to any use of the facility, †the permittee and the individual preparing the site assessment described in s. 14.12(2) if applicable, the contractor, shall certify in writing that the facility was installed as planned.
- (2) Activities authorized by permit must be completed within two years from the date of issuance after which such permit shall be void.

14.217 PERMIT REVOCATION. The zoning administrator may revoke any permit issued under this subchapter † if the holder of the permit has misrepresented any material fact in the permit application or ~~animal waste~~ manure facility plan, or if the holder of the permit violates any of the conditions of the permit.

14.318 DELEGATION OF AUTHORITY. The County of Dane hereby designates its zoning administrator to administer and enforce this subchapter †. The zoning administrator shall seek the technical advice of the ~~department Dane County Land Conservation Committee staff~~ in the administration and enforcement of this subchapter-†.

14.3219 ADMINISTRATIVE DUTIES. In the administration and enforcement of this subchapter †, the zoning administrator shall:

- (1) Keep an accurate record of all permit applications, ~~animal waste~~ manure facility plans, permits issued, inspections made, and other official actions.
- (2) Review permit applications and issue permits in accordance with section 14.2515 of this subchapter-†.
- (3) Inspect ~~animal waste~~ manure facility construction to insure the facility is being constructed according to plan specifications.
- (4) Investigate complaints relating to compliance with the ordinance.
- (5) Perform other duties as specified in this subchapter-†.

14.3320 INSPECTION AUTHORITY. The zoning administrator is authorized to enter upon any lands affected by this subchapter in order to inspect such lands prior to or after permit issuance for the purpose of determining compliance with this subchapter. If permission cannot be received from the applicant or permittee, entry by the zoning administrator shall be according to sections 66.4220119 and 66.423, Wis. Stats.

14.3421 ENFORCEMENT AUTHORITY. (1) The zoning administrator is authorized to post an order stopping work upon land which has had a permit revoked or on land currently undergoing activity in violation of this subchapter. Notice is given by both posting upon the land where the violation occurs one or more copies of the poster stating the violation, and by mailing a copy of the order by certified mail to the person whose activity is in violation of this subchapter. This order shall specify that the activity must cease or be brought into compliance within 30 days.

(2) Any permit revocation or order stopping work shall remain in effect until rescinded by the zoning administrator, or a court of general jurisdiction; or until the activity is brought into compliance with the ordinance. The zoning administrator is authorized to refer any violation of this subchapter or of an order stopping work issued pursuant to this subchapter to the corporation counsel for commencement of further legal proceedings.

14.22 PENALTIES. Any person violating any provision of this subchapter shall, upon conviction, forfeit not less than \$10 and not more than \$200, together with the costs of such action. Each day of violation shall constitute a separate offense. Any violation of this ordinance may be enforced by court action seeking injunctive relief. The corporation counsel is authorized to commence all legal proceedings in aid of enforcement of this subchapter when requested by the zoning administrator.

*[EXPLANATION: See the attached explanation prepared by the land conservationist.]*

ARTICLE 3. Section 14.81 is amended to read as follows:

14.81 PENALTIES. (1) Any person who violates, neglects or refuses to comply with, or resists the enforcement of, any of the provisions of subchapter II of this ordinance ~~relating to earthen manure storage facilities~~ shall be subject to a forfeiture of not less than \$5.00 nor more than \$200.00, plus costs of prosecution for each violation. An unlawful violation includes failure to comply with any standard of this ordinance or with any condition or qualification attached to the permit. Each day that a violation exists shall be a separate offense.

*[EXPLANATION: This amendment removes reference to manure storage from subchapter II and clarifies that s. 14.81 pertains to violations of subchapter II.]*

Submitted by Supervisors McDonell, Hulsey, Olsen, Erickson, Worzala, Eggert, Rusk, Fyrst, Matano, DeSmidt, de Felice, Gross, and Wheeler, August 5, 2004 (p. 102, 04-05).

Referred to ENVIRONMENT, AGRICULTURE/NATURAL RESOURCES, ZONING/LAND REGULATION, LAND CONSERVATION, and LAKES & WATERSHED.

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RES. 99, 04-05

APPROVING CEMETERY PLAT OF WILBUR RENK SECOND ADDITION TO  
SACRED HEARTS CEMETERY

Wisconsin Statutes require all plats of cemeteries to be approved by the respective County Boards. The cemetery plat of WILBUR RENK SECOND ADDITION TO SACRED HEARTS CEMETERY is located in the SW1/4 of Section 33, T9N, R11E, Town of Bristol, Dane County, and is desirous of expanding a portion of its property for gravesites.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 157.07 of the Wisconsin Statutes, the Dane County Board of Supervisors does hereby approve the cemetery plat of WILBUR RENK SECOND ADDITION TO SACRED HEARTS CEMETERY, located in the SW1/4 of Section 33, T9N, R11E, Town of Bristol, Dane County, Wisconsin. Said plat, dated February 27, 2004, was prepared by Daniel V. Birrenkott, Registered Land Surveyor No. S-1531.

Submitted by Supervisor Gau, August 5, 2004 (p. 103, 04-05).  
Referred to ZONING/LAND REGULATION.

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RES. 100, 04-05

APPROVING BID ALTERNATES FOR DANE COUNTY JUSTICE CENTER

On March 6, 2003, the Dane County Board of Supervisors approved Sub. 1 to Resolution 278, 2002-2003, Award of Contract for Dane County Courthouse. This resolution awarded the construction contract for the new Dane County Justice Center to Miron Construction Company, Inc., of Neenah, Wisconsin.

At the time the bids were prepared and submitted, in order to reduce initial construction costs, the county separated six items from the project for alternate bids, with the intention of considering the addition of those items later in the project if feasible within the project budget. The resolution provided that the Justice Center Planning Oversight Committee should, when the project's budget is 50% completed, review and make a recommendation to the County Board regarding the feasibility of adding the alternate bids to the project prior to completion.

One of the alternates – inclusion of a service elevator – was subsequently added to the project due to initial design considerations. Another – addition of proximity readers – was dropped because the cost was considered too high. There are four remaining alternates – inclusion of a roof garden incorporating “green” (i.e., environmentally friendly) concepts; wood benches for public seating in hallways which match interior wood finishes; exterior sunshades on the Wilson Street side of the building; and finishing conference rooms adjacent to shelled-in courtrooms.

The Justice Center Planning Oversight Committee has reviewed the project budget and determined that change orders have not had a major impact on the budget to this point. While the project is near 50% spending, only 17% of the construction contingency fund has been expended at this point. It appears that sufficient funds are available to proceed with the alternates. Approval of these alternates will not increase the project budget, because they will be paid from available funds in the construction contingency fund.

However, the general contractor has provided updated cost figures which are higher than those included in the original bid. Before the county proceeds with the alternates, the project manager should negotiate for more reasonable cost figures. The oversight committee voted to recommend each alternate, with the provision that the project manager negotiate reasonable costs not to exceed the revised estimates provided and that no delay in the completion date for the project result from pursuing an alternate.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby supports the feasibility of the inclusion of the alternate bids in the justice center project (inclusion of a roof garden incorporating “green” concepts; wood benches for public seating in hallways which match interior wood finishes; exterior sunshades on the Wilson Street side of the building; and finishing conference rooms adjacent to shelled in courtrooms); and

BE IT FINALLY RESOLVED that the Board directs the Department of Public Works and Transportation to negotiate with the contractor for reasonable costs comparable to the original estimates but not to exceed the new estimates, or go out for additional bids, in order to ensure that implementing the alternates will be cost effective.

Submitted by Supervisor O'Loughlin, August 5, 2004 (p. 104, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER PLANNING OVERSIGHT.

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RES. 101, 04-05

AUTHORIZATION TO PURCHASE LANDS FOR THE ICE AGE JUNCTION AREA

Dane County has negotiated the purchase of a key parcel in the Ice Age Junction Area, which, if purchased, will create the longest continuous segment of the Ice Age National Scenic Trail in Dane County. The property, owned by LUIHNC, LLC, sits in between other County owned lands and is often referred to as the "missing link" within the Ice Age Junction Area.

Acquisition of this 11-acre property is supported by the Dane County Park & Open Space Plan, and funds for the purchase are available in the 2004 Dane County Conservation Fund. The County requests authorization to work with the Ice Age Park & Trail Foundation, State of Wisconsin, and the National Park Service in order to maximize any grant cost-sharing potential in completing this transaction, which may include temporarily assigning the County's interest to one of the project partners. State and Federal grants may offset the majority of acquisition costs for this purchase.

Purchase price of the property is \$575,000, which is based on full narrative appraisals prepared by certified appraisal companies. The first appraisal, dated April 28, 2004, valued the property at \$550,000. The second appraisal, dated July 24, 2004, valued the property at \$728,000. The property contains one single-family residence and two garages, and the County will have the option of renting the buildings for income and/or using them for storage purposes, selling them to recoup a portion of the purchase price, or demolishing them so that the public recreational benefits can be fully utilized on the property.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase approximately 11-acres for the Ice Age Junction Area for approximately \$575,000, less any state or federal grant funds received, per the terms identified above, and according to Wisc. Stats. Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Ripp, Kostelic, Willett, Matano, Opitz, Schoer, and de Felice, August 5, 2004 (p. 104, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and PARKS.



ACCEPTING COMMUNITY LINKS GRANTS AND OTHER REVENUE -DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

1. The Wisconsin Department of Health and Family Services has awarded Dane County three (3) Community Links Workforce and Community Capacity Building Project Awards. These awards are for one year. Grant 1: \$50,000 in COP-W funding for Worker Registry project, a joint effort of DCDHS, Service Employees International Union and the Wisconsin Regional Training Project. The goal of the registry is to help match consumers looking for direct care workers with individuals seeking positions. The funds will be used to improve the registry, which began in 2003, and to enhance training for consumer employed COP/CIP workers. Grant 2: \$22,500 in DD CIP 1B funding to conduct further research on the need for nursing care among people with developmental disabilities who live in community settings. People with developmental disabilities have many nursing needs. A recent survey that had 982 responses found 605 people need assistance taking their medications, 442 individuals need monitoring for respiratory/high blood pressure, 225 have special diets, and 218 have seizures, yet few received in-home nursing care. The goal is to clearly define the types and levels of nursing needs in hopes of establishing a DD nursing clinic in the future. Grant 3: \$10,000 in COP-W funding to develop a training curriculum informed by the experiences and input of direct care workers and consumers. Community Living Alliance, Inc. is the lead local agency for this initiative and will work with representatives from Ashland and Waushara Counties in developing the curriculum.
2. The Wisconsin Department of Health and Family Services has received a grant from the U.S. Center for Medicaid/Medicare Services for a "One Stop Family Support Project" and is looking to implement the grant in Dane County. \$94,100 is awarded for 2004. The goal is to improve community awareness and access to comprehensive, community-based, family-directed information, supports and services for children with disabilities and their families. The Family Support and Resource Center, Inc. and the Waisman Center will be participating agencies. A point of emphasis of this grant is to develop outreach efforts to culturally and ethnically distinct groups. This grant may be renewed for up to three additional years.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5025 0996	DD Adult CIP 1B	\$22,500
5025 0998	PD COP-W	\$60,000
5025 NEW	DD CMS One Stop Grant	\$94,100
	Total	\$176,600

  

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5475 6468	SEIU Registry Project	\$50,000
5475 NEW	Community Living Alliance – Links Grant	\$10,000
5115 NEW	Fiscal Assistance of Dane Co. - Grants	\$116,600
	Total	\$176,600

BE IT FURTHER RESOLVED that any unspent Community Links Workforce Grant funds from 2004 be carried forward for expenditure in 2005.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, August 5, 2004 (p. 106, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 103, 04-05

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE BUILDING & CONSTRUCTION  
TRADE COUNCIL OF SOUTH CENTRAL WISCONSIN

A tentative agreement has been reached with and ratified by the Building & Construction Trades Council of South Central Wisconsin for the 2004, 2005, and 2006 contract years. The agreement will be effective December 14, 2003, through December 23, 2006. The Building & Construction Trade Council represents approximately 12 employees.

The principle items agreed to were across-the-board wage increases for regular employees beginning in the second year of the agreement. These and other economic items agreed to are within the County's budgetary constraints. The wage increases are:

December 26, 2004	1%
June 26, 2005	2.5%
December 25, 2005	1%
June 25, 2006	3%

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the 2004 collective bargaining agreement between Dane County and the Building & Construction Trade Council of South Central Wisconsin be continued for the period of December 14, 2003, through December 23, 2006, with the attached negotiated changes (on file in the Dane County Clerk's Office).

BE IT FURTHER RESOLVED that the wage and benefit improvements be extended for those employees in confidential positions.

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Submitted by Supervisors Brown, Fyrst, Graf, and Hulsey, August 5, 2004 (p. 106, 04-05). Fiscal and Policy Notes not required.  
Referred to PERSONNEL/FINANCE.

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RES. 104, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Agriculture Advisory Council**

Bob Uphoff, 4581 Meadowview Road, Madison 53711 (222-7389-H), to be reappointed. This term will expire 5/1/06.

**Area Agency on Aging Board**

Judith T. Hunter, 1810 Vilas Avenue, Madison 53711 (257-5710-H), to fill the expired term of Nell Mally. Ms. Hunter is retired from a career in law. She graduated from the University of Wisconsin-Madison Law School in 1978. She has worked in private practice for LaFollette & Sinykin, worked in corporate legal work for CUNA Mutual Insurance, and has acted as a legal advisor to the board of directors of a family of mutual funds offered through CUNA Mutual. She has participated in many local committees and has served on the Board of Directors of the YWCA. She has presented programs on personal financial issues including mutual funds and annuities to groups including AARP and the UW Retirement Association. She has served on the AAA's Financial Abuse Specialist Team. This term will expire 4/18/06.

**Crystal, Fish & Mud Lakes Protection & Rehabilitation District**

Supervisor Vern Wendt, 5559 CTH F, Mazomanie 53560 (767-3455-H), to be reappointed. This term will expire 7/15/06.

**Dunkirk Dam Lake District**

Supervisor Donna Vogel, 808 Garfield St., Stoughton 53589 (873-8863-H), to replace former Supervisor Don Heiliger. This term will expire 7/15/06.

**Lake Windsor Area Public Inland/Lake Protection & Rehabilitation District**

William Houterman, 6656 Chestnut Circle, Windsor 53598 (846-4919-H), to be reappointed. This term will expire 7/15/06.

Submitted by Supervisor Kesterson, August 5, 2004 (p. 107, 04-05).  
Referred to EXECUTIVE.

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RES. 105, 04-05

**AUTHORIZING EXECUTION OF A NON-AFFILIATED AIRLINE OPERATING AGREEMENT WITH ALLEGiant AIR, LLC,  
FOR OPERATION OF AIR SERVICE AT THE DANE COUNTY REGIONAL AIRPORT**

As has been clearly indicated by the public and through media coverage, there is a consensus that it is in the community's best interest to offer enhanced service and convenience to Dane County air travelers by maximizing the number of non-stop flights from the Dane County Regional Airport to major market destinations. Offering more non-stop flights from the Airport will help decrease the passenger "leakage" to competing airports that occurs when Dane County area residents cannot book direct flights from the Dane County Regional Airport to popular destinations. As more destinations become available and more passengers utilize the services of the Dane County Regional Airport, the Airport will continue to be self-supporting as it undergoes substantial renovation to increase passenger security and more efficiently serve the citizens of south central Wisconsin.

After market analysis and negotiations, Allegiant Air, LLC, has agreed to offer non-stop passenger air service from the Dane County Regional Airport to Las Vegas, Nevada, initiating service on a four flight per week basis. Allegiant Air has indicated that it may be interested in later expanding service from Dane County to other popular destinations. For a six-month period after initiating service from the Dane County Regional Airport, Allegiant Air will be eligible for promotional support offered under the Airport's Community Air Service Support

Program and provided through the Greater Madison Convention and Visitors Bureau. Upon execution of the Operating Agreement, Allegiant Air intends to commence flights to Las Vegas on September 30, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Dane County Regional Airport is authorized to execute on behalf of Dane County and the Dane County Regional Airport a Non-Affiliated Airline Operating Agreement and other associated documents permitting Allegiant Air, LLC to provide commercial air service at the Dane County Regional Airport.

Submitted by Supervisor O'Loughlin, August 5, 2004 (p. 108, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

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RES. 106, 04-05

AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT WITH RMT, INC., FOR ENGINEERING SERVICES AT THE TRUAX LANDFILL - DANE COUNTY REGIONAL AIRPORT

Since 1995, RMT, Inc., has been providing Dane County with engineering services related to the now closed and capped Truax Landfill, located near the Dane County Regional Airport. The engineering firm has established a unique familiarity with the Truax Landfill, its aging methane gas extraction system, and the extensive and ongoing gas migration monitoring requirements established by the Wisconsin Department of Natural Resources. The Airport and RMT, Inc., are presently engaged in ongoing negotiations with the DNR regarding the regulatory agency's approval of various required improvements and updates to the gas extraction system that RMT, Inc., has developed to prevent off-site migration of methane gas.

The proposed Purchase of Services Agreement is effective upon execution by the parties and expires on July 31, 2005. The Agreement allows for needed continuity as RMT, Inc., provides engineering services and continued oversight for the installation of methane gas extraction system improvements and repairs. As part of the \$145,800 contract, RMT, Inc., will also provide engineering services related to the installation of methane gas powered micro-turbines for the generation of electricity, gas extraction system rehabilitation, liquids management services, extensive monitoring and reporting to assure regulatory compliance, ground water quality testing, and repair and maintenance design assistance. Funding for these engineering services is included in the Airport Budget.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute a Purchase of Services Agreement with RMT, Inc., to provide engineering services at the Truax Landfill site as set forth above. The contract shall be in the amount of \$145,800 and shall expire on July 31, 2005.

Submitted by Supervisor O'Loughlin, August 5, 2004 (p. 108, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and AIRPORT.

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## COMMUNICATIONS

Claim from Richard Jacobs, Jr. against Parks – claims vehicle was damaged at his campsite. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Mary Streich against Jail – claims \$12 missing from prisoner Michael D. Droster's account. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Jason Harried against Jail – claims cell phone missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Wayne Yanke against Highways – claims gravel falling from truck damaged vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Sauk County Res. 106-04, Respectfully Recommending Consideration of Broadening the State Sales Tax to Fund the K-12 Educational System. Referred to EXECUTIVE.

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ORD. AMDT. 14, 04-05

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES,  
CREATION OF SECTION TITLE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. The title to section 9.30 of the Dane County Code of Ordinances is created to read as follows:

9.30 CONDUCT REGULATED; ROLE OF SUPERVISORS IN LEGISLATIVE AND ADMINISTRATIVE MATTERS. Any supervisor may, at any time, on any matter, regardless of whether the supervisor serves on a committee with oversight on the matter, move for separation, postpone, personally inspect, seek more information, voice an opinion, vote for or against, or request of another supervisor that any of the above be performed, whether in person or through any form of public information media, on any subject that lawfully may come to the full county board or any standing committee thereof. Such actions lie within the normal and responsible political review process of a county board supervisor, whether at the behest of his constituents or at his own discretion, absent a showing of violation of s. 9.21.

*[EXPLANATION: The amendment officially creates the title to this section of the ordinances, as a title was erroneously not created when the section was originally created.]*

Submitted by Supervisor Kesterson, August 19, 2004 (p. 110, 04-05).  
Referred to PUBLIC PROTECTION/JUDICIARY.

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ORD. AMDT. 15, 04-05

AMENDING CHAPTER 11 OF THE DANE COUNTY CODE OF ORDINANCES,  
REQUIRING A SEVENTY-FIVE FOOT SETBACK FROM WETLANDS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 11.06 is amended to read as follows:

11.06 SHORELAND-WETLAND AND INLAND-WETLAND DISTRICTS. (1) Purpose. This ordinance is adopted to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty, to conserve inland-wetland areas occurring throughout the unincorporated areas of Dane County, and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner consistent with state and federal law that minimizes adverse impacts upon the wetland.

(2) Designation. (a) The shoreland-wetland district shall include all shorelands which are designated as wetlands of two acres or more in area on the most current Wisconsin Wetland Inventory Maps applicable to Dane County.

(b) The inland-wetland district shall include all non-shoreland wetlands, as shown on the Wisconsin Wetland Inventory Maps, which are two acres or more in area and located in the unincorporated territory of Dane County.

(c) The Wisconsin Wetland Inventory Maps are incorporated herein by reference and are on file in the office of the Dane County Zoning Administrator. Wetlands that extend across the corporate limits of an adjacent

municipality or across the shoreland boundary shall be included in the appropriate wetland district if the total contiguous wetland area is two acres or more in area.

(4) Discrepancies. When an apparent discrepancy exists between the shoreland or inland-wetland district shown on the official wetlands inventory maps and actual field conditions at the time the maps were adopted, the zoning administrator shall contact the appropriate field office of the Department of Natural Resources to determine if the shoreland-wetland district as mapped is in error. If the department staff concur with the zoning administrator that a particular area as incorrectly mapped either as a wetland or a non-wetland, the zoning administrator shall have the authority to immediately grant or deny a land use permit in accordance with the regulations applicable to the correct zoning district.

(5) In order to correct wetland mapping errors shown on the official zoning map, the zoning administrator shall initiate a shoreland-wetland or inland-wetland map amendment within a reasonable period of time.

(6) *Setback from wetlands.* The minimum setback for all buildings and structures, except buildings and structures specifically listed in section 11.07 and section 11.08, Dane County Code of Ordinance, is seventy-five (75) feet, measured horizontally, from a shoreland-wetland district or inland-wetland district.

[EXPLANATION: This amendment requires structures to be built seventy-five away from mapped wetlands.]

Submitted by Supervisors McDonell and Hendrick, August 19, 2004 (p. 111, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES, ZONING/LAND REGULATION, LAND CONSERVATION, and LAKES & WATERSHED.

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RES. 107, 04-05

TEMPORARY MERGER OF THE REGIONAL PLANNING COMMISSION STAFF AND  
ARRANGEMENT FOR URBAN SERVICE AREA WORK

The Dane County Regional Planning Commission (RPC) is currently the water quality planning agency for Dane County. The work of RPC staff includes technical analysis of sewer extensions and urban service area (USA) expansions, while the Commission itself votes on USA expansions. The RPC is scheduled to dissolve on October 1, 2004, and, unless another agency is designated, the Wisconsin Department of Natural Resources will need to provide for water quality planning services for Dane County. Although the county, working with the cities, villages, and towns, has attempted to develop a Council of Governments to act as the water quality planning agency, this will not be in place when the RPC dissolves on October 1<sup>st</sup>.

The RPC water quality planning staff is supported by funding from the DNR, and since those staff would be temporarily combined with the Dane County Department of Planning and Development (DPD) in the absence of another solution, it is logical that the DNR should fund those same staff through Dane County DPD so that they will be available to support water quality planning.

The RPC staff has been promised severance pay if the RPC dissolves and merger of staff with the Department of Planning and Development staff does not take place. The county would ultimately be responsible to fund the severance pay. The RPC staff will only defer their severance pay during the temporary merger. The RPC executive director would also be merged for the remaining 4 months of his contract to supervise the water quality planning staff.

The merger is explicitly temporary, until the Council of Governments or other longer term replacement is in place.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors authorizes the County Executive to request funding from the Wisconsin Department of Natural Resources to cover the cost of the staff to complete the technical analysis of sewer extensions and urban service area expansions.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes the County Executive and the County Clerk to execute an agreement with the Dane County Regional Planning Commission to temporarily combine all RPC staff with Dane County Department of Planning and Development staff effective October 1, 2004.

BE IT FURTHER RESOLVED that the agreement to temporarily merge the RPC staff should include merger of the RPC director for the 4-month balance of his contract so he can supervise the water quality planning activities.

BE IT FURTHER RESOLVED that, with this temporary merger, the Dane County Board of Supervisors recognizes that RPC staff will only defer their severance pay during the temporary merger.

BE IT FURTHER RESOLVED that the arrangement of merged staff is explicitly temporary until the "Council of Governments" or other longer term replacement is in place.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Secretary of the Department of Natural Resources and the Chair and the director of the RPC.

Submitted by Supervisors Hendrick, Gau, Erickson, Hulsey, de Felice, Richmond, Jensen, and McDonell, August 19, 2004 (p. 112, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES, ZONING/LAND REGULATION, and REGIONAL PLANNING COMMISSION.

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RES. 108, 04-05

AWARD OF CONTRACT FOR PARKING RAMP RESTORATION

The Department of Public Works, Highway & Transportation reports the receipt of bids for the 2004 Restoration of the Capitol Square South Parking Ramp, Main & Henry Streets, Madison, Wisconsin, BID NO. 7604.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation. The low bidder is:

Western Waterproofing Co. of Michigan, LLC  
1218 Central Avenue, NE  
Minneapolis, MN 55413

Contract Amount: \$428,681.60.00

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to Western Waterproofing Co. of Michigan, LLC.

There are sufficient funds in the Budget for this project.



NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Western Waterproofing Co. of Michigan, LLC, in the amount of \$428,681.60 for the 2004 Parking Ramp Restoration; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisor Ripp, August 19, 2004 (p. 113, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 109, 04-05

AUTHORIZING AN EXTENSION OF LTE PROGRAMMER IN THE  
DIVISION OF INFORMATION MANAGEMENT

The Division of Information Management in the Department of Administration has employed an LTE Programmer for assistance on Internet and Intranet development projects. This programmer is currently involved in a variety of projects including modifying the Intranet (DCINet) infrastructure, web enabling the municipality mill rate worksheet, and developing multiple applications to automate updates to the Parks website that will increase the department's ability to disseminate information. The employee is also involved with Human Services web applications for program budget and compliance reports, Clerk of Courts form postings, and daily maintenance of internet and intranet web pages.

Dane County's Civil Service Ordinance, section 18.12(1)(a), limits limited term employees to 1,200 hours per year. The employee in this position is approaching the limit for LTE's, and the Department is requesting an extension of hours to complete current projects and to retain this programming capacity. The 2004 Budget contains sufficient funds to support this position for the remainder of this year.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors grants an exception to Ordinance 18.21(1)(a) to allow the LTE Programmer in the Division of Information Management to exceed 1,200 hours in the 2004 payroll year.

Submitted by Supervisors Hulsey and Brown, August 19, 2004 (p. 113, 04-05).  
Referred to PERSONNEL/FINANCE.

RES. 110, 04-05

AUTHORIZING ACCEPTANCE OF WISCONSIN DEPARTMENT OF JUSTICE GRANT FUNDS  
FOR PRISON LITIGATION REFORM ACT

Under state law, the vast majority of litigation commenced by inmates in the Wisconsin prison system is brought in Dane County. By virtue of the Prison Litigation Reform Act, the courts are required to conduct significant screening activities of all actions filed by prisoners and such actions generally, if accepted for filing, require briefing and the review of an often-voluminous record.

Much of the screening function has been performed by LTE Staff Attorneys, who are licensed lawyers paid \$12.50 per hour, and these Staff Attorneys also provide considerable assistance to Dane County judges with review of the record, research, and writing. Cuts in funding for LTE Staff Attorneys in the last two years has jeopardized the court's ability to properly handle this litigation.

The Wisconsin Department of Justice has made a grant of \$100,000 to the Dane County Clerk of Circuit Court to assist with the funding of staff legal services used to facilitate compliance with the Prison Litigation Reform Act, and a Memorandum of Understanding regarding this funding has been executed, a copy of which is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby accepts the grant from the Wisconsin Department of Justice and that all of the grant funds shall be credited to a new revenue account in the Clerk of Courts 2004 budget for Prisoner Litigation Reform Act Grant revenue and be credited to the General Fund; and

BE IT FURTHER RESOLVED that \$100,000 be transferred from the General Fund to the Clerk of Courts, General Court Support, Limited Term Employees-Law Clerk account for payment of costs incurred after approval of this resolution, and that the balance in the account after payment of costs through 12/21/04 shall be carried forward into the 2005 Clerk of Courts budget; and

BE IT FINALLY RESOLVED that the Clerk of Circuit Courts is hereby authorized to immediately hire two LTE Staff Attorneys to perform the work funded by the grant.

Submitted by Supervisor O'Loughlin, August 19, 2004 (p. 114, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 111, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND  
WISCONSIN HOLSTEIN ASSOCIATION

The Wisconsin Holstein Association has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Midwest Spring Show to be held April 26-29, 2006, April 25-28, 2007, and April 23-26, 2008.

The lease with the Wisconsin Holstein Association includes rental and services in the amount of \$7,550.00 for 2006, \$7,750.00 for 2007, and \$7,950.00 for 2008.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Wisconsin Holstein Association Midwest Spring Show event and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisor Kesterson, August 19, 2004 (p. 115, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 112, 04-05

ACCEPTANCE OF VIOLENCE AGAINST WOMEN ACT STOP GRANT FUNDS FOR  
"SPECIALIZED PROSECUTION OF DOMESTIC VIOLENCE CRIMES"

This grant resolution accepts the funding for Specialized Prosecutors under the VAWA STOP grant to be administered through the Wisconsin Office of Justice Assistance (OJA). The grant provides funds for two FTE Assistant District Attorney positions. Dane County has been awarded \$139,670 in grant funds for 2 Specialized Prosecutor positions. The County match of \$73,569 will be met by existing staff resources in the District Attorney Office.

NOW, THEREFORE, BE IT RESOLVED that the Dane County District Attorney's Office be permitted to accept the aforementioned "The Violence Against Women STOP Grant Funds, administered by the Office of Justice Assistance, in the amount of \$139,670.

BE IT FURTHER RESOLVED that the \$139,670 be established in revenue line 111.351.3030.0534.

BE IT FURTHER RESOLVED that the \$139,670 be established in expense line 111.351.3030.2481.

BE IT FINALLY RESOLVED that any funds not received or expended in FY 2004 is carried forward to FY 2005.

Submitted by Supervisors Hulsey, Brown and O'Loughlin, August 19, 2004 (p. 115, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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COMMUNICATIONS

Claim from Linda Petersen on behalf of Greg Anderson against Public Works & Transportation – claims Tenney Locks operated improperly. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Injury from Lillie M. Gray against Human Services – claims injury in an auto accident. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Injury from Don C. Gray against Human Services – claims injury in an auto accident. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Joanne L. Huston against Zoning Division – claims error by Zoning staff caused expenses. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Michelle K. Ihm against Public Works & Transportation – claims bolt off Hwy truck broke windshield. Referred to PUBLIC PROTECTION/JUDICIARY.

## ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATION.

- Petition 9068 – Town of Pleasant Springs – Oscar Linnerud
- 9069 – Town of Roxbury – Mark, Diane, & Monte Maier & Laverne Maier
- 9070 – Town of Cottage Grove – Darrell Lange
- 9071 – Town of Springfield – James Schmitz
- 9072 – Town of Deerfield – Mike Miller
- 9073 – Town of Montrose – Michael Meister
- 9074 – Town of Perry – Jack Mlsna
- 9075 – Town of Dunn – Gene & Janice Schulz
- 9076 – Town of Cottage Grove – James Spencer ET AL
- 9077 – Town of Oregon – Reed Messner & Lisa LeGris
- 9078 – Town of Windsor – Don & Dawn Peters
- 9079 – Town of Windsor – Valeria & Kevin Acker
- 9080 – Town of Sun Prairie – Ronald E. Thurston & Robin Olson
- 9081 – Town of Cross Plains – Scott Faust
- 9082 – Town of Rutland – David & Dorthy Richardson
- 9083 – Town of Dunn – Mark & Vicki Kampmeier
- 9084 – Town of Sun Prairie – Koua C. & Dia M. Vang
- 9085 – Town of Christiana – Richard & Melody Gulseth & David Smithback
- 9086 – Town of Westport – Randal J. & Laura C. Meffert
- 9087 – Town of Oregon – Phillip & Mary L. Johnson
- 9088 – Town of Vermont – Esther D. Zarndt
- 9089 – Town of Albion – Gary J. & Todd A. Olson
- 9090 – Town of Westport – Petr & Karen M. Kolarsky
- 9091 – Town of Cottage Grove – Loel E. Nelson

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RES. 114, 04-05

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING  
THE TOWN OF WESTPORT COMPREHENSIVE PLAN

On March 15, 2004, the Town Board of the Town of Westport adopted a comprehensive plan pursuant to Sections 66.1001 of Wisconsin Statutes. This comprehensive plan will serve as a complete amendment to and replacement of the existing *Town of Westport Land Use Plan*.

This comprehensive plan includes all of the nine planning elements required by Wisconsin Statutes: Issues and Opportunities; Agricultural, Natural and Cultural Resources; Land Use; Transportation; Utilities and Community Facilities; Housing; Economic Development; Intergovernmental Cooperation; and Implementation. All of these elements have some relationship to land use. The Land Use Element includes goals, objectives, and policies for different areas of the town, including its two joint planning areas with Middleton and Waunakee. The Proposed Land Use Map identifies areas of the town slated for long-term agricultural, environmental corridor, and open space preservation, as well as areas appropriate for rural and infill residential, and commercial/institutional development. Policies for each of these planning districts are articulated in the plan text.

Dane County has adopted a farmland preservation plan under the authority of Chapter 91 of Wisconsin Statutes. Town plans are central components of Dane County's *Farmland Preservation Plan*. Amendments to town plans are adopted by the County Board of Supervisors and considered amendments to the *Farmland Preservation Plan*.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors adopts the town-approved *Town of Westport Comprehensive Plan* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisor Bruskwitz, August 25, 2004 (p. 117, 04-05).

Referred to ZONING/LAND REGULATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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ORD. AMDT. 16, 04-05

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES.  
PROVIDING FOR TOWN BOARD CONSIDERATION OF CONDITIONAL USE PERMITS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.255(2) is amended to read as follows:

(2) *Conditional uses.* (a) *Statement of purposes.* The development and execution of this ordinance is based upon the division of the county into districts, within which districts the use of land and buildings, and bulk and location of buildings and structures in relation to the land are mutually compatible and substantially uniform. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as unrestricted permitted uses in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land or public facilities, and of the public need for the particular use at a particular location. Such uses, nevertheless, may be necessary or desirable to be allowed in a particular district provided

that due consideration is given to location, development and operation of such uses. Such uses are classified as conditional uses and are ~~uses entirely private in character, but~~ of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities. The following provisions are then established to regulate those conditional uses which require special consideration.

(b) *Authority.* ~~Subject to sub. (c), the zoning committee, after a public hearing, shall, within a reasonable time, grant or deny any application for conditional use. Prior to granting or denying a conditional use, the zoning committee shall make findings of fact based on evidence presented and issue a determination whether the prescribed standards are met. No permit shall be granted when the zoning committee or applicable town board determines that the standards are not met, nor shall a permit be denied when the zoning committee and applicable town board determines that the standards are met.~~

~~(c) The town board of the town wherein a conditional use is proposed to be located shall be given notice and opportunity to participate in the conditional use process. The town board may review the conditional use permit application and thereafter may make a finding of consistency or inconsistency with the town land use plan, if any, as well as suggested conditions for any permit which it may recommend granting. If its members so desire, the town board may transmit its findings and recommendations to the committee. Findings and recommendations should be stated in terms of the standards set forth in s. 10.255(2)(h), as well as relevant policies contained in the town land use plan. The recommendations and findings of the town will be advisory to the committee.~~

*Town/Zoning Committee Action.* 1. The town board of the town where a conditional use is proposed shall be given notice and opportunity to approve or disapprove a conditional use. The town board shall communicate its position in writing on the conditional use application within sixty (60) days of the date of the public hearing. The town board may request an extension of the review period of up to forty (40) days by submitting a written request to the zoning committee. The zoning committee shall not take action on the application for conditional use until the time period for action by the town board has expired.

2. Either the town board or the zoning committee may deny an application for conditional use permit. If the town board action is denial no further action by the zoning committee is required. The zoning committee may approve or deny a conditional use permit without town action if the town board fails to act within the time period set forth in sub. (1). All such decisions may be appealed to the county board under sub. 2(j). If the county board reverses a denial by the town board, the application shall be referred to the zoning committee with instructions to draft appropriate conditions.

3. Town board and zoning committee actions shall be supported by written findings of fact. Failure of a town board or the zoning committee to make written findings of fact shall constitute approval of the application. Written findings of fact shall, at a minimum, address the standards enumerated in s. 10.255(2)(h) and, where applicable, s. 10.123(3). All findings shall be based solely upon the evidence within the public record.

4. If the town board approves the application subject to conditions, and such conditions are amended or deleted by the zoning committee, the conditional use permit as approved by the zoning committee shall be submitted to the town board for approval of the zoning committee's conditions or denial of the permit. The town board shall submit a certified resolution indicating their action to the zoning administrator within forty (40) days of the approval by the zoning committee. If the town board does not act within the forty (40) day time period the permit shall be deemed approved. If the town board denies the permit with the conditions as amended by the zoning committee, the permit shall be deemed denied. Such denial is appealable to the county board under sub. 2(j).

(d) *Initiation of conditional use.* Any person, firm, corporation or organization having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may be a freehold interest, or an exclusive possessory interest which is specifically enforceable in the land for which a conditional use is sought, may file an application to use such land for one or more of the conditional uses provided for in this ordinance provided that the conditional use is one which is permitted by the zoning ordinance in the zoning district where the parcel is located.

(e) *Application for conditional use.* An application for a conditional use shall be filed with the zoning administrator on a form prescribed by the zoning administrator. The application shall be accompanied by such plans and other information as may be prescribed by the zoning administrator or the zoning committee and shall include a statement in writing by the applicant and adequate evidence showing that the proposed conditional use shall conform to the standards set forth in par. (h) hereinafter.

(f) *Hearing on application.* Upon receipt of the application and statement referred to in par. (e) above, the zoning committee shall hold a public hearing on each application for conditional use at such time and place as shall be established by ~~such~~ the zoning committee. The hearing shall be conducted and a record of the proceedings shall be preserved in such manner and according to such procedures as the zoning committee shall, by rule, prescribe from time to time.

(g) Notice of public hearing shall be given by publication of a Class 2 notice as provided for in chapter 985 of the Wisconsin Statutes. Notice to parties of interest shall be according to policies established by the zoning committee.

(h) *Standards.* No application for a conditional use shall be granted by the town board or zoning committee unless such ~~committee body~~ shall find that all of the following conditions are present:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

(i) *Conditions and guarantees.* Prior to the granting of any conditional use, the town board and zoning committee may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community and to secure compliance with the standards and requirements specified in subsection (h) above. In all cases in which conditional uses are granted, the town board and zoning committee shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

1. In addition to such other conditions as the town board and zoning committee may impose upon any conditional use, in the case of dependency living arrangements, ~~the committee~~ each body shall require as a condition of approval that the use shall be discontinued at the time that a dependent person ceases to reside in the secondary living area. In no event shall the space so created be used for general rental purposes. The town board and zoning committee may, if ~~it~~ they so desires, require the owner to record deed restrictions implementing these additional restrictions and such deed restrictions may be required to run in favor of the county, the town and adjacent landowners.

(j) ~~*Appeal from action by zoning committee.*~~ Any person aggrieved by the grant or denial of a conditional use permit, or the county board supervisor of the district in which the affected parcel is located, may appeal the decision of the town board or zoning committee to the county board. Such appeal must specify the grounds thereof in respect to the findings of the zoning committee, town board or both, the reason why the appellant is aggrieved and must be filed with the office of the zoning administrator within 20 days of the final action ~~of the zoning committee~~. The zoning administrator shall transmit such appeal to the county clerk who shall file such appeal with the county board. The county board shall fix a reasonable time for the hearing of the appeal and give public notice thereof as well as due notice to the applicant and the appellant(s) and decide the same within a reasonable time. The action of the zoning committee, town board or both, shall be deemed just and equitable unless the county board by a three-fourths vote of supervisors present and voting reverses or modifies the action ~~of the zoning committee appealed from~~. An appeal from a decision of the zoning committee, town board or both, shall be taken to the county board. No other entity of county government has jurisdiction to hear any such appeal and the avenue of appeal provided for herein is exclusive. ~~intended to be the sole avenue of appeal from a decision of the committee.~~

(k) *Effect of denial of application.* No application for a conditional use which has been denied wholly or in part by the zoning committee shall be resubmitted for a period of one year from the date of said denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the zoning committee.

(L) In any case where the holder of a conditional use permit issued under this ordinance has not instituted the use or begun construction within one year of the date of approval, the permit ~~without further action by the committee~~, shall be null and void.

(m) *Revocation of a conditional use permit.* If the zoning committee then finds that the standards in subsection 10.255(2)(h) and the conditions stipulated therein are not being complied with, the zoning committee after a public hearing as provided in 10.255(2)(f) and (g), may revoke the conditional use permit. Appeals from the action of the zoning committee may be as provided in 10.255(2)(j).

(n) *Abandoned conditional uses.* Any use, for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with these ordinances.

Submitted by Supervisors Jensen, Gau, Pertzborn, Matano, Olsen, Wheeler, DeSmidt, Kesterson, Salov, Martz, McDonell, Vedder, Bruskevitz, Hulsey, Richmond, Gross, de Felice, Ripp, Eggert, Opitz, and Hendrick, September 2, 2004 (p. 120, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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ORD. AMDT. 17, 04-05

AMENDING CHAPTER 69 OF THE DANE COUNTY CODE OF ORDINANCES,  
ADJUSTING SPEED LIMITS ON COUNTY HIGHWAYS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subparagraph 1 of Section 69.03(2)(na) is amended to read as follows:

(na) County Trunk Highway "MN"

1. Village of McFarland and Town of Dunn

Twenty-five miles per hour from its intersection with USH 51 easterly to its intersection with Holscher Road. Forty-five miles per hour from its intersection with Holscher Road easterly to a point .25 of a mile east of said intersection.

*[EXPLANATION: This amendment lowers the speed limit in this developing area adjacent to the Village.]*

ARTICLE 3. Subparagraph 4 of Section 69.03(2)(v) is added to read as follows:

(v) County Trunk Highway "V", Dane County

4. Unincorporated Village of North Bristol, Town of Bristol

Thirty-five miles per hour from a point 0.10 of a mile west of its intersection with CTH "N" easterly to a point 0.20 of a mile east of said intersection.

*[EXPLANATION: This amendment lowers the speed in the Unincorporated Village of North Bristol.]*

Submitted by Supervisors Ripp, Gau, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, September 2, 2004 (p. 120, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.



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RES. 117, 04-05

ACCEPTANCE OF THE FFY 04 FEDERAL ANTI-DRUG ABUSE GRANT ADMINISTERED BY THE STATE OFFICE OF JUSTICE ASSISTANCE FOR TASK FORCE ADA IN DANE COUNTY

Res. 210, 1992-92, authorized that the Dane County Sheriff's Office participate in a multi-jurisdictional drug enforcement group and operate as the lead agency for the aforementioned group. It also authorized that the Sheriff, or his designee, provide all necessary and requested data and information to the State Office of Justice Assistance as may be required. As of FFY 2003, the Dane County District Attorney's Office will be providing all necessary and requested data and information for the Task Force ADA to the State Office of Justice Assistance as may be required.

The FFY 04 Federal Anti-Drug Abuse Grant is a continuation of the grant identified in Res. 210, 1991-1992. FFY 04 Federal Anti-Drug Abuse Grant funds are also used to fund our Supplemental Prosecutor Grant (DB-03-SW-0003). Furthermore, the FFY 04 Federal Anti-Drug Abuse Grant allows for the funding of a prosecutor position in the District Attorney's Office. This position will be for the prosecution of drug and gang-related crimes in Dane County. This resolution is necessary to formalize the acceptance of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Dane County District Attorney's Office be permitted to accept the aforementioned "Dane County Task Force ADA grant funds administered by the Wisconsin Department of Justice, Office of Judicial Assistance in the amount of \$96,000.

BE IT FURTHER RESOLVED that \$96,000 be set up as District Attorney, Criminal & Traffic - Adult, Task Force Project Grant revenue and be credited to the General Fund and that \$96,000 be transferred from the General Fund to the following District Attorney Criminal And Traffic-Adult accounts as follows:

State Prosecution System	\$96,000.00
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BE IT FINALLY RESOLVED that any funds not received or expended in FY 2004 be carried forward to FY 2005.

Submitted by Supervisors Hanson, Ripp, Martz, Gau, and Willett, September 2, 2004 (p. 121, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 118, 04-05

OFFICE OF JUSTICE ASSISTANCE (OJA) FY '04 HOMELAND SECURITY GRANT PROGRAM

The purpose of this resolution is to adjust revenue and expenditures for FY2004.

The Department of Emergency Management, through the State and Local Homeland Security Program, submitted a grant request in support of 2004 federal grant funds.

Dane County was awarded a total of \$635,603.00. The grant period ends December 31, 2004.

The grant funds will be used to purchase approved equipment in support of the county's domestic preparedness program as specified by the Equipment Procurement Committee.

In order to properly track expenditures, a specific line item or a separate expenditure account is required.

NOW, THEREFORE, BE IT RESOLVED that \$635,603.00 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account, 111-396-3615-1802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$635,603.00 is transferred from the General Fund to the following Emergency Management, Emergency Planning Terrorism Planning accounts (account number to be issued by the Controller's Division upon passage of this resolution):

2004 Homeland Security Grant Operating	\$258,913
2004 Homeland Security Grant Capital	\$376,690

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisors Olsen, Hanson, and Rusk, September 2, 2004 (p. 122, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 119, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION

The Wisconsin Department of Public Instruction has negotiated a two-year lease with the Alliant Energy Center of Dane County for their WI FFA Convention to be held June 12-15, 2006, and June 11-14, 2007. This lease extends a long term relationship with the client.

The lease with the Wisconsin Department of Public Instruction includes rental and services in the amount of \$21,000 for 2006 and \$21,630 for 2007.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Wisconsin Department of Public Instruction's WI FFA Convention, and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, de Felice, September 2, 2004 (p. 122, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 120, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY  
AND MARKET SQUARE

Market Square has negotiated a two-year lease with the Alliant Energy Center of Dane County for their Cash and Carry Show to be held September 22-24, 2006, and September 21-23, 2007.

The lease with Market Square includes rental and services in the amount of \$15,200 for 2006 and \$15,600 for 2007.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Market Square Cash and Carry event, and additional revenues will be paid by the show for personnel, equipm, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, September 2, 2004 (p. 123, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 121, 04-05

AWARD OF CONTRACT FOR FOOD AND BEVERAGE SERVICE CONSULTING  
AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

On June 24, 2005, the ten-year food and beverage agreement at the Alliant Energy Center will expire. The 2004 budget contains funds for a consultant to assist with the proposal and contracting process for the new agreement that will begin June 25, 2005. A request for proposals was prepared, the Purchasing Division mailed notices to nine firms, posted it on the County website, and advertised on two different dates. Three firms responded.

The evaluation team has determined that the proposal submitted by \_\_\_\_\_ in the amount of \$\_\_\_\_\_ is the most advantageous to the County.

NOW, THEREFORE, BE IT RESOLVED that the agreement with \_\_\_\_\_ is hereby approved.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer, September 2, 2004 (p. 123, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 122, 04-05

AWARD OF CONTRACT FOR SCHUMACHER  
BARN FOUNDATION & GROUND FLOOR RECONSTRUCTION

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Schumacher Barn Foundation and Ground Floor Reconstruction, Waunakee, Wisconsin, BID NO. 7705.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation. The low bidder is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \$ \_\_\_\_\_

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to \_\_\_\_\_.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to \_\_\_\_\_, in the amount of \$ \_\_\_\_\_ for the Schumacher Barn Foundation and Ground Floor Reconstruction; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer, September 2, 2004 (p. 124, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARKS.

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RES. 123, 04-05

AUTHORIZING AN AGREEMENT WITH THE CITY OF MADISON AND THE CITY OF MONONA  
FOR THE ENGINEERING DESIGN AND RECONSTRUCTION OF  
WEST BROADWAY (CTH BW) FROM SOUTH TOWNE DRIVE TO BRIDGE ROAD

The Dane County Department of Public Works, Highway & Transportation and representatives of the City of Madison and the City of Monona have determined that a part of CTH "BW" (Broadway) from South Towne Drive to Bridge Road is in need of reconstruction, which will require contributions from the County, the City of Madison, and the City of Monona.

Funding is to be accomplished in accordance with past policies of cost sharing on similar CTH projects;

The project will be financed with 80% Federal/State funds and 20% local funds.

The County's total obligations shall not exceed \$280,000, and the County has sufficient funds available in the 2004 budgeted Highway Construction program account 221-795-8340-9104 to cover the its share of costs.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this agreement on behalf of Dane County, with the City of Madison.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2004, in account 221-795-8340-9104 be carried forward to 2005.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, September 2, 2004 (p. 125, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 124, 04-05

AUTHORIZING AN AGREEMENT WITH THE CITY OF MADISON  
FOR THE UNIVERSITY AVENUE SIDEWALK CONSTRUCTION

The Dane County Department of Public Works, Highway, and Transportation and representatives of the City of Madison have determined that a sidewalk is required on the southerly side of CTH "MS" (University Ave), from Whitney Way to Capital Avenue, and on the northerly side of CTH "MS," from Capital Avenue to Baker Avenue, which will require contributions from the County and the City of Madison.

Funding is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

The County's total obligations shall not exceed \$50,000, and the County has sufficient funds available in the 2004 budgeted Highway Construction program account 221-795-8340-9062 to cover its share of costs.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this agreement on behalf of Dane County, with the City of Madison.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2004, in account 221-795-8340-9062 be carried forward to 2005.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, September 2, 2004 (p. 125, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 125, 04-05

AUTHORIZING ALLIED LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured additional office space in a building owned by Meyer Management and Realty, Inc., and this space is located at 2349 Allied Drive, Apartment #124, Madison, Wisconsin. This space will be utilized to house personnel (e.g., family support specialist, family partners) necessary for the Allied Drive Early Childhood Initiative. JFF continues to play a strong role in this community. This resolution is to pay for the monthly rental payment of \$720 per month to cover costs related to occupying this space during the lease year of 6/1/04 to 5/31/05. This amount includes all utilities except electric and air conditioning.

The negotiated rental rate for the designated JFF space is presently at market at \$720 per month for one unit at which we occupy one three-bedroom apartment. The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$8,640. All utilities are currently being paid by Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Mayer Management and Realty Inc., for 2004; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Bruskevitz, September 2, 2004 (p. 126, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 126, 04-05

AWARD OF CONTRACT FOR PHASE 7 ELECTRICAL CONSTRUCTION AT LANDFILL SITE #2

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Phase 7 Electrical Construction at the Dane County Landfill Site #2, 7102 U.S. Highway 12 & 18, Madison, Wisconsin, BID NO. 7645.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation office. The low bidder is:

B & B Electrical Construction, Inc.  
627 Circle Drive  
Iron Mountain, MI 49801  
Contract Amount: \$49,980.00

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to B & B Electrical Construction, Inc.

There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to B & B Electrical Construction, Inc., in the amount of \$49,980.00 for the Schumacher Barn Foundation and Ground Floor Reconstruction; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, September 2, 2004 (p. 127, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 127, 04-05

AUTHORIZATION TO PURCHASE A TRAIL & CONSERVATION EASEMENT FOR BRIGHAM COUNTY PARK

Dane County Parks has negotiated the purchase of a conservation easement and trail right-of-way on 29 acres near Brigham County Park. The purpose of the project is to create a bicycle and pedestrian trail that will connect Brigham County Park to the Military Ridge State Trail. Additionally, the conservation easement will protect habitat and provide an aesthetically pleasing trail route.

The conservation easement and trail right-of-way will be on lands that surround the Cave of the Mounds, a Natural National Landmark, which is owned by the family of Ebenezer Brigham. Ebenezer Brigham was the first permanent white settler in Dane County, and his family donated the lands in 1952 that are now Brigham County Park.

This project will provide about 1/3 of the trail needed to complete the connection between Brigham County Park and the Military Ridge State Trail. The new trail connection, when completed, fulfills a major emphasis of the *Dane County Parks & Open Space Plan* to create linkages between existing recreational and open space resources. Dane County Parks is actively working with the remaining landowners for completion of the trail.

The purchase price has been established at \$320,000, which equals the appraised value. The property is zoned RH-4 and could be developed for residential purposes. The Natural Heritage Land Trust may be a co-holder of the conservation easement and trail right-of-way in order to keep the project eligible for State Stewardship dollars, which offsets the purchase price, and for purposes of providing secondary enforcement of the easement provisions.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 29-acre conservation easement and trail right-of-way for approximately \$320,000 per the terms identified above and according to Wis. Stats. Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Hitzemann, Ripp, and Kostelic, September 2, 2004 (p. 128, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (PARKS recommended adoption on 8/25/04)

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RES. 128, 04-05

AUTHORIZATION TO PURCHASE LANDS IN THE BLACK EARTH CREEK RESOURCE AREA

Dane County Parks has negotiated an Offer to Purchase 73 acres along the Black Earth Creek along with an Option to Purchase an additional 221 acres of contiguous land for a total of 294 acres. The entire property is located within the Black Earth Creek Resource Area in a critical portion of the watershed that is under extreme development pressure.

Lands within the Resource Area boundary include wetlands, riparian stream corridors, prime farmland, natural areas, wooded steep slopes that provide important groundwater recharge and water quality functions, as well as natural ridgelines that define the area and provide a dramatic scenic backdrop. This unique property exhibits all of these features while providing the opportunity for recreational activities that are easily accessed by a large percentage of Dane County residents. The property runs along Highway 14, creating aesthetic viewsheds from the highway corridor while also separating the City of Middleton from the rural countryside further west.

The property is zoned C-2, Commercial and A-1, Agriculture and could be developed for residential and commercial purposes. Lands immediately surrounding the Black Earth Creek, a Dane County priority stream and a Class I trout stream, are under the C-1, Commercial zoning.

Two appraisals were completed on the property. The first appraisal, dated March of 2004, valued the 63 acres of C-2 zoned property at \$25,000/acre and the 231 acres of A-1 zoned property at \$13,500/acre. The second appraisal, dated August of 2004, valued the 63 acres of C-2 zoned property at \$35,000/acre and the 231 acres of A-1 zoned property at \$32,000/acre.

Dane County has negotiated a purchase price of \$25,000/acre for the 63 acres of C-2 zoned property along with 10 acres of A-1 zoned property for \$19,000/acre for a total purchase price of \$1,765,000. Additionally, this purchase would grant Dane County, for zero consideration, an Option to Purchase the remainder of the property (221 acres) for a maximum price of \$3,535,000 (\$15,995/acre). This Option to Purchase must be exercised by July 31, 2005, which would require County Board approval.

Important partners in this project include the Town of Middleton, the Natural Heritage Land Trust, and the Department of Natural Resources. These entities are working in partnership with Dane County to raise funds for the entire purchase, and the County will work with the Town on the development and management of the site. This partnership may require property interests in the 73 acres to temporarily vest in the Natural Heritage Land Trust in order to maximize state and federal funding opportunities. Property interests and cost-share participation between the County, Town, and Land Trust for the remaining 221 acres will be determined prior to the County exercising the Option to Purchase.



NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 73 acres for the Black Earth Creek Resource Area from Sunnyside Seed Farms, Inc., for approximately \$1,765,000, which includes an Option to Purchase 221 acres that would require future County Board action, and according to Wis. Stats. Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Ripp and Kostelic, September 2, 2004 (p. 129, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARKS.

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RES. 129, 04-05

TERMINATING UTILITY PROVISIONS AND EASEMENTS AT HOMETOWN VILLAGE VERONA

In 1989 Dane County sold its nursing home, formerly known as Home West, now known as Hometown Village. Included in the land contract at the time of the sale were provisions for the county to continue steam and water service to the property. These provisions remain a matter of record and subsequently cloud the title of the real estate.

Additionally, the county reserved a sixty-six foot easement over the existing road between Hometown Village and Badger Prairie Health Care Center to continue to provide those services.

At that same time the City of Verona requested the county to reserve an easement for a future frontage road between the westerly drive of Hometown Village and the developing commercial park directly to the west as well as a water main easement along the westerly property line of Hometown Village.

The owners of Hometown Village want to officially terminate the utility provisions and extinguish the easements to Dane County. Easements necessary for continuation of water service to the nursing home and future development around Hometown Village and provision of new water service to Badger Prairie Health Care Center are to be dedicated to the public as shown on the Plat of Badger Prairie in the City of Verona.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approves terminating the utility provisions of the 1989 Land Contract, and

BE IT FURTHER RESOLVED that Dane County approves extinguishing the frontage road easement in the southwest corner of the Hometown Village property, and

BE IT STILL FURTHER RESOLVED that Dane County approves extinguishing the water main easement along the west property line of Hometown Village, and

BE IT STILL FURTHER RESOLVED that Dane County approves extinguishing the road and utility easement between Hometown Village property and Badger Prairie Health Care Center, subject to a replacement easement dedicated to the public be shown on the recorded Plat of Badger Prairie, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute an agreement with Hometown Holdings, LLC terminating the utility provisions and extinguishing the above-described easements on behalf of the County of Dane.

Submitted by Supervisors Brown, O'Loughlin, Graf, and Hulseby, September 2, 2004 (p. 130, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

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RES. 130, 04-05

CAPITAL FUNDING FOR THE DEPARTMENT OF HUMAN SERVICES FACILITIES MAINTENANCE

The Dane County Department of Human Services is responsible for the upkeep and maintenance of over 20 facilities in which its staff and administration work.

Current conditions in these facilities are deteriorating to the point of presenting serious difficulties for staff and consumers of the Department's programs. Staff and their clientele are being required to work in buildings with leaking roofs, inoperable doors, and inadequate flooring. These improvements can no longer be delayed due to health and safety concerns.

Funding for these activities in previous years has been provided in the operating budget of the Department of Human Services. In the 2004 Approved Budget these funds were eliminated due to financial constraints and to administer and provide services to County residents.

To qualify for capital borrowing, Dane County requires a capital asset to be a non-recurring item costing at least \$100,000 and having at least a ten-year life. The Department has provided projects totaling over \$100,000 for the Neighborhood Intervention Program building the Stoughton Office and the Northport Facility.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors agrees that funding for capital repairs and improvements should not come at the expense of provision or administration of Human Services for County residents; and

BE IT FURTHER RESOLVED that capital improvements such as gym floor and ceiling tile replacement and roof repair at the Neighborhood Intervention Project; tuck pointing, floor board, and carpet repairs at the Northport office; and electrical meter re-wiring and wet basement repairs at the Stoughton office constitute critical capital repairs which, if left unresolved, have the potential to interfere with the health and safety of Human Services staff and clientele and should be ameliorated as soon as possible;

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes \$100,000 in capital borrowing for the 2004 fiscal year to undertake the most critical of capital repairs and improvements for facilities owned or leased by the Dane County Department of Human Services; and

BE IT FINALLY RESOLVED that borrowing proceeds revenue be increased in the fund in the amount of \$100,000 and that a new line item "Human Services Facility Repairs" be created in the Capital Projects Fund with an appropriated amount of \$100,000.

Submitted by Supervisors Gross, Worzala, Vogel, Vedder, Wheeler, Salov, Kesterson, Bruskevitz, Pertzborn, Ripp, and Richmond, September 2, 2004 (p. 131, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

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RES. 131, 04-05

ACCEPTING FOOD STAMP ERROR REDUCTION FUNDS - DCDHS – EA DIVISION

The State of Wisconsin Department of Health and Family Services has awarded additional Food Stamp Error reduction funding in the amount of \$9,561. These funds are available for the purpose of implementing strategies that improve the accuracy of Food Stamp case processing. Controlling the quality of eligibility determination and accurate benefit issuance reduces the Division's risk of liability for error penalties.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and that these revenues be credited to the County's General Fund:

<u>Account Number</u>	<u>Revenue Source</u>	<u>Amount</u>
260 51 5865 1499	FS Error Reduction	\$9,561

BE IT FURTHER RESOLVED that the funds above be transferred from the General Fund to the following expenditure accounts:

<u>Account Number</u>	<u>Expense Account</u>	<u>Amount</u>
260 510 5865 6448	FS Error Reduction	\$9,561

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskevitz, and Salov, September 2, 2004 (p. 131, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 132, 04-05

ACCEPTING AN AWARD FOR TO SERVE CHILDREN WITH SPECIAL HEALTH CARE NEEDS  
- PUBLIC HEALTH DIVISION

The Waisman Center of the University of Wisconsin-Madison has offered Dane County a grant award in the amount of \$4,000 for the period from January 1, 2004, through December 31, 2004, to be used to provide services to children with special health care needs. The Division of Public Health has determined that the services to be delivered are within the scope of services presently offered by the Division and fall within the overall mission of a local public health agency. Furthermore, this revenue will partially offset decreases in budgeted revenue from the Maternal and Child Health Block grant.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept an award from the Waisman Center of the University of Wisconsin-Madison in the amount of \$4,000 for the period from January 1, 2004, through December 31, 2004, and to sign a grant agreement for the purpose of offering services to children with special health care needs.

BE IT FURTHER RESOLVED that the following 2005 Revenue Accounts be revised as noted:

REVENUE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u> 3800	<u>Line Name:</u> CSHCN	<u>Line Amount:</u>	+\$4,000

EXPENSE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept. No.:</u> 510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u> 436	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u> 1273	<u>Line Name:</u> Interpreter	<u>Line Amount:</u>	+ \$4,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, September 2, 2004 (p. 132, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 133, 04-05

ADJUSTING REVENUE LINES - DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution accepts monies from the State of Wisconsin for purposes of providing post-secondary education, training, and related activities for youth who are leaving or have recently left Dane County foster care. These monies are designed to help youth make the transition to self-sufficiency and receive the education, training, and services necessary to obtain employment.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4455 1463	Independent Living Education and Training	\$29,822
	Total Revenue:	\$29,822

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4455 1224	Independent Living Education and Training	\$29,822
	Total Expenditure:	\$29,822

BE IT FURTHER RESOLVED that unspent funds from 2004, in an amount not to exceed \$29,822 will be carried forward for expenditure in 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Bruskewitz, and Salov, September 2, 2004 (p. 132, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 134, 04-05

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING  
AMENDMENTS TO THE TOWN OF VERONA COMPREHENSIVE PLAN

On June 29, 2004, the Town of Verona Board of Supervisors adopted amendments to the *Town of Verona Comprehensive Plan*. Those amendments would establish new Agricultural Transition planning areas, better identify Residential Planning areas, and clarify relationships between text policies and the proposed land use plan map.

Dane County has adopted a farmland preservation plan under the authority of Chapter 91 of the Wisconsin Statutes. The *Dane County Farmland Preservation Plan* includes town land use plans as central components. Therefore, amendments to town land use plans must be adopted by the County Board of Supervisors to also be considered amendments to the *Farmland Preservation Plan*. In addition, the plan is intended to meet the requirements for a comprehensive plan under Section 66.1001 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors adopts the town approved amendment to the *Town of Verona Comprehensive Plan* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisors Willett, Martz, Bruskewitz, Hanson, Gau, Vogel, Wiganowsky, and Ripp, September 2, 2004 (p. 133, 04-05).

Referred to ENVIRONMENT AGRICULTURE/NATURAL RESOURCES and ZONING/LAND REGULATION.

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RES. 135, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Alliant Energy Center**

Jeffrey C. Levy, 820 Lakewood Blvd., Madison 53704-6049 (241-5584-H, 222-9177-W), to be reappointed. This term will expire 9/1/07.

**Commission on Sensitive Crimes**

Connie Bettin, 1122 Debra Lane, Madison 53704 (252-1320-W), to be reappointed. This term will expire 6/30/07.

**Long Term Support Committee**

James T. Wrich, 3674 Mathias Court, Verona 53593 (821-0931-H), as the Area Agency on Aging Board Chair or designee, replacing Nell Mally. This term will expire 4/19/05.

**W-2 Community Steering Committee**

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W), to fill the seat of the Chair of the Human Services Board or his/her designee, due to the resignation of Inger Kay. Ms. Wilcox is Chair of the Human Services Board. This term will expire 5/1/05.

Submitted by Supervisor Kesterson, September 2, 2004 (p. 134, 04-05).  
Referred to EXECUTIVE.

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RES. 136, 04-05

**AN INITIAL RESOLUTION**  
**AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OR NOTES TO**  
**FUND CAPITAL PROJECTS AND GENERAL OBLIGATION REFUNDING BONDS**

The County Board has determined that certain capital projects are to be funded with borrowed funds (general obligation bonds or notes).

NOW, THEREFORE, BE IT RESOLVED that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the County shall issue its negotiable general obligation bonds or notes, in a principal sum not to exceed \$7,103,100 plus issuance expenses, for the purpose or purposes of funding the capital projects enumerated below; provided, however, that said bonds or notes, in one or more series, shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

<b>Capital Projects</b>	<b>Amount</b>	<b>Term</b>
<u>Sheriff</u>		
Huber/AODA Treatment Facility Planning	\$ 1,900,000	20 Years
Sheriff Patrol Boat	100,000	5 Years
Jail Property Conveyor System	90,000	5 Years
<u>Public Works</u>		
Renovate Tenney Park Locks	222,100	10 Years
<u>Human Services</u>		
Health Care Center Facility Planning	150,000	5 Years
<u>Parks</u>		
Conservation Funds	2,750,000	20 Years
Park Improvement Projects	150,000	10 Years
<u>Alliant Energy Center</u>		
Parking Lot Overlay	179,000	10 Years
<u>Highways</u>		
2004 Highway Projects	<u>1,562,000</u>	10 Years
Total Capital Projects	\$7,103,100	

BE IT FURTHER RESOLVED that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the County shall issue its negotiable general obligation refunding bonds, in a principal sum not to exceed \$3,625,000 plus issuance expenses, for the purpose of refunding the outstanding maturities of the County's General Obligation Notes, Series 1998A and Series 1999; provided, however, that said bonds shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

<b>Refunding Bonds</b>	<b>Amount</b>	<b>Term</b>
To refund outstanding Series 1998A and Series 1999 Notes	\$3,625,000	5 Years

Submitted by Supervisors Brown, O'Loughlin, Graf, Hulsey, Wiganowsky, and Vogel, September 2, 2004 (p. 135, 04-05).

Referred to PERSONNEL/FINANCE.

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RES. 137, 04-05

ACCEPTING GRANT AND APPROVING A FIVE-YER LEASE FOR A FINANCIAL EDUCATION CENTER AT VILLAGER MALL

The UW-Extension Dane County is providing leadership to the Volunteer Income Tax Assistance (VITA) Partnership Project in South Madison. The partnership includes the IRS, Wisconsin Department of Revenue, UW-Madison, UW-Extension Dane County, and several community-based partners. The project has completed the third year of providing free tax preparation for low-wage workers, seniors, and those with disabilities. Many of the taxpayers qualify for Earned Income Tax Credit (EITC) and other state and federal tax credits but may find it challenging to complete the tax forms. At the VITA site in the Villager Mall on South Park Street, returns are completed electronically, which allows a quick return, thus offering an alternative for predatory practices. Each year, the number of returns prepared at the site increases. Three thousand eight hundred nine returns were completed in 2004. It is estimated this brings approximately \$5,000,000 in tax refunds back to the taxpayers and to the community. Over \$800,000 of this is generated by EITC.

The goal of the VITA Partnership, led by UW-Extension Dane County, is to create a Financial Education Center in the space currently occupied by the VITA and to have VITA as a component of the center. Extension education classes and individual counseling will be offered to people across the socio-economic spectrum. Linking the VITA project to the Financial Education Center provides a prime opportunity to recruit participants from the VITA Project. The center will also be promoted through the many other programs located in the Villager Mall.

Funding to support the Financial Education Center is being sought from a variety of sources. A grant from the CBM Credit Education Foundation, Inc., to UW-Extension Dane County is providing seed money that will support the Center for five years. There are adequate funds to support the negotiated lease that provides for an initial rate of \$24,000 per year to rent a 2,400 square foot space, with an annual 3% escalator on the base starting the second year of the lease.

NOW, THEREFORE, BE IT RESOLVED that UW-Extension Dane County accept the grant of \$50,000 per year over five years from CBM Credit Education Foundation, Inc., and a Financial Education Center Miscellaneous Revenue Account be set up and credited to the General Fund.

BE IT FURTHER RESOLVED that the \$50,000 per year for five years be transferred from the General Fund to an Extension Financial Education Center expense line for the purposes of funding the development and support of a Financial Education Center at the Villager Mall and,

BE IT FURTHER RESOLVED that UW-Extension Dane County enter into a lease agreement, as described above, with the Joseph Wayne Corporation for a term of five years, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute this lease on behalf of Dane County.

Submitted by Supervisors Wheeler, Brown, Jensen, and Martz, September 7, 2004 (p. 136, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/  
AGRICULTURE/NATURAL RESOURCES. (UW EXTENSION recommended adoption on 8/20/04.)

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COMMUNICATIONS

Claim from Barry T. LaRock against Highway – claims rocks from Highway truck damaged windshield.  
Referred to PUBLIC PROTECTION/JUDICIARY.

Juneau Co. Res. 04-51, Regarding ICF-MR Downsizing. Referred to EXECUTIVE.

Juneau Co. Res. 04-53, Highway Funding. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATION.

Petition 9092 – Town of Cross Plains – John Thomas & Clarice Kalscheur

9093 – Town of Montrose – Roger & Sandra Tordoff

9097 – Town of York – Tami & Mark McNamee

9101 – Town of Sun Prairie – B Farms, Inc.

9102 – Town of Perry – William & Katherine Gansner

9104 – Town of Verona – John & Helen Hageman, Steven & Theresa Droster, & Kevin Hageman

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AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
PROVIDING FOR AGRICULTURAL BASED EDUCATION AND ENTERTAINMENT IN THE A-1 EXCLUSIVE  
AGRICULTURE DISTRICT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(2f) is created to read as follows:

(2f) Agricultural entertainment. A farm based activity, enterprise, or business that combines the elements and characteristics of agriculture and tourism, which is not necessarily located in an existing building and may have more than one (1) full-time equivalent employee. Examples of agricultural entertainment include: corn mazes, hay rides, sleigh rides, petting farms, on-farm tours, agricultural related museums, demonstrations of farming practices, techniques and methods, fee based fishing and hunting, horseback riding, nature trails, haunted barns and similar activities which are related to agriculture.

*[EXPLANATION: This amendment provides a definition for the term "agricultural entertainment."]*

ARTICLE 3. Section 10.12(2) is amended to read as follows:

- (2) Permitted uses. (a) Single family detached dwelling units.
- (b) Agricultural uses.
- (c) Utility services.
- (d) Home occupations, as defined in section 10.01(25).
- (e) Day care for not more than 8 children.
- (f) Accessory buildings.

1. Such buildings shall not be used for residential purposes or for the storage of goods or merchandise considered to be a dealer's inventory or for storage of machinery or equipment used off of the premises for other than agricultural purposes.

2. One accessory building may be built in the A-1 Agriculture District without the necessity of there being a residence on the property.

(g) The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises is permitted. Such storage shall be in existing accessory farm buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this ordinance.

(h) Sale of unprocessed agricultural products produced on the farm.

(i) Agricultural entertainment activities, not to exceed 14 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food. For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning administrator, town clerk, servicing fire department, emergency medical service provider, Dane County Sheriff's Department and any local law enforcement agency for such agricultural entertainment activities, at least 30 days prior to the start of any agricultural entertainment activities in each calendar year.

*[EXPLANATION: This amendment includes sale of agricultural products produced on the farm and short duration agricultural entertainment activities as permitted uses in the A-1 Agricultural District.]*

ARTICLE 4: Section 10.12(3) is amended to read as follows:

- (3) Conditional uses permitted in the A-1 Agriculture District.**    **(a)** Mineral extraction operations, asphalt plants, ready mix concrete plants.
- 1.** Mineral extraction operations require a description of the operation, a site plan and a reclamation plan and are otherwise subject to s. 10.191.
- (b)** Radio, television transmitting towers, microwave towers, community television antenna installations including the buildings or structures necessary for their operation but not including buildings for offices, studios or the like.
- (c)** Buildings for private clubs, fraternities and associations, provided such facilities are open to members only and do not provide a service which would normally be provided as a business and that such buildings be located not less than 100 feet from any lot in a residence district.
- (d)** Dumping grounds, sanitary landfill sites, demolition material disposal sites and incinerator sites. These shall also comply with section 60.72 of the Wis. Stats. and shall meet the minimum standards as adopted by the State Department of Natural Resources pursuant to sections 144.43 and 144.44 of the Wis. Stats.
- (e)** Cemeteries.
- (f)** Airports, landing strips or landing fields together with accessory structures.
- (g)** Veterinary clinics and hospitals provided that such buildings be located not less than 100 feet from any lot in a residence district.
- (h)** Religious uses.
- (i)** Salvage recycling centers.
- (j)** Solid waste disposal operations.
- (k)** Governmental uses.
- (L)** Native wildlife rehabilitation facilities.
- (m)** Dependency living arrangements.
- (n)** Schools.
- (o)** Horse boarding stables, riding stables, hay and sleigh rides, horse shows and similar events.
- (p)** Limited family businesses subject to s. 10.192.
- (q)** Kennels.
- (r)** Sale of agricultural and dairy products not produced on the premises and incidental sale of pop and candy.
- (t)** Retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility. Said use shall be limited to a maximum of 150 sq. ft. of floor space.
- (u)** Retail sales of pet food, pet supplies and related items at a kennel facility. Said use shall be limited to a maximum of 100 square feet of floor space.
- (v)** Training of dogs at a dog kennel or training of horses at a horse boarding facility.
- (w) Agricultural entertainment activities which are not a permitted use under sub. (2)(i).**

*[EXPLANATION: This amendment includes agricultural entertainment activities which are not permitted uses as conditional uses.]*

ARTICLE 5. Section 10.123(2) is amended to read as follows:

- (2) Permitted uses.**    **(a)** Agricultural uses.
- (b)** Residence for the farm owner or operator. Substantial income must be derived from the farm operation.
- (bm)** Residences for owners of at least 35 acres of land which were approved by the Dane County Zoning & Natural Resources Committee under the site approval process between November 1, 1992 and April 14, 1994 shall be considered a permitted use.
- (c)** Secondary farm residences which are occupied by a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the farm.
- (d)** Rental of existing or secondary residences no longer utilized in the operation of the farm.
- (e)** Day care for not more that 8 children.

- (f) Utility services as defined in section 10.01(81) and small scale electric generating stations not requiring approval under section 196.941 of the Wis. Stats.
- (g) Road side stands.
- (h) Structures and improvements, such as but not limited to silos, barns, sheds, livestock shelters or storage sheds for farm equipment, that are accessory to a permitted agricultural use.
- (i) Home occupations as defined in section 10.01(25) of this ordinance.
- (j) Sale of unprocessed agricultural products produced on the farm.

(k) Agricultural entertainment activities, not to exceed 14 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food. For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning administrator, town clerk, servicing fire department, emergency medical service provider, Dane County Sheriff's Department and any local law enforcement agency for such agricultural entertainment activities, at least 30 days prior to the start of any agricultural entertainment activities in each calendar year.

*[EXPLANATION: This amendment permits the sale of unprocessed agricultural products and short duration agricultural entertainment activities in the A-1 Exclusive Agriculture District.]*

ARTICLE 6. Section 10.123(3) is amended to read as follows:

**(3) Conditional uses in the A-1 Exclusive Agriculture District.** (a) The department of Agriculture, Trade and Consumer Protection shall be notified of the approval of any conditional use permit.

1. Standards applicable to conditional uses in the A-1 Exclusive Agriculture District. In passing applications for conditional use permits the committee shall make a finding as to whether the use is necessary in light of alternative locations and consider the following relevant factors:

- a. The statement of purposes of the zoning ordinance and the A-1 District.
- b. The potential for conflict with agricultural use.
- c. Compatibility with existing or permitted use on adjacent lands.
- d. The productivity of the lands involved.
- e. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted.
- f. The need for public services created by the proposed use.
- g. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden.
- h. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources.

(b) Single family dwellings or mobile homes occupied by parents or children of the farm operator and including dependency living arrangements. Said residences shall be subject to the requirements specified in s. 10.123(2)(b).

- (c) Governmental uses.
- (d) Religious uses.
- (e) Limited family businesses in existing structures, subject to s. 10.192.
- (f) Schools.
- (g) Farm family businesses for horse boarding stables, riding stables, hay and sleigh rides, that comply with Wis. Stats. s. 91.75(8).
- (h) Non-metallic mineral extraction operations that comply with s. 91.75(9), Stats., section 10.191 and chapter 74, as applicable. The application shall include a description of the operation, a site plan and a reclamation plan.
- (i) Sale of agricultural and dairy products not produced on the premises and incidental sale of pop and candy.
- (j) Asphalt plants or ready-mix concrete plants for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.

(k) Farm family business for retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility. Said use shall be limited to a maximum of 150 sq. ft. of floor space and shall comply with Wis. Stats. s. 91.75(8).

(L) The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in existing accessory farm buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this ordinance.

(m) Agricultural entertainment activities which are not a permitted use under sub. (2)(k).

*[EXPLANATION: This amendment authorizes agricultural entertainment activities not authorized as a permitted use as a conditional use in the A-1 Exclusive Agriculture District.]*

Submitted by Supervisors Salov, Kesterson, Jensen, Pertzborn, Matano, Olsen, DeSmidt, Hendrick, Kostelic, Worzala, Vedder, Fyrst, Hulsey, Richmond, Wheeler, Bruskewitz, Schoer, Vogel, Hitzemann, Wendt, Martz, Ripp, Gau, Willett, Hanson, O'Loughlin, and Gross, September 23, 2004 (p. 140, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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RES. 139, 04-05

AWARD OF CONTRACT FOR HEATING COIL REPLACEMENT IN FAN ROOM AT COLISEUM

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Heating Coil Replacement in the Fan Room at Coliseum at the Alliant Energy Center, Madison, Wisconsin, BID NO. 7459.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation. The low bidder is:

Dave Jones Plumbing & Heating, Inc.  
2700 Industrial Drive  
Madison, WI 53711

Contract Amount: \$31,600.00

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to Dave Jones Plumbing & Heating, Inc.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Dave Jones Plumbing & Heating, Inc., in the amount of \$31,600; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Willett, Matano, and Opitz, September 23, 2004 (p. 141, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 140, 04-05

AWARD OF CONTRACT FOR REMODEL PLUMBING & FIXTURES 6<sup>TH</sup> & 7<sup>TH</sup> FLOOR JAIL/CCB

The Department of Public Works, Highway & Transportation reports the receipt of bids for Remodel Plumbing & Fixtures 6<sup>th</sup> & 7<sup>th</sup> Floor Jail/CCB, Madison, Wisconsin, BID NO. 7437.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation office. The low bidder is:

McCullough Plumbing, Inc.  
2436 Pennsylvania Avenue  
Madison, WI 53704

Contract Amount: \$196,500.00

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to McCullough Plumbing, Inc.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to McCullough Plumbing, Inc., in the amount of \$196,500 for the Remodel Plumbing & Fixtures 6<sup>th</sup> & 7<sup>th</sup> Floor Jail/CCB; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Willett, Matano, and Opitz, September 23, 2004 (p. 141, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 141, 04-05

AUTHORIZING ADDITIONAL HOURS FOR  
LAND CONSERVATION EROSION CONTROL SPECIALIST LTE POSITION

The Land Conservation Department has intergovernmental agreements with five municipalities for providing Erosion Control and Stormwater Management plan review and inspection services. The Land Conservation Department has an LTE position that assists existing staff. This year, these revenues are up 10%

from 2003. It is anticipated the LTE will exceed the 1,200-hour limit this year by about 160 hours. Funds are available for this LTE position.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors grant an exception to Ordinance 18.12, paragraph (1), wherein the maximum amount of work time per calendar year permitted for an LTE is 1,200 hours.

Submitted by Supervisor Erickson, September 23, 2004 (p. 142, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAND CONSERVATION.

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RES. 142, 04-05

MEMORANDUM OF UNDERSTANDING AND CONTRACT FOR  
FLY DANE 2005 DIGITAL ORTHOPHOTOGRAPHY PROJECT

Dane County acquires digital orthophotography (aerial photography) on a periodic basis to maintain a current snapshot of the ever-changing landscape. In 2000, the county facilitated the formation of the Fly Dane Partnership to allow local agencies to cost-share on the acquisition of digital orthophotography products. Funds from the sale of Fly Dane Partnership data products are reserved to the Fly Dane Reserve Fund to offset the cost of future data updates. In 1995, Dane County acquired digital orthophotography as part of the Southwest Wisconsin Digital Orthophotography Consortium. For 2005, a consortium has again been formed with a master contract for professional services established by Vernon County, Wisconsin, for consortium member use.

This contract, in the amount of \$281,040, will produce updated imagery, an updated digital terrain model and contour information, planimetric information, and survey control work to support orthophotography registration and survey network enhancements. The contract will also produce base elevation data to be used in support of floodplain mapping. The contract amount takes advantage of the reduced prices and economy of scale offered by participation in the consortium.

The Southwest Wisconsin Consortium has sufficient flexibility within its model to support the Fly Dane Partnership. Forty-nine entities currently participate in the Fly Dane Partnership, including most Dane County municipalities and numerous local agencies. Partnership arrangements are guided by Memoranda of Understanding between participants and Dane County. Participation remains open for additional parties to join.

This project will be funded by revenue received from the Wisconsin Land Information Program (WLIP), the Fly Dane Reserve Fund, and participating partners. The County contribution to the project from the Land Information Office (using WLIP funds) is \$187,140. All remaining funding comes from the Fly Dane Reserve Fund and project participants. The Fly Dane 2005 project does not involve County tax levy funding.

Proceeds received from the sale of Dane County orthoimagery and terrain data products will be closed into the LIO Fund/Fly Dane Reserve Fund. This will enable the LIO to retain revenues from data sales to assist in covering the costs of updating imagery in future years. The Fly Dane Reserve Fund is a component of community participation in Fly Dane projects to maintain and periodically acquire updated countywide imagery and related products. The Fund will be used to cover the cost of updated 1-foot countywide imagery for the Fly Dane 2005 project.

NOW, THEREFORE, BE IT RESOLVED that Memorandum of Understanding, 2005 Southwest Wisconsin Digital Orthophotography Consortium, is approved.

BE IT STILL FURTHER RESOLVED that the following contract is approved for the period through March 31, 2006:

Ayres Associates, Inc.  
1802 Pankratz Street  
Madison WI 53704-4069

BE IT STILL FURTHER RESOLVED that \$93,900 be moved from the Fly Dane Reserve Fund to the Land Information Office Digital Orthophotography expense line (7306) to cover the partnership contribution to the 2005 project.

BE IT STILL FURTHER RESOLVED that any unexpended or unrealized funds at 12/31/2004 be carried forward to 2005.

BE IT STILL FURTHER RESOLVED that proceeds received from the sale of Dane County orthophotomagey and terrain data products will be closed into the Land Information Office/Fly Dane Reserve Fund.

BE IT STILL FURTHER RESOLVED that the Director of the Department of Administration is authorized to sign Fly Dane partner Memoranda of Understanding with Dane County.

BE IT FINALLY RESOLVED that the County Clerk and County Executive are authorized to sign the approved Southwest Wisconsin Digital Orthophotography Consortium Memorandum of Understanding and the contract for professional services.

Submitted by Supervisors Brown, Wiganowsky, Willett, O'Loughlin, and McDonell, September 23, 2004 (p. 143, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, ZONING/LAND REGULATION, and LAND CONSERVATION.

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RES. 143, 04-05

AUTHORIZATION TO AMEND A BIKE TRAIL EASEMENT FOR THE CAPITAL CITY STATE TRAIL

In 1998 Dane County Parks secured an easement for the construction of the Capital City State Trail through lands owned by the Fitchburg Research Park and Associates. During the layout of this trail easement, future consideration was made for the development of a water runoff control structure adjacent to the trail, which created a large loop or oxbow, that is out of character with the rest of the Capital City Trail. Since then it has been learned that the water control structure will not be built.

Fitchburg Research Park and Associates has approached Dane County Parks and the Wisconsin Department of Natural Resources, who manages the trail, and offered at no expense to remove the large loop section and reconstruct a new trail section. The new trail layout will more closely follow the character of the entire trail. The change in acreage in the easement affected by this reconfiguration of the trail will be minimal. The new trail section will be constructed and open for public use prior to the removal of the existing trail section.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive approve an amended trail easement allowing for the reconstruction of a section of the Capital City State Trail by Fitchburg Research Park and Associates per the terms identified above and according to Wis. Stats.

Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Wisconsin Department of Natural Resources is added to the amended trail easement as a co-signer being the managing agency of the State Trail and as a partner in the new Capital Springs Recreation Area.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to execute documents necessary to amend the current trail easement rights.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County.

Submitted by Supervisors Martz, Ripp, and Kostelic, September 23, 2004 (p. 144, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.  
(PARK COMMISSION recommended adoption on 8/25/04.)

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RES. 144, 04-05

DONATION OF TRAIL EASEMENT AT CHEROKEE MARSH

Dane County, the City of Madison, and the State of Wisconsin have been working to protect land within the Cherokee Marsh Natural Resource Site. The protection efforts include the creation of a land-based trail that will run from the area known as Yahara Heights northeast to the State of Wisconsin's Cherokee Marsh Fishery Area. Large portions of this trail are currently under public ownership.

One of the few gaps that exist along the trail corridor is located off of Tuggle Lane, which is off of River Road in Section 23 of the Town of Westport. Pamela and Peter Rathsack own one of the two parcels that create the gap, and they have generously offered to donate a permanent Bicycle and Walking Path Easement to Dane County and the Town of Westport. This donation will provide an additional approximate 130' length of the trail corridor.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the County to accept the donation of a Bicycle and Walking Path Easement at Cherokee Marsh.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the donation of the property rights.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors and the Dane County Executive express their sincere appreciation and gratitude to the Rathsack family for this beneficial gift.

BE IT FINALLY RESOLVED, that the land be accepted under the jurisdiction of the Dane County Park Commission according to Wisc. Stats. Chapter 27.05(3).

Submitted by Supervisors Ripp and Kostelic, September 23, 2004 (p. 144, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.  
(PARK COMMISSION recommended adoption on 9/8/04.)



RES. 145, 04-05

ACCEPTANCE OF FUNDS FOR WATER QUALITY MONITORING OF BREWERY CREEK

The Wisconsin Department of Natural Resources has approved a \$6,000 grant for continued monitoring of the water quality of Brewery Creek. The Dane County Land Conservation Department will implement the water quality monitoring objectives in partnership with Middleton High School. The project will provide a unique opportunity for LCD staff to interact with students in the collection, analysis, and dissemination of their findings. This is a two-year project, which will conclude on December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that the grant be accepted and

BE IT FURTHER RESOLVED that \$6,000 be set up as a Land Conservation Brewery Creek Revenue Account and credited to the General Fund; and, that \$1,000 be transferred from the General Fund to the Land Conservation Brewery Creek Expenditure Account;

BE IT FINALLY RESOLVED that any revenue expenditures not realized as of December 31, 2004, be carried forward to 2005.

Submitted by Supervisor Erickson, September 23, 2004 (p. 145, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAND CONSERVATION.

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RES. 146, 04-05

OPPOSING OFFSHORE CONTRACTING BY THE STATE OF WISCONSIN

In the last legislative session, the Wisconsin State Legislature considered "The America Jobs Act," 2003 Senate Bill 389 regarding requiring all contractual services purchased by executive branch agencies to be performed within the United States. Even though the legislative session ended before this bill came to a vote, concerns remain regarding overseas contractual services.

In the past three years, 1.2 million U. S. jobs have been outsourced. Here in Wisconsin, between March 2001 and January 2004, the state lost over 75,000 manufacturing jobs due to issues including moving some offshore and to other countries. Economists predict 3.3 million more jobs will leave the U. S. in the next decade.

Wisconsin state government in 1999, (the most recent year for which data is available), the state contracted for \$421 million worth of services. The Department of Administration does not track how many of those contracts employ people located in other countries.

However, perhaps the most publicized example of offshoring in Wisconsin is the use of a call center in India to address questions of people using the Wisconsin Quest card, the electronic debit card that replaced paper food stamps. Last December, CNN business reporter Lou Dobbs noted that the Department of Workforce Development, the same department in charge of finding work for unemployed residents of the state of Wisconsin, outsourced these jobs to India.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors opposes offshoring of contractual services by the State of Wisconsin and urges Governor Doyle to direct the executive branch

agencies to purchase only contractual services performed within the United States, unless the service cannot be obtained within the United States.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Doyle, Department of Administration Secretary Marotta and the members of the Dane County legislative delegation.

Submitted by Supervisors Hulse, Rusk, Hanson, Olsen, Kostelic, DeSmidt, Matano, Wheeler, de Felice, Eggert, McDonell, Fyrst, Brown, Richmond, Vedder, and Gross, September 23, 2004 (p. 146, 04-05).  
Referred to EXECUTIVE.

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RES. 147, 04-05

AUTHORIZING ADDENDUM TO EMPLOYMENT AGREEMENT FOR LEGISLATIVE LOBBYIST (BEIL)

The incumbent holding the position of Legislative Lobbyist and the County Executive have previously entered into an employment services agreement, which will expire on October 31, 2004. Consistent with the budget, county ordinances, and existing practice for employment contracts, an addendum to renew this employment agreement has been negotiated with Mary Ann Beil. This addendum is similar to other employment contracts used by the County with the following exceptions:

- The County's Civil Service Ordinance [18.85(h)] limits the term of this contract to three years while other employment contracts are typically for five years.
- The agreement addresses the concern that the Legislative Lobbyist not otherwise involve herself in political matters by prohibiting her from participating in both partisan and nonpartisan races.
- The agreement also incorporates a provision that it is not extended at its expiration unless there is a resolution pending to award a successor agreement.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is hereby authorized to execute, on behalf of the County of Dane, an addendum to the employment services contract with Mary Ann Beil to serve as Legislative Lobbyist for an additional three-year period ending on October 31, 2007, at her current annual salary of \$72,000. Ms. Beil will also receive the same cost of living adjustments that are applied to unrepresented employees through the term of her contract.

Submitted by Supervisor Kesterson, September 23, 2004 (p.146, 04-05).  
Referred to EXECUTIVE and PERSONNEL/FINANCE.

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RES. 148, 04-05

AUTHORIZING EXECUTION AND SUBMITTAL OF AN APPLICATION FOR A GRANT OF AUTHORITY FOR DANE COUNTY TO ESTABLISH A GENERAL PURPOSE FOREIGN TRADE ZONE IN THE VICINITY OF THE DANE COUNTY REGIONAL AIRPORT

WHEREAS it is in the public interest for Dane County to foster economic development within its borders, including enhancing the strength and stability of the County's economy by supporting existing businesses while striving to bring new capital and employment opportunities into the community by providing the opportunity for further commercial development; and

WHEREAS the development of commerce and international trade within Dane County is important to sustaining, supporting, and expanding opportunities for employment and the County's continued economic development; and

WHEREAS Dane County recognizes that the establishment of a general purpose foreign trade zone in the vicinity of the Dane County Regional Airport will serve and strengthen the Dane County economy, encourage growth of the County's revenue base, promote positive economic development, foster international trade and related activity, and will be economically beneficial to the citizens of Dane County; and

WHEREAS Dane County is authorized by state and federal law to make application for a general purpose foreign trade zone; and

WHEREAS Dane County desires to make application to the United States Foreign Trade Zones Board to establish a general purpose foreign trade zone and to comply with all laws and regulations applicable thereto;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive is hereby authorized to execute, on behalf of Dane County, an application for a grant of authority to establish, operate, and maintain a general purpose foreign trade zone in the vicinity of the Dane County Regional Airport; and

BE IT FURTHER RESOLVED that the Airport Director is hereby duly authorized to submit on behalf of Dane County the aforesaid application to the United States Foreign Trade Zones Board, to exercise oversight with respect to said foreign trade zone and to execute on behalf of the County, within the budgetary limitations adopted by the Dane County Board of Supervisors, documents in furtherance of the establishment, operation and maintenance of a general purpose foreign trade zone as set forth in the application therefore.

Submitted by Supervisors Rusk and O'Loughlin, September 23, 2004 (p. 147, 04-05). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

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RES. 149, 04-05

WISCONSIN EMERGENCY MANAGEMENT (WEM) TRAINING GRANT AWARD

The purpose of this resolution is to adjust revenue and expenditures from FY2004.

In a collaborative effort to deliver quality training to first responders within our county, Dane County Emergency Management applied and was awarded funds to deliver the "Critical Incident Management Initial Response" training course.

The County of Dane was awarded \$3,500 for the purpose of delivery of the course materials.

NOW, THEREFORE BE IT RESOLVED that \$3,500 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account, #111-396-3615-1802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$3,500 is transferred from the General Fund to the following Emergency Management, Emergency Planning Accounts, (account numbers to be issued by the Controller's Division upon passage of this resolution).

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisors Olsen, Kostelic, Rusk, Hanson, Salov, Martz, Eggert, Hulsey, Gross, Pertzborn, Wiganowsky, Gau, de Felice, DeSmidt, Jensen, Schoer, Wheeler, Matano, Willett, Bruskewitz, O'Loughlin, and Brown, September 23, 2004 (p. 148, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES.150, 04-05

OFFICE OF JUSTICE ASSISTANCE (OJA) DECONTAMINATION EQUIPMENT  
FOR HOSPITALS GRANT AWARD

The purpose of this resolution is to adjust revenue and expenditures from FY 2004.

In a collaborative effort between OJA and the Hospital Preparedness Program, funds from the Office of Domestic Preparedness are being used to purchase decontamination equipment for Wisconsin hospitals. These health facilities are responsible for the decontamination of patients, who present directly to the hospitals for decontamination and treatment.

Three hospitals within Dane County choose to participate in the program. They are UW Hospital and Clinics, Stoughton Hospital, and William S. Middleton Memorial Veterans Hospital.

The County of Dane was awarded \$25,671 for the purpose of purchasing decontamination equipment and supplies for the above-mentioned facilities.

NOW, THEREFORE, BE IT RESOLVED that \$25,671 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account, #111-396-3615-1802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$25,671 is transferred from the General Fund to the following Emergency Management, Emergency Planning Accounts, (account numbers to be issued by the Controller's Division upon passage of this resolution).

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisors Olsen, Vedder, Rusk, Hanson, Martz, Salov, Eggert, Hulsey, Gau, de Felice, DeSmidt, Jensen, Schoer, Wheeler, Richmond, Willett, Brown, Matano, Hitzemann, and O'Loughlin, September 23, 2004.

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and EMS COMMISSION.  
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RES. 151, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Ethics Board**

Carole M. Doeppers, 2115 Jefferson Street, Madison 53711 (255-3013-H, 250-1769-W), to fill an expired citizen seat. Ms. Doeppers is an independent consultant, focusing on the development of policies, procedures, and practices that promote government, health, and consumer data privacy. She has worked as the State Privacy Advocate and Director of the Wisconsin Data Privacy Project. She has worked as the Health Administrator for the Center for Health Sciences Human Subjects Research Committee, the Assistant to the Executive Director of the State of Wisconsin Ethics Board, the Administrative Assistant to Legislative Committee at the Wisconsin State Capitol, and was the Executive Director of Common Cause of Wisconsin. She has a Bachelor of Arts degree in History and Government from Indiana University and a Master of Arts in Public Policy and Administration from the University of Wisconsin-Madison. She is currently on the Board of Directors of the University of Wisconsin Credit Union and has served on the City of Madison Ethics Board, the Center on Fathers, Families and Public Policy Board of Directors, and the Madison Literacy Program. This term will expire 4/18/06.

**Public Safety Communications Operating Practices Advisory Committee**

Chief Brad Keil, c/o City of Middleton Police Department, 7426 Hubbard Avenue, Middleton 53562 (827-1000-W), to be reappointed. This term will expire 5/1/06.

Chief Bernie Coughlin, c/o City of Verona Police Department, 111 Lincoln Street, Verona 53593 (845-7623-W), to be reappointed. This term will expire 5/1/06.

Submitted by Supervisor Kesterson, September 23, 2004 (p. 149, 04-05).  
Referred to EXECUTIVE.

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RES. 152, 04-05

AUTHORIZATION OF MAZOMANIE LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families Program formerly occupied free space in Mt. Horeb but was asked to move due to space constraints of the landlord. New, almost free office space is available with the Village of Mazomanie in the Community Building at 11 Brodhead Street in Mazomanie, Wisconsin. This space includes one large office area (approximately 250 sq. ft.) with access to restrooms in the Community Building. It also has a front entrance off the main street for easy access. The Village is requesting \$1.00 per year rent for the space allocated to the Joining Forces for Families Program, which includes utilities, other light maintenance such as snow removal, excluding telephone.

The negotiated rental rate for the designated JFF space is presently way below market rate for this space, which is 250 square feet. The space will be utilized by a Dane County Community social worker.

The 2004-05 rate would be \$1.00 per year including all utilities and other light maintenance (except telephone). The current lease will run from August 1, 2004, to July 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the Village of Mazomanie for 2004; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskewitz, Worzala, and Salov, September 23, 2004.

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

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RES. 153, 04-05

ADJUSTING EXPENDITURE LINES AND AMENDING MENDOTA MENTAL HEALTH'S CONTRACT --  
DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution awards the monies for state hospital diversion to Mendota Mental Health Institute's PACT program. These funds will be used for one time program costs associated with psychiatric intake and vocational educational curriculum for youth within the PACT program. Youth in PACT are at very high risk of hospital placement. These funds are being used to enhance proven hospital diversion programming.

NOW, THEREFORE, BE IT RESOLVED that the 2004 purchase of service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
Mendota Mental Health Institute	\$60,000

BE IT FURTHER RESOLVED that the following expenses be moved from expense account 260-510-4365-5862 to expense account 260-510-4365-5872.

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260-510-4365-5862	Hospital Diversion	(\$60,000)
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260-510-4365-5872	Mendota PACT Jr.	\$60,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskewitz, and Worzala, September 23, 2004 (p. 150, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 154, 04-05

ADJUSTING EXPENDITURE LINES AND AMENDING THE MENTAL HEALTH CENTER CONTRACT --  
DEPARTMENT OF HUMAN SERVICES-CYF DIVISION

This resolution awards the monies for psychiatric hospital diversion to the Mental Health Center of Dane County's Youth Crisis Program. These monies will be support a limited term employee and training materials for the Crisis Stabilization Program within the Youth Crisis Unit. The limited term employee will be responsible for training new foster parents in crisis stabilization services. Once trained, these foster parents will provide crisis stabilization services within a community setting in order to divert youth from residential and hospital placements. The ongoing crisis stabilization program is self-sustaining with medical assistance funds, but materials and staff time are required to meet state requirements for training.

NOW, THEREFORE, BE IT RESOLVED that the 2004 purchase of service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
Mental Health Center of Dane County	\$45,000

BE IT FURTHER RESOLVED that the following expenses be moved from expense account 260-510-4365-5862 to expense account 260-510-4365-6161.

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4365 5862	Hospital Diversion	\$45,000)

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4365 6161	Mental Health Center-SED Crisis	\$45,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskevitz, and Worzala, September 23, 2004 (p. 151, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 155, 04-05

ACCEPTING ADDITIONAL REVENUE AND AMENDING A PROFESSIONAL SERVICE CONTRACT --  
DEPARTMENT OF HUMAN SERVICES-CFY DIVISION

This resolution accepts additional Intoxicated Driver Surcharge revenue in CY2004 to the Children, Youth, and Families Division and amends a professional service contract with the Mental Health Center of Dane County. The amended professional services contract will add \$49,500 for alcohol treatment services. The additional contracted amount to the Mental Health Center of Dane County is for CY2004.

NOW, THEREFORE, BE IT RESOLVED that the professional services contract listed below be amended as follows:

<u>Vendor</u>	<u>Amendment Amount</u>
Mental Health Center of Dane County	\$ 49,500

BE IT FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4665 0815	Intoxicated Driver Prog	\$ 49,500
	Total Revenue:	\$ 49,500

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260 510 4665 6044	MHC - ALC	\$ 49,500
	Total Expenditure:	\$ 49,500

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskevitz, and Worzala, September 23, 2004 (p. 152, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 156, 04-05

ACCEPTING AN AWARD FOR OPERATION OF A FIRST BREATH PROJECT – PUBLIC HEALTH DIVISION

The County Board approved Res. 90, 2004-05, accepting a mini-grant from the Wisconsin Women's Health Foundation (WWHF) in the amount of \$1,000 for the purpose of developing a training manual template and technical assistance for other sites that wish to establish programs involving peer mentors who will work with new mothers to reduce smoking and increase breastfeeding. The WWHF has now made a second award in the amount of \$1,000 to Dane County in support of the operation of another First Breath Mini-Project for the period from July 1, 2004, through June 30, 2005. This project will underwrite the cost of providing stipends to peer mentors in the amount of \$20 per session. Each session is expected to last from two to three hours. This mini-grant will be coordinated with other grant-supported activities but will require no new county levy.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept a mini-grant award from the Wisconsin Women's Health Foundation in the amount of \$1,000 for use during the period from July 1, 2004, though June 30, 2005.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	3864	<u>Line Name:</u>	First Breath	<u>Line Amount:</u>	\$1,000

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	1315	<u>Line Name:</u>	First Breath	<u>Line Amount:</u>	\$1,000

BE IT FINALLY RESOLVED that any funds not expended from this grant by December 31, 2004, be carried forward to 2005.



Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskewitz, Worzala, Salov, and Fyrst, September 23, 2004 (p. 153, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 157, 04-05

ACCEPTING BIRTH TO THREE, COP AND PATHWAYS TO INDEPENDENCE GRANT REVENUE –  
DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

3. The Wisconsin Department of Health and Family Services has awarded Dane County \$16,713 in Birth to Three Early Childhood revenue. These funds were originally allocated to another county but were returned to WDHS. These funds are awarded to Dane County due to the growth in the Birth to Three caseload. United Cerebral Palsy of Greater Dane County, Inc., and the UW Waisman Center are the current providers of Birth to Three services. Both programs are striving to keep expenses within their respective contractual allocations. These funds will be held in the DD Children Client Assistance account until it is clear whether one or both programs require supplemental funding.
4. The Wisconsin Department of Health and Family Services has awarded Dane County \$15,822 in Community Options Program High Cost funds. DCDHS requested this one-time funding for computer equipment to enable DCDHS and Purchase of Service care managers to implement the automated Functional Screen. The State of Wisconsin is requiring counties to establish automated COP/CIP Functional Screen capability by January 2005. Four standard laptop computers and related software licenses will be purchased for DCDHS Long Term Support Unit staff. Upgrades and networking for ten computers at the South Madison Coalition of the Elderly, Inc., will also take place.
5. The Wisconsin Department of Health and Family Services has awarded Dane County \$30,000 in Pathways to Independence funding. The purpose of this grant is to enhance access to person centered recovery oriented employment services for consumers of mental health services. Chrysalis, Inc., will be the lead agency for this initiative, and at least four other community mental health programs will also participate. The program objectives include having five community MH programs develop an individualized plan to improve access to person centered recovery oriented employment services, providing training and ongoing consultation to staff and consumers, and increasing the use of natural supports for consumers employed in the community. An estimated 15 consumers will participate.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
5190 0825	DD Children – Early Childhood	\$16,713
4915 1529	Aging Long Term Care COP-W	\$15,822
5265 NEW	MH Pathways to Independence	\$30,000
	Total	\$62,535

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
5250 6420	DD Children Client Assistance	\$16,713
4740 2043	ACS Printing, Stationary, Equipment	\$7,004
4930 6086	South Madison Coalition for the Elderly	\$8,818
5385 NEW	Chrysalis, Inc. – Pathways to Independence	\$30,000
	Total	\$62,535

BE IT FURTHER RESOLVED that any unspent MH Pathways to Independence Grant funds from 2004 be carried forward for expenditure in 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskewitz, Worzala, Salov, and Fyrst, September 23, 2004 (p. 154, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 158, 04-05

AUTHORIZING ALLIED LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families Program has secured office space in a building owned by Meyer Management and Realty, Inc., and this space is located at 2349 Allied Drive, Apartment #123, Madison, Wisconsin. The JFF has occupied this apartment since 2000. JFF continues to play a strong role in this community. This resolution is to pay for the monthly rental payment of \$720 per month to cover costs related to occupying this space during the lease year of 8/1/04 to 7/31/05. This also includes one new lease for the next year at the current rental rate.

The negotiated rental rate for the designated JFF space is presently at market at \$720 per month for one unit at which we occupy one three-bedroom apartment. The space is currently utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$8,640. All utilities are currently being paid by Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Meyer Management and Realty, Inc., for 2004; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Gross, Wheeler, Bruskewitz, Worzala, Salov, and Fyrst, September 23, 2004 (p.154 , 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

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AUTHORIZING SUBMISSION OF ONE YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR PROGRAM YEAR 2005 – JANUARY 1, 2005–DECEMBER 31, 2005

Dane County is an Entitlement under three (3) U.S. Department of Housing and Urban Development (HUD) grant programs: Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and American Dream Downpayment Initiatives (ADDI). As such, Dane County receives annual CDBG grants in the amount of \$1,300,000, HOME grants in the amount of \$600,000, and ADDI grants in the amount of \$60,000.

In order to allocate CDBG, HOME, and ADDI funds on an annual basis, HUD requires the submittal of an annual One Year Action Plan, which is due to HUD by November 15 of each year. HUD stipulates various requirements, such as holding two public hearings for citizen participation purposes, one during the development of the Annual Plan and one on annual performance of the HUD programs. The County, however, is able to determine its own process for allocation of the grant funds. As a result, the County has developed a competitive application process with extensive analysis and public input. A review team made recommendations on each application. The Review Team recommendations were then submitted to the CDBG Commission, the Commission that oversees the CDBG program. The CDBG Commission's recommendations, which were made on September 1, 2004, are included in the 2005 Action Plan. The following is a summary of the CDBG Commission recommendations (a copy of the complete Plan can be found at the County Board Office):

<b><u>Applicant</u></b>	<b><u>Project Description</u></b>	<b><u>Amount</u></b>
Dane Co. Housing Authority	Mortgage Downpayment Assist.	\$165,000 (ADDI)
Dane Co. Human Services	Emergency Assist. Allied Dr.	\$10,000 (CDBG)
Village of Oregon	Downtown Commercial Facades	\$25,000 (CDBG)*
Village of Waunakee	Downtown Commercial Facades	\$25,000 (CDBG)
Village of Cambridge	Downtown Commercial Facades	\$25,000 (CDBG)
WWBIC	Business ED and Outreach	\$50,000 (CDBG)
Dane Co. Planning/ CDBG	CRLF- Commercial Loans	\$210,000 (CDBG)
Movin' Out	Mort. Downpay. Assist-Thresholds	\$152,000 (CDBG)
Dane Co. Housing Authority	Mortgage Downpayment Assist.	\$78,400 (CDBG)
Dane Co. Planning/CDBG	CDBG Administration	\$190,000 (CDBG)
Dane Co. Planning/CDBG	BUILD Planning	\$70,000 (CDBG)
Boys and Girls Club	Neighborhood FacilAllied Dr	\$500,000 (CDBG)
Town of Windsor	Senior Center	\$100,000 (CDBG)
Commun. Action Coalition	Homeless Case Mgmt.	\$50,000 (CDBG)
Independent Living	Elderly Emerg. Rental Assist	\$50,007 (CDBG)
Independent Living	Elderly Home Modifications	\$57,750 (CDBG)
Salvation Army	Emergency Assistance	\$10,000 (CDBG)
Dane Co. Human Services	Paratransit	\$45,000 (CDBG)
Dane Co. Equal Opportunity	Fair Housing Compliance	\$10,000 (CDBG)
Movin' Out	Mortgage Down. Assist.-Uplands	\$100,000 (HOME 02-04)
Ellefson Co.	Affordable Housing Constr.	\$200,000 (HOME 02-04)
Dane Co. Housing Authority	Mortgage Downpayment Assist.	\$163,000 (HOME 02-04)
Project Home	Neighbor-owned Affordable Hsg.	\$248,400 (HOME 02-04)
Project Home	Single Family Home Rehab.	\$155,073 (HOME 02-04)
Dane Co. Planning/CDBG	HOME Administration	\$60,000 (HOME)
Operation Fresh Start	Single Family Housing Rehab.	\$70,000 (HOME)

Habitat for Humanity of Dane Co.	Land Acquisition	\$76,000 (HOME)
Progressive Housing Alliance	Home Construction-Uplands	\$65,000 (HOME)
Project Home	Single Family Home Rehab.	\$116,212 (HOME)
Dane Co. Planning/CDBG	CHDO Set-aside	\$60,000 (HOME)

\*If additional CDBG funding becomes available, the project should be funded at \$50,000 instead of \$25,000.

NOW, THEREFORE, BE IT RESOLVED that the County Board expresses its appreciation to the CDBG Commission and Review Teams for their hard work and recommendations on the County CDBG Annual Action Plan for 2005 Program Year Funds;

BE IT FURTHER RESOLVED that the County Executive is authorized to submit the above referenced One Year Action Plan as well as any amendments and additional documentation to HUD relating to the 2005 Program Year CDBG and HOME grants;

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized and directed to sign the appropriate contracts on behalf of Dane County; and

BE IT FINALLY RESOLVED that the Dane County Controller is authorized to issue checks necessary to implement the 2005 CDBG and HOME programs.

Submitted by Supervisors Wheeler, Pertzborn, Vedder, McDonell, Worzala, Hendrick, Salov, Martz, Eggert, Hulse, Rusk, Gau, Gross, de Felice, DeSmidt, Jensen, Willett, Matano, and Schoer, September 23, 2004 (p. 156, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and C.D.B.G.

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COMMUNICATIONS

Claim from Eugene Hughes against Jail-claims wedding band missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Paul Baumann against Highways-claims windshield damaged by rocks. Referred to PUBLIC PROTECTION/ JUDICIARY.

Claim from Pat Roach against Jail –claims personal property missing. Referred to PUBLIC PROTECTION/ JUDICIARY

Notice of Circumstances Giving Rise to Claim and Claim from Phyllis L. Riordin-claims personal injury due to fall on sidewalk. Referred to PUBLIC PROTECTION/JUDICIARY.

Notices of Circumstances of a Claim arising from the death of Tierra Hill. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Gary L. Mast resulting from accident involving County truck. Referred to PUBLIC PROTECTION/ JUDICIARY.

Notice of Personal Injury regarding injuries of Caleb Kozma at park Elementary School, Cross Plains. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Martha J. Sebree against Airport-claims falling debris in ramp damaged car. Referred to PUBLIC PROTECTION/JUDICIARY.

Waushara County Res. 26-09-04, Resolution to Oppose DNR the Use of Wildlife Damage Funds for CWD Research. Referred to EXECUTIVE.

Oneida County res. 99-2004 re: aquatic invasive species. Referred to EXECUTIVE.

Columbia County Res. 39-04 re: revising milk volume production (MVP) program to protect water quality.  
Referred to EXECUTIVE.

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AMENDING CHAPTERS 12, 16, 62 and 75 OF THE DANE COUNTY  
CODE OF ORDINANCES, ESTABLISHING OR INCREASING FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 12.03(1) and (2) are amended to read as follows:

**12.03 ZONING PERMIT FEES FOR NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS.** (1) For construction of new single family, duplex and mobile home residences, the fee shall be \$~~30~~~~30~~ 50.00 plus \$0.075 for each square foot of floor area including basements and attached garages.

(2) For additions to or alterations of existing single family, duplex and mobile home residences, and for buildings accessory to single family, duplex and mobile home residences, the fee shall be \$ ~~30~~ 3050.00 plus \$0.075 for each square foot of added floor area including basements and attached garages.

*[EXPLANATION: This amendment raises the fee for zoning permits for single family, duplex and mobile home residences from \$30.00 to \$50.00.]*

ARTICLE 3. Section 16.50 is renumbered as section 62.80 and, as renumbered, amended to read as follows:

**62.80 CORONER; FEES FOR CERTAIN SERVICES.** (1) Pursuant to section 59.36, Wis. Stats., the Dane County Coroner is authorized to charge the following fees:

(1) a fee of \$150 for services rendered in connection with cremation certificates.

(2) a bone and tissue storage fee of \$750.

(3) an autopsy fee of \$400.

*[EXPLANATION: This amendment moves the provision for coroner fees to Chapter 62 and provides for a bone and tissue storage fee and an autopsy fee.]*

ARTICLE 4. Section 62.30 is amended to read as follows:

**62.30 FEES; DISTRICT ATTORNEY'S DEFERRED PROSECUTION PROGRAM.** (1) For each consecutive 30-day period during which a person participates in the deferred prosecution program the participant shall pay a fee as follows:

(a) Participants having an annual gross income of \$50,000 or more shall pay a fee of \$~~25~~~~25~~ 26.25;

(b) Participants having an annual gross income of less than \$50,000 shall pay a fee of \$~~20~~~~20~~ 21.00;

(c) Notwithstanding the foregoing, a participant who is in the deferred prosecution program due to a retail theft charge shall pay a fee of \$ 15.75.

(2) The fees established in this section may be waived by the director of the deferred prosecution program upon the director's determination of financial need.

*[EXPLANATION: This amendment increases deferred prosecution fees by 5%.]*

ARTICLE 5. Section 75.22 is amended to read as follows:

**75.22 FEES.** (1) A subdivider submitting a preliminary plat for review under s. 236.11(1)(a), Wis. Stats., shall pay to the Dane County Treasurer a fee of \$325, to assist in defraying review costs.

(2) A subdivider submitting a final plat for approval under s. 236.11(2), Wis. Stats., shall pay to the Dane County Treasurer a fee of \$65 per lot for each lot in the final plat.

(3) A subdivider submitting a certified survey map for approval under s. 75.17(1) shall pay to the Dane County Treasurer a fee of \$65 per lot for each lot in the certified survey map.

(4) In addition to the fees set forth in subs. (2) and (3), there is imposed a digital mapping maintenance fee of \$12 per lot.

(5) Any person seeking a determination by the county Land Division Review Officer as to the applicability of Chapter 75 to a particular parcel or parcels shall pay a fee of \$100.00.

*[EXPLANATION: This amendment creates a fee for determination by the Land Division Officer as to whether a lot may be legally created.]*

Submitted by Supervisor Brown , October 7, 2004 (p. 159, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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RES. 161, 04-05

OFFICE OF JUSTICE ASSISTANCE (OJA) FY '04 HOMELAND SECURITY GRANT PROGRAM

The Dane County Sheriff's Office, through the State and Local Homeland Security Program, submitted a grant request in support of 2004 Federal Grant funds.

The Dane County Sheriff's Office was awarded a total of \$262,000. The grant period ends December 31, 2004.

The grant funds will be used to purchase approved equipment to enhance Law Enforcement's ability to respond to and process a crime scene resulting from a Weapons of Mass Destruction/Terrorist attack.

NOW, THEREFORE, BE IT RESOLVED that \$262,000 accepted as additional revenue in the Sheriff's Office, Support Services Division, WMD/Terrorist Crime Scene Unit account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$262,000 be transferred from the General Fund to the Sheriff's Office, Support Services Division, WMD/Terrorist Crime Scene Unit account.

BE IT FURTHER RESOLVED that all unexpected funds and unrecognized revenues from this account be carried forward from the 2004 budget period to the 2005 budget period.

Submitted by Supervisors O'Loughlin, Jensen, Fyrst, Gross, and Eggert, October 7, 2004 (p. 159, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 162, 04-05

TOWN OF BLOOMING GROVE CONTRACT POLICING AGREEMENT

The Town of Blooming Grove has requested the Dane County Sheriff's Office to provide additional police services within the boundaries of said municipality, at a level above and beyond the basic level of police services currently provided to their respective town.

The Town of Blooming Grove has agreed to compensate Dane County for the cost of assigning certified sworn law enforcement officers, on an overtime basis, to perform such services. The potential revenue remains uncertain until a history of requested services has been established.

The Town Board of Blooming Grove has authorized the Town of Blooming Grove Chair and Town Clerk to enter into an agreement with Dane County and the Dane County Sheriff's Office to contract for the above-described services.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive, and Dane County Clerk are authorized to enter into a contract policing agreement with the Town of Blooming Grove, and

BE IT FURTHER RESOLVED that the Dane County Sheriff's Office is authorized to provide the requested services on an overtime basis, and

BE IT FINALLY RESOLVED that \$100 be set up as additional Sheriff, Field Services, Inter-Agency Revenue-Blooming Grove (3390-NEW) and be credited to the General Fund, and that \$100 be transferred from the General Fund to the following Sheriff's Office accounts:

- Field Services – Overtime Inter-Agency (3390-0034)
- Field Services – Retirement Fund (3390-0099)
- Field Services – Social Security (3390-0108)

Submitted by Supervisors de Felice and O'Loughlin, October 7, 2004 (p. 160, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 163, 04-05

AWARDING AIRPORT CONCESSION LEASE NOS. DCRA 2004-05, 2004-06, 2004-07, 2004-08, 2004-09, AND 2004-10 TO CAR RENTAL COMPANIES – DANE COUNTY REGIONAL AIRPORT

Dane County solicited car rental companies for proposals on a five (5) year car rental concession at the Dane County Regional Airport. Six companies offered bids for the six (6) available concessions. Proposers were Midwestern Wheels, Inc., John Nottoli Wisconsin, Inc., Midwest Car Corporation, Enterprise Rental Car, Midwest Rental Services, and KRI, LLC. Rent payment under the leases is set as the greater of 10% of gross receipts or a minimum annual guarantee (MAG). The MAG for the first year of the leases is as proposed by the companies. The MAG for the second through fifth years of the leases will be the greater of the proposed MAG of 85% of the rent paid for the previous year. The lease contract also provides for rental payments for ready and return parking and terminal counter space. The MAGs are as follows:

<u>Company</u>	<u>Proposed MAG</u>
Midwestern Wheels, Inc.	\$271,200.00
John Nottoli of Wisconsin, Inc.	\$221,383.00
Midwest Car Corporation	\$193,189.00
Enterprise Rent-A-Car	\$176,500.00
Midwest Rental Services	\$120,848.00
KRI, LLC	\$ 30,000.00

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk be authorized and directed to execute the Leases DCRA 2004-05, DCRA 2004-06, DCRA 2004-07, DCRA 2004-08, DCRA 2004-09, and DCRA 2004-10 on behalf of Dane County.

Submitted by Supervisors Gau, de Felice, and Rusk, October 7, 2004 (p. 160, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.



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RES. 164, 04-05

AUTHORIZING EXECUTION OF A CONTRACT WITH TERRA ENGINEERING & CONSTRUCTION CORPORATION FOR REPAIR AND REPLACEMENT OF THE TRUAX LANDFILL GAS EXTRACTION SYSTEM – DANE COUNTY REGIONAL AIRPORT

Dane County has solicited proposals for a public works project involving the repair and replacement of the gas extraction system that prevents migration of methane gas from the site of the now closed and capped Truax Landfill. The successful proposer is Terra Engineering & Construction Corporation of Madison, Wisconsin. The project will be completed by the end of 2004 at a proposed cost of \$79,797.50.

NOW, THEREFORE, BE IT RESOLVED that a new operating expense account entitled Airport, Industrial Area, Landfill Maintenance is created and \$80,000 shall be transferred into said account from the Airport, Retained Earnings Account; and

BE IT FURTHER RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, Contract No. DCRA 2004-11, under the terms of which Terra Engineering & Construction Corporation will repair and replace portions of the Truax Landfill gas extraction system for the amount of \$79,797.50. Said amount to be paid out of the foregoing newly created account.

Submitted by Supervisors Gau, de Felice, Rusk, and McDonell, October 7, 2004 (p. 161, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

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RES. 165, 2004-05

SALE OF NAME OF EXHIBITION HALL AT ALLIANT ENERGY CENTER OF DANE COUNTY

The Alliant Energy Center of Dane County has operated without a tax subsidy for its operations since 1990. The General Fund is paying approximately 55% of the debt service on the construction of Exhibition Hall. The remainder of the debt service is paid by AEC operations, the State of Wisconsin, and private firms. Funds from the sale of the name of Exhibition Hall are a critical component of increased future Center revenue in order for the Center to keep its operations off of the tax rolls.

A number of agents have attempted to sell the name of Exhibition Hall since 1997. Michael Moskoff Consulting has agreed to accept the terms of prior marketing agreements for this project, which include: a one year term, no payments unless the County Board and County Executive approve terms of the agreement with the naming company or individual, Michael Moskoff Consulting only may contact firms approved by the AEC, and a graduated commission schedule that averages 7.5% for securing a \$3 million naming agreement.

NOW, THEREFORE, BE IT RESOLVED that the agreement with Michael Moskoff Consulting, 2818 Lakeland Ave, Madison, WI 53704, for a one year agreement from November 1, 2004, to October 31, 2005, is hereby approved.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the approved agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and Eggert, October 7, 2004 (p. 161, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 166, 04-05

AUTHORIZING AGREEMENT TO PROVIDE WATER QUALITY MANAGEMENT PLANNING ASSISTANCE  
TO WISCONSIN DEPARTMENT OF NATURAL RESOURCES

On October 1, 2004, the Dane County Regional Planning Commission (DCRPC) was dissolved by an act of the Wisconsin Legislature. Since 1973, the DCRPC had been the area-wide water quality planning agency for Dane County pursuant to Wisconsin Administrative Code Chapter NR 121. Since the dissolution of the DCRPC there exists no single agency to conduct water quality planning for Dane County.

Negotiations are currently under way between the various municipalities of Dane County, the Department of Natural Resources, Dane County, and other organizations to adopt legislation creating a Council of Governments to act as the area-wide water quality planning agency for Dane County. Until that legislation is adopted, water quality planning including urban services area amendments must continue. The Department of Natural Resources has proposed contracting with Dane County to provide water quality management planning assistance as a short-term solution.

NOW, THEREFORE, BE IT RESOLVED that the Agreement between Wisconsin Department of Natural Resources and Dane County for providing water quality management planning assistance is approved;

BE IT FURTHER RESOLVED that the County Clerk and County Executive are authorized to execute said Agreement.

Submitted by Supervisors Gau, de Felice, Eggert, Bruskewitz, Hendrick, Opitz, Kostelic, McDonell, Worzala, Vedder, Fyrst, Hulsey, Matano, O'Loughlin, Rusk, Wheeler, Schoer, Jensen, Hitzemann, Willett, and Brown, October 7, 2004 (p. 162, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES.

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RES. 167, 04-05

APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF A  
BICYCLE/PEDESTRIAN TRAIL AT PHEASANT BRANCH CONSERVANCY

Dane County Parks, the City of Middleton, and the Town of Springfield have been working with the Wisconsin Department of Natural Resources (DNR) since December of 2003 to secure regulatory permits for construction of a bicycle/pedestrian trail at the Pheasant Branch Conservancy. The proposed trail is recommended in several adopted County, City, and Town planning documents including the 2001-2005 Dane County Parks and Open Space Plan. Both the City of Middleton and Dane County have sufficient funds available in 2004 and 2005 for construction of their portions of the trail.

A key segment of the proposed trail will be located within the eastern road right of way along Pheasant Branch Road. The right of way falls within the Town of Springfield, Town of Middleton, and City of Middleton jurisdictions, and some of this land has been classified as wetland by the DNR. In order to insure that the proposed trail is not expanded or relocated further into the adjacent wetland, the DNR is requiring that an Intergovernmental Agreement be executed between all involved parties that identifies precise location of the trail and addresses future encroachment concerns.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an Intergovernmental Agreement with the DNR, Town of Springfield, Town of Middleton, and City of Middleton that will govern the implementation, operation, and maintenance of the Pheasant Branch bicycle/pedestrian trail.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are hereby authorized to execute the agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Bruskewitz, October 7, 2004 (p. 163, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 168, 04-05

AUTHORIZING AMENDED STREET ENCROACHMENT AGREEMENT WITH CITY OF MADISON  
AT PUBLIC SAFETY BUILDING AND NEW COURTHOUSE

In 1992 Dane County entered into a street encroachment agreement with the City of Madison by the approval of Res. 208, 1992-1993 AUTHORIZING AGREEMENT WITH CITY OF MADISON FOR NEW JAIL STREET ENCROACHMENTS.

The county currently desires to amend the original agreement to include further encroachments made necessary by the construction of the new courthouse. The new courthouse encroachments consist of ten footings along South Hamilton Street. The amended agreement provides for adjustable annual payments to the city for the privilege to occupy part of the street right of way. The prorated 2004 payment is \$4,775 and the 2005 payment is \$5,730.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize entering into the described street encroachment agreement with the City of Madison and the payment of the assessed fees, and

BE IT FURTHER RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the described agreement on behalf of the County of Dane.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, October 7, 2004 (p. 163, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 169, 04-05

AMENDING HUMAN SERVICES SOUTH MADISON OFFICE LEASES AT VILLAGER CENTER

Dane County presently leases two separate office spaces from Joseph Wayne Company in the Villager Center on South Park Street in the City of Madison. Both of the leases have a termination date of May 31, 2008. Both of the leases also have a regular rent element, including base rent and a prorated share of real estate taxes and operating expenses, and an improvement rent element covering the cost of construction and debt service on the construction.

The Community Development Authority of the City of Madison (CDA) has entered into a contract to purchase the Villager Center from Joseph Wayne Company. The purchase contract provides for assignment of leases and regular rents to CDA, but allows for Joseph Wayne Company to continue to recover its costs of improvement. CDA and Joseph Wayne Company prefer that Dane County pay the regular rents to CDA and continue to pay the improvement rents directly to Joseph Wayne Company through the balance of the term of the leases.

The proposed amendment only allows the separation of the payment of the regular rents from the improvement rents. The amount of rent and all other terms of the leases remain unchanged through the remaining term of the leases.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize entering into the described lease amendment allowing the separation of the regular rents from the improvement rents, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the described amendment on behalf of the County of Dane.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Eggert, October 7, 2004 (p. 164, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/ TRANSPORTATION.

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RES.170, 04-05

ACCEPTING COMMUNITY CHILD CARE INITIATIVE FUNDING - DCDHS – EA DIVISION

The State of Wisconsin Department of Workforce Development has issued Community Child Care Initiative (CCCI) funding in the amount of \$23,000. These funds are designated for the purchase of respite childcare slots to meet the referral needs of the Department's Child Protective Services staff. These dollars expand the availability of childcare services available on an emergent basis.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and that these revenues be credited to the County's General Fund:

<b>Account Number</b>	<b>Revenue Source</b>	<b>Amount</b>
260 510 5745 1496	LMCC	\$23,000

BE IT FURTHER RESOLVED that the funds above be transferred from the General Fund to the following expenditure account:

<b>Account Number</b>	<b>Expense Account</b>	<b>Amount</b>
260 510 5775 6471	CCCI Respite care	\$23,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, Salov, and Eggert, October 7, 2004 (p. 164, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 171, 04-05

SOLICITING PRIVATE DONATIONS FOR HUMAN SERVICES FUNDING

Dane County has a long history of providing critical human services programs that have dramatically improved the quality of life for many of its residents. Unfortunately, Dane County and other local municipalities have experienced a dramatic decrease in the amount of state revenue received for local programs. As a result, the funding for many of these important human services programs has or will be reduced, resulting in a potential decrease in services to county residents who are most in need.

Dane County also has a long history of charitable giving. Recently such edifices as the Overture Center, the Kohl Center and the renovation of Camp Randall Stadium have been built largely with charitable donations. The Dane County Board of Supervisors believes that residents of Dane County with the means to help would be willing to help fund critical programs for our county residents that are in need. One way to solicit such donations is through an informational flyer accompanying real estate tax bills.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Treasurer and the Dane County Department of Human Services develop an informational flyer soliciting donations to the Dane County Human Services Department for inclusion with the 2004 real estate tax bill. Any expenses will be paid from funds in the Department of Human services budget. All funds received will be placed in a segregated account for the DD Coalition.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors requests that each municipality in Dane County reproduce the informational flyer and include it in the mailing of the 2004 real estate tax bill.

AND BE IT FINALLY RESOLVED that the Dane County Board of Supervisors requests that the Wisconsin Legislature and Department of Revenue include a check-off provision on the state income tax return for purposes of taxpayer donations to the Human Services Department of their respective county. A copy of this Resolution shall be presented to the Governor, members of the Legislature from Dane County, and the Department of Revenue.

Submitted by Supervisors Wiganowsky, O'Loughlin, Blaska, Hitzemann, Vogel, Bruskewitz, de Felice, Hanson, Gau, Hulsey, Rusk, Wendt, Ripp, Martz, Schoer, Brown, Eggert, DeSmidt, Willett, Matano, Wheeler, Jensen, and Salov, October 7, 2004 (p. 165, 04-05).

Referred to EXECUTIVE, HEALTH/HUMAN NEEDS, and PERSONNEL/FINANCE.

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RES. 172, 04-05

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$7,185,000 GENERAL OBLIGATION BONDS, SERIES 2004A

WHEREAS, the County Board of Dane County, Wisconsin (the "County"), has determined that the following capital projects are to be funded with borrowed funds (general obligation bonds):

	<u>Amount</u>	<u>Term</u>
<u>Sheriff</u>		
Huber/AODA Treatment Facility Planning	\$ 1,900,000	20 Years
Sheriff Patrol Boat	100,000	5 Years
Jail Property Conveyor System	90,000	5 Years
<u>Public Works</u>		

Renovate Tenney Park Locks	222,100	10 Years
<u>Human Services</u>		
Health Care Center Facility Planning	150,000	5 Years
<u>Parks</u>		
Conservation Funds	2,750,000	20 Years
Park Improvement Projects	150,000	10 Years
<u>Alliant Energy Center</u>		
Parking Lot Overlay	179,000	10 Years
<u>Highways</u>		
2004 Highway Projects	<u>1,562,000</u>	10 Years
Total Capital Projects	\$7,103,100	

WHEREAS, the County is in need of funds aggregating \$7,185,000 for public purposes, including but not limited to financing capital projects and issuance expenses (collectively, the "Public Purpose"); and

WHEREAS, the Controller of the County has caused fair and appropriate notice to be given of the sale of \$7,185,000 Dane County, Wisconsin, General Obligation Bonds, Series 2004A (the "Series 2004A Bonds"), which action is hereby in all respects ratified and confirmed; and

WHEREAS, pursuant to Chapter 67 of the Wisconsin Statutes, as amended, the County is authorized to issue general obligation bonds of the County for the Public Purpose; and

WHEREAS, the County has prepared and distributed a Preliminary Official Statement dated October \_\_, 2004 (the "Preliminary Official Statement") describing the Series 2004A Bonds and the security therefor; and

WHEREAS, in accordance with the Official Notice of Sale for the Series 2004A Bonds (the "Official Notice of Sale"), written bids for the sale of the Series 2004A Bonds were received and delivered to the County Board of Supervisors (the "Governing Body") at the commencement of its meeting, all on October 21, 2004; and

WHEREAS, the Governing Body has considered all of the bids received and hereby finds and determines that \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or a group led by such entity (hereinafter referred to as the "Purchaser"), bidding the price of \$\_\_\_\_\_ for the entire issue of Series 2004A Bonds (the "Purchase Price"), to bear interest at the rates shown herein for Series 2004A Bonds maturing on June 1 in the respective years stated herein, was the best bidder in accordance with the Official Notice of Sale; and

WHEREAS, the Governing Body hereby finds that the Purchaser is responsible and that its bid complies with all terms of the Official Notice of Sale; and

WHEREAS, it is now expedient and necessary for the County to issue and sell its general obligation bonds in the amount of \$7,185,000 for the Public Purpose;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County as follows:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

"Act" shall mean Chapter 67 of the Wisconsin Statutes, as amended;

"Bond Registrar" shall mean the Treasurer of the County;

"Code" shall mean the Internal Revenue Code of 1986, as amended;

“County” shall mean Dane County, Wisconsin;

“Dated Date” shall mean November 1, 2004;

“Debt Service Fund” shall mean the Debt Service Fund of the County, which shall be the “special redemption fund” as such term is defined in the Act;

“Financial Officer” shall mean the Treasurer of the County;

“Governing Body” shall mean the County Board of Supervisors of the County, or such other body as may hereafter be the chief legislative body of the County;

“Public Purpose” shall mean the public purpose described in the preamble to this Resolution;

“Purchase Price” shall mean \$\_\_\_\_\_ (\$7,185,000.00 principal amount of Series 2004A Bonds, plus reoffering premium of \$\_\_\_\_\_, less Underwriter’s discount of \$\_\_\_\_\_, plus accrued interest from November 1, 2004 to November 16, 2004 of \$\_\_\_\_\_);

“Purchaser” shall mean \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or a group led by such entity;

“Record Date” shall mean the close of business on the 15th day of the calendar month next preceding any principal or interest payment date;

“Securities Depository” shall mean The Depository Trust Company, New York, New York, or its nominee; and

“Series 2004A Bonds” shall mean the County’s \$7,185,000 General Obligation Bonds, Series 2004A.

Section 2. Authorization of the Series 2004A Bonds. For the purpose of financing the Public Purpose, there shall be borrowed on the full faith and credit of the County the sum of \$7,185,000; and fully registered general obligation bonds of the County are authorized to be issued in evidence thereof.

Section 3. Sale of the Series 2004A Bonds. To evidence such indebtedness, the Chairperson and County Clerk of the County are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation bonds in the aggregate principal amount of \$7,185,000 for the Purchase Price.

Section 4. Terms of the Series 2004A Bonds. The Series 2004A Bonds shall be designated “General Obligation Bonds, Series 2004A”; shall be dated the Dated Date; shall be numbered R-1 and upward; shall bear interest as shown on the Maturity Schedule below; shall be issued in denominations of \$5,000 or any integral multiple thereof; and shall mature on June 1 in the years and in the amounts as set forth below. Interest on the Series 2004A Bonds shall accrue from the Dated Date on a 30-day month, 360-day year basis, and shall be payable commencing on June 1, 2005 and semi-annually thereafter on June 1 and December 1 of each year.

MATURITY SCHEDULE

<u>Maturity Date (June 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2005	\$525,000	
2006	435,000	
2007	445,000	
2008	450,000	
2009	460,000	
2010	400,000	
2011	415,000	
2012	430,000	
2013	445,000	
2014	460,000	
2015	225,000	
2016	235,000	
2017	245,000	
2018	255,000	
2019	265,000	
2020	275,000	
2021	285,000	
2022	300,000	
2023	310,000	
2024	325,000	

At the option of the County, the Series 2004A Bonds maturing on June 1, 2013 and thereafter shall be subject to redemption prior to maturity on June 1, 2012 or on any date thereafter. Said Series 2004A Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Series 2004A Bonds are in book-entry-only form, and less than all of a particular maturity of the Series 2004A Bonds is to be redeemed, selection of the beneficial owners of the Series 2004A Bonds affected thereby shall be made solely by the Securities Depository and its direct and indirect participants in accordance with their then-prevailing rules. If the Series 2004A Bonds are not in book-entry-only form, and less than all of a particular maturity of the Series 2004A Bonds is to be redeemed, selection shall be by lot.

So long as the Series 2004A Bonds are in book-entry-only form, notice of the redemption of any of the Series 2004A Bonds shall be sent to the Securities Depository, in the manner required by the Securities Depository, not less than 30 and not more than 60 days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Securities Depository, in the manner required by the Securities Depository, not less than 15 days prior to the proposed redemption date. If the Series 2004A Bonds are not in book-entry-only form, (i) a notice of the redemption of any of the Series 2004A Bonds shall be mailed, postage prepaid, not less than 30 and not more than 60 days before the redemption date to the registered owners of any Series 2004A Bonds to be redeemed (provided, however, that failure to give any such notice by mail or any defect therein shall not affect the validity of any proceedings for the redemption of the Series 2004A Bonds if notice thereof has been published at least once not less than 30 and not more than 45 days prior to the date of redemption in a financial journal or newspaper published or circulated in New York, New York), and (ii) a notice of redemption may be revoked by the mailing of a notice, postage prepaid, not less than 15 days prior to the proposed redemption date to the registered owners of any Series 2004A Bonds which were to have been redeemed (provided, however, that failure to mail any such notice shall not affect the validity of such revocation if



notice thereof has been published at least once not less than 15 days prior to the proposed redemption date in a financial journal or newspaper published or circulated in New York, New York).

Interest on any Series 2004A Bond so called for prior redemption shall cease to accrue on the redemption date, provided that payment thereof has been duly made or provided for.

Section 5. Form, Execution, Registration and Payment of the Series 2004A Bonds. The Series 2004A Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Series 2004A Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson and County Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Series 2004A Bonds shall be paid by the Financial Officer.

Both the principal of and interest on the Series 2004A Bonds shall be payable in lawful money of the United States of America by the Financial Officer. Payment of principal of the final maturity on the Series 2004A Bonds will be payable upon presentation and surrender of the Series 2004A Bonds to the Financial Officer. Payment of principal on the Series 2004A Bonds (except the final maturity) and each installment of interest shall be made to the registered owner of each Series 2004A Bond who shall appear on the registration books of the County, maintained by the Bond Registrar, on the Record Date and shall be paid by check or draft by the Financial Officer and mailed to such registered owner at the address appearing on such registration books or at such other address may be furnished in writing to such registered owner to the Bond Registrar.

Section 6. Bond Proceeds. The sale proceeds of the Series 2004A Bonds (exclusive of accrued interest and any premium received) shall, forthwith upon receipt, be placed in and kept by the Financial Officer as a separate fund to be known as the "General Obligation Bonds, Series 2004A, Borrowed Money Fund" (hereinafter referred to as the "Borrowed Money Fund"). Moneys in the Borrowed Money Fund shall be used solely for the purposes for which borrowed or for transfer to the Debt Service Fund as provided by law.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax sufficient in amount to pay and for the express purpose of paying the interest on the Series 2004A Bonds as it falls due and also to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property in the County, in addition to all other taxes, a nonrepealable, direct, annual tax in an amount sufficient for that purpose. This tax shall be from year to year carried into the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time. Said tax is to be for the following years and in the following minimum amounts:

(a) Levy for the year 2004 in the amount of \$ \_\_\_\_\_, being the sum of:

for interest due on June 1, 2005;  
for principal due on June 1, 2005; and  
for interest due on December 1, 2005

(b) Levy for the year 2005 in the amount of \$ \_\_\_\_\_, being the sum of:

for interest due on June 1, 2006;  
for principal due on June 1, 2006; and  
for interest due on December 1, 2006

- (c) Levy for the year 2006 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2007;  
for principal due on June 1, 2007; and  
for interest due on December 1, 2007
- (d) Levy for the year 2007 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2008;  
for principal due on June 1, 2008; and  
for interest due on December 1, 2008
- (e) Levy for the year 2008 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2009;  
for principal due on June 1, 2009; and  
for interest due on December 1, 2009
- (f) Levy for the year 2009 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2010;  
for principal due on June 1, 2010; and  
for interest due on December 1, 2010
- (g) Levy for the year 2010 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2011;  
for principal due on June 1, 2011; and  
for interest due on December 1, 2011
- (h) Levy for the year 2011 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2012;  
for principal due on June 1, 2012; and  
for interest due on December 1, 2012
- (i) Levy for the year 2012 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2013;  
for principal due on June 1, 2013; and  
for interest due on December 1, 2013
- (j) Levy for the year 2013 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2014;  
for principal due on June 1, 2014; and  
for interest due on December 1, 2014

- (k) Levy for the year 2014 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2015;  
for principal due on June 1, 2015; and  
for interest due on December 1, 2015
- (l) Levy for the year 2015 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2016;  
for principal due on June 1, 2016; and  
for interest due on December 1, 2016
- (m) Levy for the year 2016 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2017;  
for principal due on June 1, 2017; and  
for interest due on December 1, 2017
- (n) Levy for the year 2017 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2018;  
for principal due on June 1, 2018; and  
for interest due on December 1, 2018
- (o) Levy for the year 2018 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2019;  
for principal due on June 1, 2019; and  
for interest due on December 1, 2019
- (p) Levy for the year 2019 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2020;  
for principal due on June 1, 2020; and  
for interest due on December 1, 2020
- (q) Levy for the year 2020 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2021;  
for principal due on June 1, 2021; and  
for interest due on December 1, 2021
- (r) Levy for the year 2021 in the amount of \$ \_\_\_\_\_, being the sum of:  
for interest due on June 1, 2022;  
for principal due on June 1, 2022; and  
for interest due on December 1, 2022

(s) Levy for the year 2022 in the amount of \$ \_\_\_\_\_, being the sum of:

for interest due on June 1, 2023;  
for principal due on June 1, 2023; and  
for interest due on December 1, 2023

(t) Levy for the year 2023 in the amount of \$ \_\_\_\_\_, being the sum of:

for interest due on June 1, 2024; and  
for principal due on June 1, 2024

The County shall be and continue without power to repeal such levies or obstruct the collection of said taxes until all such payments have been made or provided for. After the issuance of the Series 2004A Bonds, said taxes shall be carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls with respect to the Series 2004A Bonds may be reduced by the amount of any surplus money in the Debt Service Fund created pursuant to Section 8 hereof.

If there shall be insufficient funds from the tax levy to pay the principal of or interest on the Series 2004A Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

There be and there hereby is appropriated from taxes levied by the County in anticipation of the issuance of the Series 2004A Bonds and other funds of the County on hand a sum sufficient to be deposited in the Debt Service Fund to meet payments with respect to debt service due in 2004.

Section 8. Debt Service Fund. Within the debt service fund previously established within the treasury of the County, there be and there hereby is established a separate and distinct fund designated as the "General Obligation Bonds, Series 2004A, Debt Service Fund" (hereinafter referred to as the "Debt Service Fund"), and such fund shall be maintained until the indebtedness evidenced by the Series 2004A Bonds is fully paid or otherwise extinguished. The Financial Officer shall deposit in such Debt Service Fund (i) all accrued interest received by the County at the time of delivery of and payment for the Series 2004A Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Series 2004A Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Series 2004A Bonds when due; (iv) any premium which may be received by the County above the par value of the Series 2004A Bonds and accrued interest thereon; (v) surplus moneys in the Borrowed Money Fund for the Series 2004A Bonds; and (vi) such further deposits as may be required by Section 67.11 of the Wisconsin Statutes.

No money shall be withdrawn from the Debt Service Fund and appropriated for any purpose other than the payment of principal of and interest on the Series 2004A Bonds until all such principal and interest has been paid in full and cancelled; provided (i) the funds to provide for each payment of principal of and interest on the Series 2004A Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Series 2004A Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Series 2004A Bonds as permitted by and subject to Section 67.11(2)(a) of the Wisconsin Statutes in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue as a part of the Debt Service Fund.

When all of the Series 2004A Bonds have been paid in full and cancelled, and all permitted investments disposed of, any money remaining in the Debt Service Fund shall be deposited in the general fund of the County, unless the Governing Body directs otherwise.

Section 9. Deposits and Investments. The Debt Service Fund shall be kept apart from moneys in the other funds and accounts of the County and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Series 2004A Bonds as the same becomes due and payable. All moneys therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34 of the Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Sections 66.0603(1m) and 67.10(3) of the Wisconsin Statutes. All income derived from such investments shall be regarded as revenues of the County. No such investment shall be in such a manner as would cause the Series 2004A Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

The Chairperson shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Series 2004A Bonds are not "arbitrage bonds" under Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

Section 10. Sale of Series 2004A Bonds. The terms, conditions and provisions of the Series 2004A Bonds are, in all respects, authorized and approved. The Series 2004A Bonds shall be sold and delivered to the Purchaser in the manner, at the Purchase Price, and pursuant to the terms and conditions set forth in the Official Notice of Sale.

The preparation of the Preliminary Official Statement dated October \_\_, 2004, and the Official Statement dated October 21, 2004, are hereby approved. The Preliminary Official Statement is "deemed final" as of its date, except for omissions or subsequent modifications permitted under Rule 15c2-12 of the Securities and Exchange Commission. The Chairperson and County Clerk of the County are authorized and directed to do any and all acts necessary to conclude delivery of the Series 2004A Bonds to the Purchaser, as soon after adoption of this Resolution as is convenient.

Section 11. Book-Entry-Only Bonds. The Series 2004A Bonds shall be transferable as follows:

(a) Each maturity of Series 2004A Bonds will be issued as a single bond in the name of the Securities Depository, or its nominee, which will act as depository for the Series 2004A Bonds. During the term of the Series 2004A Bonds, ownership and subsequent transfers of ownership will be reflected by book entry on the records of the Securities Depository and those financial institutions for whom the Securities Depository effects book entry transfers (collectively, the "Participants"). No person for whom a Participant has an interest in Series 2004A Bonds (a "Beneficial Owner") shall receive bond certificates representing their respective interest in the Series 2004A Bonds except in the event that the Securities Depository or the County shall determine, at its option, to terminate the book-entry system described in this section. Payment of principal of, and interest on, the Series 2004A Bonds will be made by the Financial Officer to the Securities Depository which will in turn remit such payment of principal and interest to its Participants which will in turn remit such principal and interest to the Beneficial Owners of the Series 2004A Bonds until and unless the Securities Depository or the County elect to terminate the book entry system, whereupon the County shall deliver bond certificates to the Beneficial Owners of the Series 2004A Bonds or their nominees. Bond certificates issued under this section may not be transferred or exchanged except as provided in this section.

(b) Upon the reduction of the principal amount of any maturity of Series 2004A Bonds, the registered Series 2004A Bondowner may make a notation of such redemption on the panel of the Series 2004A Bond, stating the amount so redeemed, or may return the Series 2004A Bond to the County for exchange for a new

Series 2004A Bond in a proper principal amount. Such notation, if made by the Series 2004A Bondowner, may be made for reference only, and may not be relied upon by any other person as being in any way determinative of the principal amount of such Series 2004A Bond outstanding, unless the Bond Registrar initialed the notation on the panel.

(c) Immediately upon delivery of the Series 2004A Bonds to the purchasers thereof on the delivery date, such purchasers shall deposit the bond certificates representing all of the Series 2004A Bonds with the Securities Depository. The Securities Depository, or its nominee, will be the sole owner of the Series 2004A Bonds, and no investor or other party purchasing, selling or otherwise transferring ownership of any Series 2004A Bonds will receive, hold or deliver any bond certificates as long as the Securities Depository holds the Series 2004A Bonds immobilized from circulation.

(d) The Series 2004A Bonds may not be transferred or exchanged except:

(1) To any successor of the Securities Depository (or its nominee) or any substitute depository ("Substitute Depository") designated pursuant to (ii) below, provided that any successor of the Securities Depository or any Substitute Depository must be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(2) To a Substitute Depository designated by or acceptable to the County upon (a) the determination by the Securities Depository that the Series 2004A Bonds shall no longer be eligible for depository services, or (b) a determination by the County that the Securities Depository is no longer able to carry out its functions, provided that any such Substitute Depository must be qualified to act as such, as provided in subsection (1) above; or

(3) To those persons to whom transfer is requested in written transfer instructions in the event that:

(i) The Securities Depository shall resign or discontinue its services for the Series 2004A Bonds and, only if the County is unable to locate a qualified successor within two months following the resignation or determination of noneligibility, or

(ii) Upon a determination by the County that the continuation of the book entry system described herein, which precludes the issuance of certificates to any Series 2004A Bondowner other than the Securities Depository (or its nominee) is no longer in the best interest of the Beneficial Owners of the Series 2004A Bonds.

(e) The Depository Trust Company, New York, New York, is hereby appointed the Securities Depository for the Series 2004A Bonds.

#### Section 12. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the Public Purpose financed by the Series 2004A Bonds and their ownership, management and use will not cause the Series 2004A Bonds to be "private activity bonds" within the meaning of Section 141 of the Code, and the County shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Series 2004A Bonds.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Series 2004A Bonds, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing

the Series 2004A Bonds and the laws of Wisconsin, and to the extent there is a reasonable period of time in which to comply.

Section 13. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Series 2004A Bonds are outstanding, a separate account to be known as the "Rebate Fund" for the purpose of complying with the rebate requirements of Section 148(f) of the Code. The Rebate Fund is for the sole purpose of paying rebate to the United States of America, if any, on amounts of Series 2004A Bond proceeds held by the County. The County hereby covenants and agrees that it shall pay from the Rebate Fund the rebate amounts as determined herein to the United States of America.

The County may engage the services of accountants, attorneys, or other consultants necessary to assist it in determining rebate amounts. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Series 2004A Bonds and may only be used to pay amounts to the United States. The County shall maintain or cause to be maintained records of such determinations until six (6) years after payment in full of the Series 2004A Bonds and shall make such records available upon reasonable request therefor.

Section 14. Defeasance. When all Series 2004A Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The County may discharge all Series 2004A Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government ("Government Obligations"), or of securities wholly and irrevocably secured as to principal and interest by Government Obligations and rated in the highest rating category of a nationally recognized rating service, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Series 2004A Bond to its maturity or, at the County's option, if said Series 2004A Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Series 2004A Bond at maturity, or at the County's option, if said Series 2004A Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Series 2004A Bonds on such date has been duly given or provided for.

Section 15. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the County and the owner or owners of the Series 2004A Bonds, and after issuance of any of the Series 2004A Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 19 hereof, until all of the Series 2004A Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Series 2004A Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the County, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the County, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 16. General Authorizations. The Chairperson, County Clerk, Treasurer and Controller of the County and the appropriate deputies and officials of the County in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution and to comply with and perform the obligations of the County under the Series 2004A Bonds. The execution or written approval of any document by the Chairperson, County Clerk, Treasurer or Controller of the County herein authorized shall be conclusive evidence of the approval by the County of such document in accordance with the terms hereof.

In the event that said officers shall be unable by reason of death, disability, absence or vacancy of office to perform in timely fashion any of the duties specified herein (such as the execution of Series 2004A Bonds), such

duties shall be performed by the officer or official succeeding to such duties in accordance with law and the rules of the County.

Any actions taken by the Chairperson, County Clerk, Treasurer and Controller of the County consistent with this Resolution are hereby ratified and confirmed.

Section 17. Employment of Counsel. The County hereby employs the law firm of Michael Best & Friedrich LLP, Madison, Wisconsin, pursuant to Section 67.10(7) of the Wisconsin Statutes, and directs the County Clerk of the County to certify to such law firm a copy of all proceedings preliminary to the issuance of the Series 2004A Bonds.

Section 18. Not Bank Qualified. The Series 2004A Bonds have not been designated as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Code.

Section 19. Amendment to Resolution. After the issuance of any of the Series 2004A Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Series 2004A Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the County may, from time to time, amend this Resolution without the consent of any of the owners of the Series 2004A Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Series 2004A Bonds then outstanding; provided, however, that no amendment shall permit any change in the pledge of tax revenues of the County or the maturity of any Series 2004A Bond issued hereunder, or a reduction in the rate of interest on any Series 2004A Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Series 2004A Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Series 2004A Bond to which the change is applicable.

Section 20. Illegal or Invalid Provisions. In case any one or more of the provisions of this Resolution or any of the Series 2004A Bonds shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution or of the Series 2004A Bonds.

Section 21. Conflicting Resolutions. All ordinances, resolutions, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Section 22. Debt Levy Rate. Pursuant to Section 67.045(1)(b) of the Wisconsin Statutes, the County Board has determined that issuance of the Series 2004A Bonds will not cause the County to increase its “debt levy rate” as defined in Section 59.605(1)(b) of the Wisconsin Statutes, based on the County Board’s reasonable expectation set forth as Exhibit B hereto and incorporated herein by this reference.

Adopted: October 21, 2004.

	<u>EXHIBIT A</u>	
	FORM OF SERIES 2004A BOND	
REGISTERED	UNITED STATES OF AMERICA	REGISTERED
NO. R-__	STATE OF WISCONSIN	\$ _____



DANE COUNTY, WISCONSIN,  
GENERAL OBLIGATION BOND, SERIES 2004A

<u>Interest</u>	<u>Maturity Date</u>	<u>Dated Date</u>	<u>Principal</u>	<u>CUSIP</u>
<u>Rate</u>	June 1, ____	November 1, 2004	<u>Amount</u>	236091 ____
____%			\$ ____	

FOR VALUE RECEIVED, Dane County, Wisconsin, promises to pay to Cede & Co., or registered assigns, the principal amount specified above on the maturity date specified above, together with interest thereon from the Dated Date or the most recent payment date to which interest has been paid, unless the date of registration of this Series 2004A Bond is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable commencing on June 1, 2005 and semi-annually thereafter on June 1 and December 1 of each year.

The Series 2004A Bonds of this issue shall not be subject to call and payment prior to maturity, except as follows:

At the option of the County, the Series 2004A Bonds maturing on June 1, 2013 and thereafter shall be subject to redemption prior to maturity on June 1, 2012 or on any date thereafter. Said Series 2004A Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America, and for the prompt payment of this Series 2004A Bond with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged. The principal of this Series 2004A Bond shall be payable only upon presentation and surrender of this Series 2004A Bond to the Treasurer of the County at the principal office of the County. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Treasurer of the County to the person in whose name this Series 2004A Bond is registered at the close of business on the 15th day of the calendar month next preceding each interest payment date.

This Series 2004A Bond is transferable only upon the books of the County kept for that purpose by the County Clerk at the principal office of the County, by the registered owner in person or his duly authorized attorney, upon surrender of this Series 2004A Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the County Clerk of the County duly executed by the registered owner or his duly authorized attorney. Thereupon a new Series 2004A Bond of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County may deem and treat the person in whose name this Series 2004A Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Series 2004A Bonds are issuable solely as negotiable, fully registered Series 2004A Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Series 2004A Bond is one of an issue aggregating \$7,185,000 issued pursuant to the provisions of Section 67.12(12) of the Wisconsin Statutes, for public purposes, including but not limited to financing capital projects and issuance expenses. This Series 2004A Bond is authorized by a resolution of the County Board of Supervisors of the County, duly adopted by said County Board of Supervisors at its meeting duly convened on October 21, 2004, which resolution is recorded in the official book of its minutes for said date.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Series 2004A Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Series 2004A Bond and others authorized simultaneously herewith, does not exceed any limitations imposed by law or the Constitution of the State of Wisconsin; and that the County has levied a direct, annual irrevocable tax sufficient to pay this Series 2004A Bond, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the County Board of Supervisors of Dane County, Wisconsin, has caused this Series 2004A Bond to be signed on behalf of said County by its duly qualified and acting Chairperson and County Clerk, and its official or corporate seal to be impressed hereon, all as of the date of original issue specified above.  
 DANE COUNTY, WISCONSIN

[SEAL]

By: \_\_\_\_\_  
 Kevin R. Kesterson, Chairperson

Attest: \_\_\_\_\_  
 Joseph T. Parisi, County Clerk

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address,  
 including zip code, of Assignee)

(Please print or typewrite Social Security or  
 other identifying number of Assignee)

the within Series 2004A Bond and all rights thereunder, hereby irrevocably constituting and appointing

(Please print or typewrite name of Attorney)

attorney to transfer said Series 2004A Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Series 2004A Bond in every particular without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

\_\_\_\_\_

**EXHIBIT B**  
 CALCULATIONS SHOWING THAT ISSUANCE OF  
 THE SERIES 2004A BONDS WILL NOT CAUSE THE  
 COUNTY TO INCREASE ITS DEBT LEVY RATE

	<b>Debt Service - 2004A Bonds</b>	<b>Debt Service - 2004B Refunding Notes</b>	<b>Total Debt Service</b>	<b>Estimated Equalized Valuation</b>	<b>Resulting Debt Levy Rate</b>	<b>County's Frozen Debt Levy Rate</b>	<b>Resulting Rate under/(over) Frozen Rate</b>
2005							
2006							
2007							
2008							
2009							

2010  
 2011  
 2012  
 2013  
 2014  
 2015  
 2016  
 2017  
 2018  
 2019  
 2020  
 2021  
 2022  
 2023  
 2024

Submitted by Supervisor Brown, October 7, 2004 (p. 179, 04-05).  
 Referred to PERSONNEL/FINANCE.

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 RES.173, 04-05

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
 \$3,560,000 GENERAL OBLIGATION REFUNDING PROMISSORY NOTES, SERIES 2004B

WHEREAS, Public Financial Management, Inc. has been awarded a contract for financial advisor services to Dane County, Wisconsin (the "County"), and Public Financial Management, Inc. has analyzed the County's current outstanding indebtedness and recommends that the County's outstanding General Obligation Notes, Series 1998A and Series 1999, be refinanced at this time:

	<u>Amount</u>	<u>Term</u>
Refunding of outstanding (a) Series 1998A Notes maturing on June 1, 2006, 2007 and 2008, and (b) Series 1999 Notes maturing on June 1, 2006, 2007, 2008 and 2009	\$3,560,000	5 Years

WHEREAS, the County is in need of funds aggregating \$3,560,000 for public purposes, including but not limited to financing general obligation refunding promissory notes and issuance expenses (collectively, the "Public Purpose"); and

WHEREAS, the Controller of the County has caused fair and appropriate notice to be given of the sale of \$3,560,000 Dane County, Wisconsin, General Obligation Refunding Promissory Notes, Series 2004B (the "Series 2004B Notes"), which action is hereby in all respects ratified and confirmed; and

WHEREAS, pursuant to Chapter 67 of the Wisconsin Statutes, as amended, the County is authorized to issue general obligation refunding promissory notes of the County for the Public Purpose; and

WHEREAS, the County has prepared and distributed a Preliminary Official Statement dated October \_\_, 2004 (the "Preliminary Official Statement") describing the Series 2004B Notes and the security therefor; and

WHEREAS, in accordance with the Official Notice of Sale for the Series 2004B Notes (the "Official Notice of Sale"), written bids for the sale of the Series 2004B Notes were received and delivered to the County Board of Supervisors (the "Governing Body") at the commencement of its meeting, all on October 21, 2004; and

WHEREAS, the Governing Body has considered all of the bids received and hereby finds and determines that \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or a group led by such entity (hereinafter referred to

as the "Purchaser"), bidding the price of \$\_\_\_\_\_ for the entire issue of Series 2004B Notes (the "Purchase Price"), to bear interest at the rates shown herein for Series 2004B Notes maturing on June 1 in the respective years stated herein, was the best bidder in accordance with the Official Notice of Sale; and

WHEREAS, the Governing Body hereby finds that the Purchaser is responsible and that its bid complies with all terms of the Official Notice of Sale; and

WHEREAS, it is now expedient and necessary for the County to issue and sell its general obligation refunding promissory notes in the amount of \$3,560,000 for the Public Purpose;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County as follows:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

"Act" shall mean Chapter 67 of the Wisconsin Statutes, as amended;

"Code" shall mean the Internal Revenue Code of 1986, as amended;

"County" shall mean Dane County, Wisconsin;

"Dated Date" shall mean November 1, 2004;

"Debt Service Fund" shall mean the Debt Service Fund of the County, which shall be the "special redemption fund" as such term is defined in the Act;

"Financial Officer" shall mean the Treasurer of the County;

"Governing Body" shall mean the County Board of Supervisors of the County, or such other body as may hereafter be the chief legislative body of the County;

"Note Registrar" shall mean the Treasurer of the County;

"Public Purpose" shall mean the public purpose described in the preamble to this Resolution;

"Purchase Price" shall mean \$\_\_\_\_\_ (\$3,560,000.00 principal amount of Series 2004B Notes, plus reoffering premium of \$\_\_\_\_\_, less Underwriter's discount of \$\_\_\_\_\_, plus accrued interest from November 1, 2004 to November 16, 2004 of \$\_\_\_\_\_);

"Purchaser" shall mean \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or a group led by such entity;

"Record Date" shall mean the close of business on the 15th day of the calendar month next preceding any principal or interest payment date;

"Securities Depository" shall mean The Depository Trust Company, New York, New York, or its nominee; and

"Series 2004B Notes" shall mean the County's \$3,560,000 General Obligation Refunding Promissory Notes, Series 2004B.

Section 2. Authorization of the Series 2004B Notes. For the purpose of financing the Public Purpose, there shall be borrowed on the full faith and credit of the County the sum of \$3,560,000; and fully registered general obligation refunding promissory notes of the County are authorized to be issued in evidence thereof.

Section 3. Sale of the Series 2004B Notes. To evidence such indebtedness, the Chairperson and County Clerk of the County are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation refunding promissory notes in the aggregate principal amount of \$3,560,000 for the Purchase Price.

Section 4. Terms of the Series 2004B Notes. The Series 2004B Notes shall be designated "General Obligation Refunding Promissory Notes, Series 2004B"; shall be dated the Dated Date; shall be numbered R-1 and upward; shall bear interest as shown on the Maturity Schedule below; shall be issued in denominations of \$5,000 or any integral multiple thereof; and shall mature on June 1 in the years and in the amounts as set forth below. Interest on the Series 2004B Notes shall accrue from the Dated Date on a 30-day month, 360-day year basis, and shall be payable commencing on June 1, 2005 and semi-annually thereafter on June 1 and December 1 of each year.

## MATURITY SCHEDULE

Maturity Date (June 1)	<u>Principal Amount</u>	<u>Interest Rate</u>
2006	\$1,050,000	
2007	1,025,000	
2008	1,005,000	
2009	480,000	

The Series 2004B Notes are not subject to redemption prior to maturity.

If the Series 2004B Notes are in book-entry-only form, and less than all of a particular maturity of the Series 2004B Notes is to be redeemed, selection of the beneficial owners of the Series 2004B Notes affected thereby shall be made solely by the Securities Depository and its direct and indirect participants in accordance with their then-prevailing rules. If the Series 2004B Notes are not in book-entry-only form, and less than all of a particular maturity of the Series 2004B Notes is to be redeemed, selection shall be by lot.

So long as the Series 2004B Notes are in book-entry-only form, notice of the redemption of any of the Series 2004B Notes shall be sent to the Securities Depository, in the manner required by the Securities Depository, not less than 30 and not more than 60 days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Securities Depository, in the manner required by the Securities Depository, not less than 15 days prior to the proposed redemption date. If the Series 2004B Notes are not in book-entry-only form, (i) a notice of the redemption of any of the Series 2004B Notes shall be mailed, postage prepaid, not less than 30 and not more than 60 days before the redemption date to the registered owners of any Series 2004B Notes to be redeemed (provided, however, that failure to give any such notice by mail or any defect therein shall not affect the validity of any proceedings for the redemption of the Series 2004B Notes if notice thereof has been published at least once not less than 30 and not more than 45 days prior to the date of redemption in a financial journal or newspaper published or circulated in New York, New York), and (ii) a notice of redemption may be revoked by the mailing of a notice, postage prepaid, not less than 15 days prior to the proposed redemption date to the registered owners of any Series 2004B Notes which were to have been redeemed (provided, however, that failure to mail any such notice shall not affect the validity of such revocation if notice thereof has been published at least once not less than 15 days prior to the proposed redemption date in a financial journal or newspaper published or circulated in New York, New York).

Interest on any Series 2004B Note so called for prior redemption shall cease to accrue on the redemption date, provided that payment thereof has been duly made or provided for.

Section 5. Form, Execution, Registration and Payment of the Series 2004B Notes. The Series 2004B Notes shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Series 2004B Notes shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson and County Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Series 2004B Notes shall be paid by the Financial Officer.

Both the principal of and interest on the Series 2004B Notes shall be payable in lawful money of the United States of America by the Financial Officer. Payment of principal of the final maturity on the Series 2004B Notes will be payable upon presentation and surrender of the Series 2004B Notes to the Financial Officer. Payment of principal on the Series 2004B Notes (except the final maturity) and each installment of interest shall be made to the registered owner of each Series 2004B Note who shall appear on the registration books of the County, maintained by the Note Registrar, on the Record Date and shall be paid by check or draft by the Financial Officer and mailed to such registered owner at the address appearing on such registration books or at such other address may be furnished in writing to such registered owner to the Note Registrar.

Section 6. Note Proceeds. The sale proceeds of the Series 2004B Notes (exclusive of accrued interest and any premium received) shall, forthwith upon receipt, be placed in and kept by the Financial Officer as a separate fund to be known as the "General Obligation Refunding Promissory Notes, Series 2004B, Borrowed Money Fund" (hereinafter referred to as the "Borrowed Money Fund"). Moneys in the Borrowed Money Fund shall be used solely for the purposes for which borrowed or for transfer to the Debt Service Fund as provided by law.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax sufficient in amount to pay and for the express purpose of paying the interest on the Series 2004B Notes as it falls due and also to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property in the County, in addition to all other taxes, a nonrepealable, direct, annual tax in an amount sufficient for that purpose. This tax shall be from year to year carried into the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time. Said tax is to be for the following years and in the following minimum amounts:

- (a) Levy for the year 2004 in the amount of \$\_\_\_\_\_, being the sum of:
  - for interest due on June 1, 2005; and
  - for interest due on December 1, 2005
  
- (b) Levy for the year 2005 in the amount of \$\_\_\_\_\_, being the sum of:
  - for interest due on June 1, 2006;
  - for principal due on June 1, 2006; and
  - for interest due on December 1, 2006
  
- (c) Levy for the year 2006 in the amount of \$\_\_\_\_\_, being the sum of:
  - for interest due on June 1, 2007;
  - for principal due on June 1, 2007; and
  - for interest due on December 1, 2007
  
- (d) Levy for the year 2007 in the amount of \$\_\_\_\_\_, being the sum of:
  - for interest due on June 1, 2008;
  - for principal due on June 1, 2008; and
  - for interest due on December 1, 2008
  
- (e) Levy for the year 2008 in the amount of \$\_\_\_\_\_, being the sum of:
  - for interest due on June 1, 2009; and
  - for principal due on June 1, 2009

The County shall be and continue without power to repeal such levies or obstruct the collection of said taxes until all such payments have been made or provided for. After the issuance of the Series 2004B Notes, said taxes shall be carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls with respect to the Series 2004B Notes may be reduced by the amount of any surplus money in the Debt Service Fund created pursuant to Section 8 hereof.

If there shall be insufficient funds from the tax levy to pay the principal of or interest on the Series 2004B Notes when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

There be and there hereby is appropriated from taxes levied by the County in anticipation of the issuance of the Series 2004B Notes and other funds of the County on hand a sum sufficient to be deposited in the Debt Service Fund to meet payments with respect to debt service due in 2004.

Section 8. Debt Service Fund. Within the debt service fund previously established within the treasury of the County, there be and there hereby is established a separate and distinct fund designated as the "General Obligation Refunding Promissory Notes, Series 2004B, Debt Service Fund" (hereinafter referred to as the "Debt Service Fund"), and such fund shall be maintained until the indebtedness evidenced by the Series 2004B Notes is fully paid or otherwise extinguished. The Financial Officer shall deposit in such Debt Service Fund (i) all accrued interest received by the County at the time of delivery of and payment for the Series 2004B Notes; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Series 2004B Notes when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Series 2004B Notes when due; (iv) any premium which may be received by the County above the par value of the Series 2004B Notes

and accrued interest thereon; (v) surplus moneys in the Borrowed Money Fund for the Series 2004B Notes; and (vi) such further deposits as may be required by Section 67.11 of the Wisconsin Statutes.

No money shall be withdrawn from the Debt Service Fund and appropriated for any purpose other than the payment of principal of and interest on the Series 2004B Notes until all such principal and interest has been paid in full and cancelled; provided (i) the funds to provide for each payment of principal of and interest on the Series 2004B Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Series 2004B Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Series 2004B Notes as permitted by and subject to Section 67.11(2)(a) of the Wisconsin Statutes in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue as a part of the Debt Service Fund.

When all of the Series 2004B Notes have been paid in full and cancelled, and all permitted investments disposed of, any money remaining in the Debt Service Fund shall be deposited in the general fund of the County, unless the Governing Body directs otherwise.

Section 9. Deposits and Investments. The Debt Service Fund shall be kept apart from moneys in the other funds and accounts of the County and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Series 2004B Notes as the same becomes due and payable. All moneys therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34 of the Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Sections 66.0603(1m) and 67.10(3) of the Wisconsin Statutes. All income derived from such investments shall be regarded as revenues of the County. No such investment shall be in such a manner as would cause the Series 2004B Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

The Chairperson shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Series 2004B Notes are not "arbitrage bonds" under Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder.

Section 10. Sale of Series 2004B Notes. The terms, conditions and provisions of the Series 2004B Notes are, in all respects, authorized and approved. The Series 2004B Notes shall be sold and delivered to the Purchaser in the manner, at the Purchase Price, and pursuant to the terms and conditions set forth in the Official Notice of Sale.

The preparation of the Preliminary Official Statement dated October \_\_, 2004, and the Official Statement dated October 21, 2004, are hereby approved. The Preliminary Official Statement is "deemed final" as of its date, except for omissions or subsequent modifications permitted under Rule 15c2-12 of the Securities and Exchange Commission. The Chairperson and County Clerk of the County are authorized and directed to do any and all acts necessary to conclude delivery of the Series 2004B Notes to the Purchaser, as soon after adoption of this Resolution as is convenient.

Section 11. Book-Entry-Only Notes. The Series 2004B Notes shall be transferable as follows:

(a) Each maturity of Series 2004B Notes will be issued as a single note in the name of the Securities Depository, or its nominee, which will act as depository for the Series 2004B Notes. During the term of the Series 2004B Notes, ownership and subsequent transfers of ownership will be reflected by book entry on the records of the Securities Depository and those financial institutions for whom the Securities Depository effects book entry transfers (collectively, the "Participants"). No person for whom a Participant has an interest in Series 2004B Notes (a "Beneficial Owner") shall receive note certificates representing their respective interest in the Series 2004B Notes except in the event that the Securities Depository or the County shall determine, at its option, to terminate the book-entry system described in this section. Payment of principal of, and interest on, the Series 2004B Notes will be made by the Financial Officer to the Securities Depository which will in turn remit such payment of principal and interest to its Participants which will in turn remit such principal and interest to the Beneficial Owners of the Series 2004B Notes until and unless the Securities Depository or the County elect to

terminate the book entry system, whereupon the County shall deliver note certificates to the Beneficial Owners of the Series 2004B Notes or their nominees. Note certificates issued under this section may not be transferred or exchanged except as provided in this section.

(b) Upon the reduction of the principal amount of any maturity of Series 2004B Notes, the registered Series 2004B Noteowner may make a notation of such redemption on the panel of the Series 2004B Note, stating the amount so redeemed, or may return the Series 2004B Note to the County for exchange for a new Series 2004B Note in a proper principal amount. Such notation, if made by the Series 2004B Noteowner, may be made for reference only, and may not be relied upon by any other person as being in any way determinative of the principal amount of such Series 2004B Note outstanding, unless the Note Registrar initialed the notation on the panel.

(c) Immediately upon delivery of the Series 2004B Notes to the purchasers thereof on the delivery date, such purchasers shall deposit the note certificates representing all of the Series 2004B Notes with the Securities Depository. The Securities Depository, or its nominee, will be the sole owner of the Series 2004B Notes, and no investor or other party purchasing, selling or otherwise transferring ownership of any Series 2004B Notes will receive, hold or deliver any note certificates as long as the Securities Depository holds the Series 2004B Notes immobilized from circulation.

(d) The Series 2004B Notes may not be transferred or exchanged except:

(1) To any successor of the Securities Depository (or its nominee) or any substitute depository ("Substitute Depository") designated pursuant to (ii) below, provided that any successor of the Securities Depository or any Substitute Depository must be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(2) To a Substitute Depository designated by or acceptable to the County upon (a) the determination by the Securities Depository that the Series 2004B Notes shall no longer be eligible for depository services or (b) a determination by the County that the Securities Depository is no longer able to carry out its functions, provided that any such Substitute Depository must be qualified to act as such, as provided in subsection (1) above; or

(3) To those persons to whom transfer is requested in written transfer instructions in the event that:

(i) The Securities Depository shall resign or discontinue its services for the Series 2004B Notes and, only if the County is unable to locate a qualified successor within two months following the resignation or determination of noneligibility, or

(ii) Upon a determination by the County that the continuation of the book entry system described herein, which precludes the issuance of certificates to any Series 2004B Noteowner other than the Securities Depository (or its nominee) is no longer in the best interest of the Beneficial Owners of the Series 2004B Notes.

(e) The Depository Trust Company, New York, New York, is hereby appointed the Securities Depository for the Series 2004B Notes.

#### Section 12. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the Public Purpose financed by the Series 2004B Notes and their ownership, management and use will not cause the Series 2004B Notes to be "private activity bonds" within the meaning of Section 141 of the Code, and the County shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Series 2004B Notes.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Series 2004B Notes, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Series 2004B Notes and the laws of Wisconsin, and to the extent there is a reasonable period of time in which to comply.

Section 13. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Series 2004B Notes are outstanding, a separate account to be known as the "Rebate Fund" for the purpose of complying with the rebate requirements of Section 148(f) of the Code. The Rebate Fund is for the sole purpose of paying rebate to the United States of America, if any, on amounts of Series 2004B Note proceeds held by the County. The County hereby covenants and agrees that it shall pay from the Rebate Fund the rebate amounts as determined herein to the United States of America.



The County may engage the services of accountants, attorneys, or other consultants necessary to assist it in determining rebate amounts. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Series 2004B Notes and may only be used to pay amounts to the United States. The County shall maintain or cause to be maintained records of such determinations until six (6) years after payment in full of the Series 2004B Notes and shall make such records available upon reasonable request therefor.

Section 14. Defeasance. When all Series 2004B Notes have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The County may discharge all Series 2004B Notes due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government ("Government Obligations"), or of securities wholly and irrevocably secured as to principal and interest by Government Obligations and rated in the highest rating category of a nationally recognized rating service, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Series 2004B Note to its maturity or, at the County's option, if said Series 2004B Note is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Series 2004B Note at maturity, or at the County's option, if said Series 2004B Note is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Series 2004B Notes on such date has been duly given or provided for.

Section 15. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the County and the owner or owners of the Series 2004B Notes, and after issuance of any of the Series 2004B Notes no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 19 hereof, until all of the Series 2004B Notes have been paid in full as to both principal and interest. The owner or owners of any of the Series 2004B Notes shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the County, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the County, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 16. General Authorizations. The Chairperson, County Clerk, Treasurer and Controller of the County and the appropriate deputies and officials of the County in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution and to comply with and perform the obligations of the County under the Series 2004B Notes. The execution or written approval of any document by the Chairperson, County Clerk, Treasurer or Controller of the County herein authorized shall be conclusive evidence of the approval by the County of such document in accordance with the terms hereof.

In the event that said officers shall be unable by reason of death, disability, absence or vacancy of office to perform in timely fashion any of the duties specified herein (such as the execution of Series 2004B Notes), such duties shall be performed by the officer or official succeeding to such duties in accordance with law and the rules of the County.

Any actions taken by the Chairperson, County Clerk, Treasurer and Controller of the County consistent with this Resolution are hereby ratified and confirmed.

Section 17. Employment of Counsel. The County hereby employs the law firm of Michael Best & Friedrich LLP, Madison, Wisconsin, pursuant to Section 67.10(7) of the Wisconsin Statutes, and directs the County Clerk of the County to certify to such law firm a copy of all proceedings preliminary to the issuance of the Series 2004B Notes.

Section 18. Not Bank Qualified. The Series 2004B Notes have not been designated as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code.

Section 19. Amendment to Resolution. After the issuance of any of the Series 2004B Notes, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Series 2004B Notes have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the County may, from to time, amend this Resolution without the consent of any of the owners of the Series 2004B Notes, but only



The Series 2004B Notes of this issue shall not be subject to call and payment prior to maturity, except as follows:

The Series 2004B Notes are not subject to redemption prior to maturity.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America, and for the prompt payment of this Series 2004B Note with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged. The principal of this Series 2004B Note shall be payable only upon presentation and surrender of this Series 2004B Note to the Treasurer of the County at the principal office of the County. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Treasurer of the County to the person in whose name this Series 2004B Note is registered at the close of business on the 15th day of the calendar month next preceding each interest payment date.

This Series 2004B Note is transferable only upon the books of the County kept for that purpose by the County Clerk at the principal office of the County, by the registered owner in person or his duly authorized attorney, upon surrender of this Series 2004B Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the County Clerk of the County duly executed by the registered owner or his duly authorized attorney. Thereupon a new Series 2004B Note of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County may deem and treat the person in whose name this Series 2004B Note is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Series 2004B Notes are issuable solely as negotiable, fully registered Series 2004B Notes without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Series 2004B Note is one of an issue aggregating \$3,560,000 issued pursuant to the provisions of Section 67.12(12) of the Wisconsin Statutes, for public purposes, including but not limited to financing general obligation refunding promissory notes and issuance expenses. This Series 2004B Note is authorized by a resolution of the County Board of Supervisors of the County, duly adopted by said County Board of Supervisors at its meeting duly convened on October 21, 2004, which resolution is recorded in the official book of its minutes for said date.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Series 2004B Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Series 2004B Note and others authorized simultaneously herewith, does not exceed any limitations imposed by law or the Constitution of the State of Wisconsin; and that the County has levied a direct, annual irrevocable tax sufficient to pay this Series 2004B Note, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the County Board of Supervisors of Dane County, Wisconsin, has caused this Series 2004B Note to be signed on behalf of said County by its duly qualified and acting Chairperson and County Clerk, and its official or corporate seal to be impressed hereon, all as of the date of original issue specified above.

DANE COUNTY, WISCONSIN

[SEAL]

By: \_\_\_\_\_

Kevin R. Kesterson, Chairperson

Attest: \_\_\_\_\_  
Joseph T. Parisi, County Clerk

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(Please print or typewrite name and address,  
including zip code, of Assignee)

\_\_\_\_\_  
(Please print or typewrite Social Security or  
other identifying number of Assignee)

the within Series 2004B Note and all rights thereunder, hereby irrevocably constituting and appointing

\_\_\_\_\_  
(Please print or typewrite name of Attorney)

attorney to transfer said Series 2004B Note on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_.

\_\_\_\_\_  
NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Series 2004B Note in every particular without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

\_\_\_\_\_

EXHIBIT B

CALCULATIONS SHOWING THAT ISSUANCE OF  
THE SERIES 2004B NOTES WILL NOT CAUSE THE  
COUNTY TO INCREASE ITS DEBT LEVY RATE

	Debt Service - 2004A Bonds	Debt Service - 2004B Refunding Notes	Total Debt Service	Estimated Equalized Valuation	Resulting Debt Levy Rate	County's Frozen Debt Levy Rate	Resulting Rate under/(over) Frozen Rate
2005							
2006							
2007							
2008							
2009							
2010							
2011							
2012							
2013							
2014							
2015							
2016							
2017							
2018							
2019							
2020							
2021							
2022							
2023							
2024							

Submitted by Supervisor Brown, October 7, 2004 (p. 189 , 04-05).  
 Referred to PERSONNEL/FINANCE.

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 RES. 174, 04-05

TO CANCEL ILLEGAL TAX CERTIFICATES

WHEREAS the tax certificates listed on Exhibit "A" attached hereto are illegal and are to be canceled and charged back to the municipalities in the manner provided by Section 75.25 Wisconsin Statutes,

THEREFORE, BE IT RESOLVED that the County Clerk is hereby authorized and directed to charge back to the municipalities illegal taxes as shown on the attached exhibit "A" in the 2004 apportionment of county taxes, and that the County Treasurer is hereby authorized and directed to cancel the said certificates upon his records.

**EXHIBIT "A"**  
**LIST OF CANCELED TAXES CERTIFIED FOR REASSESSMENT IN:**

<u>TOWN OF BERRY</u>			
<u>PARCEL NUMBER</u>	<u>YR OF TAX</u>	<u>FACE AMOUNT</u>	<u>REASON FOR CANCELLATION</u>
004/0807-034-9316-1	2003	<u>\$130.95</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>130.95</b>	

**TOWN OF BLOOMING GROVE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
008/0710-351-8070-1	2003	\$186.26	Illegal assessment-Incorrect valuation
008/0710-351-8500-0	2003	\$161.42	Illegal assessment-Incorrect valuation
008/0710-264-9030-3	2003	\$124.17	Illegal assessment-Incorrect valuation
008/0710-122-8620-2	2000	\$2.38	Illegal assessment-Incorrect valuation
008/0710-122-8620-2	2001	\$2.45	Illegal assessment-Incorrect valuation
008/0710-122-8620-2	2002	\$2.51	Illegal assessment-Incorrect valuation
008/0710-122-8620-2	2003	\$1.92	Illegal assessment-Incorrect valuation
008/0710-351-9001-0	2003	<u>\$342.34</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>823.45</b>	

**TOWN OF BRISTOL**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
012/0911-064-8000-7	2002	\$234.17	Illegal assessment-Exempt property
012/0911-064-8000-7	2003	<u>\$177.86</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$412.03</b>	

**TOWN OF BURKE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
014/0810-361-9501-0	2003	<u>\$872.35</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$872.35</b>	

**TOWN OF CHRISTIANA**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
016/0612-324-8000-6	2003	<u>\$412.57</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$412.57</b>	

**TOWN OF DUNN**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
028/0610-082-1164-0	2003	<u>\$481.26</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$481.26</b>	

**TOWN OF MIDDLETON**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
038/0708-233-9351-7	2003	\$717.17	Illegal assessment-Incorrect valuation
038/0708-262-2316-9	2003	\$8.27	Illegal assessment-Incorrect valuation
038/0708-022-8620-8	2003	<u>\$8.27</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$733.71</b>	

**TOWN OF MONTROSE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
040/0508-333-9070-0	2003	\$383.07	Illegal assessment-Incorrect valuation
040/0508-272-9535-0	2003	<u>\$367.34</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$750.41</b>	

**TOWN OF ROXBURY**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
050/0907-291-8320-4	2002	<u>\$3,229.61</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$3,229.61</b>	

**TOWN OF SPRINGDALE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
054/0607-242-8561-8	2003	\$2,175.52	Illegal assessment-Exempt property
054/0607-213-9310-0	2003	<u>542.60</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$2,718.12</b>	

**TOWN OF SPRINGFIELD**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
056/0808-092-8890-6	2002	\$431.26	Illegal assessment-Exempt property
056/0808-054-9390-5	2003	<u>\$1.87</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$433.13</b>	

**TOWN OF VERONA**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
062/0608-264-9060-4	2003	<u>\$2,636.76</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$2,636.76</b>	

**TOWN OF WESTPORT**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
066/0809-223-9440-7	2003	\$1,265.50	Illegal assessment-Incorrect valuation
066/0809-164-4989-0	2003	\$457.30	Illegal assessment-Incorrect valuation
066/0809-164-4979-0	2003	\$810.19	Illegal assessment-Incorrect valuation
066/0809-164-4983-0	2003	\$801.18	Illegal assessment-Incorrect valuation
066/0809-164-4985-0	2003	<u>\$810.18</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$4,144.35</b>	

**VILLAGE OF DEFOREST**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
118/0910-323-9291-1	2003	\$10,367.73	Illegal assessment-Exempt property
118/0910-324-2081-1	2003	\$818.25	Illegal assessment-Exempt property
118/0910-324-4152-1	2003	<u>\$6,124.85</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$17,310.83</b>	

**VILLAGE OF WAUNAKEE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
191/0809-054-2110-5	2003	\$543.83	Illegal assessment-Incorrect valuation
191/0809-093-2001- 0	2003	\$4,180.97	Illegal assessment-Incorrect valuation
191/0809-154-8150-1	2003	\$2,784.14	Illegal assessment-Incorrect valuation
191/0809-074-6209-5	2003	\$7.63	Illegal assessment-Incorrect valuation
191/0809-083-0089-2	2003	<u>\$1,460.99</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$8,977.56</b>	

**CITY OF FITCHBURG**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
225/0609-031-0011-0	2002	<u>\$12,639.58</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$12,639.58</b>	

**CITY OF MADISON**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
251/0708-253-0103-2	2003	\$33,162.17	Illegal assessment-Exempt property
251/0810-354-0098-6	2003	\$930.11	Illegal assessment-Incorrect valuation
251/0608-123-1001-3	2003	\$206.30	Illegal assessment-Exempt property
251/0709-242-1009-3	2003	<u>\$10,152.66</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$44,451.24</b>	

**CITY OF MIDDLETON**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
255/0708-112-8230-1	2003	<u>\$4,962.00</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL</b>	<b>\$4,962.00</b>	

**CITY OF MONONA**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
258/0710-291-0137-0	2003	<u>\$10.40</u>	Illegal assessment-Exempt property
	<b>TOTAL</b>	<b>\$10.40</b>	

**CITY OF SUN PRAIRIE**

<b>PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
282/0810-022-5165-9	2003	\$169.83	Illegal assessment-Exempt property
282/0811-072-8520-0	2003	\$15,197.19	Illegal assessment-Incorrect valuation
282/0811-063-5160-3	2003	\$87.21	Illegal assessment-Incorrect valuation
252/0811-063-5280-8	2003	<u>\$55.08</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL REAL ESTATE</b>	<b>\$15,509.31</b>	

**CITY OF SUN PRAIRIE**

<b>PERSONAL PROP PARCEL NUMBER</b>	<b>YR OF TAX</b>	<b>FACE AMOUNT</b>	<b>REASON FOR CANCELLATION</b>
55-48708	2003	\$59.67	Illegal assessment-Incorrect valuation
55-48752	2003	\$387.84	Illegal assessment-Incorrect valuation
55-48780	2003	<u>\$275.39</u>	Illegal assessment-Incorrect valuation
	<b>TOTAL PERSONAL PROPERTY</b>	<b>\$722.90</b>	

**RECAPITULATION**

	<b>SECTION 75.25(2)</b>
Town of Berry	\$ 130.95
Town of Blooming Grove	\$ 823.45
Town of Bristol	\$ 412.03
Town of Burke	\$ 872.35
Town of Christiana	\$ 412.57
Town of Dunn	\$ 481.26
Town of Middleton	\$ 733.71
Town of Montrose	\$ 750.41
Town of Roxbury	\$ 3,229.61



Town of Springdale	\$ 2,718.12
Town of Springfield	\$ 433.13
Town of Verona	\$ 2,636.76
Town of Westport	\$ 4,144.35
Village of DeForest	\$ 17,310.83
Village of Waunakee	\$ 8,977.56
City of Fitchburg	\$ 12,639.58
City of Madison	\$ 44,451.24
City of Middleton	\$ 4,962.00
City of Monona	\$ 10.40
City of Sun Prairie Real Estate	\$ 15,509.31
<b>GRAND TOTAL REAL ESTATE</b>	<b>\$121,639.62</b>

City of Sun Prairie Personal Prop	\$ 722.90
<b>GRAND TOTAL PERSONAL PROPERTY</b>	<b>\$ 722.90</b>

Submitted by Supervisors Brown and O'Loughlin, October 7, 2004 (p. 193, 04-05).  
 Referred to PERSONNEL/FINANCE.

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 RES. 175, 04-05

2005 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION

The 2005 Operating Budget is a financial plan for the operational needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB).

This resolution constitutes the 2005 Adopted Operating Budget, formulated in accordance with s. 65.90 Wis. Stats., and consists of several parts, as follows:

- TABLE 1: TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS**
- TABLE 2: TAX LEVY HISTORY**
- TABLE 3: 2005 APPROPRIATIONS FOR OPERATIONS**
- TABLE 4: EXPENDITURE & REVENUE HISTORY - OPERATIONS**
- TABLE 5: CARRY-FORWARDS**
- TABLE 6: INDEBTEDNESS**
- TABLE 7: 2005 BUDGETED POSITIONS**
- APPENDIX A PERSONNEL SAVINGS INITIATIVES**

Together with the 2005 Adopted Capital Budget Appropriations Resolution, this document shall constitute the County Budget as defined in s. 65.90, Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED that in accordance with s. 65.90, Wis. Stats, the Dane County Board of Supervisors hereby appropriate for 2005 fiscal year operations, the expenditures and revenue amounts on lines designated as appropriations in the attached Table 3. Amounts on lines not designated as appropriations are for informational purposes only. Expenditures in excess of the amounts appropriated or use of general purpose revenues in excess of the amounts listed on the lines designated as appropriations shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2004 to 2005 as recommended in Table 5.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes positions for the 2005 fiscal year as shown in Table 7.

BE IT FURTHER RESOLVED that 2005 operating expenditures and revenues shall be subject to the following provisions and controls in addition to all budget control policies enumerated in D.C. Ord. sec. 29.52:

- In addition to reviewing and approving contracts in accordance with Chapter 25, D.C. Ords., the County Board shall adopt resolutions approving all contracts with non-county agencies for which a separate appropriation has been made except for those contracts whose scope of services remains the same as the previous year. No disbursement of funds shall be made to such non-county agencies until a contract has been adopted by the County Board and approved by the County Executive except as otherwise provided. Each Miscellaneous Appropriations contract is to be controlled separately. The Department of Administration has the responsibility to administer these contracts.
- The budgets for all departments having fourteen or more employees shall include a "Salary Savings" line that will be 2% of the budgeted "Salaries & Wages" account for that department.
- The Department of Administration shall provide written quarterly reports on personnel transactions to the Personnel & Finance Committee. Such report will include information desired by the Committee such as information on new hires and employee resignations and terminations; work force balance of affirmative action groups; costs of limited term employees and overtime; and reclassifications requested and authorized within the current year and annualized costs.
- Information Management hardware and software have been budgeted within individual departments. These funds have not been moved into the Information Management program. All expenditures for computer hardware and software must receive prior approval of the Technical Systems Manager.
- The Corporation Counsel may account and charge, where allowed by law, for all legal services provided to nonprofit agencies. Notice of this policy shall be provided to such agencies prior to the provision of services. The Corporation Counsel shall confer with the Public Protection & Judiciary Committee to formulate a policy for making such charges.
- The Department of Administration shall complete a study of implementing video conferencing for court appearances and other criminal justice functions. An oversight committee composed of the County Executive or designee, the Sheriff or designee, the Clerk of Courts or designee, the Chairperson of the Public Protection and Judiciary Committee or designee, and the Chief Judge or designee will oversee and guide the study.

The study should clarify any practical or legal limitations of using video conferencing technology for court appearances and should identify any opportunities to use this technology to minimize the cost and staff effort associated with transporting inmates for court appearances. The study should specifically address opportunities to use video conferencing for inmates that are being housed outside of Dane County in other county jails or in State prison facilities. Since the courthouse will be equipped with video conferencing capabilities, the study should also recommend equipment configurations in the County's detention facilities that will complement the courthouse's capabilities. Finally, the study should define the process through which a video conference court appearance could occur and set goals for using video conferencing where the study determines it to be appropriate. This study should be submitted to the County Executive and to the County Board Chair by June 1, 2005.

- The Department of Administration and the Juvenile Court Program shall collaborate on a study that evaluates alternatives for providing the services currently provided by the Juvenile Shelter Home. This staff team should review the services currently being provided at the Shelter Home, the cost of those services, and the condition of the current facility in terms of any significant repairs may be recommended in the next three to five years. As part of the review of the current program and facilities, the staff team should also consider the programming and staffing needs of the new Juvenile Detention Center and any opportunities that may materialize to integrate and/or reallocate resources to meet those needs.

The alternatives that are evaluated should include but may not be limited to maintaining the Shelter Home and its services at its current location or at an alternative location or contracting for Shelter Home services at its current location or in a facility owned by the contracted provider. This study should be transmitted to the County Executive, County Board Chair, Chair of the Public Protection and Judiciary Committee, and the Chief Judge by June 1, 2005.

- The Department of Administration shall complete a study of employment resources and opportunities for inmates being held in the County jail. An oversight committee consisting of the County Executive or designee, the Sheriff or designee, the Chairperson of the Public Protection and Judiciary Committee or designee, and a representative from Local 720 and Local 65 will guide the study process.

The study should consider two issues. The first is to identify the employment resources currently in place for inmates to obtain job preparedness skills, employment skills or training, and employment opportunities. Once these resources are clarified, the study should also evaluate the potential of enhancing or modifying existing resources to improve the employment rates and the employment potential of inmates in the County jail. If any additional resources are recommended, the study team should also research alternative funding sources that may be available through employment programs and any additional boarding or housing revenue that would be generated due to the new income earned by inmates.

The second issue the study should address is whether County departments could employ inmates. This portion of the study should clarify any legal or practical issues that would be raised by using inmates to complete County work including any conflicts this effort would have with labor agreements. The study should also research the preliminary operational questions of specific work or tasks that departments would have available for inmates, the training requirements associated with that work, the inmate selection process, supervision requirements of the departments and of the Sheriff's Office, expectations for work performance and performance evaluation criteria, and the process for discontinuing an inmate's service to the department. This portion of the study should also identify any alternative funding sources to use to compensate inmates for their work.

This study should be transmitted to the County Executive, County Board Chair, Sheriff, and Chairperson of the Public Protection and Judiciary Committee by July 1, 2005.

- The rate for limited term employee Staff Attorney positions in the Clerk of Courts shall be up to \$12.50 per hour.
- In the Juvenile Court Detention program, up to \$5,000 of the line item for Out-of-County Housing may be used to support alternatives to placement in detention, including, but not limited to, use of electronic monitoring, day report service, or other services designated to reasonably insure public safety and availability of the juvenile pending future court proceedings.
- The Human Services Department, Children, Youth & Family Services program includes a contract with Planned Parenthood that is subject to the following provision: "No funds shall be used for political or advocacy work".

- The revenues received in the Environmental Health Sewerage System Grant Program less actual program expenditures shall be carried forward from year to year to fund the program.
- Expenditures and program activities for the Urban Land Use, Development and Education initiative shall be approved and overseen by the Better Urban In-fill Development (BUILD) Committee.
- The County Executive shall create a staff team to conduct a study of creating a clerical labor pool. The staff team should include one representative from Local 720.

The staff team should examine the feasibility of creating a clerical labor pool that could be shared by a variety of County departments. The staff team should conduct needs analysis that examines departmental workload fluctuations and the potential demand for a labor pool. The staff team should also consider operational issues such as supervisory authority and accountability. If the staff team determines that a clerical labor pool is feasible, it should also recommend an appropriate size, staffing pattern, organizational location, process for departments to request assistance from the pool, and any internal charge back mechanism that may be appropriate.

The recommendation of the staff team should not represent an overall increase in personnel costs. If possible, the clerical labor pool should be created using existing funding. Possible sources may include existing resources for limited term employees, overtime, or a reallocation of existing staff from particular departments to a labor pool. This study should be submitted to the County Executive by July 1, 2005.

- Rather than being closed directly into the General Fund at the end of the year, Alliant Energy Center funds are to be closed into the General Fund, Reserve for Alliant Energy Center. This policy will enable the Alliant Energy Center to retain profits made in one year to assist in covering costs of future years.
- The 2005 budget contains savings from the Hiring Moratorium Program and a Leave Without Pay Initiative. The operations of these programs are more fully described in Appendix A.
- The Director of Administration and the Sheriff shall create a staff team to evaluate the costs and benefits associated with internalizing jail medical services. This staff team should include or seek advise from professionals that have expertise in providing jail medical services in other detention facilities. The staff team may also have access to funding for consulting services that has been included in the Department of Administration's 2005 budget to contract for study support.

Jail medical services are currently provided under a contract with a private company. This analysis should compare the cost of and the services provided under that contract with the cost of providing those services internally. The staff team should use current service levels as the baseline for comparison. The cost and service comparison should take into account staffing and personnel needs as well as funding requirements for medication, insurance, equipment maintenance, and other operating costs. The study should also address organizational issues such as supervision and oversight of the internal service. Finally, the study should attempt to compare projections of cost increases into the future.

This analysis should be submitted to the County Executive, Sheriff, Chair of the Public Protection and Judiciary Committee, and Chair of the Personnel and Finance Committee by August 15, 2005.

- The Department of Public Works, Highway and Transportation with the assistance of the Department of Land and Water Resources shall complete a business plan analysis of selling compost that is generated at the County's compost sites. The business plan analysis should include but may not be limited to traditional

business plan elements such as a market analyses, detailed descriptions of the activity and its products and services, marketing and sales efforts, start up funds that will be required, and financial projections and other analyses that predict the financial viability of the activity into the future. In addition to these traditional business plan elements, the study should also investigate emerging and future uses for compost.

This analysis may be commissioned using Solid Waste funds and should be forwarded to the County Executive, County Board Chair, and the Chair of the Public Works, Highway and Transportation Committee by July 1, 2005.

- The Department of Public Works, Highway and Transportation, the Department of Land and Water Resources, and the Department of Administration shall collaborate on a study of consolidating highway garages and other facilities such as the Robertson Road garage and the Landfill garage.

The goal of the study will be to maintain or improve service delivery and efficiency while reducing the number of independent facilities that the County owns, operates, and maintains. The study should evaluate the condition of each of the facilities in terms of any repairs that may be recommended in the next three to five years and current operating costs. The study should also provide recommendations on consolidation opportunities and estimate the value of any facility that may be abandoned because of a consolidation. For the consolidations that are recommended, the study should also illustrate how alternative deployment and service routes can be devised to maintain or improve responsiveness. This study should be completed by May 1, 2005.

- The 2005 Budget creates a Department of Land and Water Resources by combining the Land Conservation Department, Parks Department, and the Lakes and Watershed Division of the County Executive's Office. This consolidation is the result of the work of the Land and Water Related Consolidation Steering Committee that was created in the 2004 Budget. The mission of the department is to protect and restore Dane County's natural resources and to promote the sustainable and environmentally responsible enjoyment of those public natural resources. As prescribed in the 2004 Budget, the County's Land Conservationist shall be the Interim Director of the Department of Land and Water Resources.
- The Sheriff's Office shall provide \$25,000 of phone cards to eligible inmates free of charge. The State Public Defender's Office will assist the Sheriff's Office in determining eligibility for the free phone cards based on financial need and will also assist with the distribution of the cards.
- The Sheriff's Office is directed to convert the first Lieutenant vacancy that occurs in 2005 to a Fiscal Support position at range M-11.
- The Land Information Office shall be reorganized under the direction of the County Surveyor in the Department of Planning and Development. The Department of Planning and Development will make appropriate changes to the position description of the County Surveyor prior to recruiting for the position.

The Department of Administration and the Department of Planning and Development are directed to create an implementation plan for this reorganization to be effective before the end of the first quarter in 2005.

- The Department of Administration shall complete a study of weapon screening in County facilities. The study shall be guided by an oversight committee consisting of the County Executive or designee, the Chief Judge or designee, County Board Chair or designee, the Mayor of the City of Madison or designee, a representative from one of the bargaining units that represents employees in the City-County Building and/or the new Courthouse, and two citizen members appointed by the County Executive. The study should examine the extent to which weapon screening may or may not be needed in the new Courthouse and the extent to which

weapon screening should or should not be retained in the City-County Building. The recommendations of the study should not increase the resources currently dedicated to weapon screening. This study should be completed by July 1, 2005.

- Any new positions that are authorized in the 2005 budget and are funded with general purpose revenue shall not begin until after March 31, 2005.
- All out of state conference and training requests will be subject to the approval of the County Executive or his/her designee.
- The Controller's Office may add standard "Personal Services" lines to department's budgets to properly account for Personal Services expenditures not specifically budgeted for. The new accounts added will not change the department's total appropriation.
- The Controller is authorized to make technical corrections to the Budgeted Position List, subject to the review and approval by the County Board Chair.

BE IT FINALLY RESOLVED that the Department of Administration is directed to prepare, in consultation with the Office of the County Board, appropriate narrative information explaining County Board budget related actions, and County Executive veto actions, if any, to be distributed in late 2004 or early 2005, following review and approval by the County Board Chair.

Submitted by Supervisor Brown, October 7, 2004 (p. 198, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 176, 04-05

2005 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION

The 2005 Capital Budget is a financial plan for the capital needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB).

This resolution constitutes the 2005 Adopted Capital Budget, formulated in accordance with s. 65.90, Wis. Stats., and consists of several parts, as follows:

- TABLE 1: TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS**
- TABLE 2: TAX LEVY HISTORY**
- TABLE 3: 2005 APPROPRIATIONS FOR CAPITAL EXPENDITURES**
- TABLE 4: CAPITAL EXPENDITURE HISTORY**
- TABLE 5: CAPITAL BUDGET CARRY-FORWARDS**
- TABLE 6: COUNTY INDEBTEDNESS**

Together with the 2005 Adopted Operating Budget Appropriations Resolution, this document shall constitute the County budget as defined in s. 65.90, Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED that in accordance with s. 65.90, Wis. Stats., the Dane County Board of Supervisors hereby appropriate for the 2005 fiscal year capital projects, the expenditure and revenue amounts shown for each capital project in the attached Table 3. Total amounts for each department are for informational purposes only. Expenditures in excess of the amounts appropriated or use of outside revenues, county general purpose revenues, or borrowing proceeds in excess of the amounts appropriated shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2004 to 2005 as recommended in Table 5.

BE IT FURTHER RESOLVED that 2005 capital expenditures and revenues shall be subject to the following provisions and controls as well as all budget control policies listed in D.C. Ord. sec. 29.52:

1. Expenditures in excess of the amount appropriated for any capital project shall require either Personnel & Finance Committee approval or County Board approval, in accordance with s. 65.90(5), Wis. Stats.
2. No Capital Projects expenditures may be incurred prior to April 1 of each year without prior approval of the County Executive.
- 4.3. The 2005 Capital Budget includes planning and design funds for an AODA/Huber Facility. The planning process shall be implemented and managed by the staff team consisting of appropriate staff representatives from the Sheriff's Office, the Department of Administration, Public Works, and the Department of Human Services. The task of the staff team will be to develop a Request for Proposal for architectural services after the Needs Analysis Study has been completed. The RFP will be submitted to the Dane County Executive, the Dane County Sheriff, and the Chair of the Public Protection & Judiciary Committee of the County Board for review and comment before being released for solicitation.

~~5.~~

BE IT FINALLY RESOLVED that the Department of Administration is directed to prepare, in consultation with the Office of the County Board, appropriate narrative information explaining County Board budget related actions, and County Executive veto actions, if any, to be distributed in late 2004 or early 2005, following review and approval by the County Board Chair.

Submitted by Supervisor Brown, October 7, 2004 (p. 199, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 177, 04-05

SETTING THE 2004 TAX LEVY

The County Board of Supervisors may, according to law, levy certain taxes each year as follows:

<u>Tax Levy</u>	<u>Levied to</u>
<b>State Tax</b>	Entire County
<b>County Taxes</b>	
State Special Charges	Entire County
Bridge Aid	All Towns and the City of Monona
Highway	Entire County

County Library

All towns; the Villages of Blue Mounds, Brooklyn, Cottage Grove, Dane, Maple Bluff, Rockdale, Shorewood Hills; and the City of Fitchburg.

Board of Health

Entire County except the City of Madison

NOW, THEREFORE, BE IT RESOLVED that the State Taxes in conformity thereto, be levied in the amount of \$6,939,365.02 for State Forestation Tax on the taxable property of Dane County as provided in Section 70.58 f the Wisconsin Statutes.

BE IT FURTHER RESOLVED that County Taxes in conformity thereto:

1. \$281,800 be levied for County Bridge Aid on the taxable property of Dane County, exclusive of all villages and cities in the County which have never received County Bridge Aid except as otherwise provided in Sections 81.38 of the Wisconsin Statutes.
2. \$3,600,408 be levied for a County Library Tax on the taxable property of Dane County, exclusive of those towns, villages or cities which have filed a written application for exemption from a County Library Tax as provided in Section 43.64 of the Wisconsin Statutes.
3. \$3,102,403 be levied for a County Board of Health on the taxable property of Dane County exclusive of those towns, villages and cities having a full-time Health Department as provided in Section 140.09(11) of the Wisconsin Statutes.
4. Taxes be levied on the taxable property of Dane County as follows:
  - A. \$ 51,394.74 CR for State Special Charges
  - B. \$ 4,499,824 for Highway
  - C. \$ 89,373,212 for All Other County Taxes

**Summary:**

Gross County Taxes	\$ 144,376,849
Gross Tax Rate Per \$1,000	\$ 3.87
County Sales Tax Applied	\$ 42,548,000
Net Proposed County Property Taxes	\$ 101,828,849
State Aid – Exempt Computers	\$ 971,202
Net Required County Property Taxes	\$ 100,857,647
Net Tax Rate Per \$1,000	\$ 2.70

Submitted by Supervisor Brown, October 7, 2004 (p. 200, 04-05).  
Referred to PERSONNEL/FINANCE.

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COMMUNICATIONS

Claim from Randy Christo against AEC – claims forklift operator damaged vehicle and equipment. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Injury from Roger Parr against Airport – claims injury in fall from ladder. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Karianne Kundert against Highways – claims vehicle received damage from paint overspray. Referred to PUBLIC PROTECTION/JUDICIARY.



Claim from Marchell Mack against Human Services – claims employee pushed her causing her to fall. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Hi-Tech Insulation, Inc., against Highways – claims truck backed into his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Cincinnati Ins. Co. on behalf of their insured Gunderson Funeral Home against Highways – claims vehicle damaged by wood thrown from mower. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Midwestern Wheels, Inc. – vehicle damaged by falling concrete. Referred to PUBLIC PROTECTION/JUDICIARY.

Langlade County Res. #103-2004 – Highway Funding. Referred to EXECUTIVE.

Langlade County Res. #109-2004 – Resolution Regarding Funding for Placements of the Developmentally Disabled. Referred to EXECUTIVE.

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ORD. AMDT. 20, 04-05

AMENDING CHAPTER 6 OF THE DANE COUNTY CODE OF ORDINANCES,  
RELATING TO COUNTY EXECUTIVE'S COMPENSATION PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 6.048 is amended to read as follows:

**6.048 COMPENSATION OF COUNTY EXECUTIVE.** (1) Effective with the third Tuesday in April of ~~2004~~  
~~2004~~2005, the county executive shall be paid an annual salary of ~~\$87,441~~ ~~\$87,441~~ \$96,504.

(a) Effective with the third Tuesday in October of 2005, the county executive shall be paid an annual salary of \$98,917.

~~(a)~~ (b) Effective with the third Tuesday in April of ~~2002~~ ~~2002~~2006, the county executive shall be paid an annual salary of ~~\$90,064~~ ~~\$90,064~~ \$99,906.

(c) Effective with the third Tuesday in October of 2006, the county executive shall be paid an annual salary of \$102,903.

~~(b)~~ (d) Effective with the third Tuesday in April of ~~2003~~ ~~2003~~2007, the county executive shall be paid an annual salary of ~~\$92,766~~ ~~\$92,766~~ \$105,991.

~~(e)~~ (e) Effective with the third Tuesday in April of ~~2004~~ ~~2004~~2008, the county executive shall be paid an annual salary of ~~\$95,549~~ ~~\$95,549~~ \$109,170.

(2) The county executive's salary shall be paid in biweekly installments of as nearly equal amount as possible.

*[EXPLANATION: The Personnel & Finance Committee, in accordance with the County Board rules, is to make recommendations to the full board on a four-year compensation package for the county executive in the year preceding the year in which an election for the position of county executive is to be conducted. In making such a recommendation, the committee is to utilize the job evaluation methodology then in effect for managerial and professional employees and use the results of the methodology as one factor in their recommendation. In practice, the County Board has set the salary of the county executive prior to the date that nomination papers are allowed to be circulated.]*

Submitted by Supervisors Brown, O'Loughlin, Matano, McDonell, (unreadable), Hulsey, Hanson, DeSmidt, Schoer, and Wheeler, October 21, 2004 (p. 202, 04-05).

Referred to PERSONNEL/FINANCE.

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ORD. AMDT. 21, 04-05

AMENDING CHAPTER 69 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGULATING PEDESTRIAN TRAFFIC ON COUNTY HIGHWAYS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 69.07 is created to read as follows:

**69.07 PEDESTRIAN TRAFFIC. (1) Authority.** This section is adopted under the authority granted by section 349.185(2), Wis. Stats.

**(2)** Any pedestrian traveling along a county highway within the unincorporated areas of Dane County, other than on a sidewalk, shall travel along the left side of the highway to the outside of the fog line demarcating the traveled portion of the highway or, if not so marked, at least three feet off of the paved or traveled portion of the highway.

**(3)** During hours of darkness, any pedestrian subject to sub. (2) shall wear a light-emitting device or a light-reflecting garment with a reflective surface of not less than one square foot on both front and back.

**(4)** No parent or guardian of any child shall authorize or knowingly permit such child to violate the provisions of this section or permit a child under the age of twelve to enter any county highway or right of way unless accompanied by a competent adult.

**(5)** The term *pedestrian* as used in this section includes any person using skateboards, in-line skates, snow skis or cross country skis.

**(6)** Any person who violates any of the provisions of this section shall be subject to a forfeiture of \$25.00 and applicable costs.

*[EXPLANATION: This amendment imposes restrictions upon pedestrian traffic on county highways and imposes a civil forfeiture for violation.]*

Submitted by Supervisor Blaska, October 21, 2004 (p. 203, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.

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ORD. AMDT. 22, 04-05

AMENDING CHAPTER 30 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING ELIGIBILITY FOR INTERIM ASSISTANCE BY ILLEGAL ALIENS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 30.11(2) is amended to read as follows:

**(2)** A dependent individual is not eligible for interim assistance if she or he:

**(a)** has resided in this county for less than 180 consecutive days immediately prior to the date of application for interim assistance; or

**(b)** has greater than three hundred dollars (\$300.00) in cash, equity in real property, equity in vehicles, and all other legally available assets. The homestead of the individual, and equity in one (1) vehicle of the individual in the amount of two thousand five hundred dollars (\$2500.00), shall be exempt from the asset limit. Also exempt from the asset limit are one burial plot; household effects, such as jewelry, paintings, coin, stamp or other collections; and libraries, unless such effects are of unusual value and are presently available; or

**(c)** has income, earned or unearned, that when added to all non-exempt assets, is greater than the interim assistance cash payment standard for his or her household unit; or

**(d)** has terminated employment, or been terminated from employment, within the 180 day period immediately prior to the date of application for interim assistance, and at the time of such termination, the individual did not have a medical, physical or mental disability which renders him or her unable to work pursuant to sec. 30.06(5)(a); or

**(e)** is enrolled for credit in any post-high school education classes or program; or

**(f)** has lost or been denied benefits in any benefit program due to failure to comply with the requirements of such program, and such dependent individual shall remain ineligible for interim assistance for the same period during which he or she continues to be ineligible for the benefit program; or

(g) has lost or been denied benefits in any benefit program due to negligent non-compliance, or a negligent misrepresentation of facts, or having been sanctioned by any benefit program, and such dependent individual shall remain ineligible for interim assistance for the same period during which he or she continues to be ineligible for the benefit program; or

(h) has lost or been denied benefits in any benefit program due to an intentional or willful misrepresentation of facts, and such dependent individual shall remain ineligible for interim assistance on a permanent basis; or

(i) has been found ineligible for medical assistance because of the divestment provisions under sec. 49.453, Wis. Stats., and such dependent individual shall remain ineligible for interim assistance for the same period during which ineligibility exists under sec. 49.453, Wis. Stats.; or

(j) is a recipient of other aid that month, or other aid is or would be immediately available to such dependent individual that month, pursuant to sec. 49.015, Wis. Stats.; or

(k) is an illegal alien to the United States. For purposes of this subsection, an illegal alien is an alien who is not a qualified alien as defined in 8 U.S.C. §1641(b).

*[EXPLANATION: This amendment provides that an alien to the United States is not eligible for interim assistance unless that person meets the definition of "qualified alien" for purposes of federal welfare benefits.]*

Submitted by Supervisor Blaska, October 21, 2004 (p. 204, 04-05).

Referred to HEALTH/HUMAN NEEDS and PUBLIC PROTECTION/JUDICIARY.

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RES. 179, 04-05

AUTHORIZATION TO ACCEPT A GRANT FOR REDUCTION OF  
DISPROPORTIONATE MINORITY CONFINEMENT

The Wisconsin Office of Justice Assistance (OJA) has awarded Dane County a second-year grant of \$60,000 to fund continued efforts to address issues related to the Disproportionate Confinement (DMC) and involvement of minority youth in various stages of the juvenile justice system. The grant period runs through March 2006 and is part of larger statewide and national efforts to analyze and alleviate those issues.

Funds will be expended in two primary areas, including (1) Continuing work of a DMC Coordinator through a collaborative agreement with the District Attorney's Office, and (2) developing a program intervention working in collaboration with a selected Madison High School with youth at-risk of involvement in the juvenile justice system. The goal of these efforts continues to be to ensure that decisions made relative to all youth are made fairly and equitably and to provide support and opportunities for selected youth to enhance their skills and abilities to successfully transition from middle to high school. No matching funds are required for this grant award.

BE IT RESOLVED that the County Executive is authorized to accept this grant and that \$60,000 be set up as additional revenue in the Juvenile Court Program-Administration budget in the "Disproportionate Minority Confinement" revenue line and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$60,000 be transferred from the General Fund to the Juvenile Court Program-Administration budget line for Minority Confinement (111 420 3840 2871).

BE IT FURTHER RESOLVED that any funds not received or any funds unexpended in the above accounts at the end of 2004 be carried forward until fully received or expended.

Submitted by Supervisors Rusk, Olsen, Vedder, and Hanson, October 21, 2004 (p. 204, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 180, 04-05

AUTHORIZING ADDITIONAL HOURS FOR DRUG TREATMENT COURT COORDINATOR LTE POSITION

The Alternatives to Incarceration Program in the Clerk of Courts department has one social worker position budgeted for providing client services to defendants referred to the Drug Treatment Court program. Since March, these job duties have been performed by an LTE. An appeal for filling the Drug Treatment Court Coordinator position has been approved, but the hiring process will not be completed prior to late November or early December. In order to avoid interruption in services, it is anticipated that the LTE will exceed the 1,200-hour limit this year by about 160 to 200 hours. Funds are available for this LTE position.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors grant an exception to Ordinance 18.12, paragraph (1) wherein the maximum amount of work time per calendar year permitted for an LTE is 1,200 hours.

Submitted by Supervisor Olsen, Hanson, and Rusk, October 21, 2004 (p. 205, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 181, 04-05

ACCEPTING INCREASED FUNDING IN THE WIC PROGRAM - PUBLIC HEALTH DIVISION

The Wisconsin Division of Health has offered the county Division of Public Health two grant contract amendments for 2004, both of which increase funding for the Dane County WIC project. These increases result from an increase in caseload (\$6,954); a second increase in caseload (\$3,856); and an increase of \$3.00 per person in participant reimbursement (\$7,683). The total increase for Dane County amounts to \$18,493. This increases our total WIC funding for 2004 from \$316,186 to a new amount of \$334,679. These categorical funds can be used at the discretion of the local program, in support of that program.

The program has identified the following needs as representing the highest priorities for the use of the increased funding:

LTE salary and FICA for a Public Health Aide	\$4,500
Supplies and Services related to Breastfeeding Education	1,000
Supplies for Outreach Activities	1,000
Laptop Computers for support of Remote WIC Clinics	3,600
Language Interpreter Services	8,393

NOW, THEREFORE, BE IT RESOLVED that the following 2004 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

<u>Line Number:</u> 0072	<u>Line Name:</u> LTE	<u>Line Amount:</u> +\$4,180
<u>Line Number:</u> 0108	<u>Line Name:</u> Soc Sec	<u>Line Amount:</u> +\$ 320
<u>Line Number:</u> 2796	<u>Line Name:</u> WIC Off Sup	<u>Line Amount:</u> +\$5,600
<u>Line Number:</u> 1273	<u>Line Name:</u> Interpreter	<u>Line Amount:</u> +\$8,393

Submitted by Supervisors Worzala, Wheeler, and DeSmidt, October 21, 2004 (p. 205, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 182, 04-05

LEASE OF RESIDENCE IN TOWN OF ALBION – SILVERWOOD PROPERTY

Dane County recently acquired property in the Town of Albion that had been donated by Irene Silverwood. The property included a residence that had been leased to Ms. Silverwood's nephew and another, and the lease expired August 31, 2004. Dane County Parks now wishes to renew the lease with those tenants for one year on the same terms as their original lease.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive and County Clerk be authorized to execute the Residential Lease between Dane County and Mark Skau and Dennis Carothers.

BE IT FINALLY RESOLVED that the parks Director (or designee) be authorized to act as the County's representative in administering the lease.

Submitted by Supervisors Ripp, Kostelic, and Vogel, October 21, 2004 (p. 206, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARK COMMISSION.

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RES. 183, 04-05

DANE COUNTY PARKS--LEASES AND ADDENDUMS TO LEASES OF LAND  
COMMENCING JANUARY 1, 2005

Dane County leases land for cropping that currently is not being used for prairie restoration or recreation. The leases are for limited periods and are renewed as needed.

1. Following are leases and addendums to leases that are to be renewed commencing January 1, 2005.

<b>Badger Prairie Park / - Town of Verona:</b> <b>Nesbitt Road</b>	21 acres \$1,050.00 per year for 2 years Lessee: Tom Wagner
<b>Blooming Grove Drumlin II – Town of Blooming Grove:</b>	8 acres \$500.00 for 1 year Lessee: Dan Ziegler
<b>Donald Park – Town of Springdale:</b>	41 acres \$3,480.50 per year for 5 years Lessee: Steve and Tom Burns
<b>Nine Springs E-Way – Town of Blooming Grove:</b> City of Fitchburg	62 acres \$4,520.00 per year for 2 years Lessee: Bob Uphoff
<b>Ice Age Trail – Meyer – Town of Roxbury:</b>	42 acres \$4,884.60 per year for 3 years Lessee: Stan Herbrand
<b>McCarthy Park – Town of Sun Prairie:</b>	43 acres

\$2,580.00 per year for one year  
Lessee: David Horstmeyer

**Upper Black Earth Creek – Town of Middleton:**

58 acres  
\$3,480.00 per year for 3 years  
Lessee: James Hinrichs

All revenue from these leases is included in the Dane County Parks Commission budget.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive and County Clerk be authorized to execute the lease contracts set forth above.

BE IT FINALLY RESOLVED that the Parks Director (or designee) be authorized to act as the County's representative in administering the leases.

Submitted by Supervisors Ripp and Kostelic, October 21, 2004 (p. 207, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARK COMMISSION.

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RES. 184, 04-05

AUTHORIZING AGREEMENT WITH ROYAL CONTAINER SERVICE, LLC

The Dane County Public Works, Highway and Transportation Department, Solid Waste Division, has been approached by Royal Container Service, LLC, for a long-term Agreement. The Agreement would expire on December 31, 2008. All waste collected by Royal will be hauled to the Dane County Landfill. The County guarantees space, operating hours, and a tipping fee that can be adjusted yearly according to the Consumer Price Index and regulatory fees.

The Dane County Public Works, Highway and Transportation Department, Solid Waste Division, staff has negotiated this Agreement and recommends adoption.

NOW, THEREFORE, BE IT RESOLVED that an Agreement with Royal Container Service, LLC be approved and the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FURTHER RESOLVED that the Dane County Public Works, Highway and Transportation Department, Solid Waste Division, be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Kostelic, Willett, Matano, Schoer, Brown, O'Loughlin, Wiganowsky, Bruskewitz, and Vogel, October 21, 2004 (p. 207, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 185, 04-05

AUTHORIZING EMPLOYMENT AGREEMENT FOR COMMISSIONER/DIRECTOR OF  
DEPARTMENT OF PUBLIC WORKS, HIGHWAY AND TRANSPORTATION (GERALD J. MANDLI)

A candidate has been selected to serve as the Commissioner/Director of the Department of Public Works, Highway and Transportation. Consistent with the budget, county ordinances, and existing practice for employment contracts, a contract has been negotiated with Gerald J. Mandli. This new contract is similar to the contracts of other department heads.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is hereby authorized to execute, on behalf of the County of Dane, an employment contract with Gerald J. Mandli to serve as Commissioner/Director of the Department of Public Works, Highway and Transportation for a five-year period ending November 14, 2009, at a first year salary of \$103,000.

Submitted by Supervisors Kesterson and Ripp, October 21, 2004 (p. 208, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 186, 04-05

APPROVING PROPERTY CONVEYANCE  
TO CLEAR PARCELS AS PART OF HIGHWAY RIGHT OF WAY

In 1930, Dane County purchased several remnant parcels of land along the northerly right of way of the roadway that was to become USH 12 and 18 through the Town of Blooming Grove. Some of the parcels were subsequently sold as county surplus. The remaining parcels are not suitable either in size or shape for development and are accessible only from the limited access highway CTH BW and from a canal south of Pirate Island. Furthermore, the parcels do not abut any privately owned lands to which they might be of value.

The proposed conveyance from Dane County to Dane County for highway purposes allows the parcels to become a part of the existing highway right of way and to cease to exist as separate and assessable parcels.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the conveyance of the described lands to itself for bookkeeping purposes, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute a quit claim deed to expedite the conveyance of the described lands on behalf of the County of Dane.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Bruskewitz, Vogel, Willett, Matano, McDonell, Olsen, Kostelic, Worzala, and Fyrst, October 21, 2004 (p. 208, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 187, 04-05

AUTHORIZATION TO APPLY FOR AN URBAN FORESTRY GRANT

Dane County Parks, in cooperation with the Friends of Lake View Conservancy, is interested in completing restoration work at Lake View Conservancy.

This work would be done following a management plan approved by Dane County Parks & the Wisconsin Department of Natural Resources, with the ultimate goal of maintaining native habitat.

Total project costs are just over \$20,000. Ten thousand dollars in aid is available from the Wisconsin Department of Natural Resources if a grant is awarded. Dane County Parks would provide \$5,000 in cash (funds are available in the current budget in the Friends of Lakeview Woods account) and an additional \$5,000 would be raised using force accounts, volunteer labor, and in-kind and cash donations if a grant is awarded.

WHEREAS Dane County Parks is interested in completing restoration work at Lake View Conservancy and financial aid is available from the Wisconsin Department of Natural Resources to carry out the project;

THEREFORE, BE IT RESOLVED that Dane County hereby authorizes the Dane County Parks Director and Conservation Fund Specialist to submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available; sign documents; and take necessary actions to undertake, direct and complete the approved project.

BE IT FINALLY RESOLVED that Dane County will comply with state and federal rules for the programs; may perform force account work; will provide or be responsible for 100% of updating plans or ongoing operations and will obtain from the State of Wisconsin Department of Natural Resources approval before any changes are made in the proposed project.

Submitted by Supervisors Ripp, Kostelic, Wheeler, Schoer, and Jensen, October 21, 2004 (p. 209, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 188, 04-05

AUTHORIZING EMPLOYMENT AGREEMENT FOR  
DIRECTOR OF PLANNING AND DEVELOPMENT (TODD VIOLANTE)

A candidate has been selected to serve as the director of the planning and development department. Consistent with the budget, county ordinances, and existing practice for employment contracts, a contract has been negotiated with Todd Violante. This new contract is similar to the contract of the former director of the planning and development department and similar to the contracts of other department heads.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is hereby authorized to execute, on behalf of the County of Dane, an employment contract with Todd Violante to serve as director of the planning and development department for a five year period ending November 14, 2009, at a first year salary of \$77,000.

Submitted by Supervisor Kesterson, October 21, 2004 (p. 209, 04-05).  
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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COMMUNICATIONS

Claim from Midwestern Wheels, Inc., their Claim No. 04-495. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Notice of Circumstances of Claim from Regina Hays against Parks-claims injury on dock. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Peter Morehouse against Sheriff Dept.-claims county car hit him. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Franklin C. Edmonds against Jail – claims property missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Mary Foley against Sheriff Dept. – Claims damage to house during raid. Referred to PUBLIC PROTECTION/JUDICIARY.

Chippewa County Res. 54-04 – Regarding ICF-MR Downsizing. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATION.

Petition 9106 – Town of Burke – Lavern Nelson

9108 – Town of Westport – James & Janet Nelson

9109 – Town of Black Earth – Jason C. Handel et. al.

9110 – Town of Dunn – Pleasant Springs Enterprises LLC

9111 – Town of Blue Mounds – Jack & Mary MIsna

9112 – Town of Oregon – Estate of John R. McCormick

9113 – Town of Dunn – Dana & Wendy Sperloen

9114 – Town of Dunkirk – Dee Heitz & Steven Helgestad

9115 – Town of Deerfield – Orlow & Lorraine Johnson Revocable Trust

9116 – Town of Albion – Gurena Meyer & Britton McArdle

9117 – Town of Cross Plains – Tony Laufenberg et. al.

9118 – Town of Vermont – Geoffrey & Melody Kethum

9119 – Town of Oregon – Janet Wright & Lael Greenfield

9120 – Town of Cross Plains – Richard E. & Joann M. Laufenberg

9121 – Town of Berry – Henry Campbell & Brittne Lacoste

9122 – Town of Dane – Thomas & Julie Howard

9123 – Town of Verona – David DiMaggio et. al.

9124 – Town of Springfield – Ronald W. Eichman

9125 – Town of Springdale – Philip & Delores Esser

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AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES, PROHIBITING PROVISION OF SERVICES TO ILLEGAL ALIENS THROUGH HUMAN SERVICES CONTRACTS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.15 is amended to read as follows:

**25.15 HUMAN SERVICES CONTRACTS. (1)** Notwithstanding anything to the contrary in this chapter, human services department contracts may be approved directly by its oversight committee without further county board action if the amount involved is less than \$100,000.

**(2)** The human services department is authorized to develop purchasing procedures, not inconsistent with this chapter, to procure goods and services related to client services.

**(3)** Notwithstanding anything to the contrary in this chapter, change orders, modifications and addenda to human services department contracts may be approved directly by its oversight committee without further county board action, unless the amount represents an increase of more than \$5,000 or more than 10% of the original approved amount, whichever is smaller.

**(4)** No person who is an illegal alien shall be provided services under a human services contract, and all such contracts shall contain a clause so limiting the provision of services. For purposes of this subsection, an *illegal alien* is an alien who is not a *qualified alien* as defined in 8 U.S.C. §1641(b).

*[EXPLANATION: This amendment prohibits Human Services contractors from providing services to illegal aliens.]*

Submitted by Supervisors Blaska, Hitzemann, and Willett, November 4, 2004 (p. 211, 04-05).

Referred to EXECUTIVE, HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY. (Fiscal and Policy Notes not required.)

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RES. 189, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Local Emergency Planning Committee**

Steve Dickson, 2575 Dickson Road, Stoughton 53589 (873-7635-H), to fill the seat of an emergency medical service representative. Mr. Dickson has been a volunteer EMT since 1980 and volunteer firefighter since 1985 for the City of Stoughton. He has an Associate Degree from M.A.T.C. in Fire Science and has completed the EMT Basic course at St. Mary's Hospital. He is certified in Arson Detection, and has taken classes in Meth Lab Response Training, Weapons of Mass Destruction Awareness, and numerous hazardous materials training sessions. He is a United States Navy veteran. This term will expire 4/18/06.

**Oak Springs Lake Protection & Rehabilitation District**

Cathryn Long, 4582 Oak Springs Circle, DeForest 53532 (846-9118-H), to fill a seat as a member nominated by the county land conservation committee, due to the resignation of Betty Sweeney. This term will expire 7/15/06.

Submitted by Supervisor McDonell, November 4, 2004 (p. 212, 04-05).  
Referred to EXECUTIVE.

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RES. 190, 04-05

**ACCEPTING REVENUE FOR REFUGEE HEALTH SCREENING SERVICES - PUBLIC HEALTH DIVISION**

The Wisconsin Department of Workforce Development has offered Dane County revenue on a fee for service basis to support the provision of health screening and related services to Hmong and other refugees arriving in Dane County from October 1, 2004 through September 30, 2005. These funds will not only enable us to serve this incoming population, but also to protect the community against communicable diseases and parasites the refugees may suffer from. The funding will total \$11,672, based on an estimate of 58 refugees to be screened.

It is proposed that these funds be used to provide necessary laboratory testing for the refugees (\$2,000) and language translation services (\$9,672).

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept revenue from Wisconsin Department of Workforce Development in the amount of \$11,672 for the period from October 1, 2004 through September 30, 2005; and to sign a grant agreement with the Wisconsin Department of Workforce Development for this purpose..

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

**REVENUE ACCOUNT:**

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	New	<u>Line Name:</u>	Refugee Scng	<u>Line Amount:</u>	\$11,672

**EXPENSE ACCOUNT:**

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	New	<u>Line Name:</u>	Lab Tests	<u>Line Amount:</u>	\$2,000
<u>Line Number:</u>	1273	<u>Line Name:</u>	Interpreter	<u>Line Amount:</u>	\$9,672

BE IT FINALLY RESOLVED that any of this revenue that remains unexpected at the end of 2004 be carried forward in these expense lines for use in 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Salov, November 4, 2004 (p. 212, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 191, 04-05

ACCEPTING MA PERSONAL CARE REVENUE - DCDHS-ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

This resolution accepts \$1,155,480 in additional Medicaid Personal Care revenue, and allocates those funds to Community Living Alliance, Inc., which has provided these services. Community Living Alliance's revised 2004 contract for MA Personal Care will be \$6,315,000.

Community Living Alliance, Inc.'s Medicaid (MA) Personal Care program is 100% funded by MA revenue; there is no county GPR funding for the program. The Medicaid reimbursement rate for personal care services is \$15.84 per hour. Dane County encourages Community Living Alliance to maximize program billings as long as Medicaid reimbursement fully covers the cost of service. In 2003, Community Living Alliance, Inc. (CLA) earned \$5.38 million through billing the Medicaid Program for Personal Care services using Dane County's MA PC billing number. For 2004, CLA was conservatively budgeted to earn \$5,159,000 by providing an estimated 325,700 hours of service. Through October 17, 2004, CLA has earned \$5.2 million this year, and is projected to earn at least \$6.315 million by year's end. The increased revenue represents 72,900 hours of billable service. The program was serving 150 people at the beginning of 2004, and is currently serving about 210 people. On average, individuals receive 5.5 to 6.0 hours of service per day, seven days a week.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5430 1435	PD MA Personal Care	\$1,155,480
	Total	\$1,155,480
<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5475 6464	Community Living Alliance MA PC	\$1,155,480
	Total	\$1,155,480

Submitted by Supervisors Gross, DeSmidt, Wheeler, Worzala, and Salov, November 4, 2004 (p. 213, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 192, 04-05

CHANGE ORDER #1 ON CONSTRUCTION OF GEOSYNETHIC BASE LINER AT LANDFILL

Res. #6, 2004-05, awarded a contract to Comanco Environmental Corporation for the Construction of Phase 7 Geosynthetic Base Liner at Dane County Landfill Site #2, Bid #7462. The amount of the award was \$214,050.00.

The following changes are being made to the original contract:

C.O. #1—difference between estimated and actual quantities      ADD: \$12,023.37

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to Comanco Environmental Corporation for Construction of the Geosynthetic Base Liner at Landfill Site #2 be approved and authorized; and

BE IT FURTHER RESOLVED that the Public Works Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Matano, and Willett, November 4, 2004 (p. 214, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 193, 04-05

COMMUNITY ANALYSIS & PLANNING DIVISION (FORMERLY R. P. C.)  
LEASE EXTENSION AT 30 WEST MIFFLIN STREET

Dane County Regional Planning Commission, now known as the Community Analysis & Planning Division (CAPD), has been leasing space at 30 West Mifflin Street for the last year. The lease expires on December 31, 2004. A 12-month lease for the same space has been offered at a rental rate of \$1,695 per month, or approximately \$20,340 for the year. This is a full service lease at a unit rate of \$7.08 per square foot. All other terms remain the same as if the original lease had continued unabated. The extension is needed to continue the operation of the new CAPD functions in the current space allocated and the proposed 2005 budget accommodates the new rental amount.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described lease with Madison Real Estate Properties, and

BE IT FINALLY RESOLVED that the Dane county Clerk and the County Executive are hereby authorized to execute the above-described lease on behalf of the County of Dane.

Submitted by Supervisors Hitzemann, Matano, Hendrick, Opitz, Brown, and O'Loughlin, November 4, 2004 (p. 214, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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RES. 194, 04-05

AUTHORIZATION TO PURCHASE LANDS AT PATRICK MARSH - AULIK

Dane County has negotiated the purchase of key lands at Patrick Marsh. The approximate 13-acre property is located along the southern shore of the Marsh, adjacent to the existing Department of Natural Resources Wildlife Area, which is also a Natural Resource Site in the Dane County Parks & Open Space Plan.

The property is identified as a priority one acquisition area in the Patrick Marsh Natural Resource Site Project Plan, which was prepared by Dane County Parks in cooperation with over one dozen stakeholders, including representatives from the Towns of Bristol and Sun Prairie, the City of Sun Prairie, and the Department of Natural Resources. Specifically, this property will help meet the priority one acquisition goal of creating a continuous trail system that would travel around the entire perimeter of the marsh. Current public lands on the south end of the marsh do not provide adequate space for locating a trail. Additionally, this property will provide public access from the south, which does not currently exist.

Purchase price of the property is \$622,000, which is based on full narrative appraisals prepared by certified appraisal companies. Funds are available for the purchase in the 2004 Conservation Fund. The first appraisal, dated March 15, 2004, valued the property at \$496,000. The second appraisal, dated July 26, 2004, valued the property at \$743,000. The property contains one single-family residence with a two-car attached garage. The Dane County Parks Commission intends to sell the improvements to recoup a portion of the purchase price, which will be credited to the Conservation Fund. The improvements are in excellent condition and the appraisals estimate that their sale value, including one acre of land, will range from \$211,000 to \$280,970. Additionally, Dane County Parks will apply for a Stewardship grant, which could equal 50% of the remaining purchase price after the improvements are sold.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 13 acres at Patrick Marsh for \$622,000 plus associated costs and according to Wisc. Stats. Chapter 27.05(3), and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors McDonell, Kostelic, and Ripp, November 4, 2004 (p. 215, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARK COMMISSION.

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RES. 195, 04-05

#### ESTABLISHING RESTRICTED ACCESS FISHING PONDS AT JENNI AND KYLE PRESERVE

The vision for the Jenni and Kyle Preserve began in 1989 with a donation of \$100,000 from Harvey and Patricia Wilmeth, given as a memorial to their grandchildren, Jenni and Kyle, who both died at the age of 4 due to a degenerative neurological disorder. Jenni and Kyle Preserve is unique in that the park is intended to serve children and persons with disabilities, and provides accessible fishing areas around two spring-fed ponds.

Phase one development of the park has now been completed. Dane County Parks has been working together with the Department of Natural Resources to improve the aquatic habitat of the ponds and has stocked them with fish.

Given the relatively small size of the two ponds and limited fish population, it is suggested that fishing be limited to the intended park users similar to Res. 81, 1986-87, restricting fishing access at the Alliant Energy Center ponds.

NOW, THEREFORE, BE IT RESOLVED that fishing access be restricted by use for children 14 years old and under and permanently disabled persons who might otherwise not be able to enjoy a fishing experience, accompanied by a competent adult, and that the same shall be adequately signed to reflect this action of the County Board.

Submitted by Supervisors Ripp, Martz, and Kostelic, November 4, 2004 (p. 216, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. (Park Commission recommended adoption on October 27, 2004.)

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RES. 196, 04-05

APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN  
FOR THE VILLAGE OF WAUNAKEE

Dane County administers Community Development Block Grant (CDBG) funds from the U. S. Department of Housing and Urban Development (HUD) as an entitlement community on an annual basis. The funds are allocated within the County's CDBG jurisdiction to implement the strategies of the *Dane County Consolidated Plan for Housing and Community Development: 2004-2008*. As recommended in the *Consolidated Plan*, Dane County administers a Commercial Revitalization Loan Fund (CRLF) to provide loans for downtown revitalization and infill commercial development that creates jobs for low to moderate-income residents. The *Consolidated Plan* recommended a CDBG allocation of \$1.25 million over five years to the CRLF. The current CRLF balance is approximately \$775,000.

The Village of Waunakee requested CRLF financing to assist the redevelopment of downtown properties. The Village will acquire properties on the southeast corner of North Madison and East Main Streets, relocate businesses, demolish properties, and prepare a site for infill construction of a financial institution that will help revitalize the downtown and create jobs.

The redevelopment project was identified in the Village's Central Business District (CBD) Master Plan, funded in part with a CDBG grant through the Dane County Better Urban Infill Development (BUILD) program in 2002. The Village drafted a Downtown Waunakee Redevelopment Plan in 2004, pursuant to the requirements of Wisconsin Statutes ss. 66.1331(5), that identifies the North Madison – East Main Street Redevelopment Area as a priority redevelopment site. A Project Plan for the Establishment of Tax Incremental District No. 5 Creation in the Village of Waunakee, Wisconsin Downtown Redevelopment District, drafted in August 2004, details the financing of the redevelopment, including CDBG assistance.

Based on the TIF Project Plan, the Village applied for a CRLF loan of \$502,500 from Dane County to assist with property acquisition, demolition, relocation assistance, and property assemblage at the North Madison – East Main Street Redevelopment Area. The application proposed deferring principal payments until the second half of a 20-year term. Interest-only payments during the first part of the loan term will allow the project to cash flow until development generates sufficient property tax increment to cover TIF debt service costs. The CRLF loan allows the Village to make a downtown site available for infill development at a cost comparable to "greenfield" sites on the edge of the village. The Village estimates that the redevelopment will generate 15 to 20 jobs.



CDBG staff reviewed the application and determined it was consistent with CDBG rules and met the objectives and recommendations of the *Consolidated Plan*. The CRLF Loan Committee reviewed the application and recommended to the CDBG Commission on October 6, 2004, approval with a revised repayment schedule and with a loan fee. The CDBG Commission on October 6 approved CRLF recommendation of a 20-year loan of \$502,500 at 5.50%, with interest payments beginning in year two of the term and principal payments beginning in year 11 of the term.

NOW, THEREFORE, BE IT RESOLVED that a CRLF loan of \$502,500 to the Village of Waunakee, with a term of 20 years, a fixed interest rate of 5.5%, a 2% loan origination fee, interest payments beginning in year 2 and principal payments beginning in year 11, is approved by the Dane County Board of Supervisors;

BE IT FURTHER RESOLVED that the Dane County Controller is authorized to issue checks necessary to effectuate the transaction; and

BE IT FINALLY RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized to sign the appropriate contract in behalf of Dane County.

Submitted by Supervisor Bruskewitz, November 4, 2004 (p. 217, 04-05).  
Referred to PERSONNEL/FINANCE.

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COMMUNICATIONS

Claim and Notice of Claim from Midwest Airlines, Inc., against Airport-claims equipment damaged by Jet Bridge. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Al Marco against Airport – claims concrete falling from parking ramp damaged his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Claim from Tow of Madison against Highways – claims county owes them for roadwork. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, J. B. Hunt Transport, Inc., vs Dane County and City of Madison, Case No. 04-CV-3234. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Tinitus Preston against Jail – claims property not returned to him. Referred to PUBLIC PROTECTION/JUDICIARY.

Oconto County Res. 90-2004 re: Highway Funding. Referred to EXECUTIVE.  
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AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING SALE OF CIGARETTES AND TOBACCO PRODUCTS TO MINORS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 34.23 is amended to read as follows:

**34.23 STATUTORY OFFENSES; RESTRICTIONS ON SALE OR GIFT OF CIGARETTES OR TOBACCO PRODUCTS. (intro.)** *References.* In subsection (1), all references to sections and chapters are to those of the Wisconsin Statutes.

(1) *Definitions.* In this section:

(a) *Cigarette* has the meaning given in s. 139.30(1).

(b) *Distributor* means any of the following:

1. A person specified under s. 139.30(3).

2. A person specified under s. 139.75(4).

(c) *Identification card* means any of the following:

1. A license containing a photograph issued under ch. 343.

2. An identification card issued under s. 343.50.

3. An identification card issued under s. 125.08, 1987 Stats.

(d) *Jobber* has the meaning given in s. 139.30(6).

(e) *Manufacturer* means any of the following:

1. A person specified under s. 139.30(7).

2. A person specified under s. 139.75(5).

(g) *Retailer* means any person licensed under s. 134.65(1).

(h) *School* has the meaning given in s. 118.257(1)(c).

(hm) *Stamp* has the meaning given in s. 139.30(13).

(i) *Subjobber* has the meaning given in s. 139.75(11).

(j) *Tobacco products* has the meaning given in s. 139.75(12).

(k) *Vending machine* has the meaning given in s. 139.30(14).

(L) *Vending machine operator* has the meaning given in s. 139.30(15).

(2) *Restrictions.* (a) No retailer, manufacturer ~~or, or, distributor,~~ jobber or subjobber, no agent, employee or independent contractor of a retailer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration ~~give~~ give cigarettes or tobacco products to any person under the age of 18, except as provided in s. ~~48.983(3)~~ 48.983(3) 254.92(2)(a), Wis. Stats. A vending machine operator is not liable under this paragraph for the purchase of cigarettes or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

(am) No retailer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

(b) 1. A retailer shall post a sign in areas within his or her premises where cigarettes or tobacco products are sold to consumers stating that the sale of any cigarette or tobacco product to a person under the age of 18 is unlawful under this section and s. ~~48.983~~48.983 254.92, Wis. Stats.

2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette or tobacco product by a person under the age of 18 is unlawful under s. ~~48.983~~ ~~48.983~~ ~~48.983~~ 254.92, Wis. Stats., and that the purchaser is subject to a forfeiture of not to exceed \$25\$25 50.

~~(c) 1. Except as provided in par. (cm), no retailer may keep a vending machine in any public place that is open to persons under the age of 18 unless all of the following apply:~~

~~a. The vending machine is in a place where it is ordinarily in the immediate vicinity, plain view and control of an employee.~~

~~b. The vending machine is in a place where it is inaccessible to the public when the premises are closed.~~

~~2. The person who ultimately controls, governs or directs the activities within the premises where the vending machine is located shall ensure that an employee of the retailer remains in the immediate vicinity, plain view and control of the vending machine whenever the premises are open.~~

~~3. Except as provided in subd. 4., a vending machine operator shall remove all of his or her vending machines that are located in any place prohibited by this paragraph by June 1, 1992.~~

~~4. Notwithstanding subd. 3., if a written agreement binding on a vending machine operator governs his or her vending machine that is located in any place prohibited by this paragraph, the vending machine operator shall remove the vending machine on the date that the written agreement expires or would be extended or renewed or on May 1, 1993, whichever occurs first.~~

~~1. Except as provided in par. (cm), no retailer may keep a vending machine in any public place that is open to persons under the age of 18 unless all of the following apply:~~

~~a. The vending machine is in a place where it is ordinarily in the immediate vicinity, plain view and control of an employee.~~

~~b. The vending machine is in a place where it is inaccessible to the public when the premises are closed.~~

~~2. The person who ultimately controls, governs, or directs the activities within the premises where the vending machine is located shall ensure that an employee of the retailer remains in the immediate vicinity, plain view and control of the vending machine whenever the premises are open.~~

~~3. Except as provided in subd. 4., a vending machine operator shall remove all of his or her vending machines that are located in any place prohibited by this paragraph by June 1, 1992.~~

~~4. Notwithstanding subd. 3., if a written agreement binding on a vending machine operator governs his or her vending machine that is located in any place prohibited by this paragraph, the vending machine operator shall remove the vending machine on the date that the written agreement expires or would be extended or renewed or on May 1, 1993, whichever occurs first.~~

1. A retailer or vending machine operator may not sell cigarettes or tobacco products from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 18 years of age is present or permitted to enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

~~(cm) 1 (cm) 1 2. Notwithstanding par. par. sub. (cc 1), no retailer may place a vending machine within 500 feet of a school.~~

~~(2) Except as provided in subd. 3., a vending machine operator shall remove all of his or her vending machines which are located within 500 feet of a school by September 1, 1989.~~

~~(3) Notwithstanding subd. 2., if a written agreement binding on a vending machine operator governs the location not his or her vending machine which is located within 500 feet of a school, the vending machine operator shall remove the vending machine on the date that the written agreement expires or would be extended or renewed or on May 1, 1993, whichever occurs first.~~

~~(d) No manufacturer, distributor, jobber, subjobber or retailer, or their employees or agents, may provide cigarettes or tobacco products for nominal or no consideration to any person under the age of 18.~~

~~(e) 2. Except as provided in subd. 3., a vending machine operator shall remove all of his or her vending machines which are located within 500 feet of a school by September 1, 1989.~~

~~3. Notwithstanding subd. 2., if a written agreement binding on a vending machine operator governs the location of his or her vending machine which is located within 500 feet of a school, the vending machine operator shall~~

~~remove the vending machine on the date that the written agreement expires or would be extended or renewed or on May 1, 1993, whichever occurs first.~~

~~No manufacturer, distributor, jobber, subjobber or retailer, or their employees or agents, may provide cigarettes or tobacco products for nominal or no consideration to any person under the age of 18.~~

~~(e)~~ **(d)** No retailer may sell cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32(1), Wis. Stats.

**(3) Defense:** ~~Sale to Minor retailer, manufacturer and distributor~~ **of retailer, manufacturer and distributor.** Proof of all of the following facts by a retailer, manufacturer, ~~or distributor, jobber, or subjobber, an agent, employee, or independent contractor of a retailer, manufacturer, distributor, jobber or subjobber, or an agent or employee of an independent contractor~~ who sells cigarettes or tobacco products to a person under the age of 18 is a defense to any prosecution for a violation of sub. (2)(a):

**(a)** That the purchaser falsely represented that he or she had attained the age of 18 and presented an identification card.

**(b)** That the appearance of the purchaser was such that an ordinary and prudent person would believe that the purchaser had attained the age of 18.

**(c)** That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser and in the belief that the purchaser had attained the age of 18.

**(4) Penalties. (a) 1.** In this paragraph, *violation* means a violation of sub. (2)(a), (am), (c), ~~(em)~~, or (d) ~~or (e)~~ ~~or (e)~~ or a local ordinance which strictly conforms to sub. (2)(a), (am), (c), ~~(em)~~, or (d) ~~or (e)~~.

**2.** A person who commits a violation is subject to a forfeiture of:

**a.** Not more than \$500 if the person has not committed a previous violation within 12 months of the violation; or

- b.** Not less than \$200 nor more than \$500 if the person has committed a previous violation within 12 months of the violation.
  - 3.** A court shall suspend any license or permit issued under s. 134.65, 139.34 or 139.79, Wis. Stats., to a person for:
    - a.** Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;
    - b.** Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
    - c.** Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 or more other violations.
  - 4.** The court shall promptly mail notice of a suspension under subd. 3. to the department of revenue and to the clerk of each municipality which has issued a license or permit to the person.
    - (b)** Whoever violates sub. (2)(b) shall forfeit not more than \$25.
    - (5) Local ordinance.** This section does not apply within any town, village or city that has adopted or adopts an ordinance under s. 134.66(5), Wis. Stats.
- [EXPLANATION: This amendment makes it a violation for an employee of a retailer to sell cigarettes or tobacco products to a minor and brings the ordinance into conformance with state law.]*

Submitted by Supervisor Kesterson, November 18, 2004 (p. 220, 04-05).  
 Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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 RES. 197, 04-05

AUTHORIZING CONTRACT FOR NEEDS ASSESSMENT STUDY FOR AODA TREATMENT-  
 HUBER FACILITY

Alcohol abuse and drug dependence has been identified as a major factor in criminal recidivism. Alcohol and drug abuse treatment will reduce the rate of recidivism of prisoners sentenced to the Dane County Jail.

The Department of Administration and the Sheriff's Office have solicited proposals for a contract for a needs assessment study for a AODA Treatment-Huber Facility. Bids have been received in response to RFP 7647 and it has been determined that an award of a contract to \_\_\_\_\_ for \$\_\_\_\_\_, is in the best interest of the county.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby approves the contract with \_\_\_\_\_ for a needs assessment study for a AODA Treatment-Huber Facility.

BE IT FURTHER RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to sign the aforementioned contract.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Fyrst, Graf, and Vogel, November 18, 2004 (p. 220, 04-05).  
 Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY.

RES. 198, 04-05

AUTHORIZING PURCHASE OF SERVICE AGREEMENT WITH SAUK COUNTY  
FOR SPACE FOR DANE COUNTY PRISONERS

The number of prisoners in the custody of the Dane County Sheriff often exceeds the capacity of the Dane County Jail. When this occurs, the Sheriff contracts for bed space at other county jails.

Sauk County has recently constructed a new jail that currently has excess bed space. An agreement has been negotiated with Sauk County which would guarantee 30 beds per day for use by the Dane County Sheriff at a per bed rate of \$47.00. The agreement also provides that if more than 30 beds per night are needed, and such beds are available, they may be used at a rate of \$49.00 per night. These rates are more advantageous to Dane County than rates currently being paid to other counties.

NOW, THEREFORE, BE IT RESOLVED that a Purchase of Service Agreement with Sauk County for housing of prisoners is approved; and

BE IT FURTHER RESOLVED that the Dane County Executive, Dane County Clerk, and Dane County Sheriff are hereby authorized to execute said agreement.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Fyrst, Graf, and Vogel, November 18, 2004 (p. 221, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 199, 04-05

AUTHORIZING AGREEMENT WITH PRISON HEALTH SERVICES, INC.,  
FOR THE PROVISION OF INMATE HEALTH CARE SERVICES

Dane County and the Dane County Sheriff presently contract with Prison Health Services to fulfill their responsibility to provide health care services to inmates of the Dane County Jail and the Ferris Huber Center. The contract with Prison Health Services, Inc., expires as of December 31, 2004. The resolution authorizing execution of the contract provides that the contract may be renewed for up to three more years. After negotiations, the parties have agreed that the contract shall be renewed for a term of one year, at a cost of \$3,339,977.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff and County Executive are hereby authorized to execute, on behalf of the County of Dane, a contract, as described above, with Prison Health Services, Inc., to provide health care services to inmates of the Dane County Jail and Ferris Huber Center.

Submitted by Supervisors Rusk and Martz, November 18, 2004 (p. 221, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY.

RES. 200, 04-05

WAL-MART FOUNDATION GRANT

The Dane County Sheriff's Office submitted a grant request to the Wal-Mart Foundation. The Wal-Mart Foundation has awarded the Dane County Sheriff's Office a grant in the amount of \$1,500.

The grant funds will be used to purchase equipment to enhance the Sheriff's Office ability to respond to and process a crime scene.

NOW, THEREFORE, BE IT RESOLVED that \$1,500 be accepted as additional revenue in the Sheriff's Office, Support Services Division, Lab-Wal Mart Grant account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$1,500 be transferred from the General Fund to the Sheriff's Office, Support Services Division, Lab Expense-Wal Mart Grant account.

BE IT FINALLY RESOLVED that all funds not expended in 2004 be carried forward until fully expended.

Submitted by Supervisor Olsen, November 18, 2004 (p. 222, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 201, 04-05

AUTHORIZING OF FUNDS FOR CRITICAL INCIDENT RESPONSE PROGRAM

On August 6, 1992, the County Board approved Res. 77, 1992-1993, for the Critical Incident Response Program. The Critical Incident Response Program is operated by the District Attorney's Office. The program provides immediate trauma services to victims, witnesses, and surviving family members of homicide at the scene or in the early stages of the investigation of the crime. The program has continued each year, since its inception in 1992, to receive money through the Victims of Crime Act (VOCA).

The Madison Professional Police Officers Association and the Association of Madison Police Supervisors awarded the \$11,494.90 proceeds of their annual charity golf outing to the Program.

NOW BE IT RESOLVED that the Dane County District Attorney's Office Critical Incident Response Program be authorized to receive the \$11,494.90 proceeds from the MPPOA and AMPS annual golf outing and that this sum be set aside as additional District Attorney's Office – Critical Incident Response Program revenue and be credited to the general fund.

BE IT FURTHER RESOLVED that \$11,494.00 be transferred from the general fund as follows: A one-time pass through of \$1,494.90 to the Madison Police Department's Crime Victim Emergency Fund; \$6,500 to Critical Incident Response – POS account; \$3,500 to Critical Incident Response – Donations account.

BE IT STILL FURTHER RESOLVED that any unrealized or unexpended funds appropriated by this resolution be carried forward to 2006.

Submitted by Supervisors Hanson, O'Loughlin, Brown, and Ripp, November 18, 2004 (p. 222, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 202, 04-05

AUTHORIZING PURCHASE OF INSURANCE

The adopted 2005 budget provides the authority to purchase insurance to protect Dane County.

Dane County purchases insurance coverage through Wisconsin Municipal Mutual Insurance Company (WMMIC) for automobile liability, general liability, miscellaneous liability, and errors and omissions in amounts up to \$10 million in excess coverage to protect the County from catastrophic losses.

Insurance coverage is purchased from commercial insurance carriers for the following coverage: Airport Liability insurance; Professional Health Professional Liability insurance for Badger Prairie Health Care Center; Boiler insurance for existing boilers/compressors; Employee Crime/Theft insurance; Property, Equipment, and Builders Risk insurance; and Automobile, General Liability, Excess Liability, and Workers Compensation Insurance for EMS.

The specific amounts for these policies are all provided in the adopted 2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the County Controller be authorized to pay the premiums for these contracts.

Submitted by Supervisors Brown, O'Loughlin, Fyrst, Graf, Wiganowsky, and Vogel, November 18, 2004 (p. 223, 04-05).

Referred to PERSONNEL/FINANCE.

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RES. 203, 04-05

ACCEPTING MEDICAID REVENUES FOR MENTAL HEALTH SERVICES - DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

1. MA Crisis Intervention, MA Community Support Program, and Medicaid Waiver CIP 1b revenues totaling \$39,131 are accepted to cover the costs of serving three high need consumers, two of whom recently received inpatient psychiatric care and one of whom has an ongoing risk for inpatient psychiatric care. The Mental Health system's Adult Family Home account is increased by \$15,581 to provide care for one individual from late July 2005 until the end of the year. SOAR Case Management, Inc., is allocated \$23,550 to provide care for two individuals, one for all of 2004, and one for the last three months of the year.
2. \$34,000 in MA Crisis Intervention revenue is allocated to Tellurian's Acewood Group Home to cover costs related to utilizing staff with higher credentials to provide care. In January 2004, this residential program was converted to a Crisis Stabilization facility, which involved a more intensive staffing pattern and placements that would last from six to eighteen months. Prior to that date, the Acewood Group Home provided traditional longer term care and was funded primarily with county GPR. The program currently relies solely on Medicaid billings and room and board contributions from residents. The program was initially budgeted at \$360,000. Since then, because Medicaid payments are based on the level of staff credentials, it was decided to utilize more Master's degreed staff, and Medicaid payments have increased accordingly.



- Dane County is earning additional Medicaid Community Support Program (CSP) revenue through services offered by the Mental Health Center of Dane County. The Adult Community Services Division agreed early in 2004 to cover certain MHCDC CSP costs to continue if adequate Medicaid revenue was earned. Medicaid CSP revenue above the budgeted level has been earned sufficient to allocate \$26,388 to the Gateway CSP.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5265 0996	MH CIP 1b	\$9,101
5265 1439	MH MA Crisis Intervention	\$54,550
5265 1381	MH MA Community Support Program	\$35,868
	<b>Total</b>	<b>\$99,519</b>
<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5115 6007	MH Adult Family Homes	\$15,581
5325 5870	SOAR Base Case Management	\$12,000
5325 NEW	SOAR CM Units	\$8,550
5325 NEW	SOAR Other Services	\$3,000
5370 5916	Tellurian Acewood Group Home	\$34,000
5340 6545	Mental Health Center – Gateway CSP	\$26,388
	<b>Total</b>	<b>\$99,519</b>

BE IT FURTHER RESOLVED that the professional services contracts listed below be amended as follows:

<u>Vendor</u>	<u>Amendment</u>
Mental Health Center of Dane County, Inc.	\$26,388
Tellurian UCAN, Inc.	\$34,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Salov, November 18, 2004 (p. 224, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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 RES. 204, 04-05

AWARDING 2005 PURCHASE OF PROFESSIONAL SERVICE CONTRACTS AND INCREASING REVENUE  
 IN THE 2005 BUDGET OF THE DEPARTMENT OF HUMAN SERVICES

The purpose of this resolution is as follows:

- To award POS contracts with the following professional service providers for 2005:

- Mendota Mental Health Institute (PACT)
- Mental Health Center of Dane County
- St. Mary's Hospital
- Tellurian UCAN
- UW Hospitals and Clinics

The Program of Assertive Community Treatment (PACT) at the Mendota Mental Health Institute is a certified community support program providing services to persons with serious and persistent mental illness and substance abuse issues. The Mental Health Center of Dane County provides a wide range of mental health services to families and individuals with mental health and/or alcohol and drug abuse

issues. Tellurian UCAN provides a variety of services to persons needing treatment for alcohol and drug abuse and/or mental illness. The contracts with UW Hospitals and St. Mary's Hospital provide both inpatient care to persons with mental illness and comprehensive alcohol/drug abuse screening, assessment, intervention and referral services to Dane County youth 18 years old and under.

2. To amend Badger Prairie's professional service contract with the Mental Health Center of Dane County to extend the purchase of psychiatric services for another year.
3. MA Crisis Intervention and MA Community Support Program revenues totaling \$58,200 are accepted to cover the costs of serving two high need mental health consumers who have a significant ongoing risk for inpatient psychiatric care. Services for these individuals are provided by SOAR Case Management, Inc. Services were initiated in 2004, but were not built into the budget for 2005. Maintaining supportive services for these individuals is essential to avoiding high cost inpatient care.
4. \$34,000 in MA Crisis Intervention revenue is allocated to cover staffing and other costs at Tellurian's Acewood Group Home. In January 2004, this mental health residential program was converted to a Crisis Stabilization facility, which involved a more intensive staffing pattern and placements that would last from six to eighteen months. Prior to that date, the Acewood Group Home provided traditional longer term care and was funded primarily with county GPR. The program currently relies solely on Medicaid billings and room and board contributions from residents. During 2004, through its various programs, Tellurian demonstrated an ability to earn Medicaid revenue at a higher level than was budgeted. 2005 funding for the Acewood Group Home is increased given this higher level of earned revenue and the importance of sustaining the home as a Crisis Stabilization facility.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2005, through December 31, 2005.

<u>Adult Community Services Division:</u>	<u>Contract Amount</u>
Mendota Mental Health Institute – PACT	889,775
Mental Health Center of Dane County	9,111,984
St. Mary's Hospital	100,200
Tellurian UCAN	1,807,256
UW Hospitals and Clinics	197,800

<u>Children, Youth, and Families Division:</u>	<u>Contract Amount</u>
Mental Health Center of Dane County	2,897,753
Tellurian UCAN	1,549,422
UW Hospitals and Clinics	333,100

BE IT FURTHER RESOLVED that the following professional service contract be amended to extend the term of the contract through December 31, 2005, at the amount indicated.

<u>Badger Prairie Health Care Center</u>	<u>Contract Amount</u>
Mental Health Center of Dane County	\$113,000

BE IT STILL FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increases be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services:

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
260 510 5265 1439	MH MA Crisis Intervention	\$80,200
260 510 5265 1381	MH MA Community Support Program	\$12,000
	Total	\$92,200
<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
260 510 5325 5870	SOAR Base Case Management	\$12,000
260 510 5325 NEW	SOAR CM Units	\$34,200
260 510 5325 NEW	SOAR Other Services	\$12,000
260 510 5370 5916	Tellurian Acewood Group Home	\$34,000
	Total	\$92,200

BE IT FINALLY RESOLVED that the payment for the first month of each professional service contract be authorized at this time.

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Salov, November 18, 2004 (p. 226, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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 RES. 205, 04-05

**AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR MEDICAID COMPREHENSIVE COMMUNITY SERVICES CERTIFICATION - DCDHS - ACS DIVISION**

The Wisconsin Department of Health and Family Services (WDHFS) recently began to accept applications for certification of Comprehensive Community Services (CCS) Programs. WDHFS requires that counties obtain County Board authorization to apply for CCS certification. The Medicaid CCS benefit covers community based mental health and AODA psychosocial rehabilitation services for children and adults. The Medicaid CCS rules allow for the creation of a broad range of flexible, consumer-centered, recovery oriented psychosocial services. These services would target consumers whose needs require more than outpatient therapy, but less than the level of services provided by community support programs (CSP). Dane County Department of Human Services believes the CCS benefit will offer a more flexible, consumer-friendly approach than currently exists within other Medicaid funded mental health services.

Dane County Department of Human Services projects that additional Medicaid revenue will be earned through the CCS benefit. The added revenue is anticipated because a broad range of services is covered, including services not previously billable to Medicaid, and because Medicaid payments are based on the actual costs of service rather than the current artificially low state-set rates. In 2005, the Children, Youth and Families Division budgeted \$237,283 CCS revenue to be earned through AODA programs. The Adult Community Services Division anticipates earning CCS revenue through the Yahara House and Kajsia House programs, although no CCS revenues were budgeted for 2005. The CCS requires a local match of roughly 42% and there are adequate county GPR funds budgeted in 2005 to meet match requirements. Because the CCS rules require that an ongoing service commitment be made to consumers receiving CCS services, Dane County Department of Human Services will be selective in approving consumers for CCS funded services.

NOW, THEREFORE, BE IT RESOLVED that the Department of Human Services is authorized to apply to the State of Wisconsin for certification as a provider of Medicaid Comprehensive Community Services.

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Salov, November 18, 2004 (p. 226, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 206, 04-05

AMENDING THE 2005 COUNTY BUDGET TO PROVIDE FREE PHONE CALLING CARDS TO  
DANE COUNTY SOLDIERS STATIONED IN IRAQ OR AFGHANISTAN

The 2005 county budget adopted by the County Board and approved by the County Executive included funding to provide telephone calling cards with a total value of \$25,000 to prisoners in the Dane County jail. Funding for these cards would come from the sale of phone cards to prisoners at the jail. The intent of this program, which is to be administered for the Sheriff's Office by the Wisconsin Office of the State Public Defender, is to provide calling cards to indigent inmates who would be unable to afford to pay the rates for telephone calls charged by the private provider that provides phone service to jail inmates.

Many Dane County residents have been called up to serve their country in the conflicts in Iraq and Afghanistan. Our soldiers overseas have a need to maintain contact with their families during their tour of duty, but the cost of placing phone calls from the Middle East can be expensive. These telephone calls home can provide significant emotional and psychological support to both the soldier and the family back home.

Rather than use the revenue from the sale of telephone calling cards to provide free calls to inmates, Dane County should implement a program to make telephone calling cards available to Dane County residents who are in the armed forces. Such a program could be operated by the Dane County Veterans Service Office.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes the Dane County Veterans Service Office to develop and implement a program to provide free telephone calling cards to Dane County residents who are stationed outside of the United States who are directly supporting military operations in Iraq and Afghanistan; and

BE IT FURTHER RESOLVED that County Board approval for the telephone calling card program for inmates in the Dane County Jail during 2005 is hereby rescinded; and

BE IT FINALLY RESOLVED that revenue be increased by \$25,000 in the Sheriff's Office, and that a new expenditure line be created in the Veterans Service Office in the amount of \$25,000 to provide funding for the program to provide calling cards to Dane County soldiers.

Submitted by Supervisors Wiganowsky, Bruskevitz, Vogel, Hitzemann, Jensen, Ripp, Gau, O'Loughlin, Brown, Blaska, Schoer, Willett, Martz, and Wendt, November 18, 2004 (p. 227, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 207, 04-05

ACCEPTING AN AWARD FOR SUPPORTING A COMMUNITY ORGANIZER –  
PUBLIC HEALTH DIVISION

The American Cancer Society has offered Dane County a grant award in the amount of \$24,800 for the period from November 1, 2004, through October 31, 2005. Dane County will administer these funds as the fiscal agent for the Tobacco-Free Dane County Coalition. These funds are intended to support a contract for the personal services of a community organizer. The application filed with the American Cancer Society specified that \$20,812 of these funds are to be subcontracted to Smoke Free Wisconsin and that Smoke Free Wisconsin

will contract with the community organizer and supervise that person's work within Dane County. The remaining \$3,988 will be retained by Dane County for use by the Tobacco-Free Dane County Coalition.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept a grant award from American Cancer Society in the amount of \$24,800 for the period from November 1, 2004, through October 31, 2005. The American Cancer Society does not require that a grant agreement be signed.

BE IT FURTHER RESOLVED that the Division of Public Health be authorized to sign a purchase of services agreement for the period from December 1, 2004, through October 31, 2005, with Smoke Free Wisconsin for the purposes described.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	New	<u>Line Name:</u>	Tobacco ACS	<u>Line Amount:</u>	\$24,800

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	New	<u>Line Name:</u>	Tobacco ACS	<u>Line Amount:</u>	\$24,800

BE IT FINALLY RESOLVED that any of this funding that remains unexpended as of December 31, 2004, be carried forward into 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Salov, November 18, 2004 (p. 228, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 208, 04-05

AWARD OF CONTRACT FOR LEAD PAINT ABATEMENT ON 6<sup>TH</sup> & 7<sup>TH</sup> FLOOR JAIL EAST IN CCB

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Lead Paint Abatement on the 6<sup>th</sup> and 7<sup>th</sup> Floor Jail East in the City-County Building, Madison, Wisconsin, BID NO. 7777.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation. The low bidder is:

Contract Amount: \$ \_\_\_\_\_

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to \_\_\_\_\_.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to \_\_\_\_\_  
\_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the Lead Paint Abatement; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisor Ripp, November 18, 2004 (p. 229, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 209, 04-05

AUTHORIZATION TO PURCHASE WEED CUTTING BARGE IN ADVANCE OF BORROWING

The 2005 adopted budget includes an appropriation to purchase a new weed-cutting barge. This purchase will be funded using borrowing proceeds and reimbursement from the Wisconsin Department of Natural Resources. The funding is sufficient to purchase a new barge hull. The weed-cutting equipment from an existing barge will be transferred by staff in the Lakes Management program to the new hull. This work, however, must be conducted during the winter and spring months to prepare the new barge for use during the 2005 weed-cutting season. Bonds to fund this project will not be issued until later in 2005.

THEREFORE, BE IT RESOLVED that the Lakes Management Division of the Land and Water Resources Department is authorized to purchase the barge hull in advance of borrowing and it is the intent that the County will reimburse the treasury through the issuance of debt later in 2005.

Submitted by Supervisor Ripp, November 18, 2004 (p. 229, 04-05). Fiscal and Policy Notes not required.  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 210, 04-05

AUTHORIZING BADGER LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured office space in a building owned by the B.E. Properties Investments, PO Box 302, Sun Prairie, Wisconsin, and this space is located at 838 W. Badger Road, Apt. 1 East, Madison, Wisconsin. Because this aspect of the JFF program continues to play a strong role in this community by providing space for agencies like the CAC, Project Respect, and the Mental Health Center, JFF has secured this apartment. This resolution is to pay the monthly rental payment of \$575 per month plus the inclusion of renewals with 90-day prior notice. This rental amount is raised \$20 per month from the previous 2004 lease amount of \$555.

The negotiated rental rate for the designated JFF space is presently below market at \$575 per month for this space, which is approximately 500 square feet. The space will be utilized by a Dane County Community social worker and other JFF partners. The 2004 rate would be \$575 per month or \$6,900 for the rental year. The current lease will run from January 1, 2005, to December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with LB Investments, Fred and Nedra Bobo, DBA B.E. Properties Investments, owners, for 2005; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, November 18, 2004 (p. 230, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 211, 04-05

LEASE OF RESIDENCE IN TOWN OF ALBION – SILVERWOOD PROPERTY MAIN RESIDENCE

Dane County recently acquired property in the Town of Albion that had been donated by Irene Silverwood. The property included Irene Silverwood's residence. An agreement between Irene Silverwood and the County of Dane specifies that until such time as the home and buildings can be utilized for interpretive facilities, they should be leased with the revenues going to sustain the upkeep of the buildings, themselves, and the grounds in their current condition. Dane County Parks, having made necessary repairs and upgrades in the home, now wishes to lease the premises. Rent will be \$850 per month. The initial lease will begin January 1, 2005, and continue until August 1, 2006. Thereafter, the lease period will be one year.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive and County Clerk be authorized to execute the Residential Lease between Dane County and Jeffrey S. Fillion and Kim Fillion.

BE IT FINALLY RESOLVED that the Parks Director (or designee) be authorized to act as the County's representative in administering the lease.

Submitted by Supervisor Ripp, November 18, 2004 (p. 230, 04-05).  
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARKS.

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RES. 212, 04-05

AUTHORIZING AN EXTENSION OF L.T.E. 4-H URBAN STAFF ASSISTANT  
IN THE EXTENSION DEPARTMENT

The Extension Department has employed an LTE 4-H Urban Staff Assistant for the implementation and coordination of Dane County 4-H youth development program activities. This position works closely with adult and youth community volunteers and the Extension 4-H staff to provide a quality 4-H program for Dane County families.

Dane County's Civil Service Ordinance, section 18.12(1)(e), limits professional/managerial limited term employees to 1,200 hours per year. The employee in this position is approaching the limit for LTEs, and the Department is requesting an extension of 300 hours to complete current projects and to retain this programming capacity. The 2004 budget contains sufficient funds in the form of \$6,500 in unencumbered revenue, which will support this position for the remainder of this year.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors grants an exception to Ordinance 18.21(1)(a) to allow the LTE 4-H Urban Staff Assistant in the Extension Department to exceed 1,200 hours in the 2004 payroll year.

Submitted by Supervisors Martz, Vogel, Jensen, Wheeler, and Brown, November 18, 2004 (p. 231, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 213, 04-05

#### COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

#### **Agricultural Advisory Council**

Mary Elvekrog, 2999 Bunker View Road, Sun Prairie 53590 (837-5876-H, 241-1586-W), as the Farmer's Home Administration representative, due to the resignation of Karen Miller. Ms. Elvekrog has been employed by Farm Credit for over twenty years. She is very involved with the Dane County Fair in the dairy area. She is a graduate of UW-Platteville. This term will expire 5/1/06.

Yogi Brown, 1003 Highway PB, Belleville 53508 (424-3984-H), due to the resignation of Walter Meinholz. Ms. Brown and her husband own and operate a family dairy farm near Belleville. She was one of the early recipients of a Dane County Ag Enterprise Grant, which she utilized to further enhance educational opportunities for non-farm youth and their parents. This term will expire 5/1/07.

#### **Alliant Energy Center Commission**

Cheryl Rosen Weston, 1311 Farwell Drive, Madison 53704 (249-4996-H, 223-2272-W), due to the resignation of Sandy Shockley. Ms. Weston is Chief Executive Officer and Chairperson of the Douglas Stewart Company. She is also an attorney with the law firm of Cullen, Weston, Pines & Bach. She is an adjunct professor at the University of Wisconsin-Madison Law School. She received both her bachelor's degree and J.D. degree from the University of Wisconsin-Madison. She is a Board Member on the Wisconsin Economic Development Board, the Foundation for Madison's Public Schools, and A Fund For Women. She is a Member of the DeTocqueville Society of the United Way of Dane County. This term will expire 9/1/07.

#### **South Central Library System Board**

Supervisor Elaine DeSmidt, 4709 Milwaukee Street, Madison 53714 (246-2700-H), to be reappointed. This term will expire 12/31/07.



Carole McGuire, 502 Glenview Dr., Madison 53716 (222-3279-H), to be reappointed. This term will expire 12/31/07.

John A. (Jack) Taft, 606 Walnut Grove Drive, Madison 53717 (833-5327-H, 833-4528-W), to be reappointed. This term will expire 12/31/07.

#### **W-2 Community Steering Committee**

Supervisor Beth Gross, 206 North Thornton Avenue, Madison 53703 (819-0336-H), to fill the seat of the Chair of the Health & Human Needs Committee or his/her designee. Supervisor Gross is Chair of the Health & Human Needs Committee. This term will expire 5/1/07.

#### **Zoo Commission, Henry Vilas**

Doug Malmquist, 7418 Valley View Road, Verona 53593 (833-7418-H), to fill the seat of a citizen who resides outside the City of Madison, due to the resignation of Jim Maurer. Mr. Malmquist worked for twenty-eight years for Malmbro Bottling Company, Inc., a soft drink manufacturing and distribution business. He served as President, Vice-President, General Manager, and Purchasing Agent. He has a B.A. degree from Drake University. He is involved with United Way of Dane County and Ashbury Methodist Church. This term will expire 4/30/06.

Submitted by Supervisor Kesterson, November 18, 2004 (p. 232, 04-05).  
Referred to EXECUTIVE.

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#### **COMMUNICATIONS**

Claim from Sandra Sweeney against Public Works – claims glasses broke when she fell at Clean Sweep facility. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Circumstances of Claim from Eve Dorman against Corporation Counsel – claims discrimination. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim, Summons, and Complaint from Jerry Cole against Sheriff Dept. – claims Deputy Sheriff gave false testimony. Referred to PUBLIC PROTECTION/JUDICIARY.

Amended Notice of Claim and Claim re: Town of Madison against Highway Dept. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Claim from Vern Wendt, William Hitzemann, David Wiganowsky, and the Zoning & Land Regulation Committee of Dane County re: Res. 70, 04-05. Referred to PUBLIC PROTECTION/JUDICIARY.

Waushara County Res. 32-11-04 regarding ICF-MR downsizing. Referred to EXECUTIVE.

St. Croix County Res. 39 (2004), Supporting Computer Takeback Legislation. Referred to EXECUTIVE.

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#### **ZONING PETITIONS**

Petitions for zoning reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATION.

Petition 9126 – Town of Madison – Dominic Johann-Berkel

9127 – Town of Blooming Grove – Robert J. Van Daalwyk

9128 – Town of Mazomanie – Martin & Susan Beil

9129 – Town of Dunkirk – Janice M. Peckham

9130 – Town of Sun Prairie – Scott Foley d.b.a. Ultimate Construction Inc.

9131 – Town of Blue Mounds – HLS, LLC

- 9132 – Town of Blue Mounds – Richard & Vicki Sutter
- 9133 – Town of Christiana – Howard Lien & Sons, Inc.
- 9134 – Town of Westport – Yahara Crossing, LLC
- 9135 – Town of Springfield – Michael & Janice Olson
- 9136 – Town of Dane – William & Diane Wipperfurth
- 9137 – Town of Dane – Arthur Schwartz
- 9138 – Town of Dunn – Donald & Rhoda Blatterman & Jason Schulz
- 9139 – Town of Christiana – Richard & Holly Freund
- 9140 – Town of Vermont – Mark & Carol Friesch
- 9141 – Town of Berry – Eugene Maier
- 9142 – Town of Verona – Karl Klug, et. a.
- 9143 – Town of Burke – Douglas & Janet Gehrke
- 9144 – Town of Primrose – Primrose Lutheran Cemetery Assn.
- 9146 – Town of Springfield – Michael Schmitz

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RES. 214, 04-05

AUTHORIZATION FOR EARLY RELEASE OF FUNDS TO LEASE ATV

The 2005 Capital Budget authorizes the Dane County Sheriff's Office to lease an ATV to be used by the Marine and Trail Enforcement Bureau on the Dane County lakes. The new ATV will replace one of our 1994 Polaris 400 Sportsman. The ATV lease is requested as soon as possible in January 2005 for enforcement of Ice Ordinance 71.11.

BE IT FINALLY RESOLVED that the Dane County Sheriff be authorized to lease an ATV in early January 2005.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 234, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 215, 04-05

AUTHORIZATION FOR EARLY PURCHASE OF PATROL BOAT, OUTBOARD ENGINES, AND TRAILER

The 2005 Capital Budget authorizes the Dane County Sheriff's Office to purchase a patrol boat, outboard engines, and trailer to be used by the Marine and Trail Enforcement Bureau for boat patrol on the Dane County lakes. Due to the poor condition of the existing boat and the boating season fast approaching, it is necessary to get the boat into production as soon as possible in order to use it during the 2005 boating season.

BE IT FINALLY RESOLVED that the Dane County Sheriff be authorized to place an order for a patrol boat, outboard engines, and trailer with expected delivery and payment due April 2005 or later.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 234, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 216, 04-05

CITIZEN AND OFFICER RESCUE VEHICLE –  
OFFICE OF JUSTICE ASSISTANCE (OJA) FY'04 HOMELAND SECURITY GRANT PROGRAM

The Dane County Sheriff's Office, through the State and Local Homeland Security Grant Program, submitted a grant request in support of 2004 Federal Grant funds.

The Dane County Sheriff's Office will be awarded a total of \$180,000. The grant period ends January 31, 2005.

The grant funds will be used to purchase approved equipment to enhance Law Enforcement's ability to respond to critical incidents resulting from a Weapons of Mass Destruction/Terrorist attack. The rescue vehicle will be shared with the Madison Police Department and will be available statewide for domestic and international acts of terrorism.

NOW, THEREFORE, BE IT RESOLVED that \$180,000 be accepted as additional revenue in the Sheriff's Office, Field Services Division, WMD/Terrorist-Rescue Vehicle Revenue Account (3390-NEW) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$180,000 be transferred from the General Fund to the Sheriff's Office, Field Services Division, WMD/Terrorist-Rescue Vehicle Expenditure Account (3390-NEW).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2004 budget period to the 2005 budget period.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 235, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 217, 04-05

AUTHORIZING ACCEPTANCE OF FUNDS FOR  
HOMELAND SECURITY/LETPP REGIONAL RESPONSE TEAM EQUIPMENT

The Dane County Sheriff's Office has been awarded a grant from the State of Wisconsin Office of Justice Assistance Homeland Security Program for the purchase of Anti-Terrorism Initiative Equipment for the Dane County Sheriff's Office Explosive Ordnance Disposal (EOD) Team.

The Dane County Sheriff's Office will be awarded a total of \$51,500. The grant period ends January 31, 2005.

The grant funds will be used to purchase equipment for the Explosive Ordnance Disposal (EOD) Team, which will be used to respond to any types of incident dealing with explosive pyrotechnic devices within Dane County.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the Homeland Security/LETPP Regional Response Team Equipment Grant, administered by the Office of Justice Assistance, in the amount of \$51,500.

BE IT FURTHER RESOLVED that \$51,500 be set up as additional revenue in the Sheriff's Office, Field Services Division, Explosive Ordnance Disposal Team Equipment Revenue Account (3390-NEW) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$51,500 be transferred from the General Fund to the Dane County Sheriff's Office, Field Services Division, Explosive Ordnance Disposal Team Equipment Expenditure Account (3390-NEW)

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2004 budget period to the 2005 budget period.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 235, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 218, 04-05

## AUTHORIZATION TO AWARD CONTRACT FOR YOUTH /VICTIMS SERVICES

The Youth Restitution Program has been providing services to juvenile offenders since February 1978. It was initiated at the request of concerned citizens and Juvenile Court Personnel who were alarmed about the spiraling costs of vandalism in Dane County. In August 1981, near the conclusion of its Federal funding cycle, the program incorporated as a private, not-for-profit corporation.

Community Adolescent Programs, (CAP), Division of Youth Services of Southern Wisconsin (YSOSW) has operated the Youth Restitution Program since its inception in 1978 and the Victim Offender Conferencing Program beginning in 1997. CAP has been the sole provider of these services and again this year was the sole respondent to the request for proposals by the Juvenile Court Program.

In 2003, 638 juveniles were referred for restitution/community service supervision. By providing assessment, job placement, job-seeking, and job skills counseling, YRP has maintained a 90% completion rate in terms of juveniles completing their court-ordered restitution or community service obligation. Victims annually receive approximately \$76,000, in compensation from funds earned by offenders. In addition, offenders perform approximately 8,000 hours of community service through a variety of individual and work team service projects. Victim Offender Conferencing provides victims an opportunity to meet with the offender and discuss the impact of the offense on them. VOC recruits, trains, and supervises community volunteers and develops other victim impact panels to meet with youth involved in delinquent behavior.

The Juvenile Court Program is proposing the approval of a one (1) year contract with an option by mutual agreement of the COUNTY and CONTRACTOR, to renew for four (4) additional one-year periods. The contract amount for 2005 is \$322,700. The contract amount for 2006-2009 will be determined in subsequent negotiations and is subject to approval as of the annual budgeting process.

NOW, THEREFORE BE IT RESOLVED that the County Executive and County Clerk are hereby authorized to execute the above contract with YSOSW, to administer Youth Restitution and Victims Services programming and that the payment for the first month's advance (January, 2005) be authorized at this time.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 236, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 219, 04-05

## AWARDING PURCHASE OF SERVICE CONTRACT FOR CASA SERVICES

The Clerk of Courts 2005 budget includes funding for a court appointed special advocates (CASA) program. The clerk of courts solicited proposals from providers for the next contract year. Based upon the response and review of the submitted proposal, this contract will be awarded to Dane County CASA, Inc.

Services to be provided include staff to recruit, screen, train, and supervise CASA volunteers. These volunteers monitor compliance with juvenile court orders and routinely submit reports to the court. Total program costs are \$64,420, with Dane County CASA, Inc., providing \$13,620 in in-kind support and other funding.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an agreement from January 1, 2005, to December 31, 2005, with Dane County CASA, Inc., for the purpose of providing CASA services. The cost to the County will not exceed \$50,800.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the contractual agreement.

Submitted by Supervisors Olsen and Rusk, November 23, 2004 (p. 237, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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AMENDING CHAPTER 67 OF THE DANE COUNTY CODE OF ORDINANCES, AIRPORT LANDING FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subections 67.26(3), (5) and (6) of the Dane County Code of Ordinances are amended to read as follows:

(3) A nonsignatory commercial air carrier shall pay a base rental of ~~\$33.44~~ 38.54 per square foot per annum, payable in equal monthly installments in advance for space used exclusively by it.

(5) A nonsignatory commercial air carrier shall pay as landing fees ~~\$-2.20~~ 2.45 per 1,000 lbs. of certified maximum gross landing weight of each aircraft weighing over 70,000 lbs. Such fees shall also apply to transitional landings.

(6) For the landing of any aircraft weighing less than 12,500 lbs., a nonsignatory commercial air carrier shall pay the sum of ~~\$27.50~~ 30.63. For the landing of any aircraft weighing at least 12,500 lbs. but less than 30,000 lbs., a nonsignatory commercial air carrier shall pay the sum of \$ ~~66.00~~ 73.50. For the landing of any aircraft weighing at least 30,000 lbs. but not more than 70,000 lbs., a nonsignatory commercial air carrier shall pay the sum of ~~\$153.00~~ 171.50. Such fees shall also apply to transitional landings.

*[EXPLANATION: The amendment updates the airport's landing fee schedule and the common use formula for those airlines which elect not to sign a written fee agreement with the county.]*

Submitted by Supervisor O'Loughlin, December 2, 2004 (p. 238, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 220, 04-05

AUTHORIZING PURCHASE OF SERVICES WITH GREATER MADISON CONVENTION AND VISITORS BUREAU – DANE COUNTY REGIONAL AIRPORT

The Greater Madison Convention and Visitors Bureau staffs an information center in the Dane County Regional Airport terminal building. Agreements are executed between the Greater Madison Convention and Visitors Bureau and Dane County to provide information and services to travelers. This agreement covers calendar year 2005 and is essentially an extension of previous agreements over the past 12 years. Total maximum cost is \$48,383.03. The Convention and Visitors Bureau will provide trained staffing for the information center seven days per week – noon to 10:00 p.m., Monday through Thursday; 9:00 a.m. to 10:00 p.m. Friday; noon to 8:00 p.m. Saturday and Sunday; and noon to 8:00 p.m. on specified holidays.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are authorized to execute the foregoing Purchase of Service Agreement with the Greater Madison Convention Visitors Bureau.

Submitted by Supervisor O'Loughlin, December 2, 2004 (p. 238, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 221, 04-05

AUTHORIZING GRANT OF EASEMENT AND EXCHANGE OF LANDS FOR RUNWAY SAFETY AREA  
PROJECT AT DANE COUNTY REGIONAL AIRPORT

The Federal Aviation Administration, the State Bureau of Aeronautics, and Dane County are coordinating a safety enhancement project at the Dane County Regional Airport referred to as the Runway 14/32 Safety Area Project. To accomplish the safety related improvements, a portion of the Canadian Pacific Railroad right-of-way must be realigned to run north of County Trunk Highway CV. The realignment of the railroad requires the acquisition of a small triangular parcel of City of Madison owned land in the Town of Burke. Since the city owned property was purchased with State Stewardship Grant funds, a land exchange is required, as opposed to an outright purchase. Therefore, in exchange of the City-owned property, Dane County will convey to the City a parcel of land that is located near the Airport and adjacent to the subject City owned property. Both parcels are approximately one acre in size and are similar in characteristics and value.

Additionally, the safety area project involves a relocation of a small portion of the Starkweather Creek that runs along the present railroad right of way. With the relocation of the creek and the railroad, the City of Madison will vacate a drainage easement along the present creek location, returning it to County ownership, and the County will grant a similar easement in the area of the relocated creek.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described exchange of lands, acceptance of vacated easement, and grant of drainage easement, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are authorized to execute a Deed to the City of Madison with respect to the County land involved in the foregoing exchange and a Grant of Easement granting to the City of Madison a drainage easement along the relocated Starkweather Creek. The Airport Director is authorized to execute on behalf of Dane County any other documents necessary to accomplish the described property exchange, vacation of existing easement and grant of easement.

Submitted by Supervisor O'Loughlin, December 2, 2004 (p. 239, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 222, 04-05

CONTRACT FOR ADVERTISING AT ALLIANT ENERGY CENTER OF DANE COUNTY

In addition to the naming rights sponsor, the Center has four major advertisers. The four major advertisers have rights on the marquee on John Nolen Drive, the Coliseum scoreboards, message centers, lobbies and concourses, and the Exhibition Hall guest information monitors. State Farm Insurance has agreed to a three-year agreement with payments of \$40,000 per year over the life of the agreement, beginning December 30, 2004. Both parties have certain cancellation rights over the life of the agreement.

This is the fourth and final major advertising slot to be leased on the Alliant Energy Center's electronic signage program. State Farm Insurance joins M & I Bank, Pepsi, and Big Mikes Super Subs as major advertisers at the Center.

NOW, THEREFORE, BE IT RESOLVED that a three-year agreement for advertising with State Farm Insurance, 8500 State Farm Way, Woodbury, Minnesota, with annual payments of \$40,000 beginning December 30, 2004, and ending December 29, 2007.



BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the agreement.

Submitted by Supervisor Ripp, December 2, 2004 (p. 240, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 223, 04-05

ACCEPTING MEDICAID REVENUES FOR DEVELOPMENTAL DISABILITIES SERVICES –  
DCDHS-ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

4. The Department of Human Services' Developmental Disabilities section will receive an additional \$800,000 in Medicaid Personal Care (MA PC) revenue, which represents 50,400 hours of service. Billing MA PC for assistance with bathing, dressing, toileting, ambulation and related activities captures more revenue than billing those services to the locally matched CIP 1b program. The new total for MA PC revenue for DD services will be \$3.54 million. Roughly \$476,000 of this revenue should have come in 2003, except that issues at the state level related to new HIPAA compliant MA billing software delayed MA payments into 2004. The remaining \$324,000 was earned by newly serving 15 DD consumers and increasing MA PC services for other consumers with developmental disabilities.
5. The City of Madison's Metro+Plus service provides door-to-door transportation for individuals unable to use mainline bus service due to a disability. A large number of CIP eligible people with developmental disabilities utilize the Metro+Plus service. To help defray the City of Madison's cost, Dane County bills CIP for this transportation, with the City of Madison providing 100% of the local match. It is projected that CIP billings for Metro+Plus services will be \$1,931,669 in 2004, or \$435,263 more than originally budgeted. The CIP billings in 2003 for Metro+Plus were \$1,754,960. The increased 2004 expense is based on a higher unit cost and roughly 8,500 more one-way trips than in 2003.
6. The DD section is projected to earn an additional \$400,000 in CIP 1b revenue and \$250,000 in CIP Brain Injury Waiver (BIW) revenue through providing supportive services to CIP eligible individuals. The DD section is providing 244 months of services to 32 new consumers (only 187 months were budgeted) generating an additional \$168,000 in CIP 1b revenue. The remaining \$232,000 is earned via provision of increased services to CIP 1b consumers who entered the CIP 1b program prior to January 2004. Regarding the BIW funds, \$85,500 is based on providing 33 months of services to 3 new consumers (only 12 months were budgeted) and \$164,500 is based on increased service costs for BIW consumers who entered the BIW program prior to January 2004.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5025 0996	DD CIP 1b	\$835,263
5025 0995	DD CIP Brain Injury	\$250,000
5025 0883	DD MA Personal Care	\$800,000
	<i>Total</i>	<i>\$1,885,263</i>

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5100 5955	DD Special Needs - Self Directed Support	\$1,450,000
5130 5929	City of Madison – Metro+Plus	\$435,263
	<i>Total</i>	<i>\$1,885,263</i>

Submitted by Supervisor Gross, December 2, 2004 (p. 241, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 224, 04-05

ACCEPTING MENTAL HEALTH/AODA DISASTER PREPAREDNESS GRANT REVENUE –  
 DCDHS-ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

The Wisconsin Department of Health and Family Services has awarded Dane County \$2,000 to strengthen its preparedness to provide mental health and substance abuse services in the event of a community wide emergency. For the past several years, using existing resources, Dane County Department of Human Services (DCDHS) and Dane County Emergency Management have worked together on re-writing the Dane County Emergency Operations Plan, Annex F, Human Services, on improving DCDHS's emergency plan, and on clarifying DCDHS's role in the Emergency Operations Center. In 2002, a Mental Health Response Team (MHRT) was created. This is a team of over 100 volunteer mental health and social work professionals who have been trained to provide support services to first responders, victims and their family members, and other citizens in a large-scale emergency. The MHRT functions as a back-up resource to the American Red Cross's Disaster Mental Health volunteers. Thankfully, the MHRT has not needed to be activated. A MHRT Planning Committee continues to meet several times a year to arrange training and take other steps to maintain preparedness. The grant funds will be used for training, equipment that volunteers would need if the MHRT were activated and other MH/AODA disaster preparedness expenses.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure account in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5265 NEW	MH Disaster Preparedness	\$2,000
	Total	\$2,000
<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5370 NEW	MH Disaster Preparedness	\$2,000
	Total	\$2,000

BE IT FURTHER RESOLVED that any unspent MH Disaster Preparedness Grant funds from 2004 be carried forward for expenditure in 2005.

Submitted by Supervisor Gross, December 2, 2004 (p. 241, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 225, 04-05

ACCEPTANCE OF 2005 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP)  
PLANNING SUBGRANT

The Dane County Local Emergency Planning Committee applied for and was awarded a 2005 Hazardous Materials Emergency Preparedness (HMEP) Planning Subgrant from the U. S. Department of Transportation in the amount of \$5,000.

Dane County's Local Emergency Planning Committee provides to the general public safety information in the event that there is a chemical emergency. This outreach program is vital to keeping the community informed of the risks surrounding hazardous materials and what they should know and expect in the event of a chemical emergency. An informed community is inherently better able to protect itself in such a situation. This program will also directly benefit all emergency responders involved in that they and the community will be presented with a uniform message and will know what to expect from one another. An emergency response is not the time to attempt community education as to necessary public protection measures. The safety of everyone involved, responders and public, will be enhanced as the community becomes better informed.

The LEPC is proposing a 2005 Calendar to be distributed to all Emergency Planning and Community Right to Know (EPCRA) planning facilities located in Dane County, all first response agencies in Dane County, and other applicable interested parties. It is anticipated that 1,000 calendars will be distributed.

The calendar would include information regarding:

- Dane County's Local Emergency Planning Committee (LEPC),
- Clean sweep,
- Emergency procedures during a chemical emergency,
- Fire safety,
- Severe weather and other related information,
- Emergency contacts and procedures.

NOW, THEREFORE, BE IT RESOLVED that \$5,000 be set up as a newly created Emergency Management, Hazardous Materials Planning Division, Public Education Revenue Account and be credited to the general fund and that \$5,000 be transferred from the General Fund to the newly created Emergency Management, Hazardous Materials Planning Division, Public Education Expense Account.

Submitted by Supervisor Olsen, December 2, 2004 (p. 242, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 226, 04-05

AUTHORIZING ACCEPTANCE OF FOUR COMBINATION LOCKS TO THE DANE COUNTY SHERIFF'S  
OFFICE, DANE COUNTY LAW ENFORCEMENT TRAINING CENTER

The American Society of Industrial Security (ASIS) Central Wisconsin Chapter 067 and the Wisconsin Burglar and Fire Alarm Association (WBFAA) desires to donate four combination door locks including installation to the Dane County Law Enforcement Training Center (DCLETC). The approximate value of the locks with installation is \$1,500. The donation is to ensure the security of training materials, equipment, and personal items of law enforcement officers and civilians using classrooms at the DCLETC. With this donation, students will be

able to secure these items in a classroom while they participate in training on the firearms ranges or outside the building.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff's Office be authorized to accept the gift of the four combination locks valued at \$1,500 for use by the Dane County Law Enforcement Training Center to secure personal items of those using the classrooms.

Submitted by Supervisor Olsen, December 2, 2004 (p. 243, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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### COMMUNICATIONS

Claim from Christopher Rose against Jail – claims laundry failed to return his clothing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Patricia Lewis against Jail – claims calling cards missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Maureen Nartowicz against Highways – claims vehicle damaged by gravel truck. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Daniel, Nancy & Andria Gaulrapp against Highways – claims vehicle damaged by unmarked road hazard. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Howard S. Goldman against AEC – claims injury during concert. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Patrick J. Roach vs. Dane County Sheriff Department and Deputy Ehler, Case #04CV3607. Referred to PUBLIC PROTECTION/JUDICIARY.

Garnishment Summons and Complaint for Non-Earnings, Wis. Justice Dept. vs Champion Environmental Services, Inc. (debtor), and Dane County Clerk (garnishee), Case No. 04CV0177. Referred to PUBLIC PROTECTION/JUDICIARY.

Writ to County Clerk for Board of Adjustment, Summons & Complaint, David J. Gehl and DSG Evergreen F. L. P. vs Dane County Board of Adjustments, Case #04CV3442, #04CV0853, and 04CV1358. Referred to PUBLIC PROTECTION/ JUDICIARY.

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CONSENTING TO ASSIGNMENT AND SUB-LEASE OF GLC MADISON HOTEL, LLC LEASE

GLC Madison Hotel, LLC ("GLC"), current lessee under an existing ground lease on which a hotel is constructed at the Alliant Energy Center of Dane County f/k/a Dane County Exposition Center, Ground Lease No. 2419 (which was assigned from original lessee Legacy Hospitality LLC to Expo Hospitality Partners LLC, and subsequently assigned to GLC), desires to sell the hotel and assign its interests in the ground lease to Ragatz LLP, a Wisconsin limited liability partnership, State Street Partners I, LLP, a Wisconsin limited liability partnership, and Oriental Specialties, Inc., a Wisconsin corporation, as tenants in common (jointly and severally "Assignees"). Paragraphs 13.1 and 13.2 of the ground lease require the express consent of both the County Board and the County Executive to any assignment or sublet of the premises leased under the ground lease. This request for consent to an assignment results from the intention of GLC to sell the hotel at the Alliant Energy Center of Dane County f/k/a Dane County Exposition Center to Assignees.

Further, Assignees desire to enter into an agreement with W-R Properties, LLC (an entity to be wholly owned by Assignees), whereby Assignees sublet the premises leased under the ground lease to W-R Properties, LLC. Paragraphs 13.1 and 13.2 of the ground lease require the express consent of both the County Board and the County Executive to any assignment or sublet of the premises leased under the ground lease. This request for consent to a sublease results from the intention of Assignees to sublet the premises demised under the ground lease to W-R Properties, LLC.

NOW, THEREFORE, BE IT RESOLVED that on behalf of the County of Dane, the County Clerk and County Executive are authorized to execute an agreement(s) embodying the above provisions.

Submitted by Supervisor Kesterson, December 8, 2004 (p. 244, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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ORD. AMDT. 26, 04-05

AMENDING CHAPTERS 2 AND 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
INCREASING FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.56 is amended to read as follows:

62.56 SERVICE OF PROCESS FEES. (1) The sheriff shall collect, for each defendant or person served or attempted to be served, a fee of ~~\$30~~40.00 for each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order. If there is more than one defendant or person at a given address, the sheriff shall collect a fee of ~~\$30~~40.00 for each additional defendant or person served or attempted to be served.

(2) The sheriff shall collect a fee of ~~\$30~~40.00 for each service or attempted service of an execution on a judgment demanding payment thereof or other writ not provided for.

(3) For travel in serving any summons, writ or other process, except criminal warrants, ~~28~~37 cents for each mile actually and necessarily traveled.

(4) For travel in serving any criminal process, ~~2837~~ cents per mile.

[EXPLANATION: This amendment raises the fees charged by the Sheriff for service of process and raises mileage charges associated with service.]

ARTICLE 3. Subsection (1) and (2) of section 2.06 are amended to read as follows:  
2.06 SCHEDULE OF DEPOSITS.

<b>Sub. No.</b>	<b>Ordinance No.</b>	<b>Offense</b>	<b>Deposit</b>
(1)	ch. 10	Various zoning violations	<del>\$50.00</del> <u>150.00</u>
(2)	ch. 11	Various violations of shoreland and flood plain regulations	<del>\$50.00</del> <u>150.00</u>

[EXPLANATION: This amendment increases the deposit on citations issued for violations of Chapters 10 and 11.]

Submitted by Supervisors Olsen, Hitzemann, McDonell, Fyrst, Brown, O'Loughlin, Bruskewitz, and Vogel, December 16, 2004 (p. 245, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 228, 04-05

AUTHORIZING ACCEPTANCE OF 30 GALLONS OF PAINT TO THE DANE COUNTY SHERIFF'S OFFICE,  
DANE COUNTY LAW ENFORCEMENT TRAINING CENTER

The Home Depot and ICI Paints desire to donate six 5-gallon buckets of paint to the Dane County Law Enforcement Training Center (DCLETC). The approximate value of the paint is \$359.82. The donation is to paint the classrooms, hallway, break room, and offices at the DCLETC. This donation will improve the appearance of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff's Office be authorized to accept the gift of 30 gallons of paint valued at \$359.82, for use by the Dane County Law Enforcement Training Center to improve the appearance of the facility.

Submitted by Supervisors Olsen, Rusk, McDonell, Fyrst, Brown, O'Loughlin, Bruskewitz, December 16, 2004 (p. 245, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 229, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Human Services Board**

Peng Her, 536 North Sherman Avenue, Madison 53704 (241-8534-H, 240-0762-W), due to the resignation of Kim Henderson. Mr. Her is the owner of the Taste of Asia restaurant in Madison. He was the Project Coordinator for the Madison Children’s Museum’s “Hmong at Heart” traveling exhibit. He is a Hmong community activist and cultural presenter, giving presentations on the Hmong culture to teachers and community organizations. He is a volunteer at Kajsiab House, United Refugee Services of Wisconsin, and Bay View Community Center. This term will expire 4/19/05.

**Veterans Services Commission**

Lonnie Cooks, 2307 Rugby Row, Madison 53726 (238-3566-H, 264-9631-W), to be reappointed. This term will expire 12/10/07.

Marjorie Z. Marshman, 1444 E. Dayton St., #24, Madison 53703 (257-1605-H), to be reappointed. This term will expire 12/10/07.

Submitted by Supervisor Kesterson, December 16, 2004 (p. 246, 04-05).  
Referred to EXECUTIVE.

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RES. 230, 04-05

**APPROVING A CONTRACT WITH THE CITY OF MADISON FOR A BUILD GRANT TO FUND THE SOUTH PARK STREET: WINGRA CREEK REDEVELOPMENT DISTRICT**

In 1999, the Dane County Executive launched the Better Urban Infill Development (BUILD) program to provide grant assistance to municipalities seeking to make better use of their existing infrastructure; locate jobs, services and shopping in close proximity; stabilize and enhance existing neighborhoods, downtowns and business districts; produce housing and jobs for low and moderate income people; avoid converting productive farmland on urban fringes and in rural areas; provide viable options to automobile trips by promoting walking, biking and transit; and that have the potential to clean up environmentally contaminated sites. The BUILD Advisory Committee, established in Resolution 225, 2000-2001, provides guidance to the BUILD program.

Municipalities use BUILD grants to hire consultants who help communities generate plans for infill development, downtown revitalization, and traditional neighborhoods. Through 2003, BUILD awarded approximately \$530,000 to fund planning efforts in 18 communities throughout Dane County. Local municipalities invested approximately an additional \$275,000 in their planning efforts. Construction of BUILD-funded planning recommendations has occurred in the cities of Madison, Sun Prairie, Stoughton, Monona, and Verona; the villages of Oregon, Cambridge, and Waunakee; and the Town of Madison.

The BUILD program solicits grant applications, and makes grant awards, on an annual basis. The Dane County budget has included funding for BUILD since 1999. Funding for BUILD is also provided through the County’s Community Development Block Grant (CDBG) program. The BUILD Advisory Committee serves as the review panel for BUILD grant applications and makes grant award determinations and recommendations.

In 2002, the City of Madison submitted an application for a grant to fund planning for the South Park Street: Wingra Creek Area Redevelopment, to provide the impetus for south side neighborhoods and the business community to solidify their vision for an important redevelopment area in South Madison. The purpose of the planning effort is to implement the recommendations of the document, *Park Street Revitalization: Possibilities to Reality*, by creating development concepts and site plans for four parcels on the northwest corner

of South Park Street and West Wingra Drive. The BUILD Advisory Committee awarded a grant of \$25,000 for this application in 2002. The grant required the City to provide funding for 20 percent of the total project cost.

The City did not start planning for Park and Wingra site in 2002 due to changes in land ownership and uses, as well as backlog in planning projects citywide. To address new issues related to this area of Park Street, the City applied in 2003 for a second grant to plan for Phase II of the South Park Street: Wingra Creek Redevelopment District. The Phase II application requested funds for development of a parcel-specific strategy, including final recommendations for the mix of land uses, location for new streets, the type and style of buildings, and development phasing. The Phase II application expanded the planning area west to Fish Hatchery Road and north to include the former Dean (Morningstar) Dairy facility. The BUILD Advisory Committee awarded a grant of \$25,000 for the Phase II planning. The grant required the City to provide funding for 50 percent of the total project cost.

In 2004, the City of Madison established a steering committee and hired consultants for the South Park Street: Wingra Creek Area Redevelopment project planning. Total budget for the project is \$76,500 with BUILD grant funding totaling \$47,625 from the two grant awards. Dane County Planning and Development prepared a purchase of service contract with the City of Madison, in the amount of \$47,625, to fund this planning project.

NOW, THEREFORE, BE IT RESOLVED that a contract between Dane County and the City of Madison in the amount of \$47,625, to fund planning for the South Park Street: Wingra Creek Area Redevelopment, is approved by the Dane County Board of Supervisors;

BE IT FURTHER RESOLVED that the Dane County Controller is authorized to issue checks necessary to effectuate the transaction; and

BE IT FINALLY RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized to sign the appropriate contract in behalf of Dane County.

Submitted by Supervisors Richmond, Erickson, and Eggert, December 16, 2004 (p. 247, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 231, 04-05

ACCEPTING AN AWARD SUPPORTING TOBACCO PREVENTION - PUBLIC HEALTH DIVISION

The Madison Rotary Foundation offered Dane County a grant award up to the amount of \$1,900 for the period from January 1, 2004, through December 31, 2004, to be used in the area of tobacco prevention. Dane County will administer these funds as the fiscal agent for the Tobacco-Free Dane County Coalition. The Coalition has identified prevention supplies and materials to be made available to three schools in the county in support of their efforts to prevent students from initiating tobacco use. The total cost of these purchases will be \$1,345.79.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept a grant award from Madison Rotary Foundation in the amount of \$1,346 for the period from January 1, 2004, through December 31, 2004. The Madison Rotary Foundation does not require that a grant agreement be signed.

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be created and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:



REVENUE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No.:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line No.:</u>	New	<u>Line Name:</u>	Tobacco Rotary	<u>Line Amount:</u>	\$1,346

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No.:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line No.:</u>	2043	<u>Line Name:</u>	Prt Sta & Off Sup	<u>Line Amount:</u>	\$1,346

Submitted by Supervisors Gross, DeSmidt, and Wheeler, December 16, 2004 (p. 248, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 232, 04-05

ACCEPTING INCREASED FUNDING IN THE W. I. C. PROGRAM - PUBLIC HEALTH DIVISION

The Wisconsin Division of Health has offered the County Division of Public Health a grant contract amendment for 2004, which increases funding for the Dane County WIC project. This increase results from an increase in caseload and totals \$2,513. This increases our total WIC funding for 2004 from \$334,679 to a new amount of \$337,192. These categorical funds can be used at the discretion of the local program, in support of that program.

The program has identified language interpretation as representing the highest priorities for the use of the increased funding. Allocating these funds to this purpose will decrease current year demand on county levy.

NOW, THEREFORE, BE IT RESOLVED that the County Executive be authorized to accept increased funding for the Dane County WIC project and to sign a grant agreement amendment for this purpose, and

BE IT FURTHER RESOLVED that the following 2004 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

Revenue Account:			
<u>Line Number:</u>	3780	<u>Line Name:</u>	WIC
			<u>Line Amount:</u> +\$2,513
Expense Account:			
<u>Line Number:</u>	1273	<u>Line Name:</u>	Interpreter
			<u>Line Amount:</u> +\$2,513

BE IT FINALLY RESOLVED that any of these funds not expended by the end of 2004 be carried forward into 2005.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, December 16, 2004 (p. 248, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF MADISON FOR THE MERGER OF THE COUNTY AND CITY PUBLIC HEALTH AGENCIES

The Dane County Board of Supervisors, on May 20, 2004, and the Madison Common Council, on April 20, 2004, adopted similar resolutions authorizing the development of an intergovernmental agreement (IGA) for the merger of the Madison Public Health Department and the Dane County Division of Public Health.

The resolution of Dane County Board of Supervisors was Resolution No. 326, 03-04. The resolution of the Madison Common Council was Resolution No. 61447, ID #35762.

These resolutions set forth a series of items that were to be included in the intergovernmental agreement. Since that time, staff for Dane County and the City of Madison have met on numerous occasions to develop the intergovernmental agreement. That agreement is now before the Dane County Board of Supervisors and the Madison Common Council for adoption.

This IGA governs the first phase of the merger. An additional IGA must be developed to complete the merger. Under the First Phase IGA:

1. A joint board of health (Board of Health for Madison and Dane County, or BOHMDC) is created. The Board will operate the two health departments until merger.
2. A single director of public health will be hired.
3. The Board is to create a plan for the transition to complete merger, which is to be accomplished no later than December 31, 2007.

NOW, THEREFORE, BE IT RESOLVED that the County Board hereby adopts and approves the attached intergovernmental agreement governing the first phase of the transition to a merged City-County Health Department.

BE IT FURTHER RESOLVED that the County Executive is hereby authorized to sign the attached intergovernmental agreement.

BE IT FURTHER RESOLVED that the Corporation Counsel and City Attorney and other staff of the County and City are to continue to work on an additional intergovernmental agreement to govern the full merger to a joint City-County Health Department.

Submitted by Supervisors Blaska, Rusk, Bruskevitz, Wiganowsky, Hitzemann, Fyrst, O'Loughlin, Brown, Worzala, McDonell, Kostelic, Olsen, Erickson, Opitz, Matano, and Willett, December 16, 2004 (p. 249, 04-05).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and CITY-COUNTY LIAISON.

URGING FEDERAL ACTION TO ALLOW IMPORTATION OF PRESCRIPTION DRUGS FROM CANADA

The increasing cost of prescription medications is a national health care crisis. Recent studies show the costs for prescription drugs continue to increase, as do the number of Americans taking prescription drugs.

Manufacturer list prices for brand name prescription drugs increased 7.4%, or more than three times the rate of general inflation, over a 12-month period that ended in September, according to an American Association of Retired Persons (AARP) study. A federal report indicates that more than 40 percent of Americans take at least one prescription drug, and one in six takes at least three.

There is considerable public support for the importation and re-importation of prescription drugs from Canada. More than two-thirds of the American public believes the government should make it easier to buy imported drugs, according to an Associated Press survey.

Cities across the United States such as Worcester, Massachusetts, and Oak Creek, Wisconsin, have adopted prescription drug importation programs for their citizens, workers, and local government retirees.

The cost of prescription drugs is a concern for the residents and employees of Dane County as well. For example, last year Dane County government recorded \$3 million in pharmacy claims for its employees. At the same time, the Dane County Jail spent \$415,000 on prescription drugs for inmates.

Prescription drugs imported from Canada could save consumers between ten and fifty percent. Some drugs that are manufactured in the United States are sent to Canada and then re-imported to the United States at lower cost.

If Dane County were able to adopt a prescription drug importation plan, the county could eventually realize substantial savings for its taxpayers, residents, workers, and local government retirees.

Companies from Canada have demonstrated a willingness to meet with Dane County officials and the general public. They have offered plans for affordable, reliable products that offer demonstrated assurances of quality that are superior to many domestic prescription drug plans. These companies are major suppliers in Canada providing low-cost, quality prescription medicines to schools, health clinics, nursing homes, and prisons.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports the exploration of programs for Dane County that import and re-import safe, quality, low-cost prescription drugs.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the federal government to initiate a program to open competition to prescription drug pricing by allowing the importation and re-importation of quality prescription drugs from Canada and other countries and to allow Medicare to use its purchasing power to negotiate lower prices for prescription drugs at a considerable savings to taxpayers.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Wisconsin's Congressional Delegation and the Secretary of the Department of Health and Human Services.

Submitted by Supervisors de Felice, Hulseley, Rusk, Olsen, Erickson, Opitz, Hendrick, Richmond, DeSmidt, Jensen, McDonell, Worzala, Vedder, Fyrst, Bruskewitz, Vogel, Matano, Gross, Schoer, Wheeler, and Brown, December 16, 2004 (p. 250, 04-05).

Referred to EXECUTIVE, HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY.

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RES. 235, 04-05

CHANGE ORDER #1 FOR PHASE 7 ELECTRICAL CONSTRUCTION AT LANDFILL SITE #2

Sub. 1 to Res. 126, 2004-05, awarded a contract to B & B Electrical Construction for the Phase 7 Electrical Construction at the Dane County Landfill Site #2, Madison, WI, Bid #7645. The amount of the award was \$49,980.

The following changes are being made to the original contract:

Furnish & install 1/C #12 THHN wire phase 8 controls @ \$4.20/LF x 1400' =	\$5,880.00
Install owner-furnished Strongwell/Quazite to replace damaged manholes =	\$1,324.00
Furnish & install 36 #12 weatherproof splices in existing manholes =	\$ 972.00
ADD:	\$8,176.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to B & B Electrical Construction for the Phase 7 Electrical Construction at Landfill Site #2 project be approved and authorized; and

BE IT FURTHER RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, December 16, 2004 (p. 251, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 236, 04-05

AUTHORIZING ASSIGNMENT OF TOWN OF CROSS PLAINS GROUND LEASE TO  
PINNACLE TOWERS ACQUISITION, LLC

4G Towers, LLC, has leased land in the Town of Cross Plains from Dane County since 2002. It has constructed a telecommunications tower on the land and leased spaces on the tower to various telecommunications providers. 4G Towers desires to sell its tower and assign the ground lease to Pinnacle Towers Acquisition, LLC. Pinnacle Towers is a subsidiary of Global Signal, Inc., one of the largest tower companies in the US. 4G Towers is a tenant in good standing and has met all of its obligations under the lease. The lease provides for assignment with written permission of the county, which the county may not unreasonably withhold. All of the original terms and conditions of the lease will remain unchanged after assignment.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize 4G Towers, LLC, to assign all of its interests in the lease with Dane County at 4013 Timber Lane, Town of Cross Plains to Pinnacle Towers Acquisition, LLC, and

BE IT FINALLY RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the necessary assignment of lease on behalf of the County of Dane.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, December 16, 2004 (p. 251, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 237, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY  
AND MADISON FEIS

The Madison Feis has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Irish Dance Event to be held June 3-4, 2005, June 2-3, 2006, and June 1-2, 2007.

The lease with the Madison Feis includes rental and services in the amount of \$15,500.00 for 2005, \$16,100.00 for 2006, and \$16,500.00 for 2007.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Madison Feis event, and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, December 16, 2004 (p. 252, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 238, 04-05

AWARD OF CONTRACT FOR UNIFORM SERVICE

Various Dane County Departments contract for uniform services for their employees, including the Airport, Highway, Zoo, Solid Waste, and Lakes Management Departments. Pursuant to this need, Bid #7744 was issued through the Department of Administration to consolidate the contracts of various departments.

Pursuant to Bid #7744, the lowest bidder for this contract is \_\_\_\_\_ of \_\_\_\_\_.

THEREFORE, BE IT RESOLVED that Dane County awards a contract for uniform services to \_\_\_\_\_ for a period of one year with the possibility of four additional annual renewals.

THEREFORE, BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to execute the necessary documents to award this contract.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer, December 16, 2004 (p. 252, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 239, 04-05

AUTHORIZATION TO PURCHASE A CONSERVATION EASEMENT – SWAMPLOVERS, INC.

Dane County has partnered with the Ice Age Park & Trail Foundation (IAPTF), the Wisconsin Department of Natural Resources (DNR), and the National Park Service (NPS) to acquire a conservation easement on approximately 430 acres in the Town of Berry. The property is located along the Ice Age National Scenic Trail Corridor and will provide a link in the trail between Festge and Indian Lake County Parks. This segment of the trail is a top priority for Dane County and is identified in the *Dane County Parks & Open Space Plan*.

Purchase price for the easement is \$2,165,000, which is equal to the appraised value. The IAPTF will hold the easement, with the DNR, NPS, and County holding enforcement rights to it. The easement stipulates that within 20 years the landowners must donate the remaining fee interest to the IAPTF, at which point the easement will revert to the County. DNR is providing \$1,082,500 towards the purchase price, NPS is providing \$732,500, and the proposed County share is \$350,000.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of enforcement and reversionary rights on a conservation easement on approximately 430 acres for \$350,000 per the terms identified above and according to Wisc. Stats., Chapter 27.05(3), and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Ripp and Kostelic, December 16, 2004 (p. 253, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARKS.

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RES. 240, 04-05

AUTHORIZATION TO PURCHASE LANDS AT BABCOCK COUNTY PARK - CLASON

Dane County has negotiated an Agreement with District 1 of the Wisconsin Department of Transportation (WisDOT) to jointly purchase a property that will provide improved entrance to and exit from Babcock County Park, alleviate traffic congestion, and improve pedestrian access to the boat launch.

The purchase price for the 3-acre property has been established at \$299,000, which is below the appraised value of \$308,000. Under the Agreement, WisDOT is obligated to pay Dane County \$149,500 toward purchase of the property. Dane County will retain title to the property and the deed will dedicate a right-of-way to WisDOT for the purpose of constructing a right-hand turn lane from US Hwy 51 into Bible Camp Road at WisDOT's discretion. WisDOT is also obligated to move or demolish the house and outbuildings between July 2004 and August 2005. Costs associated with removal or demolition of these buildings are estimated at \$50,000.

Dane County agrees to bear the responsibility of inspection and testing for hazardous materials necessary before demolition or sale of the house and outbuildings, obtaining obligatory permits, site preparation, and redevelopment. Dane County Parks will work jointly with Public Works and Highways to prepare the plans and specifications to develop access roads and parking facilities on the site and will bear all costs of on site construction and landscaping.

Under the Agreement, Dane County agrees to close the two existing accesses to Babcock Park that lie south of the Yahara River. Specifically, one access from the west side of US Hwy 51 accessing the Park boat launch facility, the second access from the east side of US Hwy 51 accessing the overflow parking lot. Dane County further agrees to close these accesses within five years of the date of the Agreement. Failure to meet this condition of the Agreement by 2010 would cause Dane County to repay WisDOT.

Dane County's Offer to Purchase is contingent upon the execution of the agreement between WisDOT and Dane County.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 3-acre parcel between Babcock Park and Bible Camp Road for approximately \$299,000 per the terms identified above and according to Wis. Stats., Chapter 27.05(3), and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute the documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FURTHER RESOLVED that the Dane County Real Estate Officer is authorized to administer the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the execution of the Agreement between WisDOT and the County of Dane, per the terms identified above, and that the Agreement be implemented under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute the documents necessary to effectuate the Agreement.

BE IT FINALLY RESOLVED that the Controller is authorized to issue checks necessary to effectuate the transactions necessary to implement the Agreement.

Submitted by Supervisors Kesterson, Ripp, and Kostelic, December 16, 2004 (p. 254, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES, and PARKS.

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RES. 241, 04-05

AUTHORIZATION TO PURCHASE LANDS AT DORN CREEK RESOURCE SITE – WALSH

Dane County has partnered with the Wisconsin Department of Natural Resources (DNR) to acquire 120 acres of land within the Dorn Creek Resource Site in the Town of Westport. The Dorn Creek Resource Site is identified in the *Dane County Parks & Open Space Plan* and is also a state fishery area. The property falls within an environmental corridor that connects Pheasant Branch Conservancy to Governor Nelson State Park. This corridor plays an important role in protecting the north Lake Mendota watershed and also provides opportunities for recreational trails.

The purchase price for the entire property is \$1,320,000, which is based on the appraised value. The County's share is \$660,000 for 40 acres in fee. The County portion is eligible for up to 50% reimbursement through the Stewardship Program. Staff will apply for Stewardship funding on May 1, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of 40 acres in fee for \$660,000 per the terms identified above and according to Wisc. Stats. Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Bruskwitz, Ripp, and Kostelic, December 16, 2004 (p. 255, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARKS.

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RES. 242, 04-05

INCREASING TRAINING FOR ZONING STAFF AND OUTREACH ACTIVITIES FOR  
COMPREHENSIVE PLANNING

The 2005 Dane County budget includes increased revenue for the Department of Planning and Development from fee increases. These proposed fee increases are contained in Ordinance Amendment 19, 2004-05, "Amending Chapters 12, 16, 62 and 75 of the Dane County Code of Ordinances, Establishing or Increasing Fees." The fee increases included in the budget relate to Section 12.03(1). However, O. A. 19 also includes fee increases under Section 12.03(2). This fee, if approved by the County Board, would increase from \$30 to \$50, plus 7.5 (seven and a half) cents for each square foot of added floor area including basements and attached garages. The increased fee is anticipated to raise \$16,000 in additional revenue and was not included in the 2005 budget.

The Department of Planning and Development has many responsibilities, including enforcement of the zoning code, property listing, and development of the comprehensive plan. Currently, the fees being charged for



zoning activities are below the cost of service. These new fees correct inadequate cost recovery and free up funds for other department activities.

The department could better serve the public if zoning staff had access to additional training and if the comprehensive planning process involved increased outreach activities.

Funds for conferences and training have dwindled as the county has faced budget challenges in recent years. At the same time, the department has a number of new zoning staff who need training in activities such as customer service, wetland delineation, navigability determination, general code administration, and storm water and erosion control. Training will allow staff to better serve the people of Dane County.

The County Board approved a public participation plan for the comprehensive planning process two years ago. Due to budget constraints, there is little funding available to implement parts of the public participation plan. With additional funding, the county could consider holding focus groups to reach members of the community not yet involved in the planning process, recording meetings, printing draft plans, and other approaches to outreach.

In addition, Comprehensive Planning meetings and presentations can be broadcast on local government cable channels throughout the county to better inform the general public. These funds will also be used to tape meetings and presentations, edit them to provide web site and topical information, and distribute tapes to cable county cable outlets.

NOW, THEREFORE, BE IT RESOLVED that, if the County Board approves a fee increase in Section 12.03(2) for additions to or alterations of existing single family, duplex, and mobile home residences from \$30 to \$50, plus 7.5 (seven and a half) cents for each square foot of added floor area including basements and attached garages, thereby generating \$16,000 in additional revenue, then the Sale of Building Permits revenue line item for the Department of Planning and Development's Zoning and Plat Review Division shall increase by \$16,000.

BE IT FURTHER RESOLVED that \$16,000 in revenue from the Department of Planning and Development, Zoning and Plat Review Division be transferred to the following line items in the specified amounts:

Planning division expenditure line item 111 538 6205 0635 COMPREHENSIVE PLANNING OUTREACH: \$10,000

Zoning expenditure line item 111 538 6315 0648 CONFERENCES AND TRAINING: \$6,000.

Submitted by Supervisors Olsen, Eggert, Gross, Jensen, Matano, Gau, Schoer, and Kesterson, December 16, 2004 (p. 256, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and ZONING/LAND REGULATION.

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COMMUNICATIONS

Claim from Maureen Nartowicz against Highways – claims gravel falling from truck damaged windshield. Referred to PUBLIC PROTECTION/JUDICIARY.

Discrimination Complaint from Eve M. Dorman against Corporation Counsel. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Case #04C0949C, Croplife America, Inc., et al vs. Dane County et al, re: phosphates ordinance. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Circumstances of Injury from J. B. Hunt Transport, Inc., against Highways regarding semi accident on Beltline. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Parris L. Taylor against Alliant Energy Center of Dane County – claims forklift hit car and severely damaged it. Referred to PUBLIC PROTECTION/JUDICIARY.

Sheboygan Co. Res. 15 (2004/05) Re: Opposing Use of Highway Funds for Other Purposes. Referred to EXECUTIVE.

Sheboygan Co. Res. 16 (2004/05) Re: Concurrence with the 2004 Annual Report of the Comprehensive Economic Development Strategy. Referred to EXECUTIVE.

### ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Parisi to ZONING & LAND REGULATION.  
Petition 9169 – Town of Rutland – Michael Olson & James & Marlene Humberg

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RES. 243, 04-05

APPROVAL OF FUNDS TO BE CARRIED FORWARD FROM 2004 INTO 2005

The 2005 budget included authorization for certain funds to be carried forward from 2004 to 2005. Those were mainly based on departmental requests that were submitted along with 2005 budget requests. Since that time, for a variety of reasons, it has been determined that additional accounts need to be carried forward to 2005.

NOW, THEREFORE , BE IT RESOLVED that the following funds unexpended and/or unrealized as of December 31, 2004, be carried forward to 2005

<u>Agency/Program/Account</u>	<u>11/30/2004 Appropriation</u>	<u>Actual through 11/30/2004</u>	<u>Projected Carryforward</u>
Extension			
Financial Education Center Revenue	50,000	-	50,000
Financial Education Center Expense	50,000	24,000	26,000
Ag Enterprise Expense	10,000	-	10,000
Alliant Energy Center			
Ag Building Upgrade	22,500	7,907	14,593
Arena Upgrade	33,061	6,374	26,687
Coliseum Upgrade	665,455	84,147	581,308
Exhibition Hall Upgrade	112,168	27,462	84,706
Landscape Upgrade	2,800	-	2,800
Parking Lot Upgrade	55,577	15,997	39,580
Technology Upgrade	50,709	40,648	10,061
Overlay Lot	179,000	138,443	40,557
County Board Office			
Auditing Services - POS	51,667	17,500	34,167
Dane County Parks			
Operations			
Badger Prairie Lease Revenue	-	-	-
Silverwood Maintenance Revenue	-	-	-
Silverwood Maintenance Expense	5,654	4,348	1,306
Heritage Center			
Friends Match Revenue	2,000	2,000	-
Friends Match Expense	4,000	-	4,000

Planning			
Schumacher Improvements Revenue	50,000	5,000	45,000
Schumacher Farm Expense	5,000	8,552	(3,552)
Solid Waste Environmental Revenue	48,000	-	48,000
Mad/Prairie Development Revenue	100	15,609	(15,509)
Land Acquisition Conservation Fund Program Exp	4,500	-	4,500
Dane County Conservation Fund			
Highway 12 Revenue	229,938	-	229,938
Troy Gardens Revenue	112,700	56,350	56,350
Troy Gardens Expense	112,700	56,350	56,350
County Executive/Lakes & Watershed			
Public Information	34,873	19,433	15,440
Administration/ADA Facilities Improvements	82,674	4,332	78,342
Airport			
Terminal Complex/Front Mounted Mower	34,000	-	34,000
Industrial Area/Road Improvements	39,123	-	39,123
Planning & Development			
Comprehensive Planning Grant	226,200	23,134	203,066
Comprehensive Planning Outreach	30,000	1,809	28,191
Planning Consultant – POS	21,000	-	21,000
CDBG Program Expense	2,077,803	455,086	1,622,717
CDBG Program Revenue	808,830	370,772	438,058
HOME Program Expense	1,110,940	335,610	775,330
HOME Program Revenue	1,464,027	186,913	1,277,114
BUILD Program (1)	143,288	-	143,288
Badger Prairie Health Care Center			
Capital Projects/Demolition Admin Building	216,205	176,718	39,487
Sheriff			
Capital Projects/Huber Renovations	346,655	89,598	257,057
Capital Projects/Huber AODA	1,900,000	11,584	1,888,416

Capital Projects/Jail Space Needs	975,200	-	975,200
Capital Projects/Patrol Boat	100,000	95,643	4,357
Capital Projects/TRT Trailer	10,203	8,598	1,605
Debt Service Fund			
Squad Car (Land Commission Loan)	230,000	-	230,000
Solid Waste - Recycling			
Market Development	5,000	-	5,000
Public Education - Recycling	10,000	7,328	2,672

(1) Carryforward amount shall not exceed \$20,000.

Submitted by Supervisor Brown, December 21, 2004 (p. 260, 04-05).  
 Referred to PERSONNEL/FINANCE.

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 RES. 244, 04-05

ACCEPTANCE OF CONTRIBUTION AND AUTHORIZING A GAS CAN EXCHANGE PROGRAM

Dane County is a founding member of the Dane County Clean Air Coalition. The CAC is a private/public partnership of businesses, schools, government agencies, and citizens working together to voluntarily reduce air pollution, keep our air healthy, and help ensure that Dane County continues to meet state and federal air quality standards.

The primary goal of the CAC is reduce ozone levels in Dane County by implementing a combination of reasonable, cost-effective, short and long-term strategies to reduce the ozone-causing emissions of nitrogen oxides (NOx) and volatile organic compounds (VOCs). CAC members include Dane County, University of Wisconsin-Madison (UW), Greater Madison Chamber of Commerce, City of Madison, Madison Gas & Electric, Kraft Foods, Wisconsin Department of Administration (DOA), Wisconsin Department of Natural Resources, and other organizations.

As part of their Memorandum of Understanding (MOU) on the new West Campus Cogeneration Facility, UW agreed to fund a \$20,000 VOC reduction project to help offset air emissions from the facility. After considerable research and discussions with members of the CAC, including Dane County, UW has decided to supply a one-time gift of \$20,000 to Dane County for the purchase of low VOC emitting portable gasoline storage cans for exchange to members of the public who bring in their old gasoline storage cans.

Portable gas cans, like those used to fuel lawnmowers, account for a significant amount of ozone-forming emissions escaping into the air every day. Emissions from gas cans occur from evaporation and spillage from overfilling of power equipment fuel tanks. In transporting and storing gas cans, emissions are also released through secondary vent holes and permeation. By using newer gas cans, which are made of materials that minimize permeation losses and include features such as no secondary vent holes and spill-proof, shut-off valves, harmful gasoline fumes can be reduced by 75%. The exchange of 1,000 conventional gas cans for low-emitting

gas cans equates to the reduction of over 3.6 tons of VOCs per year. That is equivalent to the emissions from 85 cars.

NOW, THEREFORE, BE IT RESOLVED that Dane County be authorized to accept funds from the University of Wisconsin-Madison in the amount of \$20,000 for the purpose of funding a gas can exchange program.

BE IT FURTHER RESOLVED that a new revenue account "Gas Can Exchange Program" be created in the Solid Waste budget with the account number 441 564 4011 6690 and this account be increased by \$20,000.

BE IT FINALLY RESOLVED that any funds left unexpended or unrecognized at the end of fiscal year 2005 be carried forward to fiscal year 2006.

Submitted by Supervisor Kesterson, December 27, 2004 (p. 261, 04-05).

Referred to PERSONNEL/FINANCE, SOLID WASTE & RECYCLING, and PUBLIC WORKS/TRANSPORTATION.

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RES. 245, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY  
AND PROMOTIONAL PRODUCTS ASSOCIATION OF WISCONSIN

Promotional Products Assn. of WI has negotiated a multi-event lease with the Alliant Energy Center of Dane County for their New Products Showcase to be held February 14, 2006, September 13, 2006, February 13, 2007, September 12, 2007, February 12, 2008 and September 23, 2008.

The lease with the Promotions Products Assn. of WI includes rental and services in the amount of \$7,500.00 for the two 2006 events, \$7,750.00 for the two 2007 events and \$8,000.00 for the two 2008 events.

In addition to the rental fee listed above all approved parking charges will be assessed for the Promotional Products Assn. of WI event and additional revenues will be paid by the show for personnel, equipment and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisor Schoer, December 27, 2004 (p. 261, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 246, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY  
AND JOY PUBLICATIONS

Joy Publications has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Wedding Planner Guide and Bridal Show to be held January 13-15, 2006, January 12-14, 2007 and January 11-13, 2008.

The lease with the Joy Publications includes rental and services in the amount of \$52,425.00 for 2006, \$53,995.00 for 2007 and \$55,615.00 for 2008.

In addition to the rental fee listed above all approved parking charges will be assessed for the Joy Publications event and additional revenues will be paid by the show for personnel, equipment and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisor Schoer, December 27, 2004 (p. 262, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 248, 04-05

AUTHORIZING APPLICATION FOR A LOAN FROM THE COMMISSIONERS OF PUBLIC LANDS

The 2005 Dane County Capital Budget included provisions for the purchase of certain vehicles using the proceeds of debt. It is most advantageous for the County to pursue a loan from the Commissioners of Public Lands to finance these vehicles due to the relatively small amount of the required borrowing and the short repayment period.

THEREFORE, BE IT RESOLVED that the Controller is hereby authorized to make application to the Commissioners of Public Lands for a loan not to exceed \$282,500 for the purchase of vehicles for the Sheriff's Office and the Human Services Department. The term of the loan shall be five years.

Submitted by Supervisors Brown, O'Loughlin, Bruskewitz, Vogel, Kostelic, Worzala, Fyrst, Hulsey, Martz, Salov, and Eggert, January 6, 2005 (p. 263, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 249, 04-05

AWARDING CONTRACT TO THE DANE COUNTY HUMANE SOCIETY

The 2005 budget included \$430,103 for an ongoing contract with the Dane County Humane Society. The contract with the Humane Society provides for specific services including enforcement of Chapter 47 of the Dane County Code of Ordinances (Animal Control), rabies control as required by state statutes, care for stray animals, investigation of cruelty and neglect cases, and a twenty-four hour emergency rescue service for sick, injured, or trapped animals.

NOW, THEREFORE, BE IT RESOLVED that Purchase of Service agreement be awarded to the Dane County Humane Society for the period of January 1, 2005, through December 31, 2005, in the amount of \$430,103 to continue all of the services contained in the contract with the Humane Society.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are hereby authorized and directed to sign the agreement on behalf of Dane County.

BE IT FURTHER RESOLVED that the Controller is authorized to issue a check for the first two months of the contract upon execution of the contract.

Submitted by Supervisors Brown, O'Loughlin, Bruskewitz, Vogel, Matano, Vedder, Fyrst, Hulsey, Rusk, Martz, Salov, Eggert, and Richmond, January 6, 2005 (p. 263, 04-05).  
Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 250, 04-05

AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS ON 80 ACRES OF LAND  
IN THE TOWN OF ROXBURY

In February 2003, the Dane County Board and County Executive approved an agreement among nine local, state, and federal agencies to facilitate the improvement of USH 12 between Middleton and Sauk City while preserving and protecting farming and natural resources in the highway corridor.

The county, with the assistance and advice of farm owners and representatives from the five towns in the project area, developed a Purchase of Development Rights (PDR) program to assist farm owners and protect the continuation of agriculture in the corridor. The program is entirely voluntary and is fully funded by reimbursements from the Wisconsin Department of Transportation (WisDOT) and the USDA Farm and Ranch Protection Program.

Robert and Monica Ziegler desire to place approximately 80 acres of their Roxbury farm in the PDR program. All WisDOT and USDA approvals are in place for the county to purchase the development rights on the ~80 acres for the appraisal value of \$225,316.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of development rights on ~80 acres of land from the Zieglers in the Town of Roxbury, and

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by the County and to request the approved reimbursements from the state and federal agencies, and

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closings and the transfer of the above-mentioned rights to the County of Dane and that the Controller is authorized to issue checks necessary to effectuate the transaction.

Submitted by Supervisors Wendt and Ripp, January 6, 2005 (p. 264, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 251, 04-05

AWARDING CONTRACT TO BUILD NORTH AMERICAN PRAIRIE EXHIBIT AT HENRY VILAS ZOO

The South East portion of Henry Vilas Zoo is being rebuilt to include a North American Prairie exhibit. Bison, Pronghorn Antelope, Prairie Dogs, and Badgers will populate the naturalized setting; visitors will view animals from an elevated deck and walkway. The Henry Vilas Zoological has provided funds needed to complete this project. The Department of Public Works, Highway and Transportation has solicited competitive bids to construct a North American Prairie at Henry Vilas Zoo and finds that the successful bidder is \_\_\_\_\_.

NOW, THEREFORE, BE IT RESOLVED that \_\_\_\_\_ be awarded a contract to construct a North American Prairie at Henry Vilas Zoo and that the County Clerk and County Executive be authorized to execute the necessary documents for such contract.

Submitted by Supervisors Ripp and Erickson, January 6, 2005 (p. 264, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 252, 04 - 05

AMENDING A PROFESSIONAL SERVICES CONTRACT FOR THE DEVELOPMENT OF A  
MENTAL HEALTH MODULE DEPARTMENT OF HUMAN SERVICES

This resolution amends a professional services contract with Stratagem, Inc., for the continued development of the Mental Health Module.

The scope of the project is to provide for the real-time collection, tracking, and reporting of information on DCDHS funded consumers with a mental illness, the services they receive, the outcomes and benefits of those services, and associated costs while meeting the demands for internal and external reporting. The Mental Health Module includes the development of three components: converting the Common Front End of the DCDHS Information System to a web-enabled application, development of a managed care component to include the State Encounter Data File Reporting, and to provide web-based POS Provider Data Reporting and State Mental Health Module Reporting for fee-for-service and contracted services.

Expenditures were anticipated in the 2005 Adopted Budget.

NOW, THEREFORE BE IT RESOLVED that the professional service contract with Stratagem, Inc., be extended to December 31, 2005, and the contract listed below be amended as follows:

<u>Vendor</u>	<u>Amendment Amount</u>
Stratagem, Inc.	\$150,000

Submitted by Supervisors Gross, DeSmidt, Bruskewitz, Worzala, and Salov, January 6, 2005 (p. 265, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 253, 04-05

ACCEPTING A NEW AWARD FOR COMMUNITY COALITION SUPPORT - PUBLIC HEALTH

The state has offered Dane County \$140,783 in new funding for 2005 to maintain and enhance local tobacco prevention and control coalition efforts. This amount exceeds the Division's 2005 base funding of \$130,200 for this project by \$10,583. A portion of this funding, \$20,340, is earmarked to support the county's participation in the Wisconsin WINS Program in 2004. An additional \$1,808 is earmarked for enforcement activities related to Wisconsin WINS. This program conducts unannounced compliance checks of licensed tobacco retailers to ensure that these retailers are not selling tobacco products to minors in violation of state law. The balance supports other coalition activities which are primarily related to youth tobacco prevention and public policy initiatives.

It is the intent of the Division of Public Health to continue the currently authorized 1.0 FTE project Tobacco Coalition Coordinator position and the 1.0 FTE Youth Coordinator project position, for which salary and fringe benefits costs are reflected in our current budget. Combined costs for salary and fringe benefits for these positions will be slightly less than \$114,000 in 2005. The balance of grant funds will be used to support operational costs of the coalition.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept a new grant award from Wisconsin Division of Public Health in the amount of \$140,783 for the period from January 1, 2005, through December 31, 2005, for community coalition support.

BE IT FURTHER RESOLVED that the following 2005 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

REVENUE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	3867	<u>Line Name:</u>	Tob. Coal.	<u>Line Amount:</u>	+\$10,583

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	436	<u>Fund Name:</u>	Public Health	<u>Prog. No.:</u>	6120
<u>Line Number:</u>	2605	<u>Line Name:</u>	Tob Control	<u>Line Amount:</u>	+\$ 8,583
<u>Line Number:</u>	2043	<u>Line Name:</u>	Prt Sta Off Supp	<u>Line Amount:</u>	+\$ 1,000
<u>Line Number:</u>	2646	<u>Line Name:</u>	Travel Exp	<u>Line Amount:</u>	+\$ 1,000

BE IT FINALLY RESOLVED that any remaining revenue left unexpended as of December 31, 2005, be carried forward to 2006.

Submitted by Supervisors Gross, DeSmidt, Bruskevitz, and Worzala, January 6, 2005 (p. 266, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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 RES. 254, 04-05

ACCEPTING ADDITIONAL 2004 EMERGENCY INTOXICATED DRIVER REVENUE –  
 DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution accepts \$8,130 of new State Emergency Intoxicated Driver revenue for CY2004 for purposes of expanding intoxicated driver treatment services provided under contract by Lutheran Social Services IDP, Meriter Newstart, and UW Gateway Recovery. This is one-time revenue that can only be expended for intoxicated driver treatment services.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be established and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260/510/4665/NEW	Intox Driver - Emergency	\$ 8,130
	Total Revenue:	\$ 8,130

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260/510/4665/6036	LSS-Intoxicated Driver Program	\$ 4,500
260/510/4665/6038	Meriter Newstart – IDP	\$ 1,500
260/510/4665/6041	Gateway Recovery – IDP	\$ 2,130

Total Expenditure: \$ 8,130

Submitted by Supervisors Gross, DeSmidt, Bruskewitz, Worzala, and Salov, January 6, 2005 (p. 267, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 255, 04-05

PLACING ADVISORY REFERENDA QUESTIONS ON THE APRIL 5, 2005 DANE COUNTY BALLOT

County government works in partnership with state government in Wisconsin to provide a wide range of programs and services for its citizenry. Many of the programs provided by county government are mandated by state government, but not all of the mandated programs and services are fully funded by the state, causing county government to have to supplement the funding from local sources.

On May 20, 2004, the Dane County Board of Supervisors approved Resolution 12, 2004-2005, which included the following provision: "any proposed changes to the Wisconsin Constitution which address government spending must also include language to require the state to fully fund any program, service, or benefit it requires local government to provide."

The major funding source for county government programs is the county property tax. Many consider the property tax to be regressive, and the public has shown an increased concern over how property tax dollars are being expended by local government.

Two of the largest areas of services mandated by the state are human services and the court system. Although the state provides some funding for both, Dane County and other counties must supplement the funding for those services with county property tax dollars. Two recent statewide commissions, the Kettl Commission and Sheehy Commission, have suggested that the circuit court system and human services system should not be funded with local property taxes.

State statutes provide that the county board may conduct "a countywide referendum for advisory purposes or for the purpose of ratifying or validating a resolution adopted or ordinance enacted by the board contingent upon approval in the referendum. Because the state legislature has become interested in conducting referenda on property taxes, it would be advisable to allow the citizens of Dane County to have input on the use of local property tax revenue for state mandated programs.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does hereby direct that the following advisory referenda questions be placed on the April 5, 2005, ballot:

"Should the state of Wisconsin, not the county property taxpayer, pay for the cost of the state mandated court system in Dane County?"

Yes     ▪                     No     ▪

"Should the State of Wisconsin, not the county property taxpayer, pay for the cost of state mandated human services in Dane County?"

Yes     ▪                     No     ▪

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Wisconsin Counties Association.

Submitted by Supervisors O'Loughlin, Martz, Vogel, Rusk, Schoer, DeSmidt, Hitzemann, Bruskewitz, de Felice, Salov, McDonell, Hendrick, Jensen, Blaska, Ripp, Wendt, Gross, Hulsey, and Opitz, January 6, 2005 (p. 268, 04-05).

Referred to EXECUTIVE.

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RES. 256, 04-05

### COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

#### **Agricultural Advisory Council**

Fred Kaltenberg, 3716 Heatherstone Ridge, Sun Prairie 53590 (825-3330-H, 849-4993-W), due to the resignation of Connie Jo Zwettler. Mr. Kaltenberg has been instrumental in building the Kaltenberg Family Seed Company near Waunakee for many years. This term will expire 5/1/07.

Submitted by Supervisor McDonell, January 6, 2005 (p. 268, 04-05).

Referred to EXECUTIVE.

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### COMMUNICATIONS

Notice of Claim from Dennis Havey against Dane County for breach of employment contract. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Angels Transportation LLC against Highway for damage to their vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Eve Dorman against Dane County Corporation Counsel for job discrimination. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim from Tina M. McCann against Madison Metro for injuries received in an auto accident. Referred to PUBLIC PROTECTION/JUDICIARY.

### ZONING PETITIONS

- Petition 9145 – Town of Bristol – Matt & Tammi Hollman
- 9147 – Town of Primrose – Devin & Lisa Dahlk
- 9148 – Town of Dunkirk – Merle & Virginia Skjolaas
- 9149 – Town of Roxbury – LaVerne & Mary Greiber
- 9150 – Town of Black Earth – Jeffery Lawson
- 9151 – Town of Rutland – George Brothers Farms, Inc.
- 9152 – Town of Cross Plains – Dana Bowar
- 9153 – Town of Cross Plains – Eugster Trust/Kathleen Eugster
- 9154 – Town of York – Jerome & Noreen Holzhueter
- 9155 – Town of Windsor – Michael Yaker

9156 – Town of Oregon – John McCormick Estate  
9157 – Town of Westport – Waunakee Community School District  
9158 – Town of Cottage Grove – Gail J. Kelln & Wayne H. Kiehnau  
9159 – Town of Rutland – Gary J. & Nancy Dvorak  
9160 – Town of Dunkirk – Judy Welsh  
9161 – Town of Oregon – Nick G. & Judy Brashi  
9162 – Town of Pleasant Springs – Joseph S. Lottes  
9163 – Town of Deerfield – Brent A. & Nicholas R. Brattlie  
9164 – Town of Christiana – Robert Germann  
9165 – Town of Sun Prairie – Joan Veith, Judith Stuber, Mary Behringer, & David & Rita Benesh  
9166 – Town of Albion – Adella Masek  
9167 – Town of Sun Prairie – Anna Veronica Dollard Family Trust  
9168 – Town of Christiana – Alvin J. & Cheryl R. Bettenhausen  
9175 – Town of Oregon – Paul & Lavay Morrison  
9178 – Town of Montrose – Roger & Sandra Tordoff

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RES. 257, 04-05

OFFICE OF JUSTICE ASSISTANCE (OJA) FY'04 HOMELAND SECURITY GRANT PROGRAM

The purpose of this resolution is to adjust revenue and expenditures for FY2005.

The Dane County Coroner's Office, through the State and Local Homeland Security Program, submitted a grant request for 2004 federal grant funds. Dane County was awarded a total of \$149,951. The grant period ends December 31, 2004.

The grant funds will be used to purchase approved equipment in support of the County's domestic preparedness program as specified by the Dane County Coroner Mass Fatality Response Plan.

In order to track expenditures, a specific line item or a separate expenditure account is required.

NOW, THEREFORE, BE IT RESOLVED that \$149,951 be set up as additional revenue in the Dane County Coroner Terrorism Response Revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$149,951 is transferred from the general fund to the Dane County Coroner terrorism response expenditure account.

Submitted by Supervisors Olsen, Rusk, and Martz, January 11, 2005 (p. 270, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 260, 04-05

ACCEPTANCE OF THE CY05 FEDERAL ANTI-DRUG ABUSE GRANT ADMINISTERED BY THE STATE  
OFFICE OF JUSTICE ASSISTANCE FOR DRUG ENFORCEMENT IN DANE COUNTY

Resolution 210, 1991-1992, authorized that the Dane County Sheriff's Office participate in a multi-jurisdictional drug enforcement group and operate as the lead agency for the aforementioned group. It also authorized that the Sheriff, or his designee, provide all necessary and requested data and information to the State Office of Justice Assistance as may be required.

The CY05 Federal Anti-Drug Abuse Grant (DB-04-SW-0024) is a continuation of the grant identified in Resolution 210, 1991-1992. The total drug grant revenue to be realized as 2005 revenue is in the amount of \$344,832.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the Federal Anti-Drug Abuse Grant, administered by the Office of Justice Assistance, in the amount of \$383,147 (includes 10% local match).

BE IT FURTHER RESOLVED that \$344,832 be set up as additional 2005 Sheriff's Office, Field Services, Drug Enforcement Grant Revenue (SHRFFLD-80527), and be credited to the General Fund.

BE IT STILL FURTHER RESOLVED that \$344,832 be transferred from the General Fund to the following Sheriff's Office, Field Services, accounts:

Drug Enforcement POS (SHRFFLD-30925)	\$281,782
Local Agency Drug Enforcement (SHRFFLD-21462)	\$33,050
Investigation (SHRFFLD-21287)	\$30,000

BE IT FINALLY RESOLVED that any of the grant funds that are unexpended as of December 31, 2005, be carried forward to 2006.

Submitted by Supervisors Rusk, Olsen, and Hanson, January 20, 2005 (p. 271, 04-05).  
 Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 261, 04-05

AUTHORIZING AN EXTENSION TO PROVIDE A MOTOR SERVICE PATROL FOR THE WISCONSIN DEPARTMENT OF TRANSPORTATION

The Wisconsin Department of Transportation has requested an extension to continue their agreement with the Dane County Sheriff's Office to provide a Motor Service Patrol for USH 12/14/18/151 corridor in Dane County (commonly referred to as the Beltline Highway). The contract extends from December 31, 2004, through June 30, 2008. The estimated 2005 expenditures and revenues were handled through the 2005 Budget process with additional adjustments reflected in this resolution. The overall goal of providing a Service Patrol is to locate, respond to, and clear traffic incidents more quickly. This quicker clearing of incidents will reduce congestion, provide more efficient traffic flow, reduce delays, and reduce the chance of secondary traffic accidents caused by the incidents.

The Department of Transportation has agreed to compensate Dane County for the cost of providing two full time Deputy Sheriffs, an equipped service patrol vehicle, training, and service equipment necessary to perform their duties.

The Department of Transportation has agreed to enter into a Motor Service Patrol agreement with Dane County and the Dane County Sheriff's Office to contract for the above described services.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive, and Dane County Clerk are authorized to enter into an extension of the current Service Patrol agreement, Resolution 19, 2003-2004, with the Department of Transportation.

BE IT FURTHER RESOLVED that this agreement will extend the two grant funded positions through June 30, 2008, contingent on continued grant funding.

BE IT STILL FURTHER RESOLVED that an additional \$12,762 be set up as Sheriff, Field Services, Freeway Service Patrol Revenue (SHRFFLD 80547) and be credited to the General Fund and that \$12,762 be transferred from the General Fund to the following Sheriff's Office accounts:

<b><u>Field Services</u></b>	
Personal Services	\$8,295
<b><u>Support Services</u></b>	
Operating Equip-SP (SHRFSUP-21811)	\$ 100
Telephone (SHRFSUP-22736)	\$ 140
Service Vehicle & Equipment (SHRFSUP-48551)	\$4,227



BE IT FINALLY RESOLVED that any funds appropriated by this resolution that are not expended and/or received as of December 31, 2005 are carried forward until expended.

Submitted by Supervisors Rusk, Olsen and Hansen, January 20, 2005 (p. 272, 04-05)

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and PUBLIC WORKS/TRANSPORTATION.

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RES. 262, 04-05

CHANGE ORDER #2 FOR PHASE 7 ELECTRICAL CONSTRUCTION AT LANDFILL SITE #2

Sub. 1 to Res. #126, 2004-05, awarded a contract to B & B Electrical Construction for the Phase 7 Electrical Construction at the Dane County Landfill Site #2, Madison, WI, Bid #7645. The amount of the award was \$49,980.00.

The following changes are being made to the original contract:

Materials, labor, etc., for electrical control splicing repair work for north side lift station and addition of 30 amp twist loc receptacle at lift station: **ADD: \$14,806.25**

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #2 to B & B Electrical Construction for the Phase 7 Electrical Construction at Landfill Site #2 project be approved and authorized; and

BE IT FINALLY RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer and de Felice, January 20, 2005 (p. 272, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 263, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND CREATIVE MODE

Creative Mode has negotiated a three-year lease with the Alliant Energy Center of Dane County for their One of a Kind Rubber Stamp and Scrapbook Show Event to be held November 18-20, 2005, November 17-19, 2006, and November 16-18, 2007.

The lease with the Creative Mode includes rental and services in the amount of \$6,820.00 for 2005, \$7,025.00 for 2006, and \$7,235.00 for 2007.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Creative Mode event and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer and de Felice, January 20, 2005 (p. 273, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 264, 04-05

CHANGE ORDER #1 TO H & H INDUSTRIES FOR GEN. SET #4 AT LANDFILL SITE #2

A contract was awarded to H & H Industries for Gen Set #4 at the Dane County Landfill Site #2, Madison, WI. The amount of the award was \$18,100.00.

The following changes are being made to the original contract:

Requested by Owner: Additional labor, materials, etc., for completion of the project. The project we are doing has not been done in the United States before. It is fairly new technology. The area was planned for a 1600 KW, 480-volt generator, and we had to change to a 1600 KW, 4160-volt generator, so the cable size had to be increased. Cable had to be rerouted and new heavier wires pulled to change out transformers and redo MCC panel. With the bigger size, the building needed more fans to disperse the heat. **ADD: \$14,806.25**

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to H & H Industries for Gen Set #4 at Landfill Site #2 be approved and authorized; and

BE IT FINALLY RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Matano, Willett, Schoer and de Felice, January 20, 2005 (p. 273, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 265, 04-05

AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY AND MODEL RAILROAD ASSOCIATION

The Model Railroad Association has negotiated a five-year lease with the Alliant Energy Center of Dane County for their Annual Model Railroad Show to be held February 17-19, 2006, February 16-18, 2007, February 15-17, 2008, February 20-22, 2009, and February 19-21, 2010.

The lease with the Model Railroad Association includes rental and services in the amount of \$25,500.00 for 2006, \$26,500.00 for 2007, \$27,500.00 for 2008, \$28,600.00 for 2009, and \$29,700.00 for 2010.

In addition to the rental fee listed above, all approved parking charges will be assessed for the Model Railroad Association event and additional revenues will be paid by the show for personnel, equipment, and services provided to the show in addition to those specifically listed in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute the contracts on behalf of Dane County.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer and de Felice, January 20, 2005 (p. 274, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 266, 04-05

ACCEPTING A CONSOLIDATED CONTRACT FOR PUBLIC HEALTH SERVICES –  
PUBLIC HEALTH DIVISION

The Wisconsin Division of Health has consolidated grant funding for six grant programs into a single contract. These programs include Bio-Terrorism Preparedness, Immunizations, Lead Poisoning, Maternal and Child Health (MCH)/ MCH-HRSA, the Wisconsin Well Woman Program (WWWP)/WWWP-Expan, and Prevention. They come to us as separate accounting lines in a single contract. Program requirements remain consistent with the mission and goals of the Dane County Division of Public Health, and specific action steps were negotiated by Division staff working with state staff.

It is proposed that the project Community Nutrition Program Coordinator hired last year with short-term WIC funding be continued at .5 FTE for 2005. This position will continue to coordinate the nutrition education pilot study and staff the community-wide coalition that has been brought together to address issues related to nutrition, physical activity and obesity, and chronic disease surveillance, prevention, and control.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept a consolidated grant award from Wisconsin Division of Public Health in the amount of \$350,434 for the period from January 1, 2005, through December 31, 2005; and to sign a grant agreement for this purpose.

BE IT FURTHER RESOLVED that the following 2005 Revenue Accounts be modified to reflect the amounts shown below and the resulting revenue be credited to the Public Health General Fund and transferred to the following revenue accounts in the Public Health Division of the Human Services Department.

Specifically, changes to funding levels will be as follows:

<u>Program Number</u>	<u>Line Number</u>	<u>Line Name</u>	<u>Change</u>
PHENVR	82376	DOH Lead	- \$ 2,105
PHNURSE	83782	Bio-T/CD	+ 39
PHNURSE	83785	Immunization	+ 17,399
PHNURSE	83840	MCH	+ 25,506
PHNURSE	83873	WWWP	- 15,444
PHNURSE	83883	WWWP/Expan	+ 40,500
PHNURSE	83855	Prevention	+ 8,439
		Total	+ \$ 74,334

BE IT FURTHER RESOLVED that the additional funding be allocated to the following expense lines:

<u>Program Number</u>	<u>Line Number</u>	<u>Line Name</u>	<u>Amount</u>
PHNURSE	AAYAAA	Sal & Wages	+\$ 24,873
PHNURSE	AAYMAA	Retirement	+ 2,835
PHNURSE	AAYPAA	FICA	+ 1,903
PHNURSE	AAZBAA	Dental Ins	+ 540
PHNURSE	AAZHAA	Wage Cont	+ 222
PHNURSE	AAZKAA	Life Ins	+ 4
PHNURSE	MISCAA	Misc Prog POS	+ 7,000
PHNURSE	MCECAA	Mgt Cont Ed & Conf	+ 6,000
PHNURSE	PERMAA	Peer Mentor	+ 4,000
PHNURSE	BISCAA	Bio-T CD Suppl & Equip	+ 15,000
PHNURSE	BICCAA	Bio-T CD Contingency	+ 11,957
Total			+\$ 74,334

BE IT FURTHER RESOLVED that the .5 FTE of Community Nutrition Program Coordinator position authority be recreated in the Human Services Department, Division of Public Health, with continuation of this position to be dependent on continued availability of grant funding, and

BE IT FINALLY RESOLVED that any of this funding that remains unexpended as of the end of calendar year 2005 be carried forward to calendar year 2006.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, and Worzala, January 20, 2005 (p. 275, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 267, 04-05

AWARDING 2005 PURCHASE OF SERVICE CONTRACT FOR FACILITY LINEN AND RESIDENT PERSONAL LAUNDRY SERVICES AT BADGER PRAIRIE HEALTH CARE CENTER

The purpose of this resolution is as follow:

To award purchase of service contracts with the following service providers for 2005:

Band Box Cleaners and Laundry, Inc.  
Superior Health Linens

State and Federal statutes that govern the operation of licensed nursing facilities require the cleaning of facility linen and resident personal clothing. The Department of Administration and Badger Prairie Health Care Center solicited bids from providers and, based upon review of these bids, a one (1) year contract with the option to extend for an additional four (4) one-year periods will be awarded to the above named providers.

NOW, THEREFORE, BE IT RESOLVED that the service contracts listed below be awarded for the period January 1, 2005, through December 31, 2005.

	<u>Contract Amount</u>
Band Box Cleaners and Laundry, Inc.	\$ 131,000
Superior Health Linens	\$ 53,000

BE IT FINALLY RESOLVED that the payment for the first month of each purchase of service contract be authorized at this time.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, and Worzala, January 20, 2005 (p. 276, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 268, 04-05

ADJUSTING MENTAL HEALTH CONTRACTS - DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2004.

1. While Dane County Department of Human Services contracts with Mendota Mental Health Institute for the majority of emergency detention inpatient mental health care, community hospitals' (Meriter Hospital, St. Mary's Hospital and University Hospital) psychiatric units are sometimes the most clinically and/or fiscally appropriate care setting. The utilization of the community hospitals varies from year to year. During 2004, utilization of Meriter Hospital was higher than anticipated, and the utilization of St. Mary's Hospital was lower than anticipated. Therefore, the contract with Meriter needs to be increased by \$50,000 for 2004, and the contract with St. Mary's Hospital will be reduced by a like amount.
2. \$10,000 in Medicaid Crisis Intervention revenue is allocated to Tellurian's Acewood Group Home to cover operating costs. In January 2004, this residential program was converted to a Crisis Stabilization facility, which involves a more intensive staffing pattern for consumers with higher levels of need. The facility serves 6 – 7 individuals at any one time. MA Crisis Intervention is billed for these crisis support services whenever possible, and revenues are exceeding budgeted projections.
3. PACT, Program of Assertive Community Treatment operated by Mendota Mental Health Institute (MMHI), has earned \$231,848 in Medicaid Community Support Program revenue above the originally budgeted MA CSP amount of \$491,800. Because this program almost exclusively serves Dane County residents and because the State of Wisconsin provides a substantial subsidy for this program, Dane County several years ago agreed to allow PACT to retain the MA CSP revenue that it earns, as long the PACT can document appropriate expenditures. Via this resolution, the MMHI PACT professional contract is adjusted.

NOW, THEREFORE, BE IT RESOLVED, that the following revenue accounts be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5265 1007	MH MA Crisis Intervention	\$10,000
5265 1381	MH MA Community Support Program	\$231,848
	Total	\$241,848

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
5355 5919	Meriter Hospital MH Inpatient	\$50,000
5355 5923	St. Mary's Hospital MH Inpatient	(\$50,000)
5370 5916	Tellurian Acewood Group Home	\$10,000
5340 5902	MMHI PACT	\$231,848
	Total	\$241,848

BE IT FURTHER RESOLVED, that the professional services contracts listed below be amended as follows:

<b><u>Vendor</u></b>	<b><u>Amendment</u></b>
Meriter Hospital	\$50,000
Tellurian UCAN, Inc.	\$10,000
Mendota Mental Health Institute	\$231,848

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, and Worzala, January 20, 2005 (p. 277, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES.269, 04-05

**ACCEPTING MEDICAID PERSONAL CARE REVENUE FOR AGING LONG TERM CARE  
DCDHS - ACS DIVISION**

The purpose of this resolution is to adjust revenue and expenditure for 2005.

In May 2004, as part of 2005 budget preparation, the Department of Human Services issued a Request for Proposals (RFP) for home care, chore, and personal care services for older adults. One of the goals of the RFP process was to identify home care agencies to provide Personal Care services and bill Medicaid for those services. Prior to the RFP, almost no home care agencies were willing to provide Medicaid Personal Care because reimbursement rates were low and most older adults qualified for only a few hours of care. It was in the Department of Human Services' interest to develop Medicaid Personal Care capacity because DCDHS was using COP, CIP, and Community Aids to fund personal care for Medicaid eligible older adults. By billing Medicaid, COP, CIP, and other funds would be freed up to serve a few of the more than 260 older adults currently on the waiting list for COP/CIP funding.

Nine home care agencies submitted proposals, and eight of those agencies were awarded contracts for 2005. Two of those agencies, Elder Care of Wisconsin, Inc., and Independent Living, Inc., have agreed to provide Medicaid Personal Care services. Medicaid Personal Care revenue was not built into the 2005 Adopted Budget as it was not clear how much revenue might be earned. Projections now indicate that roughly 6,230 hours of personal care service will be provided, resulting in revenues of \$98,777.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure account in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
ACCCLVNG 81435	MA Personal Care	\$98,777
	Total	\$98,777

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
ACCSHEDC SOHOAA	Elder Care of Wisconsin, Inc. SHC	\$27,957
ACDCTEDC AMBIAA	Elder Care of Wisconsin, Inc.	\$ 6,516
ACDCSEDC SNPNA	Elder Care of Wisconsin, Inc.	<u>\$27,429</u>
	Total Elder Care of WI	\$61,902
ACCSHILI SOHOAA	Independent Living, Inc. SHC	\$36,875
	Total	\$98,777

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, and Worzala, January 20, 2005 (p. 278, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 270, 04-05

ACCEPTING INCREASED FUNDING IN THE WIC PROGRAM - PUBLIC HEALTH DIVISION

The Wisconsin Division of Health has offered the county Division of Public Health a grant contract increase for 2005 for the Dane County WIC project. This increase results from an increase in caseload and a change in the state's allocation formula. The division's base 2005 budget includes a total of \$276,800. The new award from the state totals \$321,854. These categorical funds can be used at the discretion of the local program, in support of that program. We have calculated that \$296,853 will be required to meet current staffing costs for 2005. An additional \$6,000 will be required to meet the division's ongoing obligation for language translation services; and \$900 for anticipated equipment maintenance. Deducting these from the 2005 grant amount will leave \$18,001 for new 2005 expenses.

The program has proposed to place this amount in a project contingency line that can be used to meet allowable project expenses as required and appropriate during the course of the grant period.

NOW, THEREFORE, BE IT RESOLVED that the following 2005 Revenue Account be increased and the revenue be credited to the Public Health General Fund and transferred from the Public Health General Fund to the Expense Accounts listed:

**Revenue Account:**

Line Number: 83780                      Line Name: WIC                      Line Amount: +\$45,054  
ORGN                      PHNURSE

**Expense Accounts:**

Line Number: WCONAA(new)   Line Name: WIC Contingency                      Line Amount:    +\$18,101  
ORGN                      PHNURSE

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, Worzala, January 20, 2005 (p. 278, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 271, 04-05

AMENDING PROFESSIONAL SERVICES CONTRACT  
DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution allocates an additional \$75,000 to Tellurian UCAN to cover 2004 expenditures for the operation of the County’s detoxification center. The increase in County expenditures is due primarily to a shortfall in revenue to Tellurian from other counties’ utilization of the detoxification program. The funds to cover this additional expenditure come from two sources: (1) County General Program Revenue (GPR) of \$25,000 in the CYF budget that is available due to allocation of State Incentive Grant (SIG) funds to programs funded by GPR in the budget; (2) MA Crisis Intervention Revenue of \$50,000 earned by Tellurian’s programs in the DCDHS Adult Community Services Division.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expense account in the Department of Human Services:

<u>Revenue</u>	<u>Account Number</u>	<u>Amount</u>
MH Medicaid Crisis	260 510 5265 1439	\$50,000
<u>Expenditure</u>	<u>Account Number</u>	<u>Amount</u>
Tellurian DETOX	260 510 4665 6032	\$50,000

BE IT FURTHER RESOLVED that the professional service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amendment Amount</u>
Tellurian UCAN	\$75,000

Submitted by Supervisors Gross, DeSmidt, Wheeler, Bruskwitz, and Worzala, January 20, 2005 (p. 279, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 272, 04-05

ACCEPTING AN AWARD FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION –  
PUBLIC HEALTH DIVISION

The Susan G. Komen Breast Cancer Foundation awarded the Dane County Division of Public Health an award in the amount of \$12,254 for the period from January 1, 2005, through December 31, 2005, with the funds to be used to outreach efforts targeted toward African-American and Asian-American women who are not currently utilizing breast cancer screening or treatment services. The award requires no county matching funds and will be used to offset costs of staff time and effort that would otherwise be paid by county levy.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive be authorized to accept revenue in the amount of \$12,254 from the Susan G. Komen Breast Cancer to the period from January 1, 2005, though December 31, 2005, and to sign a grant contract for this purpose.

BE IT FURTHER RESOLVED that the following 2005 Revenue Account be increased and the revenue be credited to the Public Health General Fund:



**REVENUE ACCOUNT:**

<u>Program:</u> Nursing	<u>Dept. No.:</u>	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 2360	<u>Fund Name:</u> Public Health	<u>Prog. No.:</u> PHNURSE
<u>Line Number:</u> 83900	<u>Line Name:</u> Komen Fund	<u>Line Amount:</u> \$12,254.00

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskewitz, and Worzala, January 20, 2005 (p. 280, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 273, 04-05

**ACCEPTING ADDITIONAL REVENUE TO CONDUCT THE DANE COUNTY YOUTH ASSESSMENT**

The purpose of the resolution is to adjust revenue and expenditure for 2004-05.

Every five years, the Dane County Youth Commission coordinates a countywide survey of students in grades 7-12. This project is a collaborative effort that includes funding support from the participating schools, other county divisions, state and federal grants, and private entities such as United Way of Dane County. The collaborative partners have pledged a total of \$21,000 for this project. However, an additional \$6,000 was received in grants from United Way of Dane County and Tobacco Free Dane County Coalition.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be increased and the revenue be credited to the County General Fund and transferred from the General Fund to the following expenditure account in the Department of Human Services.

<b><u>Revenue Account Number</u></b>	<b><u>Account Title</u></b>	<b><u>Amount</u></b>
260 510 4155 1553	Needs Assessment-POS	\$6,000

<b><u>Expenditure Account Number</u></b>	<b><u>Account Title</u></b>	<b><u>Amount</u></b>
260 510 4155 1703	Needs Assessment-POS	\$6,000

BE IT FINALLY RESOLVED that any unspent funds be carried forward to 2005.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskewitz, and Worzala, January 20, 2005 (p. 280, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 274, 04-05

**ACCEPTING, ALLOCATING "WISCONSIN PARTNERSHIP FUND FOR A HEALTHY FUTURE" GRANT MONIES -- DEPARTMENT OF HUMAN SERVICES-CYF DIVISION**

Dane County Department of Human Services – CYF Division is awarded “ Wisconsin Partnership Fund for a Healthy Future” grant monies in the amount of \$150,000 in 2005 for the purpose of expanding the Allied Community / Early Childhood Initiative. The approved Plan for these monies calls for (1) expanded home visitation services to parents of newborns and expectant mothers in the community, (2) expanded neighborhood-based employment services, (3) newly-developed neighborhood-based mental health services, (4) increased

service-providers coordination, (5) family support funding, and more. The University of Wisconsin Medical School and School of Social Work, Dane County Parent Council (Early Head Start), Exchange Center for the Prevention of Child Abuse, and others join Dane County in this initiative.

NOW, THEREFORE, BE IT RESOLVED that Dane County accept these funds for allocation to the following revenue and expenditure budget lines:

**Revenue**

<u>Account Number</u>		<u>Project #</u>	<u>Account Title</u>	<u>Amount</u>
<u>Fund ORGN</u>	<u>OBJT</u>			
2600 CYFSUPRT	80853(NEW)	NEW	Wis Partnership Fund	150,000

**Expenditure**

<u>Account Number</u>		<u>Project #</u>	<u>Account Title</u>	<u>Amount</u>
<u>Fund ORGN</u>	<u>OBJT</u>			
2600 CYFACEXC	CPVIAA	NEW	Partnership – Ex Center	55,000
2600 CYFACPAR	CPVIAA (new)	NEW	Partnership - Parent Council	42,950
2600 CYFACUPS	CPVIAA (new)	NEW	Partnership – UW Psychiatry	20,000
2600 CYFACUSW	CPVIAA (new)	NEW	Partnership – UW Social Work	6,730
2600 CYFACEVL	CPVIAA (new)	NEW	Partnership – evaluation	8,270
2600 CYFACTRG	CPVIAA (new)	NEW	Partnership – training	7,400
2600 CYFACEQP	CPVIAA (new)	NEW	Partnership – Equipment	500
2600 CYFACTRS	CPVIAA (new)	NEW	Partnership – transportation	750
2600 CYFACRNT	CPVIAA (new)	NEW	Partnership – rent	8,400

BE IT FURTHER RESOLVED that grant monies earmarked for these purposes not expended in 2005 be carried into the 2006 budget for such utilization.

Submitted by Supervisors Gross, DeSmidt, Wheeler, Salov, Bruskevitz, and Worzala, January 20, 2005 (p. 281, 04-05).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 275, 04-05

**TRANSFERRING ACCOUNT CLERK II POSITION FROM BADGER PRAIRIE TO FUND 2600 CREATING A SENIOR ACCOUNTANT POSITION IN FISCAL & MANAGEMENT SERVICES**

The purpose of the resolution is to reassign an Account Clerk II position from Badger Prairie Health Care Center to the Fiscal & Management Services in Fund 260. County Board Ordinance sec. 65.90(5), Stats. (17) says:

*Any permanent transfer of an authorized budgeted position between departments, or within a department between programs or divisions if the appropriation is at the program or division level, shall be considered a change in the adopted budget which shall require prior authorization by County Board.*

The reassignment will allow for the transfer of work responsibilities and position number to fund 2600. This transfer of the Account Clerk II position to Human Services and the subsequent elimination of the same position in Badger Prairie is in keeping with footnote L in the 2005 Adopted Budget's Human Services section of the classification schedule. This footnote was also included in the 2004 Adopted Budget's Human Services section of the classification schedule.

This resolution also creates a new senior accountant position from an Account Clerk II (that will become vacant February 4, 2005 due to retirement) in Human Services. This new senior accountant position will perform some of the complex claiming and state reporting functions. Because of the number of years of service along with the longevity credits earned by the incumbent, the creation of the new position will be cost neutral.

NOW, THEREFORE, BE IT RESOLVED that Account Clerk II, position number 1382 be transferred from Badger Prairie Health Care Center BPHCRES 10009 to Human Services HSADMIN AAYAAA.

BE IT FINALLY RESOLVED that the Vacant Human Services Account Clerk II, position number 1408 be eliminated and a new senior accountant position be created in account number HSADMIN AAYAAA.

Submitted by Supervisor Gross, January 20, 2005 (p. 282, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 276, 04-05

AUTHORIZING EXECUTION OF LEASE NO. DCTAP 2005-01 WITH MIDWEST RENTAL SERVICES, INC.,  
FOR SPACE AT THE AIR FREIGHT BUILDING AT THE DANE COUNTY REGIONAL AIRPORT

Dane County and Midwest Rental Services, Inc., one of the rental car concessionaires at the Dane County Regional Airport, have negotiated a lease under which Midwest Rental Services will lease approximately 3000 square feet of space in Airport Air Freight Building at 3521 International Lane and an adjacent parking area. Midwest Rental Services will use the leased premises to prep vehicles for use in its car rental concession at the Airport. The lease is for an initial term of nine months, at \$1566 per month, commencing on February 1, 2005, with renewal options for up to four more one-year terms, each with a three percent rent escalator.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, Lease No. DCTAP 2005-01 with Midwest Rental Services, Inc. under the foregoing terms and conditions.

Submitted by Supervisors Rusk, McDonell, and Gau, January 20, 2005 (p. 282, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended adoption on 1/19/05.)

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RES. 277, 04-05

AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT WITH PRIDHAM ELECTRONICS  
INCORPORATED FOR THE PROVISION OF BACKGROUND MUSIC  
AT THE DANE COUNTY REGIONAL AIRPORT

As provided under the Dane County Code of Ordinances, the Dane County Regional Airport has negotiated a Purchase of Services Agreement with Pridham Electronics Incorporated to furnish, install, and

maintain the equipment necessary to transmit background music throughout the Airport terminal and to provide such music for the five-year term of the Agreement. There is an initial installation charge of \$99.00 and, thereafter, an annual charge of \$720.00 for the music service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, a Purchase of Services Agreement with Pridham Electronics Incorporated under the foregoing terms for the provision of background music at the terminal at the Dane County Regional Airport.

Submitted by Supervisor Rusk, McDonell, and Gau, January 20, 2005 (p. 283, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended adoption on 1/19/05.)

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RES. 278, 04-05

APPROVAL FOR ALLIANT ENERGY CENTER OF DANE COUNTY  
TO PROCEED WITH CAPITAL PROJECTS IN ADVANCE OF BORROWING

The 2005 budget for the Alliant Energy Center of Dane County contains funding for two critical capital projects:

Coliseum Seat Material & Overhaul	\$225,000
AEC Feasibility & Economic Impact Study	\$110,000

The seating overhaul is critical to maintaining business in an ever-increasing competitive market place. Due to Center business timing, the projects need to begin in the April 1 2005 and finish in the summer of 2005, so that major events are not impacted and contractors and consultants are able to do the work.

The debt service on these projects is being paid by Center revenue.

NOW, THEREFORE, BE IT RESOLVED that the Alliant Energy Center of Dane County Coliseum Seat Material & Overhaul Project in the amount of \$225,000 be authorized to begin April 1, 2005, in advance of actual borrowing of the \$225,000 for this project and that it is the intention of the County to reimburse itself the \$225,000 expenditure with proceeds from the 2005 Capital Projects Borrowing.

BE IT FINALLY RESOLVED that the Alliant Energy Center of Dane County Feasibility & Economic Impact Study in the amount of \$110,000 be authorized to begin April 1, 2005, in advance of the actual borrowing of the \$110,000 for this project and that it is the intention of the County to reimburse itself the \$110,000 expenditure with proceeds from the 2005 Capital Projects Borrowing.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, January 20, 2005 (p. 283, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 279, 04-05

ACCEPTANCE OF FUNDS FOR YAHARA RIVER MODELING

The Wisconsin Department of Natural Resources has approved a \$10,000 grant toward development of a comprehensive rainfall/runoff model for the Yahara River system. Funding from the Madison Gas & Electric

Company is also being applied toward model development, and other grants are being sought. The Dane County Land and Water Resources Department will oversee development of this model in consultation with a technical advisory team comprised of county, municipal, state, university, and private sector partners. The project will result in a model that will be used for day-to-day lake level management as well as longer-term watershed planning.

NOW, THEREFORE, BE IT RESOLVED that the grant be accepted; and

BE IT FURTHER RESOLVED that \$10,000 be set up as Land and Water Resources Department – Office of Lakes and Watersheds – Yahara Modeling Lakes Grant Revenue Account and credited to the General Fund; and, that \$10,000 be transferred from the General Fund to the Land and Water Resources Department – Office of Lakes and Watersheds – Yahara Modeling Lakes Grant Expenditure Account.

BE IT FINALLY RESOLVED that any revenue or expenditures not realized as of December 31, 2005, be carried forward to 2006.

Submitted by Supervisors Hulsey, Eggert, Graf, and Jensen, January 20, 2005 (p. 284, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAND CONSERVATION. (LAKES & WATERSHED recommended adoption on 1/13/05.)

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RES. 280, 04-05

ACCEPT DONATION TO THE DANE COUNTY TREE BOARD FROM WE ENERGIES THROUGH THE  
WI ENERGY CORPORATION FOUNDATION FOR PUBLISHING "WISCONSIN CHAMPION TREES"

We Energies, through the Wisconsin Energy Corporation Foundation, has donated \$1,000 to the Dane County Tree Board to support the publication of an update of "Wisconsin Champion Trees."

NOW, THEREFORE, BE IT RESOLVED that Dane County UW-Extension be authorized to accept the donation from We Energies.

BE IT FURTHER RESOLVED that the \$1,000 donation be credited to the General Fund under the Tree Board Revenue Account and that the \$1,000 be transferred from the General Fund to the Tree Board expenditure account.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors and the Dane County Tree Board extend their thanks and appreciation to We Energies, through the Wisconsin Energy Corporation Foundation, for this generous donation toward tree protection and conservation in our communities.

Submitted by Supervisor Rusk, January 20, 2005 (p. 284, 04-05).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and EXTENSION. (TREE BOARD recommended adoption.)

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RES. 281, 04-05

AUTHORIZATION TO LEASE VEHICLES

In 1999, Dane County established a master lease agreement with Ford Motor Credit to provide lease financing for fleet vehicles. As existing leases expire, new vehicles are leased to replace them. The Department of Administration has received quotes from a variety of lease providers and has determined that the most advantageous lease agreement to pursue to replace four Dane County vehicles would be with Ford Motor Credit.

THEREFORE, BE IT RESOLVED that the Controller and County Clerk are authorized to execute addenda to the Ford Motor Credit master lease agreement for three vans and one pickup truck.

Submitted by Supervisors Brown, Fyrst, Graf, and Hulsey, January 20, 2005 (p. 285, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 282, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Agricultural Advisory Council**

Supervisor Al Matano, 3745 Ross Street, Madison 53705 (238-3045-H, 267-6858-W), to fill the seat of a county board supervisor. This term will expire 4/18/06.

**Equal Opportunity Commission**

E. Aggo Akyea, 5719 Richmond Drive, Fitchburg 53719 (274-9769-H, 266-8379-W), due to the resignation of Douglas Bradley. Mr. Akyea is a Marketing and Certification Consultant for the State of Wisconsin, Department of Commerce. He promotes economic growth of minority businesses in Wisconsin. Prior to that, he was an assistant manager and federal procurement specialist at M.A.T.C. Mr. Akyea has a Bachelor of Arts degree in Economics & Sociology from the University of Ghana and a Master's degree in Business Administration, Economics & Finance from St. John's University of New York. He received the U.S. Small Business Administration's 2000 Minority Small Business Advocate Award. He was founder/president of the African Association of Madison, Inc., is a professional member of the American Management Association, is a founding partner and recording secretary for the Ujamaa Investment Club, was a board member of the African American Ethnic Academy, and was a board member of The Capital Times' Editorial Advisory Board. This term will expire 1/1/08.

**Library Board**

Jon Bales, 312 Riverwood Bend, DeForest 53562 (846-9606-H), to be reappointed. This term will expire 1/31/08.

Kathy Zanella Albright, 4590 American Way, Cottage Grove 53527 (839-5500-H), to be reappointed. This term will expire 1/31/08.

Mary Petersen, 2781 Jacquelyn Drive, Fitchburg 53711 (274-6590-H), to be reappointed. This term will expire 1/31/08.

**Solid Waste & Recycling Advisory Committee**

James E. Daubert, 813 Centennial Parkway, Waunakee 53597 (849-7486-H), as a representative of cities and villages. Mr. Daubert is a treatment specialist for the Forensic Psychiatry Program at Mendota Mental Health Institute. He has a Master's Degree in Social Work with a focus on Community Organization & Planning from the University of Missouri. He is a strong advocate of both sensible recycling efforts and conservation of resources and has done considerable work as a citizen volunteer in cleaning up rivers, lakes, and in maintaining and developing hiking trails both in Wisconsin and throughout the United States. He is an advocate for affected citizens on transportation, water & lake resources, and conservation. This term will expire 1/31/07.

Submitted by Supervisor Kesterson, January 20, 2005 (p. 286, 04-05).  
Referred to EXECUTIVE.

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RES. 283, 04-05

**ACCEPTANCE OF TRAINING GRANT AWARD**  
**EPA 165.15 HAZARDOUS MATERIALS TECHNICIAN TRAINING COURSE**

The City of Middleton Fire Department has requested local delivery of the EPA 165.15 Hazardous Materials Technician Course to be held at their fire department in January 2005. Approximately 30 members of the Middleton Fire Department are expected to enroll and complete this training.

The City of Middleton is one of five fire departments in Dane County that houses an Emergency Decontamination Trailer. By training to the HazMat Technician level, it will better prepare the department for response to potential decontamination incidents. Other county fire departments housing decontamination trailers currently have members that are Hazardous Materials Technicians.

On behalf of the City of Middleton Fire Department, Dane County Emergency Management applied for and was awarded a training grant from Wisconsin Emergency Management to cover the cost of instructors and other materials for this course. The total grant award was \$13,755.00.

NOW, THEREFORE, BE IT RESOLVED that \$13,755.00 be set up as additional revenue in the Hazardous Materials Revenue Account 111-396-3690-1812, "Hazardous Materials Training," and be credited to the General Account.

BE IT FURTHER RESOLVED that \$13,755.00 be transferred from the General Fund to the following Emergency Management Hazardous Materials Expense Account, 111-396-3690-1133, "Training Materials."

Submitted by Supervisor Olsen, January 20, 2005 (p. 286, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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ACCEPTANCE OF TRAINING GRANT AWARD  
PUBLIC INFORMATION OFFICER (PIO) COURSES

Dane County Emergency Management has requested local delivery of the Public Information Office (PIO) classes, both Basic and Advanced. These courses are scheduled to be delivered in March and April of 2005.

Several local law enforcement agencies, EMS districts, fire departments and public health agencies have requested training in media relations and enhancement in their abilities to provide effective information to the public during applicable times of need.

Four PIO course are expected to be delivered, two basic courses and two advanced courses. One set of course will be delivered during the week and the other two sets of courses will be delivered on a weekend. This schedule will allow maximum participation by as many applicable responders as possible.

Dane County Emergency Management applied for and was awarded a training grant from Wisconsin Emergency Management to cover the cost of instructors and course materials for the PIO courses. The total amount of the award was \$4,300.00.

NOW, THEREFORE, BE IT RESOLVED that \$4,300.00 be set up as additional revenue in the Hazardous Materials Revenue Account 111-396-3690-1812, "Hazardous Materials Training," and be credited to the General Account.

BE IT FURTHER RESOLVED that \$4,300.00 be transferred from the General Fund to the following Emergency Management Hazardous Materials Expense Account, 111-396-3690-1133, "Training Materials."

Submitted by Supervisor Olsen, January 20, 2005 (p. 287, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/TRANSPORTATION.

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COMMUNICATIONS

Claim from Jeff Karll against Highways – claims windshield damage from salt truck. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Roy C. Franz against Highways – claims vehicle damaged by snow being plowed off an overpass. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons and Complaint, Case #04CV3808, Charlene and John Bennett vs. American Family Mutual Insurance Co., Richard S. Severson, Dane County, and Blue Cross Blue Shield of Wisconsin. Referred to PUBLIC PROTECTION/JUDICIARY.

Jefferson County Res. 2004-46 in support of Computer TakeBack Campaign Platform. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9170 – Town of Primrose – Andy Haag

9171 – Town of Vienna – Cory Clemens

9172 – Town of Springfield – Brian Pongratz & Kristine Dresen



9173 – Town of Cottage Grove – Skaar Scattered Acres Inc.  
9174 – Town of Perry – John L. & Norma Kay Amacher  
9176 – Town of Vermont – Gaylord O. Mickelson Revocable Trust  
9177 – Town of Dunkirk – Kristine L. Smuda and Gregory A. Knickmeier  
9179 – Town of Christiana – Duane & Dorothy Skaar  
9180 – Town of Oregon – John & Judith Planbeck

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AMENDING CHAPTER 69 OF THE DANE COUNTY CODE OF ORDINANCES.  
ADJUSTING SPEED LIMITS ON COUNTY HIGHWAYS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subparagraph 2 of Section 69.03(2)(L) is amended to read as follows:

(L) County Trunk Highway "M"

**2. Cities of Verona and Madison and Towns of Verona and Middleton**

Thirty miles per hour from its intersection with CTH "S", southerly 0.50 of a mile. Forty-five miles per hour from a point 0.50 of a mile south of its intersection with CTH "S", southerly to its southern intersection with Harmony Drive ~~Stoney Ridge Circle~~. ~~Thirty miles per hour from its intersection with Harmony Drive southerly to its intersection with CTH "MV".~~ Thirty-five miles per hour from its southern intersection with Stoney Ridge Circle southerly to its intersection with Cross Country Road. Twenty-five miles per hour from its intersection with Cross Country Road southerly to its intersection with CTH "MV".

*[EXPLANATION: This amendment extends the speed limit to the corporate limits of the City of Verona and lowers the speed limit within the developed area of the City and the heavily congested school area.]*

ARTICLE 3. Subparagraph 5 of Section 69.03(2)(L) is amended to read as follows:

(L) County Trunk Highway "M"

**5. City of Verona and Town of Verona**

Forty-five miles per hour from its intersection with CTH "PB", westerly and northerly to a point ~~200 feet south of its intersection with Factory Street~~ 500 feet north of its intersection with Locust Drive. ~~Thirty miles per hour from a point 200 feet south of its intersection with Factory Street,~~ Twenty five miles per hour from a point 500 feet north of its intersection with Locust Drive northerly to its intersection with CTH "MV".

*[EXPLANATION: This amendment extends the speed limit to the corporate limits of the City of Verona and lowers the speed limit within the developed area of the City.]*

ARTICLE 4. Subparagraph 1 of Section 69.03(2)(nb) is amended to read as follows:

(nb) County Trunk Highway "MV"

**1. City of Verona**

Forty-five miles per hour from its intersection with Nesbitt Road westerly to a point 0.58 of a mile east of its intersection with CTH "M". ~~Thirty-five miles per hour from a point 0.58 of a mile east of its intersection with CTH "M" westerly to a point 0.43 mile west of its intersection with Enterprise Drive~~ CTH "M". Twenty-five miles per hour from its intersection with Enterprise Drive westerly to a point 400 feet west of its intersection with Rita Avenue. Thirty-five miles per hour from a point 400 feet west of its intersection with Rita Avenue westerly ~~Forty miles per hour from a point 0.43 mile west of its intersection with CTH "M" westerly to its intersection with Country View Road.~~

*[EXPLANATION: This amendment extends the speed limit through the developing urban area adjacent to the City of Verona and lowers the speed limit within the City.]*

ARTICLE 5. Subparagraph 3 of Section 69.03(2)(v) is amended to read as follows:

(v) County Trunk Highway "V", Dane County

**3. Town of Vienna, Village of DeForest, and Town of Windsor**

Thirty-five miles per hour from ~~its east junction with~~ a point 0.30 of a mile west of its intersection with CTH "I", easterly to its southerly intersection with USH 51.

*[EXPLANATION: This amendment extends the speed limit through this developed area and corrects the language to what was actually posted in the field after improvements were constructed.]*

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, and Opitz, February 3, 2005 (p. 290, 04-05).  
Referred to PUBLIC WORKS/TRANSPORTATION.

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RES. 285, 04-05

AWARD OF CONTRACT FOR PUBLIC SAFETY COMMUNICATIONS MEDICAL DIRECTOR

Since January of 2002, Dane County has contracted with a physician to provide oversight, training, and evaluation of the Public Safety Communications Center Priority Medical dispatch program.

A 2005 contract for those purposes is being awarded to Paul M. Stiegler, M.D. The contract shall not exceed \$30,000.

THEREFORE, BE IT RESOLVED that a contract be awarded to Paul M. Stiegler, M.D., and that the County Executive and County Clerk are authorized to sign the agreement.

Submitted by Supervisors Hanson, Olsen, Vedder, Salov, and Martz, February 3, 2005 (p. 290, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY and EMS COMMISSION.

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RES. 286, 04-05

ADJUSTING REVENUE AND EXPENDITURE LINES AND AMENDING A PROFESSIONAL SERVICE CONTRACT DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution accepts Medicaid pass-through revenue in the amount of \$63,500 to cover costs associated for Crisis Stabilization services conducted by Mendota Mental Health Institute’s PACT program for fiscal year 2004. These monies will be used to pay for case management for PACT teens.

NOW, THEREFORE, BE IT RESOLVED that the professional service contract listed below be amended as follows:

<u>Vendor</u>	<u>Amended Amount</u>
Mendota Mental Health Institute	\$63,500

BE IT FURTHER RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
260-510-4365-New	Mendota PACT Jr	\$63,500
	Total Revenue:	\$63,500
<u>Account Number</u>	<u>Expenditure Account Title</u>	<u>Amount</u>
260-510-4365-5872	Mendota PACT Jr.	\$63,500
	Total Expenditure:	\$63,500

Submitted by Supervisors Worzala, Wheeler, DeSmidt, Salov, and Bruskwitz, February 3, 2005 (p. 291, 04-05).

Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 287, 04-05

AUTHORIZATION TO PURCHASE LANDS AT MCCARTHY COUNTY PARK - KLEIN

Dane County has negotiated the acquisition of approximately 43 acres at McCarthy County Park in the Town of Sun Prairie. The property brings the north boundary of the Park to the Koshkonong Creek and will protect over 2,500 feet of single-side frontage along the creek. The property meets the goals of the master plan report for the Park:

1. Provide a Setting for conservation, education and recreation activities for a variety of age groups but primarily youth.
2. Enhance the site's natural and aesthetic resources.
3. Provide multi-season and multi-use opportunities to fully utilize the park's natural and recreation resources.
4. Enhance site's access and circulation for safety and convenience of users.

The acquisition also includes public access that leads to Town Hall Drive. This access will provide an opportunity for Parks staff to properly manage the property while providing a trail corridor for the public.

Purchase price for the property is \$275,600, which is equivalent to the appraised value. Dane County Parks staff will apply for State Stewardship funding on May 1 to offset 50% of the purchase price.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 43-acre parcel at McCarthy County Park for approximately \$275,600 per the terms identified above and according to Wis. Stats. Chapter 27.05(3) and that the land rights be managed under the jurisdiction of the Dane County Park Commission.

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the purchase of the property rights by Dane County and to structure the transaction to maximize cost-sharing from non-County sources.

BE IT FINALLY RESOLVED that the Dane County Real Estate Officer is authorized to administer the closing and the transfer of the above-mentioned rights to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisors Wiganowsky, Kostelic, and Ripp, February 3, 2005 (p. 291, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES.

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RES. 288, 04-05

ACCEPTING CONTRIBUTIONS FOR THE DANE COUNTY ENVIRONMENTAL COUNCIL  
SMALL GRANTS PROGRAM

Donations have been received from Claire M. Gervais and David M. Blouin of Madison in the amount of \$35, Lars Barber of W.F. Baird & Associates LTD of Madison in the amount of \$300, and Bradley and Susan Stevens of Verona in the amount of \$500 to fund the Dane County Environmental Council Small Grants Program.

NOW, THEREFORE, BE IT RESOLVED that \$835 be set up as the Environmental Council Miscellaneous Revenue Account (EXTENSN new) and credited to the General Fund and that \$835 be transferred from the General Fund to the Environmental Council Operating Expense Account (EXTENSN 30986) to enable Small Grants Program projects.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors and the Dane County Tree Board thank this business and these individuals for their very generous support.

Submitted by Supervisors Worzala and Rusk, February 3, 2005 (p. 292, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES.

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RES. 289, 04-05

ACCEPTING LIBRARY SERVICE AND TECHNOLOGY ACT, TITLE I FUNDS FOR  
LET'S GROW TOGETHER LITERACY PROJECT

The Dane County Library Service has received a grant from the Wisconsin Department of Public Instruction to further develop play literacy within the existing Readmobile program. This grant will provide resources for staff to work with day care providers and parents of children enrolled in day care to develop reading readiness skills in children.

The Dane County Library Board approved this resolution for submission to the County Board at its February meeting.

NOW, THEREFORE, BE IT RESOLVED that \$9,418 be set up as additional Library, LSTA revenue and be credited to the Library General Fund, and that \$9,418 be transferred from the Library General Fund to the library operating account entitled "LSTA."

Submitted by Supervisors Salov and Opitz, February 3, 2005 (p. 292, 04-05).

Referred to PERSONNEL/FINANCE and LIBRARY BOARD.

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RES. 290, 04-05

AWARD OF AGREEMENT FOR LOCKS REPAIRS AT TENNEY, LAFOLLETTE & BABCOCK

Proposals were received for Consulting Services for Locks Repairs at Tenney, LaFollette, and Babcock, RFP #7784.

The Public Works, Highway and Transportation Department has negotiated with \_\_\_\_\_ to provide the services as outlined in the Agreement for a cost of \$\_\_\_\_\_.

The Public Works staff finds the amount to be reasonable and recommends the proposal be accepted and the Agreement be awarded to \_\_\_\_\_.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Agreement be awarded to \_\_\_\_\_, and that the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Kostelic, and Matano, February 3, 2005 (p. 293, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 291, 04-05

TRANSFER OF FUNDS AND CHANGE ORDER FOR GEN SET #3 AT LANDFILL SITE #2

Res. No. 234, 2003-04, awarded a contract to WPS Power Development, Inc., for Gen Set #3 at the Dane County Landfill Site #2, Madison, WI, Bid #7086. The amount of the award was \$899,000.00.

The following fund transfer and Change Order #3 are being made to the original contract:

Additional work on Gen Set #3 was made in anticipation of Gen Set #4: ADD: \$37,394.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #3 to WPS Power Development, Inc., for Gen Set #3 at Landfill Site #2 be approved and authorized; and

BE IT FINALLY RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, and Matano, February 3, 2005 (p. 293, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 292, 04-05

AUTHORIZING BRIDGE ROAD LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured office space in a building owned by Dan Budenz, and this space is located at 6418 Bridge Road, Office #2, Madison, Wisconsin. The JFF had occupied space at Lakepoint Drive, but due to owner occupancy the lease was not renewed. JFF continues to play a strong role in this community and therefore, the request for the new office space. This resolution is to pay

for the monthly rental payment of \$400 per month to cover costs related to occupying this space during the lease year of 01/01/05 to 12/31/05. This also includes two one-year renewals at the current rental rate.

The negotiated rental rate for the designated JFF space is presently at market at \$400 per month for this type of office space. The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$4,800. All utilities are included except for telephone.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Dan Budenz, for 2005; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Submitted by Supervisors Eggert and Graf, February 3, 2005 (p. 294, 04-05).

Referred to HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS & TRANSPORTATION.

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RES. 293, 04-05

CONTRACT FOR ENERGY IMPROVEMENTS AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

The Alliant Energy Center of Dane County currently spends \$750,000 per year in energy costs. The majority of these costs are in the Coliseum, which opened in 1967, and the Exhibition Hall, which opened in 1995. State of Wisconsin statutes allow municipalities to enter into performance contracts for energy savings. These contracts provide for the study and implementation of energy savings measures. Under these agreements, a qualified provider guarantees energy savings for the municipality.

Alliant Energy Corporation provides performance contracts and, in its naming right agreement, has the rights to perform this work at the Alliant Energy Center. A preliminary study has been performed and has identified a number of projects in the Coliseum, Exhibition Hall, and a small project in the Arena that have less than a ten-year payback, positive cash flow between the second and third year, will provide substantial energy savings for the Center, and will explore the option of becoming LEED (Leadership in Energy and Environmental Design for existing buildings) rated. The cost of these projects is \$500,000.

The agreement developed with Alliant Energy Corporation provides for a project development engineering study of the projects identified in the preliminary study. It also provides a guarantee of the energy savings identified in the in-depth study and implementation of the improvements. At the completion of the in-depth study, the Public Works and Transportation Committee will approve the final projects for implementation. If none of the preliminary projects are approved, the Alliant Energy Center will only be liable for the cost of the project development engineering study, estimated at \$26,850.

The 2005 Capital Budget has approved \$100,000 for energy improvements at the Center. The Center plan also has another \$250,000 of energy improvements planned for 2006. This resolution adjusts the 2005 appropriation to \$500,000. Principal and interest payments will be made with the guaranteed savings from this project. The energy projects planned for 2006 will be eliminated.

NOW, THEREFORE, BE IT RESOLVED that the performance contract for energy savings with Alliant Energy Corporation not to exceed \$500,000 is hereby approved.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the agreement.

BE IT FURTHER RESOLVED that the Controller's office is authorized to make payments under this agreement to either Alliant Energy Corporation or its subcontractor Johnson Controls, Inc.

BE IT FURTHER RESOLVED that the Public Works and Transportation Committee must approve all projects before they are implemented.

BE IT FURTHER RESOLVED that the following Center capital project accounts be increased and the title be changed from Coliseum/Arena HVAC controls to Energy Improvements:

Borrowing Proceeds	\$400,000
Energy Improvements	\$400,000

BE IT FINALLY RESOLVED that the Alliant Energy Center of Dane County Energy Improvement project in the amount of \$500,000 be authorized to begin March 10, 2005, in advance of the actual borrowing of the \$500,000 for this project and that it is the intention of the County to reimburse itself the \$500,000 expenditure with proceeds from the 2005 Capital Projects Borrowing.

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, and Willett, February 3, 2005 (p. 295, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 294, 04-05

AMENDING THE AGREEMENT WITH THE CITY OF MADISON  
FOR THE ENGINEERING DESIGN AND RECONSTRUCTION OF  
BUCKEYE ROAD (CTH AB) FROM BLOSSOM LANE TO DROSTER ROAD

The Dane County Department of Public Works, Highway & Transportation and representatives of the City of Madison have reviewed the final costs for Buckeye Road (CTH "AB") project #8340-9057. The project requires additional contributions, with the County's obligation increasing from \$271,000 to \$336,000 and the City's obligation increasing from \$420,000 to \$465,000.

The City of Madison has drafted an amendment to the original agreement with the County, increasing the contribution by both parties to pay the final billing.

The County has the funds available in the PD project account #8340-9059, 'CTH PD-M to Nesbitt Rd', due to lower than budgeted asphalt costs. \$65,000 can be transferred from 8340-9059 to fund this amended agreement and \$42,000 can be transferred to the second phase of the PD project, account #8340-9085, 'CTH PD-Maple Grove Rd to Nesbitt Rd'.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk are authorized and directed to execute this amendment to the agreement with the City of Madison for improvements to CTH AB (Buckeye) authorized by Resolution 217, 2001-2002.

BE IT FURTHER RESOLVED that \$65,000 be transferred from account 8340-9059, 'CTH PD-N to Nesbitt' to new account 'CTH AB, Blossom Lane to Droster Road', and \$42,000 be transferred to account 8340-9085, 'CTH PD-Maple Grove Rd to Nesbitt' .

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2005, in this new account 221-795-8340-xxxx be carried forward to 2006.

Submitted by Supervisors Ripp, Kostelic, de Felice, Matano, Willett, and Opitz, February 3, 2005 (p. 296, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.



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RES. 295, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Lakes & Watershed Commission**

Howard Teal, 7124 Companion Lane, Middleton 53562 (836-1277-H, 827-1050-W), as the designee representing cities and villages due to the resignation of John Volker. Mr. Teal was nominated by the Dane County Cities and Villages Association. Mr. Teal is an Alderperson for the City of Middleton. He retired from the State of Wisconsin Department of Transportation after thirty-six years of service. He is a part-time school bus driver for the Middleton-Cross Plains School District. This term will expire 4/19/05.

**Solid Waste & Recycling Advisory Committee**

Beverly Speer, 62 Farrell Street, Madison 53714 (241-8979-H, 255-4260-W), due to the resignation of David Wood. Ms. Speer is advocacy director for the Wisconsin Democracy Campaign. She has a degree in Political Science from DePauw University in Indiana and a Master's Degree in Public Policy from the UW's LaFollette School of Public Affairs. She has a long history as a volunteer advocate for environmental protection. This term will expire 1/31/06.

Submitted by Supervisor Kesterson, February 3, 2005 (p. 296, 04-05).  
Referred to EXECUTIVE.

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RES. 296, 04-05

2005 – 2007 DANE COUNTY LEGISLATIVE AGENDA

General Principles

The unique role counties play in administering state programs---human services, transportation, the environment, surface and ground waters, health, the justice system and other state-mandated services---must be recognized:

1. The state must fairly share responsibility with the counties in determining the scope, design and cost of statewide programs;
2. The state must provide an adequate and predictable share of funding for state services delivered by the counties;
3. The state must help counties reduce the need to rely on property taxes; and
4. The state should enhance the ability of counties to more effectively manage county government.
5. The state shall perform a biennial review of all mandated programs to determine continued need for the programs and annually review all mandated programs funded at 50% or less.

Highest Priority Issues: the items marked with an asterisk (\*) represent the county's most important priorities and should be given the most attention by the county's legislative lobbyist.

## Criminal Justice and Public Safety

- 1) State Court System: Increase state funding of the circuit court system, including court security.
- 2) Juvenile Justice: Support continued funding for early intervention and intensive treatment programs.
- 3) County Jail: Support full state funding for probation/parole holds; continued support for the Treatment Alternative Program (TAP); more funding for incarceration alternatives; support Justice Impact Statements.
- 4) Victim-Witness Program: Support full state funding of program costs. Also, state should expand reimbursement to cover victims of domestic abuse.
- 5) CHIPS Cases: Support legislation that would return the responsibility for representation of indigent parents in CHIPS from the county to the State Public Defender.
- 6) Child Support Collections: Maximize state reimbursement to counties for child support collection expenses.
- 7) Prosecution Costs: Expand State Prosecutors Program to include reimbursement for salaries and benefits for paralegals.
- 8) Booking Fees: Seek enabling legislation to allow counties to charge a sliding scale booking fee to be refunded if a person is found not guilty and which would be waived for those found indigent.
- 9) EMS Services: Support legislation that encourages financial support of volunteers in emergency medical services and that address liability issues and professional standards.
- 10) Clerk of Court Fees: Pursue statutory changes to increase the county share of fines/forfeitures.
- 11) Public Record Search Fees: Amend the statutes to allow the county to recover the actual cost for records searches when the cost exceeds \$10 (Now \$50).
- 12) License Fee: Support \$12 for drivers license suspension if the fee is payable by the defendant.
- 13) Telephone Surcharge for 911 Systems: Support legislation that authorizes surcharges on telephones, both for landlines and wireless phones. Surcharges would be used to defray the property tax cost of operation and equipment for local 911 systems. Remove the Sunset clause within WI Act 48 and include personnel/operational costs as an allowable cost under the wireless surcharge. Provide local government access to landline surcharge funds.
- 14) Recording Fees: Support legislation that allows counties to re-coup the cost of locating/recording 911 records for individuals when the cost of searching/recording those records exceeds \$25. Current statutes prohibit counties from recouping the cost when the cost exceeds \$50.
- 15) Conceal and Carry Weapons: This does not indicate support nor opposition to the legislation, but if passage appears imminent, Dane County should include the following amendments: Provide an exclusion for the facilities and grounds of the Alliant Energy Center, "Weapons may not be carried onto the grounds, parking lots or areas associated with convention, entertainment and sporting facilities nor brought into venues where the public assembles for tradeshows, demonstrations, conventions, consumer shows, entertainment, sporting or educational events, including convention centers, arenas, horse arenas, hockey arenas, concert and sporting venues for public assembly events, including when those facilities are used for private events."; and amend conceal and carry legislation to increase all fee amounts to provide County Sheriffs with sufficient funds to administer the conceal and carry law.
- 16) Reimbursement: Support state reimbursement for prisoner case processing.
- 17) Out of State Reimbursement: Reimburse Dane County for out-of-state inmates who if housed in Wisconsin would be subject to the same rules in terms of filing cases and paying filing fees.
- 18) First Responder Training: Require training for first responders (police officers, paramedics...) on appropriate procedures for identifying, assisting and interacting with older adults who may have complications from abuse, dementia, mental health or other disorders.
- 19) Domestic Violence: Support State funding for the three Assistant District Attorney positions dedicated to domestic violence.
- 20) Medical Assistance for Prenatal Care: Change the Medical Assistance law to allow prenatal care coverage for incarcerated women within a County jail. Currently prenatal care while incarcerated is not covered.

- 21) Fee Increase for Jury Trial: Support legislation (WI Stats. Sec. 814.61(4)) to increase the fee for a jury trial from \$6 to \$15. The funding is needed to offset increases in juror compensation.
- 22) Prisoner Hospitalization: Oppose any legislation that would reverse/overturn the WI Supreme Court ruling on the Meriter case. Update the statutory language regarding prisoner hospitalization.

### Human Services

#### General Issues

- 1) Key Funding Streams: Support Cost of Living Allowance (COLA) increases in key funding areas from the State including Youth Aids, Community Aids, COP and CIP.
- 2) Minority Outreach: Support state-sponsored outreach to communities about available support services

#### Economic Assistance

- 3) W-2 Funding: Support sum-sufficient funding to pay all W-2 cash benefits and administrative expenses
- 4) Delivery of TANF Services: Support policies that continue delivery of TANF services at the local level under direct contracts with the State. Support strong linkages between TANF programs and other county administered human services programs that provide a continuum of services to support families.
- 5) TANF Childcare: Support sum-sufficient funding for TANF childcare. Expand eligibility to include childcare support for low-income individuals pursuing higher education leading to employment.
- 6) Income Maintenance Programs: Support funding levels and legislation that provide sufficient resources to administer non-cash benefit programs such as Food Stamps, Medical Assistance, Child Care and issue benefits to all eligible people.
- 7) Homeless Services: Provide additional State funding for services to assist individuals and families who are homeless.
- 8) BadgerCare: Request that the State seek a Federal MA waiver to pilot a program which provides health care coverage through the MA program to farm families who aren't currently eligible for the program but have no health insurance.

#### Services to Older Adults, the Developmentally Disabled and Mentally Ill

- 9) Direct Care Workers: Support legislation that would provide additional funds to enhance salaries, benefits and job-related training for direct care workers who provide services to older adults, persons with developmental disabilities, and individuals with mental illness. Include training for workers who provide care to dementia patients.
- 10) Birth to Three: Support additional financial support from the State for this program. Support a modification of state statutes to require health insurers to make third party payments to defray the cost of Birth to Three care for families that have private health insurance policies.
- 11) Nursing Home Funding: Support legislation that gives priority for use of Intergovernmental Transfer Program (ITP) revenues to fund losses at county and municipal nursing homes. Support legislation to develop an alternative method of funding for county and municipal nursing homes to replace ITP. Support adjustments in nursing home funding formulas that benefit Badger Prairie Health Care Center.
- 12) Community Support Program (CSP): Continue program. Have additional State funding to help reduce county costs and serve those whom can benefit from the program.
- 13) RSVP Services: Support increased funding for the RSVP Program and Seniorcare.
- 14) Family Care: Support additional funds to expand Family Care Services to older adults.
- 15) Mental Health/Substance Abuse Parity: Support legislation and/or administrative changes to provide expanded insurance coverage of mental health and substance treatment services.

#### Programs to Serve Children, Youth and Families

- 16) Kinship Care: Support sum sufficient funding to meet needs of all that are eligible.
- 17) Youth Aids: Support legislation to increase State funding for out-of-home care costs for juvenile offenders now paid for by Dane County. Limit increases in State rates for out of home placements for juveniles (including corrections, child caring institutions, and residential care facilities) to no more than the increase in Youth Aids.
- 18) Prevention Funding: Support using at least 1% of the Department of Corrections Budget to allocate to counties and tribes for primary prevention programs for child abuse and neglect. Support other initiatives that provide additional funds for primary prevention programs addressing delinquency and child abuse/neglect.
- 19) Relative Caregivers: Support legislation/policies that provide additional State support to relatives who take care of non-custodial children.
- 20) Family Policy Board: Support the creation of a family resource system that strengthens families by uniting programs and services for children, youth and families. The system would be implemented through State and local boards that facilitate communication, coordination and collaboration of service programs.
- 21) Youth Programs: Support continuation and expansions of programs focusing on prevention of delinquency, alcohol and other drug use, child abuse and neglect and domestic violence. Support increased funding and support for youth after school programs, especially at the middle school level.

### Public Health Services

- 22) Response to Local Public Health Emergencies: Support legislation that recognizes the critical role of local Public Health Departments in responding to public health emergencies and provides adequate funding to respond to all threats to public health.
- 23) Dental Access: Support policies and/or legislation that would ensure access to dental care.
- 24) Public Health Prevention: Support initiatives that maintain the integrity and effectiveness of public health prevention services.
- 25) Creutzfeldt-Jakob Disease: Support the WI Department of Health and Family Services in its efforts to amend the administrative code to include Creutzfeldt-Jakob disease as a reportable disease.

### Veteran Services

- 26) Tax Credits: Support \$5000 in tax credits for Veterans.
- 27) University of Wisconsin Scholarships: Support providing UW Scholarships for Veterans and the families of deceased Veterans.
- 28) Welcome Home Program: Support the WI Department of Veterans Affairs "Mission Welcome Home Program" which facilitates community outreach for returning Troops and families.
- 29) Burial of Veterans: Support legislation regarding the burial site of a Veteran.
- 30) Armed Forces: Support the Dane County soldiers serving in Iraq. Support protecting families and jobs rather than utilizing precious resources and funds to wage a war in Iraq.

### Transportation, Land Use and the Environment

- 1) Water Quality: Maintain level of DNR funds for water quality planning and watershed projects. Support increased DNR financial assistance as an incentive to reduce non point source pollution. Seek a fair share of state funding for inland waterways and lakes. Target state funds to where there is a high likelihood of project success, where recipient units of government have a proven track record of meeting state and local water resource goals. Support legislation to provide additional funding and staffing for local water quality protection, improvement and unfunded mandates.
- 2) Transportation Funding: Support a greater share of state and federal transportation funding going toward local transportation needs and services. Funding should be increased for General Transportation Aids, State Highway Maintenance, the County Highway Improvement Program (CHIPS) and Specialized Transportation for older adults and persons with disabilities. Require "farmland mitigation" for highway improvement projects. In

addition, funding formulas that discriminate against urban counties should be revised and the local match (now 50%) for CHIPS should be decreased.

- 3) Train and Regional Bus: Support state-federal funding for Amtrak service to Milwaukee and Madison. Support continued state funding for further planning and implementation of a commuter rail system and regional bus links to outlying communities in Dane County. Also, support increased funding for Transport 2020 and rail rehabilitation and purchases.
- 4) Midwest High Speed Train: Support state/federal funding for the Midwest Regional Rail Initiative.
- 5) Highway Workers: Earmark a portion of every state construction/maintenance contract to fund increased local law enforcement in construction/maintenance zones.
- 6) Bicycle Trail Funds: Work with Legislators and State Agencies to obtain transportation aids for bicycle trails with significant commuter traffic. Support allowing bike path maintenance costs to be eligible for transportation aids. Support the creation and development of a statewide Bike Trail Task Force.
- 7) Soil Erosion: Support DNR and/or legislative streamlining of NR297 process to deal more quickly with cropland soil erosion that threatens water resources. Control soil erosion to acceptable limits, e.g., tolerable soil loss levels, for the production of food and fiber. Support DATCP Soil and Water Resource Management programs implementation, e.g., NR243 cost sharing and Land and Water Resource Management Plan implementation and cost sharing.
- 8) Septage and Sludge: Support legislative review of septage hauler regulations and related issues, including whether such wastes should be required to be hauled to treatment plants rather than using land disposal. Also support legislative review of regulations and practices affecting spreading of municipal sludge to ensure adequate monitoring.
- 9) Recycling: Support long-term state funding for state's recycling program. Support continued state efforts to expand markets for recycled materials. Amend statutes to allow local governments or other entities to receive more than one state grant for innovative demonstration projects.
- 10) Landfill Siting: Allow municipalities to replace existing public landfills without a new DNR needs determination. Amend statutes to modify landfill negotiation-mediation process to include counties as an appropriate governing body for the approval of negotiated agreements. Amend statutes to prohibit the construction of landfills until the mediation-negotiating process is complete.
- 11) Repeal Liability Law: Repeal Section 81.15 of WI Stat., which imposes liability on counties and municipalities for any roadway defect.
- 12) Cleansweep: Support increased state/federal funding for household and Ag Clean Sweep.
- 13) Land Information System: Increase state funding and delete the 2005 Sunset date.
- 14) Boating Laws: Support legislation making fines and associated penalties for drunken boating commensurate with those for drunken driving.
- 15) Stewardship Fund: Annually adjust the State Stewardship Fund for inflation to maintain at least 1990 funding levels.
- 16) State Urban Forestry Grants: Allow towns, counties, and non-profits to access both the federal and state funds in the Urban Forestry Grant Program.
- 17) Payments in Lieu of Taxes: Authorize counties to make payments in lieu of taxes to other local units of government when the county takes land off the tax rolls for conservation purposes.
- 18) Holding Tanks as Systems of Last Resort: Support changes in statutes and administrative rules that oppose using holding tanks except as a last resort for new and replacement septic systems. Modify rules and statutes to ensure funding from the Wisconsin Fund is for the least costly systems, excluding holding tanks, unless a holding tank is the system of last resort.
- 19) Revise Formula for DATCP Administrative Funding to Counties: Support a revision in the formula the Department of Agriculture, Trade and Consumer Protection (DATCP) uses to distribute administrative funding to counties for administration of the Farmland Preservation Program, Nutrient Management Program and the implementation of performance standards. Use criteria for distribution that include number of farms, acres of cropland, number of livestock and amount of resource waters in a county.
- 20) DATCP Formula Change for County Drainage Boards: Support a revision in the statutes that directs the Department of Agriculture, Trade and Consumer Protection to review administrative rules that allow county

drainage boards, based on specific guidelines, to determine the needs of the individual districts and be reimbursed for the work.

- 21) State Commercial Building Code: Support the exemption from the state Commercial Building Code of farm buildings used for agricultural purposes or horse boarding/stabling facilities.
- 22) Fair Motorboat Gas Tax Allocation: Support legislation to fairly allocate motorboat fuel tax through a more equitable distribution formula.
- 23) CWD: Support State indemnification retroactively for counties and public-owned treatment works and landfills from any and all liability or damages from disposal of deer which might be infected with CWD.
- 24) CWD Requirement for Game Farms: Urge DATCP to deter CWD outbreaks by requiring all game farms to install double fencing by July 1, 2003.
- 25) DATCP Certification and CWD Testing of all Deer and Elk Game Farms: Urge DATCP to adopt rules requiring mandatory CWD testing and participation in the CWD certification program for all deer and elk game farms.
- 26) Stormwater Utility: Amend the WI Stats. to allow counties to create and manage a stormwater utility.
- 27) Mercury Products Ban: The State should ban the sale of mercury-containing products, with the exception of dental fillings and fluorescent lamps. If the ban is implemented on a phased-in basis, retailers should be required to take back for recycling those mercury-containing products that they are selling until the ban for each product takes effect.
- 28) Landfill Fee: The State should place a fee on the landfilling of municipal solid waste to provide financial assistance to municipal and agricultural Clean Sweep programs.
- 29) Boater Registration Act: Authorize the state to license, regulate, and require education/training for operation of motorized watercraft.
- 30) Drainage Districts: Establish a Legislative Council Study Committee to review and update drainage district statutes.
- 31) Mercury Rules: Support changes to the mercury rules to achieve a 90% reduction per DNR rule.
- 32) Indemnification: Provide indemnification for landfills that participate in State required/requested disposal of emergency special wastes.
- 33) Wisconsin Land Information Program: Support the continuation of the Wisconsin Land Information Board, Program and grants.
- 34) Phosphorous Ban: Oppose any legislation, policy/rule change limiting local government control over the use of phosphorous in lawn fertilizer.
- 35) 2004 WI Act 118 (Jobs Creation Act): Oppose WI Act 118 rules that weaken waterway protection.
- 36) DNR Budget Reductions: Oppose reductions in DNR staffing that affect Dane County water programs (water regulatory programs, lake/fishery, runoff specialists, conservation wardens and others).
- 37) Comprehensive Planning: Oppose AB 435, which repeals the comprehensive planning statutes.
- 38) Power Plants: Support efforts to clean up dirty power plants.
- 39) Regional Trail System: Request DNR assistance in development of a regional trail system north of Lake Mendota.
- 40) Multi-County Regional Planning Commission: Study the establishment of a multi-county regional planning commission.

#### Local Government Services

- 1) Shared Revenue: Support additional funding for the County Mandate Relief Fund; allow counties to be credited for 100% (now 85%) of local purpose revenues. Oppose elimination of Small Municipalities Shared Revenue program. Support a county expenditure restraint program; and oppose the imposition of cost controls on counties.
- 2) Fees/Licenses: State-set fees collected by counties should fairly cover administrative costs.
- 3) Libraries: Increase state aid. Charge a fee for city/town use.
- 4) Elections: Support state funding for costs of state elections.

- 5) Legislative Mandates: Oppose any state or federal legislation or rules/regulations promulgated by federal or state agencies that would require counties to provide a service or administer any program without adequate and on-going funding; support creation of a Joint Survey Committee on Local Mandates. Support legislation to allow waivers from state mandates.
- 6) Association Memberships: Amend WI Stats. 59.07(27) to require a simple majority vote of the county board of supervisors to purchase membership in an association of county boards.
- 7) Utility Deregulation: Oppose any deregulation that leads to higher consumer rates. Any attempts to restructure the delivery of electricity should address: reliability of electrical service, equitable benefits to large and small rate payers, the social and environmental impacts of restructuring and the ability of counties to aggregate to purchase electricity.
- 8) Election Reporting Requirements: State election law requires state candidates to report all contributions larger than \$500 made within 15 days of an election to be reported within 24 hours of receipt. Amend the statute to apply to county non-partisan elections and lower the threshold for these elections to \$100. Also require that these reports be delivered or faxed directly (instead of just postmarked) to the county clerk within the 24 hour time period.  
State election law requires that campaign finance reports include the name, address, and place of employment of any individual whose cumulative annual contributions total more than \$100. Amend the statutes to set a lower threshold than \$100 for local elections.
- 9) Elections Board: Support legislation that would provide for county authority to create and administer an elections board modeled after statutory language authorizing county ethics boards.
- 10) Electronic Filing: Support legislation that allows counties the option to require electronic filing for county campaigns.
- 11) Lottery Credit Administration: Support legislation that would reimburse counties \$1.50 per certified parcel for lottery credit administration.
- 12) Alliant Energy Center/World Dairy Expo Grant: Oppose elimination or reduction of State's partnership in funding the expansion of the Exhibition Hall. Maintain the current grant amount and consider alternatives like a lump sum payment of the 1994 State obligation through funding mechanisms like bonds.
- 13) Room Tax: Amend the room tax statutes to include counties.
- 14) Library Reimbursement: Enforce compliance with WI Stats. 43.24(6) which requires state funding for public library systems at 13% of local library expenditures.
- 15) Alliant Energy Center District: Provide enabling legislation or a grandfather clause within the Wisconsin Center District and Bradley Center agreement to extend the same authority to the Alliant Energy Center.
- 16) County Board Elections: Change the state statutes requiring County Board members to be sworn in on the third Tuesday to allow the election of temporary Board members until a recount is completed.
- 17) Preferential Voting: Support giving local governments the opportunity to adopt preferential voting for nonpartisan elections and guaranteeing trustworthy electronic voting systems.
- 18) TABOR/Property Tax Freeze: Urge state to pay for required programs to reduce property tax growth, not pass more constitutional amendments.
- 19) County Board Membership Reduction: Oppose legislation regarding redistricting to reduce the size of a County Board prior to November 15, 2010.
- 20) Delinquent Tax Certificates: Oppose legislation that allows local government to sell delinquent tax certificates to third parties.
- 21) Offshore Contracting: Oppose the practice of contracting state of Wisconsin government functions or services to overseas companies/operations.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors goes on record in support of these recommendations of the Executive Committee; and

BE IT FURTHER RESOLVED that the Dane County Legislative Lobbyist be directed to pursue enactment of these legislative positions; and

BE IT FINALLY RESOLVED that copies of this resolution be sent to the Governor, the Leadership of both Houses of the Legislature, legislators representing Dane County, and the Wisconsin Counties Association.

Submitted by Supervisor Kesterson, February 3, 2005 (p. 303, 04-05).  
Referred to EXECUTIVE.

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RES. 297, 04-05

REAFFIRMING LOCAL OPPOSITION TO GOVERNMENT-APPROVED TORTURE

The Geneva Conventions, signed by the United States, specifically prohibit the use of torture in five separate articles. The first Geneva Convention, created by the founder of the Red Cross, was signed in 1864; additional provisions were signed in 1899, 1907, 1925, 1929 and 1949.

According to current and former Bush Administration officials, Alberto R. Gonzales, the former White House counsel and U.S. Attorney General, intervened directly with U. S. Justice Department lawyers in 2002 to obtain a legal ruling on the extent of the president's authority to permit extreme interrogation practices in the name of national security.

The request by Mr. Gonzales produced the much-debated Justice Department memorandum of Aug. 1, 2002, which defined torture narrowly and said that the President of the United States could circumvent domestic and international prohibitions against torture in the name of national security.

UN General Assembly Resolution 39/46 of December 10, 1984, defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind ..."

The UN Resolution further states, "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political in stability or any other public emergency, may be invoked as a justification of torture. An order from a superior officer or a public authority may not be invoked as a justification of torture."

U. S. Major General Antonio M. Taguba found that between October and December of 2003 there were numerous instances of "sadistic, blatant, and wanton criminal abuses" at Abu Ghraib Prison in Iraq. These included breaking chemical lights and pouring the phosphoric liquid on detainees, a male MP guard having sex with a female detainee, and sodomizing a detainee with a chemical light and perhaps a broom stick.

On January 14, 2005, a jury found Charles A. Graner Jr. guilty of nine out of ten counts stemming from his abuse of prisoners at Abu Ghraib prison. Graner was sentenced to 10 years in a military stockade. The 36-year-old reservist identified by the Army as the ringleader of the rogue guards at Abu Ghraib reiterated what other witnesses had said during his week-long trial: That numerous senior officers condoned the beatings and humiliation of prisoners at Abu Ghraib prison.

On January 31, 2005, U.S. District Court Judge Joyce Green ruled on January 31, 2005, that special military tribunals used by the Pentagon to determine the alleged guilt and continued detention of almost 550 men held at Guantánamo Bay are illegal.



FBI documents have described suspects at Guantánamo Bay being shackled hand and foot in a fetal position on a floor for 18 to 24 hours, and left to urinate and defecate on themselves. Other documents stated that Pentagon interrogators impersonated FBI agents at the base and used "torture techniques" on a prisoner.

An FBI document obtained by the American Civil Liberties Union suggests President George W. Bush authorized inhumane interrogation methods against Iraqi detainees. A two-page FBI e-mail refers to "a presidential executive order," and contends the President directly authorized interrogation techniques that included sleep deprivation, stress positions, the use of military dogs, and "sensory deprivation through the use of hoods, etc."

It is in the direct interest of the citizens of Dane County, Wisconsin, to oppose any federal government actions that actively or tacitly approve of the use of torture. Not only do Dane County residents serve in the U. S. armed forces, but any policy designed to dismantle long-standing moral and practical opposition to torture could soon reasonably be expected to make U. S. civilians, including Dane County residents, subjects of torture. A United States foreign and/or military policy that seeks to legitimize torture is a perilous erosion of American moral standing in the world and an attack on human dignity.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does hereby condemn the use of torture in any form, and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the prosecution of all parties, foreign or domestic, confirmed to be involved in torture, and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges U. S. Attorney General Alberto Gonzales to clearly and publicly reject the use of torture, and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges Dane County's representatives in Congress to take an active role in monitoring and overseeing any programs or personnel of the U. S. Department of Justice, U. S. Department of Defense, Central Intelligence Agency, White House, Bush Administration or any other U. S. government-sponsored entity that may be involved in interrogation or detention of suspects, and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Representative Tammy Baldwin, Senator Russell Feingold, Senator Herbert Kohl, the rest of the Wisconsin Congressional Delegation, Attorney General Alberto R. Gonzales, and President George W. Bush.

Submitted by Supervisors Vedder, Richmond, Pertzborn, de Felice, DeSmidt, Hanson, Salov, Erickson, Hendrick, Hulsey, Olsen, Eggert, Wheeler, Opitz, McDonell, Worzala, Kesterson, and Brown, February 3, 2005 (p. 304, 04-05).

Referred to EXECUTIVE.

RES. 298, 04-05

#### AUTHORIZING A CHANGE IN HIRING DATES

Public Safety Communications (PSC) was authorized two new communicator positions in the 2005 budget. The start dates for the two positions were April 1 and May 1, 2005. PSC currently has scheduled a March 22<sup>nd</sup> training academy to fill other current communicator vacancies. Enabling PSC to move up the hire dates of the two new positions to March 22 would save the costs involved in of conducting two consecutive training classes and save communicator overtime costs in the future.

NOW, THEREFORE, BE IT RESOLVED that Public Safety Communications be authorized to hire the two new positions authorized in the 2005 budget on March 22, 2005.

Submitted by Supervisor Hanson, February 3, 2005 (p. 305, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 299, 04-05

AUTHORIZING EMERGENCY FIRE WARDENS FOR DANE COUNTY FOR THE YEAR 2005

Pursuant to Section 26.12(3) and 26.14(3) of the Wisconsin Statutes, the County Board, or authorized committee thereof, shall approve, before March 15th, the list of emergency fire wardens submitted by the State Department of Natural Resources for the prevention and suppression of forest fires in Dane County for 2005.

NOW, THEREFORE, BE IT RESOLVED that the following list of emergency fire wardens, submitted by the Department of Natural Resources, be approved:

<u>Name</u>	<u>Address</u>	<u>Town</u>
Brenda Kahl	9046 State Road 19, Mazomanie 53560	Berry & Roxbury
Richard Fassbender	7214 Inama Rd., Sauk City 53583	Roxbury
Fern Frame	3553 Ryan Rd., Blue Mounds 53517	Vermont
Mike Diebold	4972 W. Brewery, Cross Plains 53528	Berry
Rod Johnson	10440 Enerson Rd., Black Earth 53515	Vermont, Black Earth, & Mazomanie
Stephanie Maier	1210 Mills St., Black Earth 53515	Vermont, Black Earth, & Mazomanie
Frank Hinze	10135 Bell Rd., Black Earth 53515	Vermont
James Olson	15 E. Commercial, Mazomanie 53560	Mazomanie & Black Earth

BE IT FURTHER RESOLVED that the Dane County Clerk shall forward a copy of this adopted resolution to the State Department of Natural Resources.

Submitted by Supervisor Kesterson, February 3, 2005 (p. 305, 04-05).  
Referred to ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES.

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RES. 300, 04-05

MOVING FORWARD COOPERATIVELY WITH THE COMPREHENSIVE PLANNING PROCESS

Dane County began its comprehensive planning process in 2002. The working groups have developed goals and objectives for the nine plan elements required by State Statutes.

There is a need for clarification regarding various aspects of the comprehensive planning process. To move forward cooperatively, it is necessary to clarify the following:

- 1) The role of various County Board committees for oversight of the planning process,
- 2) The appointment process to fill vacancies among appointed work group members,
- 3) The policy for absences at work group meetings, and
- 4) The election of officers for the Comprehensive Planning Steering Committee.

To clarify the oversight of the comprehensive planning process, the Zoning and Land Regulation Committee is designated as the “county zoning agency” authorized to act in all matters pertaining to county planning and zoning pursuant to Section 59.69 of Wisconsin Statutes and the Environment, Agriculture and Natural Resources Committee shall have the role assigned by section 7.19 of the Dane County Code of Ordinances.

To further clarify the roles of County Board Committees it is noted that Section 59.69 (3) (d) specifies that the “county zoning agency shall hold a public hearing on the development plan before approving it. After approval of the plan the county zoning agency shall submit the plan to the board for its approval and adoption.” Any changes to Chapter 10 of the Dane County Code of Ordinances as a result of the comprehensive plan would follow established procedures for amending the Zoning Ordinance, including a vote of the Zoning and Land Regulation Committee and Town Board vote. Other implementation steps of the plan, on the other hand, would probably require efforts by county departments for which the Environment, Agriculture and Natural Resources Committee has oversight responsibility.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors hereby replaces the Comprehensive Planning Steering Committee formed pursuant to Sub. 3 to Res. 70, 2004-05, “Reconstitution of Dane County’s Comprehensive Planning Process”; and

BE IT FURTHER RESOLVED that the County Board specifies that the Comprehensive Planning Steering Committee serves as the oversight committee for the planning process, including oversight of the work groups, implementation of the public participation plan, the survey process, and plan development and implementation.

BE IT FURTHER RESOLVED that the Dane County comprehensive plan should develop and support processes to resolve conflicts between the plans of governments with overlapping jurisdictions and the Dane County comprehensive plan should not predominate over the local plans.

BE IT FURTHER RESOLVED that the County Board specifies the membership structure of the process, which is as follows:

The Comprehensive Planning Steering Committee shall be composed of 13 members as follows:

- Two members elected by the Zoning and Land Regulation Committee (ZLR), at least one of whom serves as a member of the ZLR;
- Two members elected by the Environment, Agriculture and Natural Resources Committee (EANR), at least one of whom serves as a member of EANR;
- One member from the Public Works and Transportation Committee to be elected by the Public Works and Transportation Committee;
- One member from the Health and Human Needs Committee to be elected by the Health and Human Needs Committee;
- The president of the Dane County Towns Association, or his designee;

- The president of the Dane County Cities and Villages Association, or his designee;
- The Mayor of the City of Madison, or his designee;
- A representative of the builders and realtors, to be recommended jointly by the South Central Wisconsin Realtors Association and the Madison Area Builders Association; and
- A representative of the environmental community, to be recommended jointly by the Audubon Society, the Sierra Club, and the Natural Heritage Land Trust.
- A farmer, to be recommended jointly by the Dane County Farm Bureau and the Dane County Chapter of the National Farmers Organization.
- A member of the Dane County Parks Commission, to be appointed by the Parks Commission.

BE IT FURTHER RESOLVED that the Comprehensive Planning Steering Committee shall have 2 co-chairs, one shall be elected by the ZLR Committee and one shall be elected by the EANR Committee.

BE IT FURTHER RESOLVED that the County Board intends that current members of the three working groups and citizen members of the Steering Committee continue to serve and specifies that vacancies to the appointed members of the working groups will be appointed jointly by the chair of the Zoning and Land Regulation Committee and the chair of the Environment, Agriculture and Natural Resources Committee. In absence of any appointments being made to working groups within 30 days of a vacancy, the Comprehensive Planning Steering Committee shall have the authority to fill vacancies of appointed members to the work groups. Nominations for work group appointments may be made by the work groups.

BE IT FINALLY RESOLVED that appointed members of the working groups who have three unexcused absences from the time of the passage of this resolution will automatically be removed as members of the working groups and the resulting vacancies shall be filled as specified in this resolution. Any member removed due to unexcused absences shall not be eligible for re-appointment.

Submitted by Supervisors Jensen, Gau, Hitzemann, Bruskevitz, Hendrick, Wendt, Wiganowsky, Eggert, and McDonell, February 3, 2005 (p. 307, 04-05).

Referred to ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES and ZONING & LAND REGULATION.

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COMMUNICATIONS

Notice of Claim from Gary Gohedotte regarding Madison Metro bus accident. Referred to PUBLIC PROTECTION/JUDICIARY.

Sauk Co. Res. 3-05, Opposing Further Limitations on Sauk County's Ability to Levy Necessary Taxes. Referred to EXECUTIVE.

Winnebago Co. Res. Requesting that Wisconsin Legislature Amend Section 59.13(2), Wis. Stats. Referred to EXECUTIVE.

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RES. 301, 04-05

AUTHORIZING OPERATING AND CAPITAL EXPENDITURES IN ADVANCE OF BORROWING –  
HIGHWAY & TRANSPORTATION

Dane County Ordinance Sec. 29.52(11) states that “Capital projects to be financed with borrowed funds may not proceed in advance of borrowing except with prior approval of the County Board and County Executive.”

The Highway and Transportation Department in 2005 has Operating and Capital Budget construction projects scheduled for borrowing, and, due to the limited road construction season, it desires to start prior to the 2005 borrowing issue being completed. The affected projects are:

Object Account	Project Borrowed	Acct Type	Account Description
8340-9109	\$100,000	CB	CTH BB (BW to Cottage Grove)
8295-9110	38,000	CB	CTH D (69 to Remy Rd)
8340-9112	60,000	CB	CTH K (STH 12 to Church)
8340-9111	50,000	CB	CTH K (STH 12 to CTH Q)
8340-9075	400,000	CB	CTH M (c/Middleton to STH 113)
8340-9113	82,000	CB	CTH M (Donna Dr to STH 12)
8340-9114	181,000	CB	CTH MN (STH 51 to Anthony)
8340-9118	190,000	CB	CTH MV (Nine Mound Rd to Legion)
8340-9116	20,000	CB	CTH N & CTH BB Intersection)
8340-9117	90,000	CB	CTH N (Dunkirk to CTH A)
8340-9098	494,100	CB	CTH PB (STH 92 to STH 69)
8340-9099	168,000	CB	CTH PB (Sugar River Bridge)
	<u>\$1,873,100</u>		

NOW, THEREFORE, BE IT RESOLVED that these Highway & Transportation operating and capital projects be authorized in advance of the 2005 borrowing and that it is the intention of the County to reimburse itself the \$1,873,100 portion of the expenditures with proceeds from the 2005 Capital Projects Borrowing.

Submitted by Supervisor Ripp, February 9, 2005 (p. 309, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 302, 04-05

RECOMMENDING IMPROVEMENTS TO THE TELECOMMUNICATIONS BENEFIT  
FOR SERVICE MEMBERS STATIONED IN IRAQ OR AFGHANISTAN

In today's high technology world, the ability to maintain effective communications with family members is recognized as a basic need for deployed military members. Telephone calls home from the theatre of operations can provide significant emotional and psychological support to both the service member and their families back home.

Fulfilling its role of ensuring the national defense, Congress recognized this need in the National Defense Authorization Act (NDAA) for Fiscal Year 2004. It authorized the Department of Defense to provide "... prepaid phone cards, or an equivalent telecommunications benefit which includes access to telephone service, to members stationed outside of the United States ... in direct support of Operation Enduring Freedom and Operation Iraqi Freedom to enable those members to make telephone calls without cost to the member."

DoD may provide each service member a monthly telecommunications benefit not to exceed \$40 or 120 minutes per month. The FY 2005 NDAA extended this benefit through September 30, 2006.

DoD has accepted this responsibility. In March 2004, a senior DoD official stated, "It is a longstanding Department of Defense practice for service members to be able to make subsidized or free telephone calls home. The frequency and duration of Health, Morale, and Welfare (HMW) calling using official phones are determined by the command so as not to interfere with the mission."

In April 2004, DoD created the "Help the Troops Phone Home" program to solicit the donation of calling cards for distribution to deployed service members. Corporations, private organizations, and many generous individuals are to be commended for their past, present, and future donations to the program. Although the program is a significant step in the right direction and is worthy of recognition, it falls short of the mandate required by Congress.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors reiterates its unequivocal support for the men and women of the United States Armed Forces and recognition of their professionalism, dedication, patriotism, and courage as previously expressed in Resolution 303, 2002-2003.

BE IT FURTHER RESOLVED the County Board commends the corporations, private organizations, and concerned individuals (including many in Dane County) who have contributed time, money, goods, and services for the benefit of the military members serving in Iraq and Afghanistan. To support those efforts, the County Board directs the Department of Administration to place a link to the "Help the Troops Phone Home" program on the main Dane County internet homepage for the duration of the program.

BE IT FURTHER RESOLVED that the County Board strongly urges Congress to take the following steps to ensure that its establishment of a telecommunications benefit for deployed service members is fully implemented by the Department of Defense:

- 1) Require DoD to directly provide calling cards to service members, to supplement donated cards. The Congressional mandate does not limit DoD to donated cards and, in fact, anticipated the possibility of directly providing phone cards by requiring a competitive bid process.
- 2) Require DoD to provide Health, Morale, and Welfare calls using official lines without cost to service members, as currently mandated by Congress. Currently service members are only provided a free phone call to a military installation within the United States. The service member is required to pay any long distance charges from the military installation to the location being called. This disproportionately impacts reserve component members, who usually do not live within local range of a military installation. Furthermore, it does not comply with the Congressional mandate to make calls available without cost.
- 3) Prohibit DoD from counting email and internet services toward meeting the mandate, except for video teleconferencing. Email and internet alone are not equivalent to calling cards, and do not include access to telephone service.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Senators Feingold and Kohl, Representative Baldwin, and the remaining members of the Wisconsin Congressional delegation

Submitted by Supervisors Eggert, Kesterson, Gau, Olsen, and Hulsey, February 9, 2005 (p. 310, 04-05).  
Referred to EXECUTIVE. (Policy & Fiscal Notes not required.)

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ORD. AMDT. 28, 04-05

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING APPEAL OF CONDITIONAL USE PERMITS TO THE COUNTY BOARD

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.255(2)(j) of the Dane County Code of Ordinances is amended to read as follows:

(j) *Appeal from action by zoning committee.* Any person aggrieved by the grant or denial of a conditional use permit, or the county board supervisor of the district in which the affected parcel is located, may appeal the decision of the zoning committee to the county board. Such appeal must specify the grounds thereof in respect to the finding of the zoning committee, the reason why the appellant is aggrieved and must be filed with the office of the zoning administrator within 20 days of the final action of the zoning committee. The zoning administrator shall transmit such appeal to the county clerk who shall file such appeal with the county board. The county board shall fix a reasonable time for the hearing of the appeal and give public notice thereof as well as due notice to the applicant and the appellant(s) and decide the same within a reasonable time. ~~The action of the zoning committee shall be deemed just and equitable unless the county board by a three-fourths vote of supervisors present and voting may affirm,~~ reverses or modifies the action of the zoning committee. ~~An appeal from a decision of the committee shall be taken to the county board.~~ No other entity of county government has jurisdiction to hear any such appeal and the avenue of appeal provided for herein is intended to be the sole avenue of appeal from a decision of the committee.

*[EXPLANATION: This amendment deletes the requirement of a three-fourths majority on appeals of CUP decisions to the county board.]*

Submitted by Supervisors Worzala, McDonell, Rusk, Richmond, Erickson, Wheeler, DeSmidt, and Gross, February 17, 2005 (p. 311, 04-05). Fiscal and Policy Notes not required.

Referred to ZONING/LAND REGULATION.

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ORD. AMDT. 29, 04-05

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,  
ADOPTING TEMPORARY BOARD RULE FOR COMPREHENSIVE PLANNING

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.26 is created to read as follows:

7.26 COMPREHENSIVE PLANNING PROCESS. (1) The provisions of Resolution 300, 2004-2005 are incorporated herein by reference as a temporary amendment to the county board rules.

(2) This amendment shall be rescinded as of the date the county board approves a comprehensive plan or January 1, 2110, whichever occurs first.

*[EXPLANATION: The amendment refers to resolution 300 and makes it a part of the board rules. This section will "sunset" when the county board votes on the comprehensive plan.]*

Submitted by Supervisor Hendrick, February 17, 2005 (p. 312, 04-05).  
Referred to EXECUTIVE, PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/  
NATURAL RESOURCES and ZONING/LAND REGULATION.

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ORD. AMDT. 30, 04-05

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,  
CREATING THE BOARD OF HEALTH FOR MADISON AND DANE COUNTY

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 15.24 is amended to read as follows:

**15.24 BOARD OF HEALTH FOR MADISON and DANE COUNTY.**

~~(1) The Dane County Board of Health shall consist of seven (7) members, two of whom shall be county board supervisors, all of whom shall reside in Dane County outside the City of Madison. One of the supervisor members shall be a member of the health & human needs committee of the Dane County Board of Supervisors.~~

~~(2) One (1) of the board members shall be a licensed physician, appointed from a list of five (5) physicians submitted by the county medical society. One (1) member shall be a practicing dentist, appointed from a list submitted by the county dental society. If either the medical society or the dental society fails to submit the required list within sixty (60) days of a request to do so, the county executive may appoint a physician or dentist of his or her choice, as appropriate. One (1) member shall be a registered nurse with experience in community health practice, appointed from a list submitted by the Madison District Nurses Association. Two (2) members shall be persons of ability and known to have a serious interest in health protection within the county.~~

~~(3) Members shall serve staggered five (5) year terms which shall expire on January 31 or as soon thereafter as their successors are appointed and qualified. To stagger the terms of members, two members must be appointed in each of two years and one member must be appointed in each of the other three years of the five year term cycle.~~

~~(3m) Notwithstanding the provisions of sub. (3) hereof, commencing with appointments made on and after the effective date of this amendment, members shall serve two (2) year terms which shall expire on the third Tuesday in April of even numbered years or as soon thereafter as their successors are appointed and qualified~~

~~(4) The members of the board of health shall receive the same per diem and mileage paid to county board supervisors.~~

~~(7) The board of health shall be a policymaking body determining the broad outlines and principles governing the administration of the public health services division of the human services department and shall have all the powers and authority now vested in local boards of health & local health officers and shall have the authority to enforce such rules and regulations as may be adopted by the department of health & social services under the laws of the State of Wisconsin, subject to the provisions of the statutes relating to the authority of the health officer, the county executive and the county board. It may adopt such rules for its own guidance and for the government of the public health services division as may be deemed necessary to protect and improve the public health, not inconsistent with state law or with rules and regulations of the state department of health & social services. The Dane county Board of Supervisors shall determine the compensation of health department employees. The board of health shall also be advisory to the human resources committee of the county board and the human services board on major issues and with respect to budget and policy matters.~~



~~(1) The Dane County Board of Health shall consist of seven (7) members, two of whom shall be county board supervisors, all of whom shall reside in Dane County outside the City of Madison. One of the supervisor members shall be a member of the health & human needs committee of the Dane County Board of Supervisors.~~

~~(2) One (1) of the board members shall be a licensed physician, appointed from a list of five (5) physicians submitted by the county medical society. One (1) member shall be a practicing dentist, appointed from a list submitted by the county dental society. If either the medical society or the dental society fails to submit the required list within sixty (60) days of a request to do so, the county executive may appoint a physician or dentist of his or her choice, as appropriate. One (1) member shall be a registered nurse with experience in community health practice, appointed from a list submitted by the Madison District Nurses Association. Two (2) members shall be persons of ability and known to have a serious interest in health protection within the county.~~

~~(3) Members shall serve staggered five (5) year terms which shall expire on January 31 or as soon thereafter as their successors are appointed and qualified. To stagger the terms of members, two members must be appointed in each of two years and one member must be appointed in each of the other three years of the five year term cycle.~~

~~(3m) Notwithstanding the provisions of sub. (3) hereof, commencing with appointments made on and after the effective date of this amendment, members shall serve two (2) year terms which shall expire on the third Tuesday in April of even numbered years or as soon thereafter as their successors are appointed and qualified.~~

~~(4) The members of the board of health shall receive the same per diem and mileage paid to county board supervisors.~~

~~(7) The board of health shall be a policymaking body determining the broad outlines and principles governing the administration of the public health services division of the human services department and shall have all the powers and authority now vested in local boards of health & local health officers and shall have the authority to enforce such rules and regulations as may be adopted by the department of health & social services under the laws of the State of Wisconsin, subject to the provisions of the statutes relating to the authority of the health officer, the county executive and the county board. It may adopt such rules for its own guidance and for the government of the public health services division as may be deemed necessary to protect and improve the public health, not inconsistent with state law or with rules and regulations of the state department of health & social services. The Dane County Board of Supervisors shall determine the compensation of health department employees. The board of health shall also be advisory to the human resources committee of the county board and the human services board on major issues and with respect to budget and policy matters.~~

(1) Creation of the Board of Health for Madison and Dane County. The Board of Health for Madison and Dane County is created jointly by the City of Madison and Dane County to serve as the Board of Health for the City of Madison and Dane County during transition to a city-county health department.

(2) Dissolution of the Dane County Board of Health. The Dane County Board of Health is hereby dissolved effective upon appointment and qualification of the members of the Board of Health for Madison and Dane County pursuant to this ordinance.

(3) Composition. The Board of Health for Madison and Dane County shall consist of eight (8) members. Appointees who are not elected officials shall have a demonstrated interest or competence in the field of public health or community health and shall reflect the diversity of the community. The members of the board shall consist of:

(a) One alder of the City of Madison appointed by the Mayor and subject to confirmation by the Common Council.

(b) One county supervisor who resides outside the City of Madison, appointed by the County Executive and subject to confirmation by the Board of Supervisors.

(c) Six (6) members shall be jointly appointed by the Mayor of the City of Madison and the County Executive. A good faith effort shall be made to appoint one (1) licensed physician, one (1) environmental health expert, and one (1) registered nurse. The physician shall be appointed from a list submitted by the Dane County Medical Society. The nurse shall have experience in community health practice. The appointments shall be made as follows:

(1) Three (3) members shall be residents of the City of Madison and shall be subject to confirmation by the Common Council.

(2) Three (3) members shall be residents of Dane County who reside outside the City of Madison and shall be subject to confirmation by the Board of Supervisors.

(4) Term. The terms of board members shall be as follows:

(a) The term of the alder and supervisor shall be for two (2) years.

(b) The term of Four (4) of board members appointed jointly by the Mayor and County Executive, two (2) confirmed by the Common Council and two (2) confirmed by the Board of Supervisors, shall be for three years.

(c) The term of the remaining two (2) board members shall be for four (4) years.

(5) Meeting Attendance. A board member's term shall terminate and a vacancy shall exist if a board member is absent from three (3) consecutive meetings.

(6) Powers. The Board of Health for Madison and Dane County shall govern the Madison Department of Public Health and the Dane County Division of Public Health, provide supervision to the Joint Director of both agencies, and shall assure the enforcement of state and local public health laws and regulations. Subject to the approval of the Common Council and Board of Supervisors, it may adopt rules necessary to protect or improve public health, not inconsistent with state law or with rules and regulations of the state department of health and social services. It shall determine program service priorities and assign funding levels to those priorities, subject to approval of the Common Council and Board of Supervisors. The Board may approve and enter into contracts under \$50,000 for the provision of public health services. Contracts in excess of \$50,000 must be approved by the Common Council and Board of Supervisors. The Dane County Board of Supervisors shall determine the compensation of employees of the Dane County Division of Public Health.

*[EXPLANATION: This amendment dissolves the existing Board of Health and creates the Board of Health for Madison and Dane County in conformity with the Intergovernmental Agreement between Madison and Dane County for Public Health Services Phase One. Additional amendments will be required when full merger is completed and a city-county health department is created.]*

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Olsen, February 17, 2005 (p. 313, 04-05).  
Referred to HEALTH/HUMAN NEEDS.

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AUTHORIZATION TO BORROW FROM THE COMMISSIONER OF PUBLIC LANDS  
FOR PURCHASE OF SHERIFF DEPARTMENT AND HUMAN SERVICES DEPARTMENT VEHICLES

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 66.22 or 66.882, joint sewerage system created under Sec. 144.07(4), school district or technical college district).

THEREFORE, BE IT RESOLVED that the County of Dane, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Two Hundred Thousand Eighty Two Thousand Five Hundred and 00/100 Dollars (\$282,500) for the purpose of purchasing vehicles for the county and for no other purpose.

The loan is to be payable within five years from the 15<sup>th</sup> day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 3.5 percent per annum from the date of making the loan to the 15<sup>th</sup> day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the County of Dane, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the County of Dane by such loan from the state be applied or paid out for any purpose except purchasing Sheriff Department vehicles for the county without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the chairman and clerk of the County of Dane, Wisconsin, are authorized and empowered, in the name of the county to execute and deliver to the commission certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the county pursuant to this resolution. The chairman and clerk of the county will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this county forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Submitted by Supervisor Brown, February 17, 2005 (p. 314, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 304, 04-05

AWARD OF CONTRACT ADDENDUM FOR EMS MEDICAL DIRECTOR, 2005

To meet the requirements for Emergency Medical Services administrative and evaluative physician services, Dane County has contracted with a physician since January 1989.

A 2005 contract addendum for administrative and evaluative physician services is being awarded to Paul M. Stiegler, M.D. The contract shall not exceed \$60,000 in 2005 (the contract period).

THEREFORE, BE IT RESOLVED that a contract be awarded to Paul M. Stiegler, M.D. and that the County Executive and the County Clerk are authorized to sign the agreement.

Submitted by Supervisors Salov and Martz, February 17, 2005 (p. 315, 04-05).  
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and EMS COMMISSION.

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RES. 305, 04-05

CREATING PROJECT POSITIONS RELATED TO FEDERAL IV-E MONIES --  
DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

The Department of Human Services – CYF Division is awarded special (“PEP-related”) 2005 federal IV-E monies in the amount of \$163,667 for 2005. These monies are currently generically budgeted. The state-approved Plan for utilization of these monies includes creation of one project Social Worker and two project Social Service Specialist staff positions. These positions command \$118,168 of the total allocation.

NOW, THEREFORE, BE IT RESOLVED that Dane County create these three project staff positions for assignment to the Department of Human Services – CYF Division. It is understood that positions are fully supported by federal IV-E monies and that continuing authorization for these positions is entirely contingent upon such continuing financial support.

Expenditure Account Number			Account Title	Amount
Fund	ORGN	OBJT		
2600	CYFSUPRT	PROLAA	PEP RELATED	(\$118,168)
2600	CYFDSSIA	AAAYAA	SAL & WAGES	80,048
2600	CYFDSSIA	AAAYMAA	RETIREMENT	9,017
2600	CYFDSSIA	AAAYPAA	SOC SEC	6,124
2600	CYFDSSIA	AAAYSAA	HEALTH	21,779
2600	CYFDSSIA	AAZBAA	DENTAL	2,460
2600	CYFDSSIA	AAZHAA	WAGE INS	156
2600	CYFDSSIA	AAZKAA	LIFE INSURANCE	16
2600	CYFDSSIA	AAZQAA	WKRS COMP	169
2600	CYFDSSIA	AAZXAA	SALARY SAVINGS	(1,601)
		TOTAL:		\$0

BE IT FURTHER RESOLVED that IV-E sums earmarked for these purposes and not expended in 2005 be carried into the 2006 budget for utilization in these state-approved manners.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, February 17, 2005 (p. 315, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

ACCEPTING, ALLOCATING FEDERAL IV-E MONIES AND CREATING RELATED PROJECT YOUTH PROGRAM LEADER POSITION -- DEPARTMENT OF HUMAN SERVICES-CYF DIVISION

Dane County Department of Human Services – CYF Division is awarded 2005 federal IV-E monies that exceed the budgeted figure in the amount of \$124,851. These monies must be used for child-maltreatment services and ‘other’ family services as broadly defined. They must not supplant existing County allocations for these purposes. The Wisconsin Department of Health and Human Services has approved the Department plan as to utilization of these monies. This plan calls for monies to be allocated to support (1) a new/project Youth Program Leader to perform delinquency early-intervention services, (2) Teen Independent Living Program staff (monies address a revenue shortfall), (3) limited-term social worker staff, (4) staff training, and (5) delinquency early-intervention program services.

NOW, THEREFORE, BE IT RESOLVED that Dane County accept these funds for allocation to the following revenue and expenditure budget lines:

Revenue Account Number			Account Title	Amount
Fund	ORGN	OBJT		
2600	CYFSUPRT	81507	IV-E Supplement	\$124,851
2600	CYFSUPRT	81554	Independent Living	<u>\$-25,000</u>
<b>Total:</b>				<b>\$99,851</b>

Expenditure Account Number			Account Title	Amount
Fund	ORGN	OBJT		
2600	CYFDSSIA	AAAYAA	SAL & WAGE	\$ 27,490
2600	CYFDSSIA	AAAYMA	RETIREMENT	3,000
2600	CYFDSSIA	AAAYPA	SOC SEC	2,080
2600	CYFDSSIA	AAAYSAA	HEALTH	7,160
2600	CYFDSSIA	AAZBAA	DENTAL	850
2600	CYFDSSIA	AAZQAA	WKRS COMP	80
2600	CYFDSSIA	AAZXAA	SAL SAVING	-540
2600	CYFDSSIA	AAYGAA	LTE	15,000
2600	CYFDSSIA	AAYPAA	SOC SEC	1,150
2600	CYFJDSC	AAYGAA	LTE	8,751
2600	CYFJDSC	AAYPAA	SOC SEC	670
2600	CYF-ADM	ABCOAA	CONFTRGN	4,000
2600	CYFJDSC	RZPNAA	NIPPREVENT	13,980
2600	CYFJDSC	RZPEAA	NIP – TBD (NEW)	<u>16,180</u>
<b>Total:</b>				<b>\$99,851</b>

BE IT FURTHER RESOLVED that Dane County creates the project Youth Program Leader position for assignment to the Department of Human Services – CYF Division (with the understanding that continuing authorization for this project position is entirely contingent upon continuing financial support).

BE IT FURTHER RESOLVED that IV-E sums earmarked for these purposes not expended in 2005 be carried into the 2006 budget for utilization in these state-approved manners.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, February 17, 2005 (p. 316, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 307, 04-05

ACCEPTING MONEY FOLLOWS THE PERSON GRANT -- DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

The State of Wisconsin has established an ICF/MR Restructuring Initiative (Intermediate Care Facility/Mental Retardation), which encourages the relocation of ICF/MR residents to smaller, more individualized settings. All Wisconsin counties are affected by this initiative. The Wisconsin Department of Health and Family Services Department is allocating \$208,390 to Dane County to facilitate development of regional and statewide training to strengthen the skills and capacity of counties to support ICF/MR relocations. The funding sources are a Federal Systems Change Grant/Money Follows the Person, COP, and CIP 1b. Training events will be developed in collaboration with the Wisconsin Bureau of Developmental Disabilities Services and will involve advocacy groups, providers, county representatives, ICF/MR operators, guardians and family members. The funds are allocated to Fiscal Assistance of Dane County, Inc., which will disburse the funds as expenses are incurred.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure account in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
ACDADULT 80996	DD Adult CIP 1B	\$55,760
ACDADULT 80998	DD Adult COP	\$77,630
ACDADULT 80992	Money Follows the Person Grant	\$75,000
	Total	\$208,390

  

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
ACDCLFAD AMMFAA	Fiscal Assistance of Dane Co., Inc.	\$208,390
	Total	\$208,390

Submitted by Supervisors Gross, DeSmidt, and Wheeler, February 17, 2005 (p. 317, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 308, 04-05

AWARDING CONCESSION LEASE FOR FOOD AND BEVERAGE SERVICES AT THE  
DANE COUNTY REGIONAL AIRPORT

Subsequent to a Request for Proposal process, Compass Group USA, Inc., has been selected as the food and beverage concessionaire at the Dane County Regional Airport. The Compass Group will be offering food and drink from a combination of local establishments, such as the Great Dane Brewery and Ancora Coffee, and nationally recognized brands such as Quizno's and Ben and Jerry's. Rent payment under the concession lease is set as the greater of a percentage of gross receipts, established by location and type of beverage purchased, or a minimum annual guarantee (MAG). The MAG for each year of the ten-year term of the lease is a minimum of

\$250,000. Compass Group will invest over \$3,000,000 in initial build out and expenses associated with capital improvements for the concession locations at the Airport.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk be authorized to execute Lease DCRA 2005-03, a Lease between Compass Group USA, Inc., and the County for the provision of food and beverage services at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin, McDonell, and de Felice, February 17, 2005 (p. 318, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 2/16/05.)

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RES. 309, 04-05

AWARDING CONCESSION LEASE FOR RETAIL SALES AT THE DANE COUNTY REGIONAL AIRPORT

Subsequent to a Request for Proposal process, Paradies – Madtown, LLC, has been selected as the retail concessionaire at the Dane County Regional Airport. Paradies – Madtown, LLC, will be selling retail merchandise from four locations in the Airport Terminal. Rent payment under the concession lease is set as the greater of a percentage of gross receipts or a minimum annual guarantee (MAG). The MAG for each year of the ten-year term of the lease is a minimum of \$205,000. Paradies – Madtown, LLC, will invest over \$1,500,000 in initial build out and expenses associated with capital improvements for the concession locations at the Airport.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk be authorized to execute Lease DCRA 2005-02, a Lease between Paradies – Madtown, LLC, and the County for the provision of retail sales services at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin, McDonell, and de Felice, February 17, 2005 (p. 318, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 2/16/05.)

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RES. 310, 04-05

ACCEPTING LEASE ASSIGNMENT AND EXTENSION WITH RANDOLPH SHEPPARD VENDORS OF WISCONSIN TO OPERATE COFFEE SHOP ON GROUND FLOOR OF CITY-COUNTY BUILDING

The State of Wisconsin Department of Workforce Development (DWD), which has provided an operator for the coffee shop on the ground floor of the City-County Building for several years has contracted that service out to Randolph Sheppard Vendors of Wisconsin and wishes to assign the coffee shop lease to them. Randolph Sheppard, working with the current service provider, wishes to extend the lease an additional year. The initial term of the lease was three years with two additional three-year extensions available to DWD. Randolph Sheppard has requested that its first renewal be limited to one year. No other terms of the original lease are amended.

The rent, as provided for 2005 in the lease, is \$10,800 payable in monthly installments of \$900.00.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby agree to assign the lease and enter into the above-described lease extension with Randolph Sheppard Vendors of Wisconsin, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the assignment and lease documents on behalf of the County of Dane.

Submitted by Supervisor Brown, February 17, 2005 (p. 319, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 311, 04-05

ACCEPTING DONATION OF HENRY VILAS ZOO NORTH AMERICAN PRAIRIE EXHIBIT  
FROM HENRY VILAS ZOOLOGICAL SOCIETY

The southeast portion of Henry Vilas Zoo is being rebuilt to include a North American Prairie exhibit. Bison, Pronghorn, Antelope, Prairie Dogs, and Badgers will populate the naturalized setting; visitors will view animals from an elevated deck and walkway. The Henry Vilas Park Zoological Society has raised all funds needed to complete this project; no County funds will be used.

NOW, THEREFORE, BE IT RESOLVED that the Henry Vilas Park Zoological Society is authorized to build a North American Prairie Exhibit at Henry Vilas Zoo.

BE IT FURTHER RESOLVED that Dane County accepts the Donation of a North American Prairie exhibit from the Henry Vilas Park Zoological Society.

BE IT FINALLY RESOLVED that Dane County commends and thanks the Henry Vilas Park Zoological Society for its outstanding support of Henry Vilas Zoo.

Submitted by Supervisors Ripp, Kostelic, Erickson, and Opitz, February 17, 2005 (p. 319, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 312, 04-05

AWARD OF CONTRACT FOR GAS EXTRACTION WELLS AT LANDFILL SITE #2

The Department of Public Works, Highway & Transportation reports the receipt of bids for the installation of gas extraction wells at Dane County Landfill Site #2, BID NO. 10521.

A complete tabulation is on file at the Department of Public Works, Highway & Transportation.

The low bidder is: Terra Engineering & Construction Corp.  
2201 Vondron Road  
Madison, WI 53718-6795

Contract Amount: \$47,200.00

The Public Works staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to Terra Eng. & Const. Corp.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Terra Eng. & Const. Corp. in the amount of \$47,200.00 for the installation of gas extraction wells; and



BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Ripp, Kostelic, Opitz, Willett, Matano, and de Felice, February 17, 2005 (p. 320, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 313, 04-05

ACCEPTING DONATIONS FOR PUBLIC OUTREACH AND EDUCATION  
ABOUT DANE COUNTY LAKES, STREAMS AND WATERSHEDS

The Office of Lakes and Watersheds is soliciting private sector donations to support public outreach and education to increase public understanding and actions to protect and improve Dane county lakes, streams and watersheds. Activities funded with these donations may include seasonal advertising and media coverage, web site redesign, and publications development and printing. These activities will be coordinated with existing outreach efforts.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board approve receipt of up to \$85,000 in private donations; that \$85,000 be set up as an Office of Lakes and Watersheds "Public Info – Outreach Donations" revenue account and credited to the General Fund; and that \$85,000 be transferred from the General Fund to an Office of Lakes and Watersheds "Public Info – Outreach" Expense Account.

Submitted by Supervisors Hulsey, Eggert, Graf, and Jensen, February 17, 2005 (p. 320, 04-05).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.  
(LAKES & WATERSHED recommended adoption on 2/10/05.)

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RES. 314, 04-05

AUTHORIZING EMPLOYMENT AGREEMENT FOR DIRECTOR OF DEPARTMENT OF  
LAND AND WATER RESOURCES (KEVIN F. CONNORS)

A candidate has been selected to serve as the Director of the Department of Land and Water Resources. Consistent with the budget, county ordinances, and existing practice for employment contracts, a contract has been negotiated with Kevin F. Connors. This new contract is similar to the contracts of other department heads.

NOW, THEREFORE, BE IT RESOLVED that the county executive is hereby authorized to execute, on behalf of the County of Dane, an employment contract with Kevin F. Connors to serve as Director of the

Department of Land and Water Resources for a five year period ending April 2, 2010, at a first year salary of \$88,116.00.

Submitted by Supervisors Ripp, Kostelic, Richmond, Erickson, and Opitz, February 17, 2005 (p. 320, 04-05). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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### COMMUNICATIONS

- Claim from Larry C. Hendrix against Jail – claims diamond earring lost. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from State of Wisconsin on behalf of City of Fitchburg – claims damage to squad by county snowplow. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from DeAnn Schaefer against Highways – claims county truck hit her car. Referred to PUBLIC PROTECTION/JUDICIARY.
- Summons & Complaint, Case #05CV0256, Anthony Berry vs County Dane, Gary Hamblin, and Prison Health Services, Inc. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Richard Fink against Sheriff – claims damage to property during pursuit of criminal. Referred to PUBLIC PROTECTION/JUDICIARY.
- Vernon Co. Res. #2005-3, State Highway Funds Used Only for Highway Purposes. Referred to EXECUTIVE.
- Green Lake Co. Res. 05-2005, Relating to Opposing Further Limitations on Green Lake County's Ability to Levy Necessary Taxes. Referred to EXECUTIVE.
- Dunn Co. Res. 21-2005 re: ICF-MR downsizing initiative and court ordered new or ongoing protective placements. Referred to EXECUTIVE.
- Dunn Co. Res. 22-2005 re: increase in WIC funding. Referred to EXECUTIVE.

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### ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9181 – Town of Blooming Grove – Hung T. Nguyen
- 9182 – Town of Sun Prairie – Francis Blaska
- 9183 – Town of Blue Mounds – Michael J. Cahill & Nancy Thorne Cahill
- 9184 – Town of Deerfield – David Lovejoy
- 9185 – Town of Cottage Grove – Steven Wayne & Victoria Mae Armstrong
- 9186 – Town of Deerfield – Dennis & Nancy Brattlie
- 9187 – Town of York – Harold W. & Marilyn Beitz
- 9188 – Town of Christiana – Sanford G. Olson
- 9189 – Town of Rutland – William & Suzette Waters
- 9190 – Town of Burke – Mark & Nicole Stace
- 9191 – Town of Rutland – Jeffrey & Teresa Trumpy
- 9192 – Town of Cross Plains – Virgil & Dawn Albrecht
- 9193 – Town of Vermont – Carey & Mia Bomkamp
- 9194 – Town of Cottage Grove – Gregory E. & Mary E. Scalissi
- 9195 – Town of Blue Mounds – Meylor Investments LLC
- 9196 – Town of Pleasant Springs – Linda Anderson & Ronald Drogsvold
- 9197 – Town of York – Robert Ragan
- 9198 – Town of Pleasant Springs – David Jerome Quam et al

9199 – Town of Sun Prairie - Heidi Kuhman & Peter Bullwinkel  
9200 – Town of Verona – Gregory A. Thompson  
9201 – Town of Sun Prairie – Rose B. Schuster  
9202 – Town of Sun Prairie – Yer & Ge Vang  
9203 – Town of Rutland – Eric O. & Martha M. Grover  
9204 – Town of Rutland – Eric O. & Martha M. Grover  
9205 – Town of Burke – Douglas & Janet Gehrke

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AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, MODIFYING THE ADULT ENTERTAINMENT OVERLAY DISTRICT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(2n) is amended to read as follows:

(2n) *Adult Entertainment establishment* is any establishment which for monetary consideration is used for presentations or service distinguished or characterized by an emphasis on exposure to view of human genitals, pubic area, buttocks or anus; or a female's vulva or breasts below the top of the areola; or male genitals in a discernable turgid state, even if opaquely covered; or on acts of or acts which simulate erotic touching, sexual intercourse, masturbation, flagellation, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any sexual act prohibited by conduct as defined by s. 944.21(2)(e), Wisconsin Statutes.

*[EXPLANATION: This amendment provides a statutory reference for defining sexual conduct.]*

ARTICLE 3. Section 10.151 is amended to read as follows:

**10.151 AED ADULT ENTERTAINMENT OVERLAY DISTRICT. (1) Statement of Purpose.** The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds as follows:

~~(a)(1)~~ That adult entertainment establishments may have an adverse secondary effect on the surrounding community because the sexual nature of the business may, regardless of the intentions of the proprietors, attract persons seeking prostitution or unlawful drugs, or who are inclined to be disorderly or disruptive;

~~(b)(2)~~ Adult entertainment establishments are an intense commercial use which create a large volume of foot and automobile traffic in the vicinity of the establishment, which may require police and other municipal services which may not be readily available in towns, and which may conflict with the preservation of farmland by encouraging scattered commercial development;

~~(c)(3)~~ Adult entertainment establishments have their peak activity at hours and days which are incompatible with residential uses, and have a larger customer volume than other entertainment establishments which may be located in rural areas;

~~(d)(4)~~ Because of the potential for negative impacts on property values, the peace and good order of the community and the welfare of individuals affected by adult entertainment establishments, it is necessary to minimize the secondary effects of adult entertainment and assure that such establishments are not located in places which pose unacceptable conflicts with existing or planned land uses;

~~(e)(5)~~ It is the intent of this section to protect the health, safety and welfare ~~morals~~ of the citizens of Dane County and to further preserve the quality of family life and to preserve the urban and rural characteristics of its neighborhoods. The intent of the Adult Entertainment Overlay District is to regulate the location of such establishments; and

~~(f)(6)~~ Nothing in this section shall be construed to permit the regulation of any activities conducted in adult entertainment establishments which are entitled to protection under the First Amendment of the United States Constitution.

~~(2)(7)~~ This overlay district shall apply only to lands zoned M-1 Industrial.

~~(3)(8)~~ An adult entertainment establishment shall not be a permitted use within the overlay district. ~~All such uses shall be conditional uses which may be authorized only if approved pursuant to the provisions of s. 10.255(2). Prior to the granting of any conditional use permit, however, the Dane County zoning agency shall receive and review any comments or proposed conditions communicated by the town in which the facility is proposed to be located. The following procedural requirements which are supplemental to those of s. 10.255(2), shall apply to adult entertainment establishments:~~

~~(a) Any application for a conditional use permit shall be reviewed by the zoning department within five (5) business days of its filing to determine if the application is complete, the administrator shall inform the applicant, in writing, of the missing items required within the five (5) day initial review period. Notification shall be deemed to have been given by placing the notice in the mail with sufficient postage addressed to the address provided on the application. If the zoning administrator does not inform the applicant of any deficiencies within the five (5) day initial review period, the application shall be deemed complete.~~

~~(b) A complete application shall be mailed to the Clerk of the town in which the proposed establishment would be located and referred to the Dane County zoning agency within two (2) business days of the determination that the application is complete.~~

~~(c) The Dane County zoning agency shall hold the required public hearing at the first available scheduled meeting at which public hearings are held, and shall take action on the application not later than 45 days after the public hearing. The agency may extend the deadline for taking action only if requested by the applicant or if the agency finds it is necessary to delay action in order to obtain information that could not, in the exercise of diligence, have obtained within the 45 day period.~~

~~(4)(9) Standards for siting of adult entertainment establishments. Adult entertainment establishments shall meet all of the following requirements:~~

~~(a) Only one such overlay shall be located within a specific M-1 Industrial District;~~

~~(b) Location of any particular adult entertainment establishment must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store or adult entertainment establishment;~~

~~(c) There shall be no display windows on the premises;~~

~~(d) The business may have only one (1) non-flashing business sign, which sign may only indicate the name of the business and identify it as an adult entertainment establishment and which shall be not larger than 4 feet by 4 feet;~~

~~(e) A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information; and~~

~~(f) The owner and operator of an adult entertainment establishment shall agree to comply with all Federal, State and Local laws and ordinances, including those regulating obscenity and alcoholic beverages, and shall further insure that minors are not allowed on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.~~

~~(g) There shall be no areas in the adult entertainment establishment in which entertainment is provided which are not fully visible from the main area of the establishment. No entertainment may occur in areas of the establishment which are set off by doors, curtains, screens, barriers, café or saloon doors or other obstructions.~~

~~(5)(10) The provisions of this ordinance shall be severable. The County Board finds that it would have enacted all the provisions of this ordinance on the basis of any one of the findings in section (1).~~

~~[EXPLANATION: This amendment makes an adult entertainment establishment a permitted use in the overlay district within the M-1 Industrial district with specific siting requirements.]~~

Submitted by Supervisor Gau, February 24, 2005 (p. 324, 04-05).

Referred to ZONING/LAND REGULATION. (Fiscal and Policy Notes not required.)

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AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING ADULT ENTERTAINMENT ESTABLISHMENTS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(2n) is amended to read as follows:

**(2n)** *Adult entertainment establishment* is any establishment which for monetary consideration is used for presentations or service distinguished or characterized by an emphasis on exposure to view of human genitals, pubic area, ~~buttocks or anus; or a female's vulva, or female~~ breasts ~~below the top of the areola with less than a complete opaque covering of any part of the nipple or areola~~; or male genitals in a discernable turgid state, even if opaquely covered; or on acts of or acts which simulate ~~erotic touching the fondling of another person's genitals, pubic region, anus, or female breasts~~, sexual intercourse, masturbation, flagellation, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any sexual ~~act prohibited by conduct as defined by s. 944.21(2)(e)~~, Wisconsin Statutes.

*[EXPLANATION: This amendment revises the definition of adult entertainment establishments to comply with recent federal cases and provides a statutory reference for defining sexual conduct.]*

ARTICLE 3. Section 10.151 is amended to read as follows:

**10.151 AED ADULT ENTERTAINMENT OVERLAY DISTRICT. (1) Statement of Purpose.** The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds as follows:

~~(a)(1)~~ ~~t~~That adult entertainment establishments may have an adverse secondary effect on the surrounding community because the sexual nature of the business may, regardless of the intentions of the proprietors, attract persons seeking prostitution or unlawful drugs, or who are inclined to be disorderly or disruptive;

~~(b)(2)~~ ~~a~~Adult entertainment establishments are an intense commercial use which create a large volume of foot and automobile traffic in the vicinity of the establishment, which may require police and other municipal services which may not be readily available in towns, and which may conflict with the preservation of farmland by encouraging scattered commercial development;

~~(c)(3)~~ ~~a~~Adult entertainment establishments have their peak activity ~~times~~ at hours and days which are incompatible with residential uses, and have a larger customer volume than other entertainment establishments which may be located in rural areas;

~~(d)(4)~~ ~~b~~Because of the potential for negative impacts on property values, the peace and good order of the community and the welfare of individuals affected by adult entertainment establishments, it is necessary to minimize the secondary effects of adult entertainment and assure that such establishments are not located in places which pose unacceptable conflicts with existing or planned land uses;

~~(e)(5)~~ ~~i~~It is the intent of this section to protect the health, safety and ~~welfare~~ ~~morals~~ of the citizens of Dane County and to further preserve the quality of family life and to preserve the urban and rural characteristics of its neighborhoods. The intent of the Adult Entertainment Overlay District is to regulate the location of such establishments; and

~~(f)(6)1.~~ ~~n~~Nothing in this section shall be construed to permit the regulation of any activities conducted in adult entertainment establishments which are entitled to protection under the First Amendment of the United States Constitution, ~~including:~~

~~a. plays, operas, musicals or other dramatic works that are not obscene;~~

~~b. classes, seminars, or lectures which are held for a serious scientific or educational purpose and that are not obscene.~~

~~2. Whether or not an activity is obscene shall be judged by consideration of the following factors:~~

a. whether the average person, applying contemporary community standards, would find that the activity taken as a whole appeals to prurient interest in sex;

b. whether the activity depicts or describes sexual conduct in a patently offensive way, as measured against community standards; and

c. whether the activity taken as a whole lacks serious literary, artistic, political or scientific value.

~~(2)(7)~~ This overlay district shall apply only to all lands zoned M-1 Industrial ~~District~~.

~~(3)(8)~~ An adult entertainment establishment shall ~~not~~ be a permitted use within the overlay district. ~~All such uses shall be conditional uses which may be authorized only if approved pursuant to the provisions of s.10.255(2). Prior to the granting of any conditional use permit, however, the Dane County zoning agency shall receive and review any comments or proposed conditions communicated by the town in which the facility is proposed to be located. The following procedural requirements which are supplemental to those of s. 10.255(2), shall apply to adult entertainment establishments:~~

~~(a) Any application for a conditional use permit shall be reviewed by the zoning department within five (5) business days of its filing to determine if the application is complete. If the zoning administrator determines the application is not complete, the administrator shall inform the applicant, in writing, of the missing items required within the five (5) day initial review period. Notification shall be deemed to have been given by placing the notice in the mail with sufficient postage addressed to the address provided on the application. If the zoning administrator does not inform the applicant of any deficiencies within the five (5) day initial review period, the application shall be deemed complete.~~

~~(b) A complete application shall be mailed to the Clerk of the town in which the proposed establishment would be located and referred to the Dane County zoning agency within two (2) business days of the determination that the application is complete.~~

~~(c) The Dane County zoning agency shall hold the required public hearing at the first available scheduled meeting at which public hearings are held, and shall take action on the application not later than 45 days after the public hearing. The agency may extend the deadline for taking action only if requested by the applicant or if the agency finds it is necessary to delay action in order to obtain information that could not, in the exercise of diligence, have been obtained within the 45-day period.~~

~~(4)(9)~~ Standards for siting of adult entertainment establishments. Adult entertainment establishments shall meet all of the following requirements:

**(a)** Only one such overlay use shall be located within a specific M-1 Industrial District;

**(b)** Location of any particular adult entertainment establishment must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store or adult entertainment establishment;

**(c)** There shall be no display windows on the premises;

**(d)** The business may have only one (1) non-flashing business sign, which sign may only indicate the name of the business and identify it as an adult entertainment establishment and which shall be not larger than 4 feet by 4 feet;

**(e)** A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information; and

**(f)** The owner and operator of an adult entertainment establishment shall agree to comply with all Federal, State and Local laws and ordinances, including those regulating obscenity and alcoholic beverages, and shall further insure that minors are not allowed on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.; and

**(g)** There shall be no areas in the adult entertainment establishment in which entertainment is provided which are not fully visible from the main area of the establishment. No entertainment may occur in areas of the establishment which are set off by doors, curtains, screens, barriers, café or saloon doors or other obstructions.

~~(5)(10)~~ The provisions of this ordinance shall be severable. The County Board finds that it would have enacted all the provisions of this ordinance on the basis of any one of the findings in section (1).

*[EXPLANATION: This amendment makes an adult entertainment establishment a permitted use in the overlay district within the M-1 Industrial district with specific siting requirements and clarifies that the ordinance is not intended to prohibit constitutionally protected expression.]*

Submitted by Supervisor Gau, March 1, 2005 (p. 326, 04-05).  
Referred to ZONING/LAND REGULATION.

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RES. 315, 04-05

SUPPORTING LEGISLATION REGARDING METHAMPHETAMINE AND MATERIALS USED TO MAKE IT

The Wisconsin State Legislature is considering legislation regarding the controlled substance methamphetamine and the materials used to make it. The intent is to limit access to key ingredients in methamphetamine, particularly pseudoephedrine.

Methamphetamine ("meth") abuse is a serious and growing problem affecting Wisconsin. The number of meth criminal cases has increased from 314 statewide in 2002 to 545 in 2004, with many of the cases concentrated in the northwestern part of the state. About 20 states, including Illinois, Minnesota, and Iowa, regulate pseudoephedrine-based cold and allergy pills. Wisconsin currently does not, and law enforcement fears the state is becoming a safe haven for meth labs.

Methamphetamine has horrible affects on not only the people who abuse the drug, but also on those who "cook" the meth, and other household members, especially children. For example, approximately 35 percent of meth labs seized in Colorado involved families with children. Children rescued from meth labs often test positive for toxic levels of meth and the ingredients of meth.

Buildings with methamphetamine labs are a public health risk. The toxic nature of the ingredients of meth can cause explosions, fires, toxic fumes, and irreparable damage to human health and the environment. For example, motel rooms and apartments used to make meth can be a health risk for the next unsuspecting tenants. There are currently no safety standards for cleaning buildings that have been contaminated by the materials and byproducts associated with meth production.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports efforts to control over-the-counter drugs and other materials used in the illegal production of methamphetamines.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Jim Doyle and the members of the Dane County legislative delegation.

Submitted by Supervisors Bruskevitz, Salov, Brown, McDonell, Wheeler, DeSmidt, Olsen, Fyrst, O'Loughlin, Kesterson, Worzala, Jensen, de Felice, Opitz, Willett, Hanson, Rusk, Erickson, Matano, Pertzborn, Hitzemann, and Gross, March 3, 2005 (p. 329, 04-05).

Referred to EXECUTIVE and HEALTH/HUMAN NEEDS.

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RES. 316, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**W-2 Community Steering Committee**

Kim Holmes Akey, 5410 Tolman Terrace, Madison 53711 (661-9927-h, 267-6000-w), due to the resignation of Deedra Atkinson. Ms. Akey is a Human Resources Specialist for Meriter Hospital. Prior to that, she was the Coordinator of Volunteers at Meriter Hospital. She has worked as a Police Officer for the City of Madison, as a Resource Specialist at the Dane County Job Center, and as a support broker for clients of Dane County HSD. This term will expire 5/1/07.

Minh Ta, 7202 Blue Maple Trail, Madison 53719 (848-3372-h, 277-0215-w), due to the resignation of Peggy Wireman. Mr. Ta is the owner and CEO of International Lazer Engraving. He started his own business after arriving in the United States as a refugee from Southeast Asia. This term will expire 5/1/07.



Submitted by Supervisor Kesterson, March 3, 2005 (p. 330, 04-05).  
Referred to EXECUTIVE.

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RES. 317, 04-05

AWARD OF CONTRACT FOR YAHARA RIVER WATERSHED RAINFALL-RUNOFF MODEL

Proposals were received for a development of a Yahara River Watershed Rainfall-Runoff Model in response to Request for Proposal No. 7839.

The Land and Water Resources Department has negotiated with \_\_\_\_\_ to provide the services outlined in the Contract for a cost of \$\_\_\_\_\_.

Land and Water Resources Department staff find the amount to be reasonable and recommend the proposal be accepted and the Contract be awarded to \_\_\_\_\_.

There are sufficient funds in the budget for this project. Project funding comes largely from a Madison Gas & Electric Company donation and, also, from a DNR Lake Planning Grant.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to \_\_\_\_\_, and that the County Executive and be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Land & Water Resources Department be directed to ensure complete performance of the Contract.

Submitted by Supervisors Jensen, de Felice, DeSmidt, and Bruskevitz, March 3, 2005 (p. 330, 04-05).  
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/ NATURAL RESOURCES, and LAND CONSERVATION.

CREATING THE NORTH MENDOTA PARKWAY IMPLEMENTATION OVERSIGHT COMMITTEE FOR TRANSPORTATION, ENVIRONMENT, AND AGRICULTURE RECOMMENDATIONS

Res. 245, 03-04 Approving the Final Report and Recommendations of the North Mendota Parkway Advisory Committee (NMPAC) was adopted by the County Board on 3/4/04 on a 36-1 vote and was signed by the County Executive on 3/8/04. Recommendation five of the NMPAC Report (p. 46) states the following:

“5) County Conducts an Environmental Study of the North Mendota Area”

■ *Initiate Immediately and Complete in Short Term*

■ *By Dane County*

■ *Required by the Intergovernmental Agreement in Step 2, above.*

a) Identify and map sensitive natural resources in the area of potential North E-Way and North Mendota Parkway routes (generally bounded by CTK on the north, CTH m on the east and south, and USH 12 on the west, plus the CTH M “isthmus” area)

■ Recommend appropriate mitigation and protections strategies for these resources

■ Recommend appropriate buffer areas around these areas

■ Identify locations appropriate for stormwater management facilities

b) Add to the North Mendota Interim Official Map (4, above) a recommended North E-Way that includes and connects areas of environmental concern, productive agricultural areas and existing open space areas such as the Dorn Creek Natural Area, Pheasant Branch Conservancy, North Fork of Pheasant Branch, Waunakee Marsh, Governor Nelson State Park, and the Cherokee Marsh/Token Creek open space systems.

c) Detail the impacts of potential North Mendota Parkway alignments on these resources.”

The municipalities in the study area - City of Middleton, Village of Waunakee, Town of Westport, and Town of Springfield - have completed or are in the process of completing their Comprehensive Plans and are also in the process of developing intergovernmental agreements including those related to the NMPAC recommendations. Study area municipalities are in support of initiating Recommendation 5 so that they can use the results of the environmental study for planning that will help address their transportation and mobility needs.

The City of Middleton, Village of Waunakee, and Town of Westport have passed Resolutions by their governing boards for the funding of the aforementioned environmental study. They have requested that the County of Dane join with them to fund the environmental study and initiate it immediately.

NOW, THEREFORE, BE IT RESOLVED that, in recognition of the need to balance the interrelated components of the environmental study, a committee be created that will be called the North Mendota Parkway Implementation Oversight Committee for Transportation, Environment, and Agriculture Recommendations, comprised of representatives of key stakeholder groups. Staff support to the Committee will be provided by the Dane County Planning and Development Department with assistance from Dane County Land and Water Resources Department, and the Dane County Public Works and Transportation Department, and will be composed of 14 members including:

3 Transportation representatives - one each nominated by the Wisconsin Department of Transportation, the Federal Highway Administration, and the Madison Area Metropolitan Planning Organization; 2 Environment representatives - a representative of environmental community nominated jointly by the Sierra Club, the Audubon Society and the Natural Heritage Land Trust,

and a representative nominated by the Wisconsin Department of Natural Resources; 2 Agriculture representatives - one representative each nominated by the Dane County Farm Bureau, and the Wisconsin Department of Agriculture; and 5 study area elected officials - Mayor of the City of Middleton, Mayor of the City of Madison, President of the Village of Waunakee, Chairman of the Town of Westport, and Chairman of the Town of Springfield or their designees; a resident of the study area appointed by the County Board Chair; and a resident of the study area appointed by the County Executive; and

BE IT FINALLY RESOLVED that Dane County contribute to the funding of the environmental study recommended in the NMPAC report in order to continue to advance the planning necessary to both protect the areas resources and help address its mobility needs. Funding will be used for the following purposes:

1. To continue to build upon previous studies of the North Ring Corridor (1997) and the NMPAC Recommendations (2004)
2. To create a Request For Proposals (RFP) outlining a scope of services for an environmental study in the corridor
3. To pursue resources, both financial and professional, to implement the results of the study.
4. To provide valuable insight into the study process.
5. To provide input and assistance in the public participation process
6. To help outline final recommendations including an implementation plan and schedule
7. To assist in reporting the study findings within one year of the commencement of meetings

Submitted by Supervisors Bruskewitz, Opitz, Ripp, and Kostelic, March 3, 2005 (p. 332, 04-05).

Referred to PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 319, 04-05

APPROVING ROOF GARDEN FOR DANE COUNTY JUSTICE CENTER

On March 6, 2003, the Dane County Board of Supervisors approved Sub. 1 to Resolution 278, 2002-2003, Award of Contract for Dane County Courthouse. This resolution awarded the construction contract for the new Dane County Justice Center to Miron Construction Company, Inc., of Neenah, Wisconsin.

At the time the bids were prepared and submitted, in order to reduce initial construction costs, the County separated six items from the project for alternate bids, with the intention of considering the addition of those items later in the project if feasible within the project budget. The resolution provided that the Justice Center Planning Oversight Committee should, when the project's budget is 50% completed, review and make a recommendation to the County Board regarding the feasibility of adding the alternate bids to the project prior to completion.

One of the alternates – inclusion of a service elevator – was subsequently added to the project due to initial design considerations. Another – addition of proximity readers – was dropped because the cost was considered too high. One of the remaining alternates – inclusion of a roof garden incorporating “green” (i.e., environmentally friendly) concepts:

Fourth Floor Roof Terrace. A terrace design and cost estimate has been developed by Weston Solutions in the amount of \$24,200. In addition to this, a quote from the general contractor was obtained for an additional six inches of insulation to preserve options if a roof terrace is approved for construction in the amount of \$6,000.

The Justice Center Planning Oversight Committee has reviewed the project budget and determined that change orders have not had a major impact on the budget to this point. While the project is near 50% spending, only 17% of the construction contingency fund has been expended at this point. It appears that sufficient funds are available to proceed with the alternates. Approval of these alternates will not increase the project budget, because they will be paid from available funds in the construction contingency fund.

NOW, THEREFORE, BE IT RESOLVED that the Dane county Board of Supervisors hereby authorizes and directs the following activities:

Public Works staff to enter into an agreement with Westin Solutions for the construction of a roof terrace in the amount of \$24,200; Public Works staff to issue a change order to Miron Construction to provide six inches of additional insulation in the amount of \$6,000.

Submitted by Supervisors O'Loughlin, Brown, and Bruskewitz, March 3, 2005 (p. 333, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 320, 04-05

AUTHORIZING ADDENDUM TO MASTER SIGNAL  
AND STREET LIGHT AGREEMENT WITH CITY OF MADISON

On Nov. 4th, 1999 the County Board adopted Res. 303, 1998-99, authorizing a master cost-sharing agreement with the City of Madison for the operation and maintenance of traffic signals and street lights along various county trunk highways. The agreement consolidated a number of separate agreements relating to the same subject matter. The parties now wish to add additional road segments to the agreement, in each case the county's share of costs for the operation and maintenance of traffic signals and street lights at the locations on county trunk highways designated to be established as set forth in the Resolved clause.

City of Madison has drafted an addendum with the Dane County for the operation and maintenance of traffic signals and streetlights. The Highway and Transportation Department, the Transportation Committee, and the City of Madison have reviewed the proposed addendum and find the addendum to be consistent with established cost-sharing policies for County Trunk Highways.

The Highway and Transportation Department has sufficient funds to cover its share of the operation and maintenance costs within its County Trunk Highway Maintenance program.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk are authorized and directed to execute addendum #3 to the master agreement authorized by Resolution 303, 1998-99, on behalf of Dane County with the City of Madison to include the following road segments in Table A (listing of traffic signals by intersection with CTH):

<i>CTH</i>	<i>LOCATION</i>	<i>Dane share (%)</i>
D	Caddis Bend	50
D	Lacy Road	50
M	Bluebill	100
M	K	100
M	Cross Country Road	50
MM	Wolfe Street	67
PD	Kapec Road/Nesbitt Road	50
MV	Nesbitt/Old PB (Near BPHCC)	75
Q	Woodland	100

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Willett, March 3, 2005 (p. 334, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 321, 04-05

AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF MADISON AND COUNTY OF DANE FOR THE PROVISION OF  
HOUSEHOLD HAZARDOUS WASTE SERVICES

Dane County and the City of Madison desire to enter an inter-governmental agreement pursuant to Section 66.0301, Wisconsin Statutes, and Dane County desires to provide a dedicated collection drop-off center for household hazardous waste for its citizens and for Very Small Quantity Generator's (VSQGs) hazardous waste.

The City of Madison Department of Public Health (MDPH) maintains a staff with technical expertise to coordinate these services for the County, and the County believes that the most effective means to provide household hazardous waste and VSQGs hazardous waste related services to its citizens is through purchase of services from MDPH.

The desired contract is for a period of two years with reimbursement to the City of Madison of \$124,440 in 2005, and \$126,929 in 2006, for the services described in the contract, and there are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an Agreement with the City of Madison for the provision of household hazardous waste services for 2005 and 2006, and that the County Executive and the County Clerk be authorized to and directed to sign the Agreement; and

BE IT FINALLY RESOLVED that the Public Works, Highway & Transportation Department be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, de Felice, and Worzala, March 3, 2005 (p. 334, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

ACCEPTING MENTAL HEALTH AND OLDER AMERICANS ACT REVENUE -- DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

- 1) The Wisconsin Department of Health and Family Services has awarded Dane County \$51,200 to create a web-based interface with a search engine that can be used by anyone logging on to the Dane County web site. The initiative is consistent with WDHFS's efforts to empower consumers by improving access to information and services. This will enable consumers and citizens to get information about the mental health services that Dane County funds for children, families, and adults. This will also include a link to United Way's 2-1-1 database. The funds are allocated to the department's Data Processing Services account.
- 2) The 2005 State/County contract includes \$47,446 in Older Americans Act revenue above the amount in the 2005 Adopted Budget. The allocation includes revenue designated for congregate and home delivered meals \$22,653, caregiver services \$4,674, supportive services \$19,549, prevention/health promotion \$346 and administration \$224. Rather than planning to expend these funds, all but the administration funds will be held in reserve in non-contracted accounts in case urgent needs arise during 2005.
- 3) The Wisconsin Department of Health and Family Services has allocated funding to each county for the purpose of educating and assisting Medicare beneficiaries on prescription drug issues and choices. The funds are earmarked for the Benefit Specialist Program for April 2005 through September 2006. Dane County will receive \$64,327 over this 18-month period. The entire amount is brought in via this resolution, and a clause allowing unspent funds to be carried over into 2006 is included. Dane County contracts with the Coalition of Wisconsin Aging Groups for the provision of Benefit Specialist services and that organization will receive a 2005 contract addendum for a portion of these funds.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be adjusted and the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure account in the Department of Human Services.

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
ACBADMIN 81577	Area Agency on Aging Admin	\$224
ACBADMIN 81544	OAA Title III B	\$19,549
ACBADMIN 81530	OAA Title III C-1	\$15,455
ACBADMIN 81534	OAA Title III C-2	\$7,198
ACBADMIN 81552	OAA Title III E	\$4,674
ACBADMIN 81536	OAA Title III D	\$346
HSADMIN 81007	MH Managed Care/Redesign	\$51,200
ACBADMIN 81525	Benefit Specialist - Medicare	\$64,327
	Total	\$162,973

<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
HSADMIN ABDAAA	Data Processing Services	\$51,200
ACBADMIN ABPRAA	AAA Printing and Office Supplies	\$224
ACBWR TBD NFCSAA	NFCSP TBD	\$24,569
ACBCL TBD EPOSAA	Nutrition Equipment	\$22,653
ACBCLCAG ARBEAA	CWAG Benefit Specialist Medicare	\$64,327
	Total	\$162,973

BE IT FURTHER RESOLVED that any unspent Benefit Specialist Grant funds from 2005 be carried forward for expenditure in 2006.

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Worzala, March 3, 2005 (p. 336, 04-05).  
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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APPROVING A CONTRACT WITH THE CITY OF MADISON FOR A B.U.I.L.D. GRANT TO FUND THE EAST WASHINGTON AVENUE GATEWAY BUILD PROJECT

In 1999, the Dane County Executive launched the Better Urban Infill Development (BUILD) program to provide grant assistance to municipalities seeking to make better use of their existing infrastructure; locate jobs, services, and shopping in close proximity; stabilize and enhance existing neighborhoods, downtowns, and business districts; produce housing and jobs for low and moderate income people; avoid

converting productive farmland on urban fringes and in rural areas; provide viable options to automobile trips by promoting walking, biking and transit; and that have the potential to clean up environmentally contaminated sites. The BUILD Advisory Committee, established in Resolution 225, 2000-2001, provides guidance to the BUILD program.

Municipalities use BUILD grants to hire consultants who help communities generate plans for infill development, downtown revitalization, and traditional neighborhoods. Through 2004, BUILD awarded approximately \$720,000 to fund planning efforts in 18 communities throughout Dane County. Local municipalities invested approximately an additional \$364,000 in their planning efforts. Construction of BUILD-funded planning recommendations has occurred in the cities of Madison, Sun Prairie, Stoughton, Monona, and Verona; the villages of Oregon, Cambridge, and Waunakee; and the Town of Madison.

The BUILD program solicits grant applications, and makes grant awards, on an annual basis. The Dane County budget has included funding for BUILD since 1999. Funding for BUILD is also provided through the County's Community Development Block Grant (CDBG) program. The BUILD Advisory Committee serves as the review panel for BUILD grant applications and makes grant award determinations and recommendations.

In 2003, the City of Madison submitted an application for a grant to fund planning for East Washington Avenue from Blair Street to First Street. The purpose of the planning is to create a vision and plan for infill development and redevelopment along East Washington Avenue that compliments the reconstruction of the Avenue and guides anticipated development along the corridor to create a "gateway" to the capitol and enhance the livability of adjacent neighborhoods. The BUILD Advisory Committee awarded a grant of \$25,000 for this application in 2003. The grant required the City to provide funding for 20 percent of the total project cost.

In 2004 and 2005, the City of Madison established a steering committee and hired consultants for the East Washington Avenue Gateway BUILD project planning. Dane County Planning and Development prepared a purchase of service contract with the City of Madison, in the amount of \$25,000, to fund this planning project.

NOW, THEREFORE, BE IT RESOLVED that a contract between Dane County and the City of Madison in the amount of \$25,000, to fund planning for the East Washington Avenue Gateway BUILD project, is approved by the Dane County Board of Supervisors;

BE IT FURTHER RESOLVED that the Dane County Controller is authorized to issue checks necessary to effectuate the transaction; and

BE IT FINALLY RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized to sign the appropriate contract in behalf of Dane County.

Submitted by Supervisors O'Loughlin and Willett, March 3, 2005 (p. 337, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 324, 04-05

CALLING FOR INSTITUTION OF DOMESTIC PARTNERS BENEFITS  
FOR ALL UNIVERSITY OF WISCONSIN EMPLOYEES

Dane County benefits greatly from the presence of the University of Wisconsin, a world-class academic and research institution that attracts the very best students, faculty, and academic staff. The University is a major contributor to an atmosphere of cultural diversity, economic security, and social justice that attract many people to south-central Wisconsin.

In that atmosphere, Dane County, the City of Madison, Madison Metropolitan School District, Madison Area Technical College, and many local businesses provide benefits to the partners of their employees, making a commitment to support long-term relationships, children, families, domestic stability, and a strong community as a whole.

However, despite its stature, the University of Wisconsin is now the only university in the Big Ten Conference that does not offer domestic partner health care benefits to its employees. In 2005, this lack of equity has now become a growing stain on the fabric of fairness and opportunity long represented by the UW, Dane County, and Wisconsin.

In recent years, the University of Wisconsin system has began to lose faculty to universities that offer domestic partners health care benefits to their employees. And while UW-Madison students may enroll their domestic partners in the student health plan, UW-Madison employees may not enroll their domestic partners in the employee health plan.

Evidence from universities similar to the UW indicates that a domestic partners benefits program would cost very little. It is likely that less than 1 percent of employees would enroll. Governor Jim Doyle, the University of Wisconsin Board of Regents, and UW System President Kevin Reilly all support institution of domestic partners benefits.

It is clear that the long-term domestic relationships of all UW employees merit equal treatment by the University, and the opportunity to receive the health care benefits afforded such relationships elsewhere should be open to all UW employees.

NOW BE IT THEREFORE RESOLVED that the Dane County Board of Supervisors hereby urges the Wisconsin Assembly and Senate to adopt a budget that includes domestic partners health care benefits for all University of Wisconsin employees, and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to University of Wisconsin System President Kevin Reilly, the Board of Regents of the University of Wisconsin, Governor James Doyle, and all members of the Dane County delegation and of the Joint Finance Committee of the Wisconsin Legislature.

Submitted by Supervisors Gross, Erickson, Kesterson, Opitz, Hendrick, Bruskwitz, DeSmidt, Wheeler, Matano, Salov, and Rusk, March 3, 2005 (p. 337, 04-05).

Referred to EXECUTIVE.

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COMMUNICATIONS

Claim from Cynthia J. Hopp against AEC of Dane County – claims injury when she fell. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Patrick J. Roach against Sheriff Dept. – claims injuries from deputies. Referred to PUBLIC PROTECTION/JUDICIARY.

Madison Police Dept. report and repair estimate from Kayser Ford regarding Betty Odan. Referred to PUBLIC PROTECTION/JUDICIARY.

Discrimination Complaint from Alice H. Faye, ERD Case No. CR200404646, EEOC Case No. 26GA500756. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Dave Fiscus against Highway – claims damage by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Trempealeau County Res., Opposition to Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.

Grant County Res. #31-04 – Opposing Further Limitations on Grant County's Ability to Levy Necessary Taxes. Referred to EXECUTIVE.

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ORD. AMDT. 33, 04-05

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
IMPOSING A JAIL DIVERSION ELECTRONIC MONITORING FEE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.32 of the Dane County Code of Ordinances is created to read as follows:

**62.32 FEES FOR PARTICIPATION IN JAIL DIVERSION PROGRAM.** (1) Every person placed in the Jail Diversion Program by the Sheriff shall pay a daily electronic monitoring fee of \$15 as authorized by sec. 302.425(3), Wis. Stats.

(2) The Sheriff or his or her duly authorized designee is hereby empowered to reduce or eliminate the fees required by this section upon a written determination that the person subject to the fee is indigent or so without resources that the imposition of the fee will create a hardship.

*[EXPLANATION: This amendment creates a fee for participation in the jail diversion program.]*

Submitted by Supervisors Olsen, Rusk, and Martz, March 17, 2005 (p. 339, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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ORD. AMDT. 34, 04-05

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
MODIFYING SHERIFF'S FEES FOR SERVICE OF PROCESS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.56 is amended to read as follows:

62.56 SERVICE OF PROCESS FEES. (1) The sheriff shall collect, for each defendant or person served or attempted to be served, a fee of ~~\$30~~\$40 for each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order. If there is more than one defendant or person at a given address, the sheriff shall collect a fee of ~~\$30~~\$40 for each additional defendant or person served or attempted to be served.

(2) The sheriff shall collect a fee of ~~\$30~~\$40 for each service or attempted service of an execution on a judgment demanding payment thereof or other writ not provided for.

(3) For travel in serving any summons, writ or other process, ~~except including criminal process warrants, 28 cents the current Internal Revenue Service rate for deductible costs for operation of an automobile~~ for each mile actually and necessarily traveled.

~~(4) For travel in serving any criminal process, 28 cents per mile.~~

*[EXPLANATION: This amendment raises the fee for service of process from \$30 to \$40 as authorized in the 2005 budget and ties chargeable mileage expenses to the IRS rate.]*

Submitted by Supervisors Olsen, Rusk, and Martz, March 17, 2005 (p. 339, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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ORD. AMDT. 35, 04-05

AMENDING CHAPTER 54 OF THE DANE COUNTY CODE OF ORDINANCES,  
INCREASING PARKING FEES AT THE ALLIANT ENERGY CENTER

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 54.21 is amended to read as follows:

54.21 PARKING REGULATIONS CONTINUED; IMPOSITION OF FEES. (1) There is hereby imposed a fee of ~~\$4.50~~4.75 for the entry of a motor vehicle onto Alliant Energy Center grounds.

(2) There is hereby imposed a fee of ~~\$13.50~~14.25 for the entry of a bus onto Alliant Energy Center grounds. This fee shall not apply to a bus which does not remain on Alliant Energy Center grounds after discharge of passengers or which enters Alliant Energy Center grounds for the sole purpose of picking up passengers; such buses are fee exempt.

(3) There is hereby imposed a fee of ~~\$4.00~~4.25 per day for an exhibitor's pass. An exhibitor's pass is a pass issued to a person who is presenting an exhibit at the Alliant Energy Center and shall entitle the holder thereof to bring his or her motor vehicle onto the grounds of the Alliant Energy Center. When authorized by the Alliant Energy Center executive director, an exhibitor's pass may also be issued to a non-exhibitor for the purpose of allowing the holder admission on the dates specified on the pass.

*[EXPLANATION: This amendment increases the parking fees at the Alliant Energy Center for all types of vehicles, as adopted in the 2005 budget.]*

ARTICLE 3. NON-CODE PROVISION. The amendments made by Article 2 shall first take effect on the day after publication of this adopted amendment, or July 1, 2005, whichever comes later.

*[EXPLANATION: This article establishes the effective date of the amendments references in Article 2.]*

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, March 17, 2005 (p. 340, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 326, 04-05

CREATION OF BUDGET LINES FOR INMATE ELECTRONIC MONITORING SERVICES  
IN THE SHERIFF'S OFFICE OPERATING BUDGET

The Dane County Sheriff presently provides electronic monitoring for the Dane County Jail's diversion programs through a vendor who subsequently contracts with a third party provider which supplies hardware, technology, and monitoring services to individual jail inmates as an alternative to jail incarceration. Fees for electronic monitoring are paid to these vendors by the inmates.

The Sheriff's Office has determined that improvements can be made to this program by contracting directly with the third party hardware, technology, and monitoring provider. This arrangement will streamline the process, provide newer technology equipment for use in monitoring inmates, and eliminate the commission paid to the intermediate vendor.

The Sheriff's Office has also determined that the cost of electronic monitoring can be more effectively maintained through Dane County's participation in the Western States Contracting Alliance (WSCA), which is a multi-governmental consortium that cooperatively purchases these services in order to obtain them at a reduced rate.

Ordinance Amendment \_\_\_\_\_, 2004-2005, amending Chapter 62 of the Dane County Ordinances, authorizes the Sheriff's Office to collect the electronic monitoring fee and to waive the fee for inmates who qualify for the program but are determined to be unable to pay.

NOW, THEREFORE, BE IT RESOLVED that a revenue line of \$125,000 be established in the Sheriff/Security Services operating budget for the purpose of collecting the electronic monitoring fee from inmates participating in the electronic monitoring program, and

BE IT FURTHER RESOLVED that a commensurate amount of \$100,000 be added to the Sheriff/Security Services/Electronic Monitoring POS Expenditure line Sheriff's operating budget for the purpose of utilizing the collected electronic monitoring fees, above, to purchase services from the electronic monitoring vendor.

BE IT FINALLY RESOLVED that any annual revenue collected in excess of that required to be paid to the vendor supplying the hardware, technology, and monitoring services be deposited in the Sheriff's/Security Services; Electronic Monitoring Hardware budget line to purchase and maintain in-house monitoring equipment.

Submitted by Supervisors Olsen, Rusk, and Martz, March 17, 2005 (p. 341, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 327, 04-05

AUTHORIZING ACCEPTANCE OF MONIES TO PROVIDE ADDITIONAL TRAINING FOR MEMBERS  
OF THE SHERIFF'S OFFICE BOMB DISPOSAL UNIT

The Office of Homeland Security in Washington, D. C., has provided funding to the State of Wisconsin, Office of Justice Assistance. The State of Wisconsin, Office of Justice Assistance, has allocated funds to provide additional training to certified bomb technicians, including the six members of the Dane County Sheriff's Office Bomb Squad.

The training will cover study, interpretation, and hands-on training of advanced electronics in improvised explosive devices. This training will keep the members of the Dane County Sheriff's Office Bomb Squad current and proficient in the techniques needed to effectively and safely deal with explosive devices. The Office of Justice Assistance will reimburse for all costs related to the training, including travel, meals, and overtime for replacement staff.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept \$16,000 from the Office of Justice Assistance for the training of Bomb Squad members.

BE IT FURTHER RESOLVED that \$16,000 be set up as additional 2005 Dane County Sheriff's Office, Administration, Conference & Training - HSG EOD Revenue and be credited to the General Fund.

BE IT STILL FURTHER RESOLVED that \$16,000 be transferred from the General Fund to the Dane County Sheriff's Office, Administration, Conference & Training-HSG EOD expenditure account.

Submitted by Supervisors Olsen, Vedder, Rusk, Hanson, and Martz, March 17, 2005 (p. 341, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 328, 04-05

WISCONSIN EMERGENCY MANAGEMENT (WEM) GRANT AWARDS

The purpose of this resolution is to adjust revenue and expenditures from FY 2005.

In a collaborative effort to deliver quality training and exercising to first responders within our county, Dane County Emergency Management applied and was awarded funds.

The County of Dane was awarded a total of \$31,225 for the purpose of delivery of the course materials.

NOW, THEREFORE, BE IT RESOLVED that \$31,225.00 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account EMEMRPLN 81802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$31,225.00 is transferred from the General Fund to the following Emergency Management, Emergency Planning Accounts (account numbers to be issued by the Controller's Division upon passage of this resolution):

Mental Health Terrorism Tabletop Exercise April, 2005 \$1,000  
Confined Space Rescue 2005 \$25,000  
ICS for Law Enforcement March, 2005 \$4,190  
WMD Crime Scene Management Hazard Collection April, 2005 \$1,035

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2005 to the 2006 budget period.

Submitted by Supervisors Olsen, Vedder, Rusk, and Martz, March 17, 2005 (p. 342, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 329, 04-05

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS  
FOR INCIDENT MANAGEMENT IN DANE COUNTY

WHEREAS, the President, in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the Governor of the State of Wisconsin in Executive Order No. 81 directed that state agencies adopt NIMS as the State standard for incident management and recommended that local governments adopt NIMS as their standard for incident management; and

WHEREAS, the adoption and incorporation of the NIMS is an eligibility requirement for future Federal Homeland Security grants to county and local governments; and

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the county's ability to utilize federal and state funding to enhance local readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the NIMS Incident Command System is already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT RESOLVED that Dane County adopt the National Incident Management System (NIMS) as the County standard for incident management and recommend that all municipalities within Dane County also adopt NIMS as their standard for incident management.

Submitted by Supervisors Olsen, Rusk, and Martz, March 17, 2005 (p. 343, 04-05).  
Referred to PUBLIC PROTECTION/JUDICIARY.

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RES. 330, 04-05

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT WITH  
NORTHWEST AIRLINES, INC., FOR AIR SERVICE BETWEEN WASHINGTON, DC  
AND THE DANE COUNTY REGIONAL AIRPORT

After thorough market analysis and extensive discussions with Airport officials, Northwest Airlines, Inc. has agreed to offer daily round trip non-stop passenger air service between the Dane County Regional Airport and Ronald Reagan Washington National Airport in Washington, DC. The nation's capital is one of the top ten destinations for airline passengers in the Dane County area, and it is not currently served by non-stop air service from the Dane County Regional Airport. Under the Air Service Promotion and Marketing Agreement, Northwest Airlines, Inc., will be eligible for up to \$60,000 in promotional support offered under the Airport's Community Air Service Support Program. Another party to the Air Service Promotion and Marketing Agreement will be the Greater Madison Convention and Visitors Bureau, which will be providing Northwest Airlines with a marketing plan and promotional services with the funding provided under the Agreement. In addition to promotional and marketing assistance, the Airport will provide a six-month waiver of landing fees for non-stop flights originating in Washington, DC.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Dane County Regional Airport is authorized to execute on behalf of Dane County and the Dane County Regional Airport an Air Service Promotion and Marketing Agreement providing a landing fee waiver and promotional and marketing assistance in support of Northwest Airline's newly initiated daily round trip non-stop passenger air service between the Dane County Regional Airport and Ronald Reagan Washington National Airport.

Submitted by Supervisors Rusk, O'Loughlin, and Gau, March 17, 2005 (p. 343, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (Airport Commission recommended adoption on March 16, 2005.)

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RES. 331, 04-05

AUTHORIZING EXECUTION OF LEASE NO. DCTAP 2005-05 WITH NORTHWEST AIRLINES, INC.  
FOR SPACE IN THE AIR FREIGHT BUILDING AT THE DANE COUNTY REGIONAL AIRPORT

Dane County and Northwest Airlines, Inc., have negotiated a lease under which Northwest Airlines, Inc., will lease space in Airport Air Freight Building at 3521 International Lane, adjacent to the Dane County Regional Airport. Northwest Airlines, Inc., will use the leased premises for offices and storage related to air service it provides out of the Airport. The lease is for a one-year term at \$2,568 per month.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, Lease No. DCTAP 2005-05 with Northwest Airlines, Inc., for office and storage space at 3521 International Lane, Madison, Wisconsin.

Submitted by Supervisors Rusk, O'Loughlin, and Gau, March 17, 2005 (p. 344, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (Airport Commission recommended adoption on March 16, 2005.)

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RES. 332, 04-05

APPROVE CROP LEASES ON COUNTY PARK LAND – SPRING 2005

Dane County leases land for cropping that currently is not being used for prairie restoration or recreation. The leases are for limited periods and are renewed as needed.

1. Following is a lease to the successful bidder for five years commencing January 1, 2005.

**Ice Age Trail-Marten -**

Town of Berry: 105 acres;  
\$146.00 per acre  
\$15,330.00 per year for 5 years  
Lessee: Dennis Acker

2. Following is a one-year lease, commencing January 1, 2005, for land recently acquired by Dane County that was being cropped by the lessee.

**Black Earth Creek Resource Area-Sunnyside –**

Town of Middleton: 44 acres  
\$5,250.00 for one year  
Lessee: Tom Wagner

3. Following is a one-year lease, commencing January 1, 2005, for land recently acquired by Dane County that was being cropped by the lessee.

**Patrick Marsh Resource Area –**

Town of Bristol: 7 acres;  
\$850.00 for 1 year  
Lessee: Donald Statz

The revenue from lease #1 is included in the 2005 Land and Water Resources budget. The revenue from leases #2 and #3 is to be included in the 2005 Land and Water Resources revenue account LWRPKOP 84260.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive and County Clerk be authorized to execute the lease contracts set forth above.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the payments of the lease contracts set forth above be accepted as revenue in the 2005 Land and Water Resources revenue account LWRPKOP 84260.

BE IT FINALLY RESOLVED that the Parks Director (or designee) be authorized to act as the County's representative in administering the leases.

Submitted by Supervisors Ripp, Kostelic, Wendt, and Gau, March 17, 2005 (p. 345, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/  
AGRICULTURE/NATURAL RESOURCES.

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RES. 333, 04-05

AUTHORIZATION TO ACCEPT FUNDS FROM MADISON COUNTRY DAY SCHOOL, CITY OF VERONA AND  
MADISON AREA YOUTH SOCCER ASSOCIATION (MAYSA) FOR DANE COUNTY LAND ACQUISITION -  
SPRING 2005

- (1) Resolution 18, 1999-2000, authorized Dane County to lease 38 acres of upland to the Madison Country Day School located near Cherokee Marsh. The leased lands are to be used by the School for play fields and outdoor recreation. The term of the lease is 15 years, with an annual payment to Dane County of \$20,000. The lease agreement provides Madison Country Day School with the right to purchase any portion of the land being leased during the lease, with lease payments credited to the purchase price. Dane County Conservation Fund dollars were used to purchase the property. Therefore, proceeds of a sale to Madison Country Day School, including offset payments, should be returned to the Conservation Fund for the acquisition of additional parkland, per Wis. Stats. sec. 27.05(3). Madison Country Day School has made the \$20,000 payment for the year 2005.
- (2) Resolution 282, 2000-2001, authorized Dane County to lease approximately 18 acres of County parkland in the Ice Age Junction Area to the City of Verona. The leased lands are to be used for city park and open space purposes only. The City of Verona has the right to purchase the land during the lease period, and lease payments will be credited toward the purchase price, with the County retaining the right of first refusal. The City of Verona is expected to make its 2005 lease payment of \$1,948 on or before March 1, 2005.
- (3) Resolution 294, 2001-2002, authorized Dane County to lease 40 acres of land at Badger Prairie Park, Verona, to Madison Area Youth Soccer Association (MAYSA) for 35 years to operate a soccer complex and to construct and maintain buildings and improvements related to soccer. A portion (\$2,000.00) of the annual revenue from the lease was appropriated to the Old Conservation Fund to offset the cost of acquiring the site;

the remainder of the revenue (\$1,950.00) was budgeted as program revenue in the Parks Department and offset by a program expenditure appropriation for improvements to Badger Prairie Park. MAYSA made the 2004 lease payment in the amount of \$3,950.00 in June 2004, but a resolution accepting that payment has not been submitted. MAYSA is expected to make its 2005 lease payment in the amount of \$3,950 on or before April 1, 2005.

This resolution authorizes that the lease payments from Madison Country Day School, City of Verona, and Madison Area Youth Soccer Association be returned to the Conservation Fund for the acquisition of additional parkland, per Wis. Stats. sec. 27.05(3).

NOW, THEREFORE, BE IT RESOLVED that the 2005 lease payments from Madison Country Day School and City of Verona, and \$2,000.00 of the 2005 lease payment from Madison Area Youth Soccer Association be set up as revenue in the 2005 Land and Water Resources Division Dane County Conservation, Park Lease/Sale capital revenue account LWCONSRV 84833 and be credited to the 2005 Parks, Dane County Conservation Fund capital expenditure account LWCONSRV 57273.

BE IT FINALLY RESOLVED that \$2,000.00 of the 2004 lease payment from Madison Area Youth Soccer Association be set up as revenue in the 2004 Parks, Dane County Conservation Fund, Park Lease/Sale capital revenue account #312-696-7820-4833 and that the \$2,000.00 be credited to the 2005 Parks, Dane County Conservation Fund capital expenditure account LWCONSRV 57273.

Submitted by Supervisors Ripp, Kostelic, Willett, and Bruskevitz, March 17, 2005 (p. 346, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 334, 04-05

AUTHORIZING AMENDMENT OF LEASE WITH THE UNITED STATES OF AMERICA INVOLVING  
LAND ADJACENT TO THE DANE COUNTY REGIONAL AIRPORT

In 1983 the United States of America entered into Lease No. DACA 45-5-83-00069, a 50-year ground lease with Dane County under which the Wisconsin Air National Guard (WANG) located facilities on approximately 129 acres of land to the southeast of and adjacent to the Dane County Regional Airport. While this is a no-cost lease, since the effective date of the lease, WANG has saved Dane County and the Airport millions of dollars through its support of Airport fire and rescue operations and financial support of runway and ramp improvement projects. Through the years, the United States has relinquished for Airport use about 29 acres of the land originally leased from Dane County, and the lease has been extended until 2050.

Under its mission since the terrorist attacks of September 11, 2001, WANG's 115<sup>th</sup> Fighter Wing stands on 24-hour alert protecting strategic targets in the Upper Midwest from terrorist attack as part of its Homeland Security mission. As a means of more effectively organizing and consolidating the munitions associated with WANG's mission, the United States has asked Dane County to amend its ground lease to include an additional 18.92 acres of land and to prohibit the construction of buildings for office or residential type uses on 19.771 acres of land adjacent to the additional acreage. This additional land and the safety zone resulting from the restriction on the adjacent area will allow WANG to construct a new munitions complex for the safer and more efficient handling of munitions used in its strategic mission. The lease will remain a no-cost lease and its termination date will be unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, Supplemental Agreement No. 7, amending Lease No. DACA 45-5-83-00069 to add 18.92 acres of land to the premises leased thereunder and to restrict the construction of buildings, as set forth above, on 19.771 acres of land adjacent to the foregoing 18.92 acre parcel.

Submitted by Supervisors O'Loughlin, Rusk, and Gau, March 17, 2005 (p. 347, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (Airport Commission recommended adoption on March 16, 2005.)

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RES. 335, 04-05

AUTHORIZING ADDENDUM OF AGREEMENT WITH ARNOLD & O'SHERIDAN

The Dane County Public Works, Highway and Transportation Department is continuing the restoration project on the Capitol Square South Parking Ramp per RFP 6608.



Arnold & O'Sheridan has been providing engineering services through the various phases. An Addendum of Agreement is hereby requested to extend the term of the Agreement to March 1, 2006, for a lump sum of \$35,850. This lump sum amount is the same as the previous restoration phase with the same scope of services provided. Dane County Public Works staff has reviewed this Addendum and recommends adoption.

NOW, THEREFORE, BE IT RESOLVED that an Addendum of Agreement with Arnold & O'Sheridan be approved and the County Executive and the County Clerk be authorized and directed to sign the Addendum; and

BE IT FURTHER RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the contract, subject to submission of change orders to the County Board for approval where the sum involves \$10,000 or more than 10% of the original approved contract amount, whichever is smaller.

BE IT FINALLY RESOLVED that the Dane County Public Works, Highway and Transportation Department be directed to ensure complete performance of the Addendum of Agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, March 17, 2005 (p. 347, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 336, 04-05

ACCEPTING DONATION OF HENRY VILAS ZOO CAROUSEL BUILDING FROM  
HENRY VILAS PARK ZOOLOGICAL SOCIETY

Resolution 238, 2002-2003, 'Agreement Between Henry Vilas Zoo and Henry Vilas Park Zoological Society To Install and Operate an Endangered Species Carousel,' was adopted January 22, 2004. The Carousel is expected to be completed this summer. The Henry Vilas Park Zoological Society has raised all funds needed to construct a year round carousel building.

NOW, THEREFORE, BE IT RESOLVED that the Henry Vilas Park Zoological Society is authorized to build a carousel building at Henry Vilas Zoo.

BE IT FURTHER RESOLVED that Dane County accepts the donation of a Carousel Building from the Henry Vilas Park Zoological Society.

BE IT FINALLY RESOLVED that Dane County commends and thanks the Henry Vilas Park Zoological Society for its outstanding support of Henry Vilas Zoo.

Submitted by Supervisors Ripp, Erickson, Kostelic, Opitz, Matano, Willett, Schoer, and Worzala, March 17, 2005 (p. 348, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 337, 04-05

AUTHORIZING AGREEMENT BETWEEN DANE COUNTY AND  
THE HENRY VILAS PARK ZOOLOGICAL SOCIETY

The Henry Vilas Park Zoological Society, organized under Section 503(c) of the Internal Revenue Service Code, conducts fund raising to benefit Henry Vilas Zoo. An annual agreement between Dane County and the Zoological Society provides that:

- The Zoological Society pays \$187,597 to Dane County to support the Zoo operating budget.

- Grants Zoological Society use of Zoo grounds and Visitor Center for fund raising.
- The Zoological Society operates concessions on Zoo grounds.

NOW, THEREFORE, BE IT RESOLVED that a one-year agreement between Dane County and the Henry Vilas Park Zoological Society that grants use of Zoo grounds, the Visitor Center and operation of Zoo concessions for fund raising and includes payment, by the Zoological Society, of \$187,597 to Dane County for Zoo operations is authorized.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the agreement.

BE IT FINALLY RESOLVED that Dane County commends and thanks the Henry Vilas Park Zoological Society for its outstanding support of Henry Vilas Zoo.

Submitted by Supervisors Ripp, Erickson, Kostelic, Opitz, Matano, Willett, Schoer, and Worzala, March 17, 2005 (p. 348, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 338, 04-05

AUTHORIZING AN INCREASE IN REVENUE AND EXPENDITURES  
FOR THE LAND ACQUISITION PROGRAM – SPRING 2005

Dane County Parks recently acquired several properties identified in the *Dane County Parks and Open Space Plan*. Although there was no expectation of state cost-sharing funds for these acquisitions, Parks submitted grant applications and has recently received awards supporting acquisitions (30 acres) and conservation easements (110 acres) at Donald Park (Vernon Valley Farms) and along the Ice Age National Scenic Trail (Wright), as well as acquisition at Festge Park (Lillian Festge) and Fish Lake Resource Area (Marx), from the State Stewardship and Lake Protection Programs. These grant awards total \$669,532.29.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from the State of Wisconsin totaling \$669,532.29 for land purchases made by the County.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Dane County Parks Director and Conservation Fund Specialist be authorized to complete documentation necessary for receiving the grant funds and that the Dane County Clerk and Dane County Executive are authorized to execute documents that place deed restrictions on the property in perpetuity as a condition of the grant awards and which guarantee public access rights to the property.

BE IT FINALLY RESOLVED that \$419,632.29 and \$249,900 be set up as additional revenue in the 2004 and 2005, respectively, Parks Land Acquisition and Property Management – Stewardship Revenue Account #312-696-7820-1601 (2004)/LWPKLNAQ 81601 (2005) and that \$669,532.29 be credited to the 2005 Parks Dane County Conservation Fund Expenditure Account LWCONSRV 57273 and that these funds be carried forward until expended.

Submitted by Supervisors Ripp and Kostelic, March 17, 2005 (p. 349, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/

AGRICULTURE/NATURAL RESOURCES.

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RES. 339, 04-05

AUTHORIZING AGREEMENT WITH PELLITTERI WASTE SYSTEMS, INC.

The Dane County Public Works, Highway and Transportation Department, Solid Waste Division, is entering into an Agreement with Pellitteri Waste Systems, Inc., for a long-term Agreement. The Agreement would expire on December 31, 2009. All waste collected by Pellitteri Waste Systems, Inc., will be hauled to the Dane County Landfill. The County guarantees space, operating hours, and a tipping fee that can be adjusted yearly according to the Consumer Price Index and regulatory fees.

The Dane County Public Works, Highway and Transportation Department, Solid Waste Division, staff has reviewed this Agreement and recommends adoption.

NOW, THEREFORE, BE IT RESOLVED that an Agreement with Pellitteri Waste Systems, Inc., be approved and the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FURTHER RESOLVED that the Dane County Public Works, Highway and Transportation Department, Solid Waste Division, be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, March 17, 2005 (p. 349, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 340, 04-05

CHANGE ORDER #92 TO MIRON CONSTRUCTION FOR DANE COUNTY COURTHOUSE

Sub. 1 to Res. #278, 2002-03, awarded a contract to Miron Construction for the Dane County Courthouse project, Bid #6104. The amount of the award was \$30,573,200.

The following changes are being made to the original contract:

C.O. #92—Delete Courtroom Seating Allowance: DEDUCT: \$90,000.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #92 to Miron Construction for the Dane County Courthouse project be approved and authorized; and

BE IT FINALLY RESOLVED that the Public Works Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, and Schoer, March 17, 2005 (p. 350, 04-05).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

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RES. 341, 04-05

URGING THE U. S. TO CUT FUNDING FOR THE COLOMBIAN ARMY  
WHILE IT ENGAGES IN HUMAN RIGHTS ABUSES

In May, 1990, the Dane County Board of Supervisors adopted Resolution 392, 1989-90, establishing an official sister-county relationship with the people of Apartado, Colombia. As part of its approval, the Board found that:

“...the people of Apartado are currently suffering from serious human rights abuses, including political murders, illegal imprisonments, the destruction of crops, attacks on farmer groups and labor organizations, and death threats carried out by the military, private death squads and para-military organizations...”

Unfortunately, that finding is still true today, nearly 15 years after the Board’s action. As authorized by the Board, public officials and citizens of Dane County have traveled to Apartado regularly, and public officials and citizens of Apartado have visited Dane County.

One of our sister community’s leaders, Luis Eduardo Guerra, who has visited Dane County as part of these exchanges, was murdered on February 21, 2005, apparently by soldiers of the Colombian Army. While this massacre is the most recent of the human rights abuses suffered by our sister community, it is only one of numerous incidents in which the citizens have been threatened, beaten up and killed, and had their property stolen, often by the Colombian military, which receives significant funding from the United States.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby urges the United States Congress to enforce laws forbidding U. S. tax money to assist the Colombian Army when it engages in and permits human rights violations and to demand Colombia to protect our sister community.

BE IT FURTHER RESOLVED that copies of this resolution be presented to Senators Feingold and Kohl, to Rep. Tammy Baldwin, Secretary of State Rice, and appropriate House and Senate Committees, as well as to Colombian President Alvaro Uribe and Vice President Francisco Santos.

Submitted by Supervisors DeSmidt, Hulse, Rusk, Wheeler, Olsen, Vedder, Richmond, Hendrick, Erickson, Worzala, and Matano, March 17, 2005 (p. 351, 04-05).  
Referred to EXECUTIVE.

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RES. 342, 04-05

SUPPORTING REAUTHORIZATION AND FUNDING OF THE  
FEDERAL COMMUNITY SERVICES BLOCK GRANT

Community Action Coalition for South Central WI, Inc., (CAC) is the locally designated Community Action Agency serving Dane County. CAC has a long history of successfully mobilizing resources to help low-income people achieve economic self-sufficiency by bringing together the public, private, and non-profit sectors.

As a result of this resource mobilization, CAC has organized the collection and distribution of millions of pounds of food to 35 food pantries throughout the county; nurtured community gardens, now managing 16 sites in the community that serve over 670 families, more than half from communities of color; has helped thousands of people find housing through counseling, case management, eviction prevention and other financial services; has helped people of limited means start businesses, find jobs and better manage their resources; and has provided clothing to families in need.

The federal Community Services Block Grant (CSBG) provides core funding support and capacity to CAC. The Community Services Block Grant Program was created by the federal Omnibus Budget Reconciliation Act of 1981 and is designed to provide a range of services to assist low-income people in attaining the skills, knowledge, and motivation necessary to achieve self-sufficiency. Also, the program provides low-income people with immediate life necessities such as food, shelter, medicine, etc.

CAC receives nearly \$800,000 from the CSBG. Reauthorization, funding, and appropriations are needed for the federal Community Services Block Grant for Federal Fiscal Year 2006 in order to continue the valuable services provided through CAC. The proposed 2006 federal budget would reduce the CSBG by over \$640 million.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby strongly encourages U. S. Senator Russ Feingold, U. S. Senator Herb Kohl, and Congresswoman Tammy Baldwin to support reauthorization, funding appropriations of the federal Community Services Block Grant and its requirement that 90% of the funds be passed through to locally designated Community Action Agencies.

Submitted by Supervisors Jensen, Martz, Wendt, de Felice, Hulse, Wheeler, Willett, Rusk, Eggert, Schoer, Vogel, Bruske, Wiganowsky, O'Loughlin, Pertzborn, Gau, Hanson, Worzala, Hitzemann, Salov, and DeSmidt, March 17, 2005, (p. 351, 04-05).  
Referred to EXECUTIVE.

ENCOURAGING THE SPREAD OF DEMOCRACY TO ALL PEOPLES

The United States was founded under the precept that all people – not just Christians, not only the English speaking, not solely Americans – were born with an “inalienable right to life, liberty, and the pursuit of happiness.”

More than 200 years later, Thomas Jefferson’s philosophical heir, Ronald Reagan, in his March 1986 Message to Congress on Freedom, Regional Security and Global Peace, declared that “the tide of the future is a freedom tide. ....It is also a peace tide, for the surest guarantee we have of peace is national freedom and democratic government.”

Today, under the bold leadership and vision of President George W. Bush and Vice President Richard Cheney, that torch of freedom is illuminating a previously dark and fearful quarter of the globe: the Arab Middle East.

The signs of a freedom spring are unmistakable:

- On Sunday, January 30, Iraqis by the thousands braved death to cast ballots and point blue fingers indelibly in the direction of freedom. More than 60 percent turned out to vote, including women who chanted, “we are not afraid” as they walked the streets of Baghdad to the polling places.
- Plans are being made to hold competitive presidential elections in Egypt, the first in five millennia of recorded history in the Arab world’s most populous country and one of its most politically influential.
- Syria is pulling its occupation forces out of Lebanon, and Lebanon’s pro-Syrian cabinet resigned--forced out by the popular will of the Lebanese people and the demands of a unified Europe, the United States, and Saudi Arabia itself.
- Prime Minister Ariel Sharon and the new Palestinian leader, Mahmoud Abbas, are working together to thwart terrorism and deny terrorists.

As the N.Y. Times editorialized on March 1, 2005:

*“The Bush administration is entitled to claim a healthy share of the credit for many of these advances. It boldly proclaimed the cause of Middle East democracy at a time when few in the West thought it had any realistic chance. And for all the negative consequences that flowed from the American invasion of Iraq, there could have been no democratic elections there this January if Saddam Hussein had still been in power.”*

Further, the Lebanese political leader Walid Jumblatt observed to David Ignatius of the Washington Post, “It’s strange for me to say it but this process of change has started because of the American invasion of Iraq. I was cynical about Iraq. But when I saw the Iraqi people voting three weeks ago, 8 million of them, it was the start of a new Arab world.”

Roger Cohen in the March 6, 2005, New York Times amplified the importance of those developments to all Americans:

*“The spread of freedom will drain the frustrations and rage on which terrorism feeds. What is clear already is that a region marked by inertia is in flux. Events from Saudi Arabia to Syria suggest the invasion of Iraq and the elections there have had a catalytic effect on opening up debate, tearing down walls. Democracy is getting a toehold.”*

The struggle for freedom is difficult. There are many who shrink from its demands and more who think that it can be nurtured only in America and a few European outposts. Others, like Britain’s Neville Chamberlain, believe that despots can be bought or bribed with ever more concessions.

They have forgotten the words of President John F. Kennedy, who exhorted a new generation of Americans to “pay any price, bear any burden...support any friend, oppose any foe to assure the survival and the success of liberty.”

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors encourages and supports the efforts of all freedom-loving peoples in the world to overthrow tyrants and achieve democratic self-governance.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors encourages and supports President Bush and all of America’s democratically elected leaders to continue to lead those efforts, for America is, in the words of President Reagan, “this last best hope of man on Earth,...dedicated to the dream of freedom...called upon now to pass that dream on to a waiting and hopeful world.”

Submitted by Supervisors Blaska, Hitzemann, Bruskevitz, Wiganowsky, O’Loughlin, Gau, Hanson, Wendt, and Martz, March 17, 2005 (p. 353, 04-05).  
Referred to EXECUTIVE.

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RES. 344, 04-05

AUTHORIZATION TO LEASE PICKUP TRUCK

In 1999, Dane County established a master lease agreement with Ford Motor Credit to provide lease financing for fleet vehicles. As existing leases expire, new vehicles are leased to replace them. The Department of Administration has received quotes from a variety of lease providers and has determined that the most advantageous lease agreement to pursue to replace one Dane County vehicle would be with Ford Motor Credit.

The lease will be used to finance one Dodge Dakota pickup truck for the Environmental Health Division of the Public Health Department. This truck was priced under the state contract at \$\_\_\_\_\_ including a bed cap. The truck will be financed over three years with annual payments of \$\_\_\_\_\_.

THEREFORE, BE IT RESOLVED that the Controller and County Clerk are authorized to execute addenda to the Ford Motor Credit master lease agreement for one pickup truck.

Submitted by Supervisor Worzala, March 17, 2005 (p. 353, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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COMMUNICATIONS

Claim from Lisa Burckhardt against Highway Dept. – claims vehicle damaged while driving through construction area. Referred to PUBLIC PROTECTION/JUDICIARY.

Brown County Res. Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem. Referred to EXECUTIVE.

## ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9206 – Town of Albion – Stolen Farms, Inc.
- 9207 – Town of Cottage Grove – Dwight D. 7 Dale R. Huston
- 9208 – Town of Bristol – Thomas & Ardelle Tate Trust
- 9209 – Town of Sun Prairie – Gary R. Damrow
- 9210 – Town of Rutland – Stokstad Brothers LLC
- 9211 – Town of Pleasant Springs – Duane Swalheim
- 9212 – Town of Bristol – Bow Wow Entertainment LLC
- 9213 – Town of Berry – Richard Handschke
- 9214 – Town of Cottage Grove – Skaar Living Trust
- 9215 – Town of Christiana – Dale, Ron, James & Dennis Lund
- 9216 – Town of Medina – Alan & Vonda Motl
- 9217 – Town of Cottage Grove – Marjorie Kreuger
- 9218 – Town of Pleasant Springs – Richard M. & Joyce E. Hoel
- 9219 – Town of Berry – Ted Rakow
- 9220 – Town of Primrose – Sylvan & Vivian Disch
- 9221 – Town of Cross Plains – Louis Gander & GLSFJP LLC
- 9222 – Town of Oregon – Ralph & William Maher
- 9223 – Town of Blooming Grove – LGC Development LLC
- 9224 – Town of Oregon – Emily Harris
- 9225 – Town of Christiana – Gary Rattman ET AL
- 9226 – Town of Christiana – Lyle T. Walheim ET AL
- 9227 – Town of Dunn – Donald E. Stockstad
- 9228 – Town of Rutland – Joseph Eugster
- 9229 – Town of Windsor – JWRF Developers & Rex Fletcher
- 9230 – Town of Mazomanie – Philip Schadler

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ORD. AMDT. 36, 04-05

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,  
LIMITING THE COUNTY BOARD'S AUTHORITY TO CONSIDER RESOLUTIONS REGARDING  
ISSUES OUTSIDE THE COUNTY'S STATUTORY AUTHORITY

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.52 is amended to read as follows:

7.52 RESOLUTIONS; FORM. (1) All resolutions, ordinances and ordinance amendments shall be signed by at least one supervisor and only by supervisors.

(2) The chairperson may require that any particular motion be submitted in writing and signed by the supervisor making the motion.

(3) The first supervisor to sign shall be indicated by the position of the signature and the first name at the top, right side of the sheet, shall be considered the sponsor.

(4) Each resolution and ordinance shall be prefaced by a clause briefly stating its substance, and should be passage of a resolution, an ordinance or ordinance amendment require the expenditure of money, a provision for the appropriation shall be included.

(5) Copies of all resolutions and ordinances referred to committee shall be placed in each member's box by the Wednesday following their introduction.

(6)(a) Resolutions petitioning any other unit of government or non-governmental entity, or otherwise expressing the board's position or opinion on any matter not related to the county's statutory responsibilities, authority or funding shall not be in order and shall not be introduced, referred or considered.

(b) The provisions of sub. (a) shall not apply to resolutions expressing commendation, congratulations or condolences relating to a current or former resident of Dane County

~~(7)(6)~~ All ordinances and ordinance amendments shall be drafted by the Corporation Counsel or reviewed by Corporation Counsel prior to referral.

*[EXPLANATION: This amendment prohibits the introduction, referral or consideration of resolutions expressing the county board's position or opinion on issues unrelated to county business.]*

Submitted by Supervisors Graf, Blaska, Fyrst, Rusk, Kostelic, Wendt, Gau, Ripp, Opitz, Brown, O'Loughlin, Wiganowsky, Bruskewitz, Vogel, Jensen, and Martz, April 7, 2005 (p. 353, 04-05).

Referred to EXECUTIVE and PUBLIC PROTECTION/JUDICIARY.

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ORD. AMDT. 37, 04-05

AMENDING CHAPTER 72 OF THE DANE COUNTY CODE OF ORDINANCES,  
ESTABLISHING A SLOW-NO-WAKE ZONE ON SQUAW BAY

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 72.08(1) is amended to read as follows:

72.08 SLOW-NO-WAKE ZONE. (1)(a) A slow-no-wake zone is hereby established to be a zone along the entire shorelines of Lakes Mendota, Monona, Waubesa and Kegonsa which is demarcated by a line drawn parallel to and two hundred feet distant from the shoreline and which encompasses all surface waters between that line and the shoreline.

(b) A slow-no-wake zone is hereby established on Squaw Bay on Lake Monona. The area subject to the zone shall be that area of Squaw Bay which is located east of a line running from the Winnequah boat landing in the City of Monona to Hoboken Road in the City of Madison.

~~(b)(c)~~ A slow-no-wake zone is hereby established on the entire surface of Lake Mendota from sunset to midnight on the date when the Rhythm & Booms fireworks display is held at Warner Park in the City of Madison.

*[EXPLANATION: This amendment creates a slow-no-wake zone on Squaw Bay.]*

Submitted by Supervisors Eggert, Graf, and Hendrick, April 7, 2005 (p. 354, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED.

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ORD. AMDT. 38, 04-05

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,  
PROVIDING FOR CREMATORIUMS IN BUSINESS AND COMMERCIAL ZONING DISTRICTS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection (11a) of s. 10.01 is amended to read as follows:

10.01 DEFINITIONS. (11a) Cemetery. Shall include, but not be limited to, cemeteries, mausoleums, columbarians, ~~crematoriums~~ and burial chapels. Shall be subject to section 157.06 of the Wisconsin Statutes.

*[EXPLANATION: This amendment removes "crematoriums" from the definition of cemetery.]*

ARTICLE 3. Subsection (2) of s. 10.11 is amended to read as follows:

10.11 B-L LOCAL BUSINESS DISTRICT. (2) *Permitted uses*. The following are permitted uses in the B-1 Local Business District:

- (a) Retail sales or retail service businesses including related services but not including sales, servicing or repair of motor vehicles or any business or service for which the items offered for sale or which require service are stored, parked or displayed outside of a building, except as provided by this ordinance.
- (b) Outdoor sales events limited to two (2) events per year. For purposes of this paragraph, a single event is one which is held on consecutive days of not more than ten (10) days in duration.
- (c) Storage of items or materials incidental to an established retail or service use on the premises but not to serve any other business or location. Said storage shall be in an enclosed building or enclosed area as provided by section 10.16 of this ordinance. Mini-warehouses are considered to be warehousing and are not permitted in the B-1 Local Business District.
- (d) Medical, dental and veterinary clinics.
- (e) Banks, offices and office buildings.
- (f) Utility services.
- (g) Schools and educational facilities except truck driving or construction equipment operator schools.
- (h) Recreational facilities affiliated with a permitted B-1 use and which are not lighted for night operation.
- (i) Rental or lease of boat slips.
- (j) Private clubs or organizations.

(k) Theaters and auditoriums.

(l) Crematoriums.

*[EXPLANATION: This amendment includes crematoriums as a permitted use in the B-1 Local Business District.]*

ARTICLE 4. Subsection (1) of s. 10.13 is amended to read as follows:

10.13 C-1 COMMERCIAL DISTRICT. (1) *Permitted uses.* (a) Retail and service uses including, but not limited to, grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size.

(b) Self service laundries and dry cleaning establishments.

(c) Warehousing and storage incidental to a permitted use on the premises. Mini-warehouses are excluded from use in this (C-1) district.

(d) Medical, dental and veterinary clinics.

(e) Banks, offices, office buildings and condominium office buildings devoting not more than two (2) floors to office space.

(f) Utility services.

(g) Rooming and boarding houses.

(h) Bakeries, printing plants, laundries, dry cleaning plants.

(i) Distribution centers and wholesale businesses.

(j) Woodworking shops, machine shops, manufacturing and assembly plants.

(k) Bicycle sales and service.

(L) Rental businesses, except for motor vehicles and construction machinery and equipment.

(m) Experimental laboratories not to exceed 5,000 square feet of floor area.

(o) Sales and repair of lawn and garden equipment.

(p) Games such as horseshoes, volleyball or similar activities not lighted for night operation.

(q) Marinas.

(r) Off-site parking of motor vehicles as provided in section 10.18(3)(c).

(s) Crematoriums.

*[EXPLANATION: This amendment includes crematoriums as a permitted use in the C-1 Commercial District.]*

Submitted by Supervisor Ripp, April 7, 2005 (p. 355, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and ZONING/  
LAND REGULATION.

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RES. 346, 04-05

ADOPTING THE DANE COUNTY NATURAL HAZARD MITIGATION PLAN

WHEREAS natural hazards pose a risk of significant disaster with loss of life and property damage in Dane County,

WHEREAS, the Dane County Board of Supervisors recognizes the importance of reducing or eliminating the vulnerability to disasters caused by natural hazards for the overall public safety and welfare of the community, and

WHEREAS THE Federal Disaster Mitigation Act of 2000 requires jurisdictions to prepare and adopt a natural hazard mitigation plan to be eligible for future pre-disaster and post-disaster federal funding for mitigation purposes, and

WHEREAS Dane County participated jointly in the planning process with other local units of government within the County to prepare a comprehensive, multi-jurisdictional, Natural Hazard Mitigation Plan to identify natural hazards and develop strategies to reduce the impacts of natural hazards, and

WHEREAS Dane County has identified and justified a number of proposed projects and programs needed to mitigate the vulnerability of Dane County to the impacts of future disasters, which are included in the Dane County Natural Hazards Mitigation Plan;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby approves and adopts the Dane County Natural Hazard Mitigation Plan; and

BE IT FURTHER RESOLVED that Dane County will continue to participate in the updating and revision of the Dane County Hazard Mitigation Plan with a plan review and revision to occur within a five-year cycle, and designated staff will provide annual progress reports on the status of implementation of the plan to the Public Protection and Judiciary Committee of the Dane county Board of Supervisors; and

BE IT FURTHER RESOLVED that Dane County will further seek to encourage businesses, community groups and organizations, and other stakeholders within the County to also participate in the updating and revision of the Dane County Hazard Mitigation Plan.

Submitted by Supervisor Olsen, April 7, 2005 (p. 356, 04-05).

Referred to PUBLIC PROTECTION/JUDICIARY and EMERGENCY MEDICAL SERVICES COMMISSION.

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RES. 347, 04-05

WISCONSIN EMERGENCY MANAGEMENT (WEM) GRANT AWARD  
PUBLIC INFORMATION OFFICER EXERCISE

The purpose of this resolution is to adjust revenue and expenditures from FY 2004.

In a collaborative effort to deliver quality training and exercising to first responders within our county, Dane County Emergency Management applied and was awarded funds.

The County of Dane was awarded a total of \$610.00 for the purpose of delivery of the course materials.

NOW, THEREFORE, BE IT RESOLVED that \$610.00 be set up as additional revenue in the Emergency Management, Emergency Planning Terrorism Revenue account EMEMRPLN 81802, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$610.00 is transferred from the General Fund to the following Emergency Management, Emergency Planning Accounts (account numbers to be issued by the Controller's Division upon passage of this resolution):

Public Information Officers Terrorism Tabletop Exercise March, 2005 \$610

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2004 to the 2005 budget period.

Submitted by Supervisors Salov, Martz, and Olsen, April 7, 2005 (p. 356, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and EMS COMMISSION.

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RES. 348, 04-05

AWARDING PURCHASE OF SERVICE CONTRACT FOR COURT COLLECTION SERVICES

Based upon the State of Wisconsin contract #15-94633-401 from RFP #27700-LP, this contract will be awarded to H. E. Stark Collection Agency, Inc.

Types of accounts that will be referred to collection include: guardian ad litem fees; adult legal fees; fines/costs; filing fees/service fees; juvenile legal fees; and electronic monitoring fees.

The contract is commission based and the collection rate will be based on the age of debt.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an agreement with H. E. Stark Collection Agency, Inc., through December 31, 2005, with an option by mutual agreement of Dane County and H. E. Stark Collection Agency, Inc., to renew for four (4) additional one-year periods.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the contractual agreement.

Submitted by Supervisor Olsen, April 7, 2005 (p. 357, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 349, 04-05

AUTHORIZING A CONTRACT BETWEEN DANE COUNTY AND COINMACH CORPORATION  
FOR DANE COUNTY JAIL LAUNDRY EQUIPMENT SERVICES

WHEREAS, Dane County and its Sheriff are responsible for the keeping of the Dane County Jail and caring for the inmates therein, including the provision of inmate access to laundry services, and

WHEREAS, the existing contract for jail laundry equipment services expires on October 31, 2004, and

WHEREAS, Dane County engaged in a competitive bidding process for a vendor to provide jail laundry equipment services to inmates in the Dane County Jail, to begin on November 1, 2004, and

WHEREAS, Coinmach Corporation of Wheeling, Illinois, was the successful bidder in the aforementioned competitive bid process, and

WHEREAS, the contract with Coinmach Corporation provides for a minimum annual commission amount of \$9,000 during each of the first three years and \$12,000 during each of the final two years,

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Coinmach Corporation of Wheeling, Illinois, for jail laundry equipment services commencing on November 1, 2004, and continuing for three years with extensions for and additional two years, and

NOW, THEREFORE, BE IT RESOLVED that the revenue be credited to the Prisoner Laundry Revenue account no. 1110-2-42-220-00-000-83055.

NOW, BE IT FINALLY RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute the necessary documents for the contract.

Submitted by Supervisor Olsen, April 7, 2005 (p. 358, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 350, 04-05

AUTHORIZING PURCHASE OF SERVICE AGREEMENT WITH ROCK COUNTY FOR CORONER SERVICES

In January 2005, the Rock County Coroner took a leave of absence from her duties. As a result of other personal vacancies within the office of the Rock County Coroner, that office was unable to perform its statutory duties and functions.

On January 14, 2005, Rock County authorized the Dane County Coroner to perform all statutory duties of the Rock County Coroner's Office. The Dane County Coroner has been performing those duties since January 2005.

The Dane County Coroner's Office is able to provide coroner services to Rock County for a limited period of time. A Purchase of Service Agreement has been negotiated with Rock County for provision of coroner services through August 15, 2005.

NOW, THEREFORE, BE IT RESOLVED that a Purchase of Service Agreement with Rock County for provision of coroner services is approved.

BE IT FURTHER RESOLVED that \$20,000 in revenue be added to the 2005 budget in a new line item Coroner Contract Revenue and \$18,470 be added to LTE expense, \$1,421 be added to Social Security expense in the Coroner's Office; and

BE IT FINALLY RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute said Agreement.

Submitted by Supervisor Olsen, April 7, 2005 (p. 358, 04-05).  
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

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RES. 351, 04-05

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE WISCONSIN PROFESSIONAL POLICE ASSOCIATION SUPERVISORY LAW ENFORCEMENT UNIT

A tentative agreement has been reached with and ratified by the Wisconsin Professional Police Association Supervisory Law Enforcement Unit for the 2004, 2005, and 2006 contract years. The agreement will be effective December 14, 2003, through December 23, 2006. The Wisconsin Professional Police Association Supervisory Law Enforcement Unit represents approximately 17 employees.

The principle items agreed to were across-the-board wage increases for regular employees beginning in the second year of the agreement. These and other economic items agreed to are within the County's budgetary constraints. The wage increases are:

December 26, 2004	1%
June 26, 2005	2.5%
December 25, 2005	1%
June 25, 2006	3%

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the previous collective bargaining agreement between Dane County and the Wisconsin Professional Police Association Supervisory Law Enforcement Unit be continued for the period of December 14, 2003, through December 23, 2006, with the attached negotiated changes (on file in the Dane County Clerk's Office).

BE IT FURTHER RESOLVED that the wage and benefit improvements be extended for those employees in confidential positions.

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Submitted by Supervisors Brown, O'Loughlin, Fyrst, and Worzala, April 7, 2005 (p. 359, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 352, 04-05

AUTHORIZATION LEASE TO SEDAN

In 1999, Dane County established a master lease agreement with Ford Motor Credit to provide lease financing for fleet vehicles. As existing leases expire, new vehicles are leased to replace them. The Department of Administration has received quotes from a variety of lease providers and has determined that the most advantageous lease agreement to pursue to replace one Dane County vehicle would be with Ford Motor Credit.

The lease will be used to finance one Dodge Neon sedan for the Land and Water Resources Department. This vehicle was priced under the state contract at \$11,097. The vehicle will be financed over three years with annual payments of \$4,025.

THRERFORE, BE IT RESOLVED that the Controller and County Clerk are authorized to execute addenda to the Ford Motor Credit master lease agreement for one Dodge Neon sedan.

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, April 7, 2005 (p. 359, 04-05).  
Referred to PERSONNEL/FINANCE and LAND CONSERVATION COMMITTEE.

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RES. 353, 04-05

AWARD OF CONTRACT FOR BOND COUNSEL

The County's contract for bond counsel services has expired. A Request for Proposals for the provision of these services was solicited as RFP #105045 pursuant to Chapter 25, Dane County Code of Ordinances. Of the proposals, the firm of Michael Best & Friedrich LLP was deemed most favorable to Dane County.

NOW, THEREFORE BE IT RESOLVED that Michael Best & Friedrich LLP be retained as bond counsel for Dane County for a period of three years, with an option by mutual agreement of the County and Michael Best & Friedrich LLP to renew for two (2) additional one(1)-year periods.

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized to execute a contract with Michael Best & Friedrich LLP for the terms set forth above.

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, April 7, 2005 (p. 360, 04-05).  
Referred to PERSONNEL/FINANCE.

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RES. 354, 04-05

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE  
DANE COUNTY DEPUTY SHERIFFS' ASSOCIATION WPPA/LEER

A tentative agreement has been reached with and ratified by the Dane County Deputy Sheriffs' Association WPPA/LEER for the 2004, 2005, and 2006 contract years. The agreement will be effective December 14, 2003, through December 23, 2006. The Deputy Sheriffs' Association WPPA/LEER represents approximately 385 employees.

The principle items agreed to were across-the-board wage increases for regular employees beginning in the second year of the agreement. These and other economic items agreed to are within the County's budgetary constraints. The wage increases are:

December 26, 2004	1%
June 26, 2005	2.5%
December 25, 2005	1%
June 25, 2006	3%

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the previous collective bargaining agreement between Dane County and the Dane County Deputy Sheriffs' Association be continued for the period of December 14, 2003, through December 23, 2006, with the attached negotiated changes (on file in the Dane County Clerk's Office).

BE IT FURTHER RESOLVED that the wage and benefit improvements be extended for those employees in confidential positions.

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, April 7, 2005 (p. 360, 04-05).  
Referred to PERSONNEL/FINANCE.

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APPROVING A CONTRACT WITH THE VILLAGE OF CROSS PLAINS FOR A BUILD GRANT TO FUND THE MAIN STREET REDEVELOPMENT PLANNING PROJECT

In 1999, the Dane County Executive launched the Better Urban Infill Development (BUILD) program to provide grant assistance to municipalities seeking to make better use of their existing infrastructure; locate jobs, services and shopping in close proximity; stabilize and enhance existing neighborhoods, downtowns and business districts; produce housing and jobs for low and moderate income people; avoid converting productive farmland on urban fringes and in rural areas; provide viable options to automobile trips by promoting walking, biking and transit; and that have the potential to clean up environmentally contaminated sites. The BUILD Advisory Committee, established in Resolution 225, 2000-2001, provides guidance to the BUILD program.

Municipalities use BUILD grants to hire consultants who help communities generate plans for infill development, downtown revitalization, and traditional neighborhoods. Through 2004, BUILD awarded approximately \$720,000 to fund planning efforts in 18 communities throughout Dane County. Local municipalities invested approximately an additional \$364,000 in their planning efforts. Construction of BUILD-funded planning recommendations has occurred in the cities of Madison, Sun Prairie, Stoughton, Monona, and Verona; the villages of Oregon, Cambridge, and Waunakee; and the Town of Madison.

The BUILD program solicits grant applications, and makes grant awards, on an annual basis. The Dane County budget has included funding for BUILD since 1999. Funding for BUILD is also provided through the County's Community Development Block Grant (CDBG) program. The BUILD Advisory Committee serves as the review panel for BUILD grant applications and makes grant award determinations and recommendations.

In 2004, the Village of Cross Plains submitted an application for a grant to fund planning for the Revitalization of the Main Street Corridor. The purpose of the planning is to create a vision and plan for revitalization of the Main Street corridor, promote appropriate infill development, increase pedestrian friendliness, and promote economic development. The BUILD Advisory Committee awarded a grant of \$36,000 for this application. The grant required the City to provide funding for 20 percent of the total project cost.

The Village of Cross Plains has established a project steering committee and hired consultants for the Main Street Redevelopment Planning Project. Dane County Planning and Development prepared a purchase of service contract with the Village, in the amount of \$36,000, to fund this planning project.

NOW, THEREFORE, BE IT RESOLVED that a contract between Dane County and the Village of Cross Plains in the amount of \$36,000, to fund Main Street Redevelopment Planning Project, is approved by the Dane County Board of Supervisors;

BE IT FURTHER RESOLVED that the Dane County Controller is authorized to issue checks necessary to effectuate the transaction; and

BE IT FINALLY RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized to sign the appropriate contract in behalf of Dane County.

Submitted by Supervisor Erickson, April 7, 2005 (p. 361, 04-05).  
Referred to PERSONNEL/FINANCE and B.U.I.L.D COMMITTEE.

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RES.356, 04-05

CONTRACT FOR FOOD, BEVERAGE AND MERCHANDISE RIGHTS AT THE  
ALLIANT ENERGY CENTER OF DANE COUNTY

The current food, beverage, and merchandise agreement expires June 24, 2005. In order to select a firm for the next seven years, the Center hired William Caruso & Associates, a food and beverage consultant. A request for proposals was developed, advertised, and distributed to 13 firms. Nine firms attended the preproposal meeting and four firms submitted proposals.

An evaluation team of staff from the Alliant Energy Center and the Department of Administration reviewed and evaluated the proposals and evaluated the presentations of two firms. The evaluation team selected the firm of \_\_\_\_\_ as having the most advantageous proposal.

An agreement has been negotiated with \_\_\_\_\_. The terms of the agreement include:

NOW, THEREFORE, BE IT RESOLVED that the firm \_\_\_\_\_ be awarded a seven-year agreement with a three year County option beginning June 25, 2005, for food, beverage, and merchandise rights at the Alliant Energy Center of Dane County.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to sign the agreement.

Submitted by Supervisors Ripp, Kostelic, Opitz, and Matano, April 7, 2005 (p. 362, 04-05).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ALLIANT ENERGY CENTER COMMISSION.

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RES. 357, 04-05

ACCEPTING ADDITIONAL STATE INCENTIVE GRANT REVENUE  
DCDHS – CYF DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

This resolution accepts CY2004 carryover of additional unspent funds from the State of Wisconsin Incentive Grant (SIG) in the amount of \$10,690 to be used in CY2005 in the Children, Youth and Families Division. The SIG Grant is a three-year alcohol, tobacco and other drug prevention grant for youth ages 12 – 17 to redesign the prevention services system.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFCFAP 80838	State Incentive Grant – SIG	\$10,690
 <u>Expenditure Account Number</u>	 <u>Account Title</u>	 <u>Amount</u>
CYFCFAP CPSIAA	TBD – SIG	\$10,690

Submitted by Supervisors Gross, DeSmidt, Wheeler, and Worzala, April 7, 2005 (p. 363, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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RES. 358, 04-05

AWARDING PROFESSIONAL SERVICES CONTRACT FOR DATABASE ENGINE MIGRATION SERVICES  
DEPARTMENT OF HUMAN SERVICES

This resolution awards a professional services contract to (*Vendor to be determined*) for the migration of the DCDHS Information System and Payment Processing System from Sybase Adaptive Server to SQL Server 2000. The project is limited to the migration of database objects and data in the three main sets of databases corresponding to the Development, Quality Assurance, and Production environments.

The DCDHS Information System and the Payment Processing System provide for the collection, tracking, and reporting of information on DCDHS funded consumers, the services they receive, the outcomes and benefits of those services, and associated costs while meeting the demands for internal and external reporting. The system is used to generate payments to service providers and to individuals and is used to transmit required service and payment information to the State of Wisconsin.

Development of the DCDHS Information System and the Payment Processing System began in 1995 and is ongoing today. These are client/server-based applications developed in PowerBuilder 6.5, running on Windows XP with a Sybase 12.0 back end. Current development efforts have run into problems with transaction processing between the web environment and Sybase. The choices are to upgrade to Sybase 12.5 or to migrate to SQL Server. Information Management currently supports applications in Oracle and SQL Server with the applications in Human Services being the only ones using a Sybase database engine. Movement to SQL Server will resolve the problems with transaction processing while eliminating the support and license costs associated with Sybase.

The Purchasing Division issued RFP #105031 to obtain a vendor to perform the database migration services. A review team comprised of Information Management staff evaluated the responses to the RFP and recommends that the County enter into a contract with (*vendor to be determined*) to provide the database engine migration services.

Funds for this project have been budgeted in the Department of Human Services and designated for this purpose.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a contract with (*vendor to be determined*) for the period of April 25, 2005, through July 31, 2005, for the migration of the DCDHS Information System and Payment Processing System from Sybase Adaptive Server to SQL Server 2000.

Vendor

Amount

BE IT FURTHER RESOLVED that the Dane County Department of Administration, Information Management is directed to ensure complete performance of the contract.

BE IT FINALLY RESOLVED that the Dane County Executive and County Clerk be authorized to execute the contract on behalf of the County of Dane.

Submitted by Supervisors Gross, DeSmidt, and Wheeler, April 7, 2005 (p. 363, 04-05).  
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

CREATING A UNIFIED APPLICATION FOR DEVELOPMENT PROPOSALS

The Lakes and Watershed Commission has recommended several substantial updates to County environmental and land regulation codes. Manure storage and management standards are also being considered. Other ordinance changes to respond to the County's comprehensive plan process are beginning to be discussed. These changes will add to the complexity of obtaining approval of proposed economic development projects and will involve review and approval by multiple County agencies.

It is appropriate to consider not only the substance of County regulations affecting economic development, but also the process by which persons proposing to undertake development must obtain review and approval of their proposals. Economic development proposals such as new industries, retail centers, subdivisions, or additional housing add tax base and create jobs for the County community and should be encouraged.

Currently, persons proposing various kinds of projects must obtain approval from a number of different County agencies. A proposal may, for example, require a zoning change, which would involve the Department of Planning and Development and the Zoning and Land Regulation Committee. It may also require approval of the Department of Land and Water Resources, Environmental Health, and the Department of Public Works and Transportation.

These agencies are dispersed throughout the County in several different buildings. Obtaining approvals can be time-consuming, expensive, and requires filling out redundant applications. Studies of the issue of affordability of housing have consistently reported that the length of time required to obtain approval of development proposals serves to increase the price of new housing, making housing less affordable. Additionally, delays in review of economic development proposals serve to undermine Dane County's ability to compete for economic development in the regional, state, and national market. It is appropriate and possible to streamline county permitting processes without compromising any of the environmental or other protections contained in the County's ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Dane County Board of Supervisors that:

1. Dane County commits to implementing a unified application system for regulatory reviews of projects. Under the system, a person proposing to undertake an economic development project, whether small or large in scale, will be able to complete just one application and pay all associated fees. The unified application will be routed to all appropriate county agencies depending on the nature of the project.
2. The unified application process contemplated by this Resolution shall, to the extent possible, make it possible for applicants to obtain application materials using the County's Internet site.
3. The Zoning and Land Regulation Committee (as to agencies under its review) Environment, Agricultural, and Natural Resources Committee (as to agencies under its jurisdiction) shall develop necessary amendments to the Code of Ordinances to implement the unified application program.
4. As part of the development of the unified application process and prior to the deadline for submitting 2006 budget proposals, the ZLR and EANR committees will evaluate whether it is possible to add additional fee-supported staff in the County Planning and Development Department to relieve zoning inspectors and planners of the need to perform clerical work which reduces their ability to handle their core functions.
5. Be it finally resolved that the EANR and ZLR committees shall prepare a report on their respective aspects of creating a unified application process, which report shall be furnished to the County Board, together with a summary of the ordinance amendments required, no later than August 1, 2005.

Submitted by Supervisors Gau, Jensen, Bruskewitz, Wendt, Blaska, O'Loughlin, Opitz, DeSmidt, Schoer, Hanson, Vogel, Martz, Ripp, Salov, Brown, Graf, de Felice, Wheeler, Eggert, and Kostelic, April 7, 2005 (p. 365, 04-05).

Referred to ZONING/LAND REGULATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

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RES. 360, 04-05

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING AMENDMENTS TO  
THE TOWN OF PERRY LAND USE PLAN

In October 2004, the Town Board of the Town of Perry adopted an amendment to the *Town of Perry Land Use Plan*. That amendment clarifies density policies for land sales of more than 35 acres and establishes criteria for driveways crossing productive agricultural soils.

Dane County has adopted a farmland preservation plan under the authority of Chapter 91 of the Wisconsin Statutes. The *Dane County Farmland Preservation Plan* includes town land use plans as central components. Therefore, amendments to town land use plans must be adopted by the County Board of Supervisors to also be considered amendments to the *Farmland Preservation Plan*.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors adopts the town approved amendment to the *Town of Perry Land Use Plan* and an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisors Jenson, Wendt, and McDonell, April 7, 2005 (p. 365, 04-05).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES and ZONING/LAND REGULATION.

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RES. 361, 04-05

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees, and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

**Area Agency on Aging Board**

Jon H. Hochkammer, 691 Grace Street, Verona 53593 (845-5833-H, 266-1801-W), to be reappointed. This term will expire 4/15/08.

Miriam A. Semmann, 901 Campfire Drive, Sun Prairie 53590 (837-3379-H), to be reappointed. This term will expire 4/15/08.

**Employee-Management Insurance Advisory Committee**

Frank Alfano, 4809 Eldorado, Madison 53716 (222-0747-H), to be reappointed. This term will expire 4/17/07.

Barbara Borde, 4014 Zeno St., Madison 53704 (244-3183H), to be reappointed. This term will expire 4/17/07.

Bernie Reinfeldt, 209 Indian Summer Road, Marshall 53559 (655-3951-H), to fill the seat of "Alternate-Retiree." Mr. Reinfeldt is retired from the Dane County Sheriff's Office, having served the department for thirty years. He was a Lieutenant in Jail Operations. He is currently a part-time Client-Resident Monitor for Attic Correctional Services. This term will expire 4/17/07.

**Housing Authority Board, Dane County**

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W), to be reappointed. This term will expire 4/20/10.

**Human Services Board**

Peng Her, 536 North Sherman Avenue, Madison 53704 (241-8534-H, 240-0762-W), to be reappointed. This term will expire 4/15/08.

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W), to be reappointed. This term will expire 4/15/08.

**Lakes & Watershed Commission**

Howard Teal, 7124 Companion Lane, Middleton 53562 (836-1277-H, 827-1050-W), to be reappointed. This term will expire 4/15/08.

**South Central Rail Transit Commission**

Paul Ziehli, 925 Welch Street, Belleville 53508 (424-3858-H, 424-3341-W), to be reappointed. This term will expire 4/15/08.

Submitted by Supervisor Kesterson, April 7, 2005 (p. 366, 04-05).  
Referred to EXECUTIVE.

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**COMMUNICATIONS**

Claim from American Family Ins. Group re: their insured, Douglas J. Wollin Jr. – claims police vehicle damaged home. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Vern Wendt for cost of professional services re: Bill Keen complaint. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Jonathan Mendelke against Highways – caused vehicle damaged by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Max Gundlach against Alliant Energy Center of Dane County – claims security gate struck his wife on the head. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Raimondo O'Brien against Jail – claims personal property is missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Price Co. Res. 4-05, State Full-funding of Costs Associated with ICF-MR Restructuring. Referred to EXECUTIVE.

Florence County Res. 2005-04 re: State Full-funding of Costs Associated with ICF-MR Restructuring. Referred to EXECUTIVE.

Florence Co. Res. 05-05, Opposing Further Limitations on Florence County's Ability to Levy Necessary Taxes. Referred to EXECUTIVE.

LaCross Co. Res. #98-3/05 re: Reduce Youth Smoking. Referred to EXECUTIVE.

Marathon Co. Res. #R-19-05, To Reduce Youth Smoking. Referred to EXECUTIVE.

### ZONING PETITIONS

Petition for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9259 – Town of Berry – Oakridge Farms LLP

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